



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

## **BUDGET ESTIMATES 2021-2022 Supplementary Questions**

**Portfolio Committee No. 5 – Legal Affairs**

**POLICE AND EMERGENCY SERVICES**

Hearing: 29 October 2021

**Answers due by: 26 November 2021**

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## **POLICE**

### **Questions from the Hon Mark Buttigieg MLC (on behalf of the Opposition)**

#### **Issuing of notices**

1. Commissioner Fuller, in relation to the issuing of notices for Mostafa Baluch, you said “My understanding is all the notices have been applied for”. Will you detail:
  - (a) Which Interpol notices you applied for?
  - (b) Did this include a Passenger Analysis Clearance and Evacuation System (PACE) alert?
  - (c) What is the process for applying for these alerts?

#### **Gang Feud**

2. In relation to the ongoing feud between the Hamze and Alameddine families, will you provide details on:
  - (a) As of November 3, how many arrests have been made in this matter?
  - (b) How many individuals have been charged?
  - (c) How many charges have been laid?

#### **Staffing numbers**

3. Will you provide, as of November 3, 2021:
  - (a) The overall number of staff employed by NSW Police?
  - (b) The overall number of uniformed officers employed by NSW Police?
  - (c) The overall number of administrative officers employed by NSW Police?
  - (d) The overall number of executive officers employed by NSW Police?
  - (e) The overall number of commissioned officers employed by NSW Police?
  - (f) The overall number of senior sergeants and sergeants employed by NSW Police?
  - (g) The overall number of probationary constables employed by NSW Police?

#### **St Mary’s COVID clinic attack**

4. In regard to the August 28th attack on the St Mary’s COVID testing clinic:
  - (a) As of November 3, have any arrests been made in relation to the attack?
  - (b) Have any further incidences of similar attacks been reported?

### **Strike Force Raptor**

5. Minister Elliott, given you said that Strike Force Raptor has made “over 6,000 arrests since it was established.” Will you provide:
  - (a) A breakdown of these 6,000 by month since Strike Force Raptor was created?
  - (b) The annual budget of Strike Force Raptor by each year since it was created?
  - (c) The annual budget of Strike Force Raptor for:
    - i. The 2021-22 financial year
    - ii. The 2022-23 financial year
    - iii. The 2023-24 financial year
    - iv. The 2024-25 financial year

### **Housing Affordability for Police officers**

6. Commissioner Fuller, given you said that “We often find—particularly in metro, closer to the 2000 postcode—officers cannot afford to live in the city” – will you detail:
  - (a) Do financial support measures exist to assist police officers for them to live closer to their stations in more expensive areas?
  - (b) If yes,
    - i. What are these measures?
    - ii. How many police officers used each of these measures in 2018, 2019, 2020 and 2021 (til 3 November)?
    - iii. How much money was spent on each of these measures in 2018, 2019, 2020 and 2021 (til 3 November)?

### **COVID infringement fines**

7. Minister Elliott, given you said that as of October 1 there had been 51,642 individuals issued with infringements under the Public Health Act, will you detail:
  - (a) How much money was collected in fines through these infringements?
  - (b) A breakdown of the number of infringements by Local Government Area?

### **Hezbollah flag displays**

8. How many times have the display of Hezbollah flags between recorded by NSW Police in the period 2015 to 2021?
  - (a) By year – 2015?

- (b) 2016?
- (c) 2017?
- (d) 2018?
- (e) 2019?
- (f) 2020?
- (g) January 1, 2021 to October 31, 2021?

**Islamic State or ISIS flag displays**

9. How many times have the display of Islamic State or ISIS flags between recorded by NSW Police in the period 2015 to 2021?
- (a) By year – 2015 and in what locations?
  - (b) 2016 and in what locations?
  - (c) 2017 and in what locations?
  - (d) 2018 and in what locations?
  - (e) 2019 and in what locations?
  - (f) 2020 and in what locations?
  - (g) January 1, 2021 to October 31, 2021 and in what locations?

**High Risk Terrorist Offenders**

10. How many High Risk Terrorist Offenders (HRTOs) and under surveillance in NSW as of November 3, 2021?
- (a) Of those who many are men and how many are women?
  - (b) What are their ages?
  - (c) What are the requirements as part of their release?

**ISIS Brides/Jihadis**

11. How many people are residing in NSW – who have returned from foreign zones under Islamic State control– and are they being monitored as former Australian Jihadis or ISIS brides?
- (a) Number of women?
  - (b) Number of men?
  - (c) Number of minors/children?

- (d) Are they the subject of monitoring?
  - i. If yes, what are the measures?

### **Step Together helpline**

12. Given the Step Together hotline – 1800 875 204 – was set up in June 2017 and it is a NSW funded helpline and online support service for people concerned about friends, family or loved ones who may be headed down the path of violent extremism, how many telephone calls has it received since it was established– as of November 3, 2021?

- (a) How many calls received in :
  - i. 2017?
  - ii. 2018?
  - iii. 2019?
  - iv. 2020? And,
  - v. January 1, 2021 to October 31, 2021?
- (b) How many charges or arrests have been made in
  - i. 2017?
  - ii. 2018?
  - iii. 2019?
  - iv. 2020? And,
  - v. January 1, 2021 to October 31, 2021?
- (c) What was the cost of the hotline in
  - i. 2017?
  - ii. 2018?
  - iii. 2019?
  - iv. 2020? And
  - v. January 1, 2021 to October 31, 2021?

### **Countering Violent Extremism (CVE) program**

13. How many has been spent on the Counter Violent Extremism program in:

- (a) 2015?

- (b) 2016?
  - (c) 2017?
  - (d) 2018?
  - (e) 2019?
  - (f) 2020? And
  - (g) January 1, 2021 to October 31, 2021?
14. Given the NSW government in its submission to the Parliamentary Joint Committee on Intelligence and Security Inquiry into extremist movements and radicalism in Australia – published March 18 2021 claimed that the program reached almost 1.5 million people, what is the basis for that claim?

### Questions from the Hon Robert Borsak MLC

15. Minister, on 18 August 2019 you issued a media release announcing reforms at the Firearms Registry. How is it that despite all the structural and procedural changes at the Firearms Registry since 5 July 2018 the Firearms Registry is still making simple administrative errors like:
- Mailing letters to an incorrect address despite being previously notified of a change of address (Mr “EF”);
  - Incorrectly asserting that a firearm licence holder had been involved in a domestic incident with his wife in 2002, when the licence holder would have been 13 years old at the time (Mr “JS”); and
  - Issuing a firearms registration certificate in August 2021 for a firearm that was reported to police as stolen in 2014 (Mr “TK”).
- (a) Why isn’t the Governance and Quality Assurance Unit at the Firearms Registry picking up these basic mistakes before they are being made?
- (b) What actions will be implemented to ensure basic administrative errors, like those mentioned above, do not occur again?

### Questions from Mr David Shoebridge MLC

#### **COVID fines**

16. Can you advise what happened for the 22 fines that were withdrawn in the data released about fines issued in July and August 2021?
17. You have reported you have oversighted all these fines, what does this actually mean?

18. Who does this task?
19. How are reviews of COVID-19 penalty notice offences conducted by NSW Police?
20. What rank of officer is involved in the review and is the review undertaken by the same police station or local area command from which the fine was given?
21. Given many fines don't detail what Health Order was breached, how is oversight actually conducted and what does it include?

### **Reviews of all penalty notices**

22. For the financial years 2021/22, 2020/21, how many COVID-19 penalty notice offences have the NSW Police reviewed on their own motion? What was the outcome of those reviews (penalty to stand, caution, cancellation)?
23. For the financial years 2021/22, 2020/21, how many COVID-19 penalty notice offences have been referred to NSW Police for review by Revenue NSW? What was the outcome of those reviews (penalty to stand, caution, cancellation)?
24. How many warnings were given in this same period?

### **Statistics**

25. What is the total number of infringements issued to the end of the stay at home orders,?
26. In which LGAs in Greater Sydney were those infringements issued in by number of infringements?
27. What (and how many) COVID-related charges are being laid?
28. How many public order charges were laid during the lockdown period?

### **Strikeforce Raptor**

29. Who instigated the creation of strikeforce raptor?
30. What was the annual budget for Strikeforce Raptor in:
  - (a) 2020/21?
  - (b) 2019/20
  - (c) 2018/19
31. Why isn't this information provided in the NSW Police Annual Report?
32. Who can be investigated by Raptor? Is it limited to defined criminal organisations?
33. Does the strikeforce have any police powers beyond what are granted by LEPRA?

34. What changes have been made to the operation of the strikeforce since actions by members of the force in May 2019 intimidating a lawyer on his way to court?

## **STMP**

35. How many people are currently subject to an STMP?
36. How many people were subject to an STMP in 2021?
37. In 2021, in each Police Area Command, how many people were subject to an STMP (please provide the name and breakdown for each PAC)?
38. What proportion of those individuals subject to the STMP in 2021 were Aboriginal or Torres Strait Islander?
39. Since the commencement of STMP III in 2020:
- a) How many adults have been subject to STMP III?
  - b) How many young people (under the age of 18) have been targeted on an STMP (and of these, how many are Aboriginal or Torres Strait Islander)?
  - c) How many young people have been placed on an STMP for:
    - i) 0 – 3 months,
    - ii) 3 – 6 months,
    - iii) More than 6 months?
  - d) How many young people have been targeted on an STMP while they are:
    - i) Subject to bail;
    - ii) Subject to supervision as part of a court ordered penalty;
    - iii) Subject to conditions of a s32 Order under the Mental Health (Forensic Provisions) Act?
  - e) How many young people aged under 14 have been placed on an STMP (and of these, how many are Aboriginal or Torres Strait Islander)?
  - f) How many young people aged under 16 have been placed on an STMP (and of these, how many are Aboriginal or Torres Strait Islander)?
40. We understand that young people are now being asked to sign STMP Nomination documentation when they are being targeted by NSW Police.
- a) Are all STMP targets now being provided with notification letters, or is this only for targets under the age of 18?
  - b) Have there been or are there currently any young people who are being targeted on some form of STMP, whether that be STMP I, STMP II, STMP III or STMP (DV), who have



not been provided with written documentation confirming that they are being targeted by police, and what the targeting activities will be?

- c) How many young people have signed STMP Notification documentation?

### **STMP data**

41. What are the characteristics that lead to a child/young person being identified as someone who might participate in criminal activity?
42. What data have you gathered regarding the impact/effectiveness of the STMP program, including whether and how these programs reduce crime; how these programs reduce crime, and how they impact young people and particularly FN people?
43. Has there been any evidence gathered regarding the impact of placing young people on STMPs, either from a criminal justice perspective or wellbeing?
44. Of those on the STMP list, how many have not committed a crime?
45. How many have voluntarily gone on the list?
46. What steps have been taken to implement the LECC report? What are you doing on intervention?

### **Mal Lanyon**

47. On 1 September 2021 you gave evidence that you counselled Deputy Commissioner Mal Lanyon. What was the actual conduct of Deputy Commissioner Lanyon that caused you to counsel him?
48. When you counselled Deputy Commissioner Lanyon, were you aware of the allegations contained in the two paramedic statements?
49. Was the Police Commissioner socialising with Mr Lanyon on the evening that Mr Lanyon was found by paramedics on Lockyer Street?

### **Fixated persons unit**

50. Are you aware of the reports of a police officer associated with the Newtown Command providing allegedly misleading evidence which resulted in the Fixated Persons Unit placing a man into solitary confinement for 3 weeks?
51. In August the charges relating to this matter were dropped and costs were paid - what was the total cost of the failed prosecution?
52. Are you further aware that the office involved has sent a defamation threat to the man who was affected by this?

### **Police officer**

53. Are you aware of concerns that have been raised about a Bathurst Regional Councillor and serving police officer in the jwire media report 15 October who according to that article equated the persecution of unvaccinated people with that experienced by the Jewish people?
54. Given the public health risks posed by COVID and the role of the police in enforcing the health orders are you concerned about a NSW Police officer using his position to advocate not getting vaccinated or otherwise following public health advice?
55. Mr Christian was previously under question for being involved in a police activity which destroyed evidence of blackmail of one of his political rivals - are you aware of this?
56. What if any involvement did Cr Christian have in events, including what if any conflict of interest declarations and arrangements were put in place.

### **Drug dogs**

57. Did drug dog operations get paused during any stage of the pandemic?
58. If so when and for how long?

### **Resignations**

59. How many police have resigned from the NSW Police Force in the last two years by month?
60. What were the reasons for these resignations?

### **Costs**

61. What was the cost to NSW for the police operations, ADF operations, resources for Operation Stay-At-Home and other police responses to the public health orders?

## **EMERGENCY SERVICES**

<b>Questions from the Hon Mark Buttigieg MLC (on behalf of the Opposition)</b>
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### **TOLing**

62. Does the government intend to add more stations to the list of stations that can be temporarily taken offline due to staffing shortages?
63. Does the government intend to permanently close any fire stations in the next 18 months?
64. Can the Minister provide the number of times that a station has been temporarily closed due to staff shortages?

- (a) Can the Minister disaggregate this information to identify specific stations with specific dates and times that were taken offline?

65. What is the total spend in the 2020-21 Budget on fire prevention initiatives?

### **Bushfire Inquiry Report**

66. Per Recommendation 55(a) of the Bushfire Inquiry Final Report can the Minister please provide an update on the rollout of the public safety network (PSN)?

- (a) When will the rollout be complete (if incomplete)?
- (b) Has the government ensured access to NSW RFS Private Mobile Radio networks where PSN coverage is not available?

67. Per Recommendation 55(b) of the Bushfire Inquiry Final Report, has NSW Telco Authority completed implementing solutions for the operational communications networks across the NSW-QLD border?

- (a) When will the rollout be complete (if incomplete)?
- (b) What is the status of discussions with Victorian agencies?

68. The NSW Government has committed \$480m in response to the NSW Bushfire Inquiry recommendations. How much of this amount has been spent?

- (a) At what stage is the procurement of the two new Bell 412 helicopters?
- (b) Of the \$28m directed to research and development of new technologies to tackle future bushfires how much of the \$7m for this past year was allocated?
  - i. What research has or is being produced from these grants?

### **Land Clearing**

69. Regarding the Rural Boundary Clearing Code what advice did the Minister receive from the Department that recommended land clearing 25 metres out from fences?

- (a) Did advice received from the Department specifically nominate 25 metres?
- (b) If the advice received did not specifically nominate 25 metres, what is the origin of the 25 metres as the amount of space that can be cleared from fencing?
- (c) Did the Department ever advise the Minister or Cabinet that land clearing 25 metres from boundaries will be ineffective in protecting against bushfires?

70. What scientific basis is there for the 25 metre measure?

## **Celeste Barber Foundation**

71. Regarding the \$51 million raised through Celeste Barber's fundraising campaign, could the Department please detail the following:
- (a) Of the \$30m dedicated to high-tech equipment, how much of the \$30m has been spent?
    - i. On what equipment?
    - ii. How was it dispersed?
    - iii. Were all requests for funding by respective stations met?
    - iv. Can you provide a list of applications?
    - v. Can you attach the items applied for and budget allocated?
  - (b) Of the \$20m dedicated to station upgrades, how much of the \$20m has been expended?
    - i. How much has been allocated to thermal imaging cameras and mobile signal boosters?
    - ii. How many stations have received an upgrade from this allocation?
  - (c) Of the \$10m kept in a 'benevolent fund' to provide assistance to injured firefighters and families of those killed, how much has been expended?
    - i. How many applications have been received?
    - ii. What is the average turnaround in applications?
  - (d) Of the \$2m dedicated to a new app to improve dispatch operations, has the app been developed?
    - i. If incomplete, when will it be available to the NSW RFS?
    - ii. Who developed the app/apps?
  - (e) How much money has been paid out of the trust overall?
    - i. How many applications have been received?
    - ii. What is the cause of the delay in reviewing and approving applications?

## **Preparations for upcoming bushfire season**

72. What specific measures has the Department taken to prepare for the specific threat of grass fires?
73. If someone is subject to an evacuation order and is isolating due to COVID-19, Resilience NSW advises people to not attend an evacuation centre and to stay with family and friends. What

measures will the Department and Resilience NSW take to avoid household and community transmission from someone subject to an evacuation order who is isolating due to COVID-19?

### **Bullying and Harassment**

74. In March 2021, Volunteer Firefighters Association secretary Greg Goode said that only 10% of volunteers complained about bullying and harassment and described RFS workplace culture as “very bad.”
- (a) What is the process to lodge a complaint?
    - i. How many complaints were received via this process over 12 months?
  - (b) Regarding the 10% figure, does the Department regard this as underreporting?
  - (c) Does the Department monitor an over-representation of complaints in a specific station or region?
    - i. What mechanism is triggered by this?
  - (d) Have you conducted any workplace culture surveys?
    - i. Please provide the reports produced by these surveys in the past 12 months?
  - (e) What actions has the Department taken to support cultural change within the RFS?
  - (f) On or about 17 March 2021, the Commissioner referred allegations made on Facebook of sexual assault, bullying, harassment and physical violence within RFS ranks to the police. What steps has the Minister and/or Department taken to address the issues raised in these allegations?
75. How many claims for psychological injury have been made in the previous 12 months by emergency services workers?
- (a) Has there been an increase in workers compensations claims for psychological injury made by emergency services workers compared to the previous 12 months?
  - (b) How much was paid in compensation claims over the past 3 years by each year to emergency services workers?
  - (c) How many emergency services workers have resigned after lodging complaints or psychological injury compensation claims in the past 12 months?

### **Surf Life Saving**

76. Are there currently any surf life saving clubs that have premises that they can no longer occupy due to needed repairs?
77. What programs is the Department running to recruit new volunteer lifesavers?

## **Marine & Rescue**

78. How many other applications from Marine Rescue NSW units received funding as part of the Infrastructure Grants Clubgrants Category 3 Fund?
- (a) How much funding does that amount to?
  - (b) How many applications from Marine Rescue NSW units were rejected?
    - i. How much does that reflect?
    - ii. What applications were rejected?

## **NSW SES**

79. Noting it is storm season, is the NSW SES awaiting any additional support as an organisation?
- (a) Could the Minister provide a list of items required by SES branches across NSW?

## **Fire and Rescue NSW budget**

80. Over the last 5 financial years what has been the budget overruns from Fire and Rescue NSW?
- (a) What would each amount be as a percentage of the allocated budget for that financial year?
81. What were the main causes for each overrun?
- (a) Has the Department modelled how climate change influenced disaster events will impact budget requirements for Fire and Rescue NSW?
    - i. If so, please table this modelling.

## **Fire and Rescue NSW reforms**

82. Commissioner, could you please provide an update on gender equity reforms instigated by your predecessor?
83. What was the cost of rebranding Fire and Rescue NSW to Fire + Rescue?
- (a) Could you please provide an itemised breakdown of these costs?

## **Fire stations**

84. In the past five years Commissioner, how many new stations were opened (that is, not rebuilt or refurbished) to meet previously undeveloped areas in greater Sydney?
85. In the past five years, what new greenfield site stations have been opened to meet previously undeveloped areas in greater Sydney?

86. Has the Department or Fire + Rescue NSW completed an audit of operating station facilities to identify suitability for women and people who are disabled?
- (a) If so, how many stations do not have suitable facilities for:
    - i. Women?
    - ii. People who are disabled?
  - (b) How many of those stations are in regional areas?
87. When was the last audit of stations completed to review compliance with:
- (a) Building standards?
  - (b) Work Health and Safety laws and regulations?
88. What is the estimated cost of works required to ensure compliance of stations in NSW with?
- (a) Building standards?
  - (b) Work, Health and Safety laws and regulations?

### Questions from Mr David Shoebridge MLC

#### **25m Clearing Code**

89. Does RFS have any information about if the code is being used, and to what extent?
90. What role does the RFS have in monitoring how the code is being used?

#### **FRNSW Management Oversight and Overtime Cost Blowouts**

91. What steps have been taken by FRNSW to address operational safety concerns experienced at 234 Station Bowral in terms the Station's compliance with minimal Retained Firefighters being available on call?
92. If no steps have been taken in respect of the operational safety concerns – then why not?
93. What is the annual overtime expenditure incurred by 234 Station Bowral 2576 for the periods ending 30 June in each of the financial years of 2016, 2017 and 2018?
94. Why was there no overtime expenditure in the 3 financial years leading up to December 2018 and in the subsequent 2+ year period the amount of \$1,588,482 has been incurred at 234 Station?
95. What steps has FRNSW taken to review and address the various operational aspects of the 234 Station will Bowral including its annual overtime expenditure?
96. If a review has been undertaken by FRNSW what were the findings of such a review?

97. What steps has FRNSW taken to address the issues found at 234 station including its recruitment/safety issues and its annual overtime expenditure blowout?
98. If no review has been undertaken by FRNSW of 234 Station's operations could the Minister explain why such a review has not taken place particularly given the ongoing safety/staffing concerns including where emergency response times have more than doubled since December 2018 and there has been significant re-occurring cost over time blowouts?