



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

BUDGET ESTIMATES 2023-2024

Supplementary questions

Portfolio Committee No. 1 - Premier and Finance

**The Legislature
(Franklin)**

Date of hearing: Monday 4 March 2024

Answers due by: Friday, 29 March 2024

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BUDGET ESTIMATES 2023-2024
SUPPLEMENTARY QUESTIONS

Questions from Hon Mark Latham MLC

Ongoing Refurbishments

- (1) What is the inaccessibility problem requiring refurbishment of the Level 2 exercise areas?
 - (a) How much will this cost and when will it be completed?
 - (b) For how long will the area be closed for use?
- (2) Why does it take so long to replace a passenger lift in the building?
 - (a) What tenders were received for the prompt completion of this work and why were they rejected?

Staffing

- (3) In the out-years of the Forward Estimates, will there be an increase in HR staff beyond the extra 11 in 2023/24?
 - (a) What are the details?

The Hon. Abigail Boyd MLC

- (4) In the matter of Abigail Boyd's Electoral Allowance reports to The Greens (as tabled):
 - (a) If there is an allegation of misuse of parliamentary entitlements (in this case referred by ICAC) how can the parliament not conduct a full and thorough investigation?
 - (b) What are the guidelines or protocols for the conduct of 'administrative reviews' in the parliament for allegations of financial impropriety against MPs? Was there a precedent for handling the Boyd matter this way and not conducting a proper investigation?
 - (c) Why did Mr. Blunt and the Acting CEO, DPS not ask Ms. Boyd for the relevant legal bills and invoices for the costs she reported to The Greens, to ensure they were within the rules for Electoral Allowance use?
 - (d) Will Mr. Blunt now assist in fulfilling Ms. Boyd's promise to the Committee of producing all her bills, invoices and bank accounts in this matter for inspection by Mr. Latham, as per the letter Mr. Latham has written to Mr. Blunt to make this possible in the Clerk's office?

- (e) In their 'administrative review' did Mr. Blunt and the Acting CEO, DPS consider:
- i. the Greens party Electoral Allowance reports provided to ICAC? and
 - ii. the original detailed letter of complaint to ICAC?
 - iii. What conclusions were reached from this consideration?
- (f) Given that Ms. Boyd told the Committee her Electoral Allowance was used with "something that has been connected with future legal cases" (page 34 Transcript) how can her expense claim dating back to March 2019 (as reported to The Greens) be valid?
- (g) Given that in the cost determination for *Johnston v The Greens NSW* [2019] NSWSC 215, Ms. Boyd's costs were the same quantum as the amounts of Electoral Allowance reported to The Greens, doesn't this indicate she was claiming for a case heard (on 1 March 2019) prior to her election to the Legislative Council?
- i. How can this be a valid use of Electoral Allowance (with the associated income tax benefits this brings)?
 - ii. Will a full and thorough investigation now be held given the amount of public money (\$34,675.54) involved?
- (h) Did Mr. Blunt and the Acting CEO, DPS realise that in the MPs' reports to The Greens (as published on the party's website and available to any reviewer or investigator) Ms. Boyd and Mr. David Shoebridge MLC claimed identical amounts of legal costs as Electoral Allowance in 2021, that is, \$4,569?
- i. Both Boyd and Shoebridge were respondents to Mr. Johnston's appeal against the original judgement and they used the same solicitor. Doesn't this indicate they were claiming off the same appeal case?
- (i) In any of the material Ms. Boyd sent to Mr. Blunt in mid-2023 is there a court judgment clearing Ms. Boyd of the misuse of Electoral Allowances?
- i. What does it say?
- (j) Do the court judgments submitted by Ms. Boyd deal with the question of "double dipping", that is, the prohibition on litigants profiting from costs, rather than the appropriateness of her Electoral Allowance claims?

Questions from Hon Bob Nanva MLC

Kellie Edwards Review

- (5) What was the Government/Opposition/Crossbench breakdown (of the employing members) of participants who provided some form of evidence to the Edwards review?
 - (a) For each category of evidence gathered
 - i. In actual numbers
 - ii. By proportion
 - (b) Overall
 - i. In actual numbers
 - ii. By proportion
- (6) What evidence was used to support the conclusion reached by the Parliamentary Executive Group that the results of the Edwards review weren't accurately reflective of staff experience?
 - (a) Could this evidence be provided?

Casual Staff & Training/Handovers

- (7) Given Members of the Legislative Council only have 1 staff member and there is no budget for casual staff, is it possible for a short-term relief staff member to be trained by the permanent member to do their role, and for both the permanent members and the STR member to both be paid?
- (8) Similarly, when staff leave an office and a new staff member is brought in, is it possible for both the outgoing and incoming staff members to be paid during a handover period?
- (9) Would the Presiding Officers consider introducing a pool of 10 days each year that would allow for these training and handovers to occur in such a way that all staff are paid for the work that they do?
- (10) Currently, short-term relief staff can't claim short-term relief in the SAP portal unless the permanent staff member that they are replacing has had their leave for that day approved. This is often unrealistic due to staff having to take leave at short notice due to illness, and members being unable to approve leave for a variety of reasons.

Most people would consider it unacceptable that STR staff either need to come in, unpaid, on a different day to claim payment for the casual work, or have to wait until the next day they are called in to work, often weeks or months later, to be paid for their work. What can be done about this?

Questions from Ms Abigail Boyd MLC

Zip Taps

- (11) What levels of Parliament have zip taps available to all?
 - (a) How many are on each level?
- (12) What is the installation cost of one zip tap?
- (13) Has consideration been given to installing more zip taps around Parliament, for example on each level frequented by parliamentary staff?

Procurement

- (14) How much money has DPS spent on products purchased from Hewlett Packard (inclusive of HP Enterprise businesses, HP end-user businesses, and any other businesses representing the Hewlett Packard brand) (HP):
 - (a) Please provide this information for each financial year since 2018/19 including 2023/24 to 31 December 2023, divided by agency, and include a short description of the kinds of products purchased for each agency each year, including whether any money has been spent since 7 October 2023.
- (15) What policies and procedures are used to ensure that procurement is ethical and meets community standards?
- (16) If products are procured from Hewlett Packard (meaning any business representing the Hewlett Packard brand), what probity checks have been done to investigate whether HP is involved in the 'plausible genocide' taking place in Gaza?