

PORTFOLIO COMMITTEE NO. 1 – PREMIER AND FINANCE

Tuesday 6 September 2022

Examination of proposed expenditure for the portfolio area

THE LEGISLATURE

CORRECTED

The Committee met at 09:30.

MEMBERS

The Hon. Robert Borsak (Acting Chair)

The Hon. Mark Buttigieg
The Hon. Anthony D'Adam
The Hon. Scott Farlow
Ms Sue Higginson (Acting Deputy Chair)
The Hon. Mark Latham
The Hon. Taylor Martin

PRESENT

The Hon. Matthew Mason-Cox, *The President.*

* Please note:

[inaudible] is used when audio words cannot be deciphered.

[audio malfunction] is used when words are lost due to a technical malfunction.

[disorder] is used when members or witnesses speak over one another.

CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS

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

**Budget Estimates secretariat
Room 823
Parliament House
Macquarie Street
SYDNEY NSW 2000**

The ACTING CHAIR: Welcome to the initial public hearing for the inquiry into budget estimates 2022-2023. I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the lands on which we are meeting today. I pay my respects to Elders past, present and emerging, and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander people joining us today. I welcome President Matthew Mason-Cox from his world tour and accompanying officers to this hearing. Today the Committee will examine the proposed expenditure for the portfolio of the Legislature.

Before we commence, I would like to make some brief comments about the procedures for today's hearing. Today's hearing is being broadcast live via the Parliament's website. Proceedings are also being recorded, and a transcript will be placed on the Committee's website once it becomes available. In accordance with broadcasting guidelines, media representatives are reminded that they must take responsibility for what they publish about the Committee's proceedings, especially as they relate to Balmoral Castle. All witnesses in budget estimates have a right to procedural fairness, according to the procedural fairness resolution adopted by the House in 2018. There may be some questions that a witness could answer only if they had more time or with certain documents to hand. In those circumstances, witnesses are advised that they can take a question on notice and provide an answer within 21 days. If witnesses wish to hand up documents, they should do so through the Committee.

President, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers seated at the table behind you. Finally, would everyone please turn their mobile phones to silent for the duration of the hearing. All witnesses will be sworn prior to giving evidence. President, I remind you that 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, position, title and agency, and swear either an oath or an affirmation. The words of both the oath and the affirmation are on the cards on the table in front of you.

Mr DAVID MICHAEL BLUNT, Clerk of the Parliaments and Clerk of the Legislative Council, Department of the Legislative Council, sworn and examined

Mr MARK WEBB, Chief Executive, Department of Parliamentary Services, affirmed and examined

Ms JOCELYN DALE WEBB, Director, Financial Services and Governance, Department of Parliamentary Services, sworn and examined

The ACTING CHAIR: Today's hearing will be conducted from 9.30 a.m. until 12.30 p.m. with a 15-minute break at 11.00 a.m. During this session there will be questions from the Opposition, crossbench and Government members. Thank you for your attendance today. We will begin with questions from the Opposition.

The Hon. MARK BUTTIGIEG: Mr President, it has been 3½ weeks now since the Broderick report was released and the Parliamentary Executive Group would have been made aware of the draft findings and the recommendations of the report prior to the release. The Parliamentary Executive Group did make a statement on the day of the release. The question is does the Parliamentary Executive Group plan to make a fulsome recommendation-by-recommendation response to the report?

The PRESIDENT: Absolutely, and work has already started in relation to working through an implementation process and appointment of internal staff to look at the report and the recommendations to work up an implementation sort of task force which will be going through each of the recommendations. Obviously from there there will be a process where the PEG will engage with the parliamentary advisory group, a very key part of the process to date, as well as with other stakeholders in Parliament, and indeed the leadership of political parties. In that regard, I recently received a letter from the Premier offering his assistance in that regard and the intention obviously is to engage as is recommended in the report so far as dealing with each of the political parties to ensure that this most important issue is addressed. The security, safety and welfare of our staff are fundamental to the ongoing performance in here as a Parliament, and certainly the highest commitment we have.

The Hon. MARK BUTTIGIEG: I appreciate that, thank you. Can I ask what the time frame of the response would be?

The PRESIDENT: The time frame is as soon as practicable. I mean, that issue is obviously—

The Hon. MARK BUTTIGIEG: In parliamentary timelines, that could be by the time we're in government.

The PRESIDENT: The internal work has begun in that regard, and I'd probably get an update in terms of where the internal work is up to.

The Hon. MARK BUTTIGIEG: I think that is important.

The PRESIDENT: I might just ask the chief executive officer to give us an update on that.

The Hon. MARK BUTTIGIEG: Thank you.

The PRESIDENT: But let me assure you, before I ask Mr Webb to respond, that this has the utmost priority from the Parliamentary Executive Group and the response will be as quickly as possible, and indeed engaging with all the key stakeholders in that regard, so with those few words, Mr Webb, would you like to respond in terms of the timing so far as the departmental implementation process is concerned?

MARK WEBB: Absolutely, thank you, Mr President. You would have noted from the report that there are six categories of recommendations and 53 sort of sub-points within those categories, and some of those sub-points can be divided a little further because they cover, for instance, recommendations to the Parliament's administration and recommendations to, say, political leadership in the one recommendation so they could be split further into that area. I have someone looking through all of the recommendations at the moment to translate that into the key points for action.

Mr Buttigieg, you mentioned before that we had access to draft findings—not so much draft findings; we got the report very close to when it was released. But you might recall from the last estimates that we did have Ms Broderick review some of the policies early—did a sort of phase one where she reviewed the policies—so we have started working on the policies to put together drafts that we can put out for consultation.

The Hon. MARK BUTTIGIEG: I apologise, Mr Webb. So there were actually no draft findings released early; you just got the report early?

MARK WEBB: We got it a few days before the report went out, that final version. We obviously were checking through for things like typos or if there were misunderstandings about the Parliament or whatnot, looking

through it for those, which we provided that input, but we did get some early feedback on the policy suite that we have, our grievance-handling policy, our harassment policy, and you would have seen from the report that Ms Broderick and her team indicated that the policy background was solid but could be enhanced, and specifically enhanced around the processes we use to support people through making a complaint and further, and we've been working on that for a little while.

The Hon. MARK BUTTIGIEG: Okay. If I engage in the process of cutting you off, I'm not trying to be rude but I just want to get surgically through what I've got to get through here because it's important we tease out the detail. In terms of being made publicly available, is there an intention to make the response publicly available?

MARK WEBB: Absolutely.

The Hon. MARK BUTTIGIEG: Will the Premier be making a separate and fulsome response, to your knowledge?

The PRESIDENT: The Premier has indicated in a letter to PEG—or to, I should say, the Speaker and myself—that, as the leader of the New South Wales Government, his intention is to convene a group of cross-party leaders to assist the New South Wales Parliament PEG and the parliamentary advisory group implement a non-partisan response to the recommendations of the report. So we'll be engaging in that process and obviously we'll be working through that once we've had an opportunity to work through the implementation phase and work through a work plan, and indeed respond to those recommendations in the quickest possible way we can.

The Hon. MARK LATHAM: That meeting is on Thursday afternoon.

The PRESIDENT: I haven't received an actual date for it myself; I haven't seen that.

The Hon. MARK LATHAM: The rest of us have. It is at 3 o'clock on Thursday—two days from now.

The Hon. MARK BUTTIGIEG: So at this stage there is no intention, as far as we know, for the Premier to make a discrete, standalone response? It will be the formation of this cross—

The PRESIDENT: Yes, that's my understanding.

The Hon. MARK BUTTIGIEG: Can I ask, in terms of—

The Hon. ANTHONY D'ADAM: Can I just clarify? Is it the case that the parliamentary officers haven't been advised of the meeting of the Premier's—

The Hon. MARK LATHAM: I think the officers have been overseas.

The PRESIDENT: They may have.

The Hon. MARK LATHAM: He is on the mail-out.

The PRESIDENT: I have literally just arrived back in the country.

The Hon. ANTHONY D'ADAM: I just wanted to clarify whether there had been a decision by the Premier not to include the officers?

The PRESIDENT: No, it is very clear the Premier is certainly engaged.

The Hon. MARK LATHAM: No, in the email that was sent to my office it included the President and the Speaker for three o'clock this Thursday.

The Hon. MARK BUTTIGIEG: What about financial resources being made available to implement the recommendations? Has Premier and Treasury given you an indication that that would be forthcoming?

The PRESIDENT: Yes, we have had some indication that that will be forthcoming. In terms of the scope of that, that will be obviously determined once we are able to respond to the recommendations specifically.

The Hon. MARK BUTTIGIEG: The report establishes that there are several urgent workplace health and safety issues within the parliamentary precinct that require some immediate work. Have you invited SafeWork NSW to assist with the Parliament's response to the issues in the report and ensure everyone is in compliance with their WHS obligations as employers?

The PRESIDENT: I don't believe we have responded or asked SafeWork. At this point in time we've got the report, we are reviewing it, we are looking at each of the areas in terms of recommendations. In terms of SafeWork NSW, it is something that—we haven't invited them into the workplace. Obviously we will be making an assessment of the report and dealing with each of the recommendations and working out a way forward, in consultation with the various stakeholder groups.

The Hon. MARK BUTTIGIEG: The reason I ask the question, President, is specifically in respect of the urgent WHS issues that came out of the report. Do you know if SafeWork has expressed an interest in the findings?

The PRESIDENT: I am not aware, but I might ask Mr Webb.

MARK WEBB: We haven't been contacted by SafeWork. They haven't expressed any direct interest to us as yet. Part of the review that we are doing to go through the recommendations is to work out who we need to engage with and who we need to consult with for each of the recommendations. I should also mention that some of the recommendations, of course, are not directed at the Parliament's administration; they are directed at political parties and the like as well. We are also just trying to work through to make sure that we are focused on the things that impact the Parliament's administration. But there is a real commitment to bring in experts where required. For instance, we brought in specialised support services based on the findings of the report to focus on particular groups that seem to be particularly affected by it. I don't have any objection to bringing in SafeWork to look at specific issues; we just haven't got to the point where we are ready to make that call.

The Hon. MARK BUTTIGIEG: In terms of the parliamentary complaints officer role, where are we up to in terms of that role being made available for staff to make complaints? It has been the subject of a number of media reports and I understand the Premier and the Leader of the Opposition are on a unity ticket about bringing this forward. Can you throw some light on that?

The PRESIDENT: Yes, I can. Rose Webb signed a contract last Friday. In that regard, the first step in relation to that is obviously to develop some protocols in relation to the investigation work and, indeed, some MOUs—memorandums of understanding—with ICAC as well as the Anti-Discrimination Board, for which there are overlaps in terms of the areas that Ms Webb will be investigating, and obviously in that regard I'm talking about sexual misconduct and the like, for which the Anti-Discrimination Board has jurisdiction. There are a range of those what I call preliminary issues that need to be sorted through, and those protocols will be very important to governing the work of the Independent Complaints Officer. I think in that regard there will be reference to some of the work that has been done in other jurisdictions, particularly the ACT, which has gone through these similar processes more recently. But that process will be the first major task of Ms Webb. In that regard, I might ask Mr Webb to provide some further comments—or David.

DAVID BLUNT: Mr Buttigieg, the Clerks—myself and, in my absence, the Deputy Clerk of the LC—were involved in finalising Ms Webb's contract and ensuring that it was in an appropriate form for her to sign last Friday. I am delighted to confirm that she is now engaged and she is ready to commence that role. She will be developing a communications plan in conjunction with staff of the Parliament but, really, as she's an independent officer appointed according to a resolution of both Houses and the appointment by the Presiding Officers, those communications will really be her responsibility to communicate in the way she sees fit and to make the whole of the parliamentary community aware of her role and the steps by which people can make complaints. We expect that to be rolling out in the next couple of weeks.

The Hon. MARK BUTTIGIEG: In terms of the resourcing for that, has it been adequately resourced already or is that still a work in process?

DAVID BLUNT: Ms Webb will be receiving—effectively she will be on a retainer and there is an amount that she will receive on an annual basis. If the workload is more than anticipated, then there are arrangements by which she can be paid an additional daily rate, but we are not anticipating that to be required at this stage. We are thoroughly committed to this and to making it work. I have personally got a lot invested in ensuring this works. I have been calling for such a position to be created for nine years, so I'm absolutely delighted that it has got across the line, and I know the LC Privileges Committee for all of that time—and, in fact, before that time—has been calling for it to work as well. We will ensure that she has all the resources that she needs to perform the function effectively.

The Hon. MARK BUTTIGIEG: Are there plans to roll out training for the staff in terms of the mechanisms for them to go to her and report?

DAVID BLUNT: Again, that will be part of that communications plan that Ms Webb rolls out. It is really, in a sense, up to her how she wants that to work, but we will work hand in glove with her to make sure she has every support she needs to ensure the staff are aware—all staff, both parliamentary staff and members' staff—of the pathways to report et cetera.

The Hon. MARK BUTTIGIEG: So if I'm a person looking at all this, thinking, "When can I actually go to her?", when do you think practically that will be able to happen?

DAVID BLUNT: She is on board—her jurisdiction has commenced—so she can receive a complaint now. But in terms of the publicity around how those mechanisms will work, that is really in her hands. I would expect that to roll out in the next couple of weeks.

The Hon. MARK BUTTIGIEG: Given the role of the parliamentary advisory group, which provides a representative, cross-party body that has been established over years—so this is the group that I think has both MPs and staff on it—why was there a separate cross-party group exclusively of MPs established to discuss the implementation of the report's recommendations? You've got this—I suppose there is this view that, well—

The PRESIDENT: Are you talking about the Premier's group?

The Hon. MARK BUTTIGIEG: There is a parliamentary advisory group, which is a cross-party body.

The ACTING CHAIR: There is a Premier's leadership group, isn't there?

The PRESIDENT: Yes. The Premier's leadership group is a very recent innovation. In that regard, we will see how things go on Thursday. Obviously this is a responsibility of the Parliamentary Executive Group to respond to the report that was commissioned by the Parliamentary Executive Group. We will be doing that in consultation with the leaders group, as we will refer to them in this conversation. Obviously the parliamentary advisory group is key and has been key for well over a year now—obviously it was established in early 2021. As a response to those early discussions, the Broderick review was commissioned so, in that regard, the parliamentary advisory group is the key consultative mechanism the Parliament has, which is a broadly, as you said, representative group across all key profiles in the Parliament.

The Hon. MARK BUTTIGIEG: But that Premier's group, which the Acting Chair touched on—just so I get this right—that's exclusively MPs, isn't it? Their role is to, what, discuss the implementation of the report recommendations?

The PRESIDENT: Yes. The Premier has, if you like, written to us in that regard.

The Hon. ANTHONY D'ADAM: Is that letter in the public domain?

The PRESIDENT: That letter, I'm not sure whether it's been publicly released or not. I received it whilst I was away.

The ACTING CHAIR: I don't think it's been publicly released. I know I got mine. It was written to the leaders of the various parties in the Parliament.

The PRESIDENT: I imagine it's available to each and it refers—

The Hon. MARK LATHAM: Chris Minns got a copy.

The Hon. MARK BUTTIGIEG: I suppose the question—

The Hon. ANTHONY D'ADAM: Whether it's in the public domain is a separate question.

The Hon. MARK LATHAM: You can put it in the public domain if you want to. You can take mine.

The PRESIDENT: It's pretty straightforward. I don't think there's any secret about it.

The Hon. MARK LATHAM: It's an invitation letter.

The PRESIDENT: The Premier simply reached out in response to the report and made it very clear that it's his highest priority and intention to convene a group of cross-party leaders to assist the Parliament and the parliamentary advisory group to implement the Broderick review recommendations.

The Hon. MARK BUTTIGIEG: I suppose if you're a staff person looking at this—one of the key things to come out of the report was the asymmetry of power and the power dynamic—you'd be thinking, "Great. There's a separate group of MPs who are going to discuss how to implement all this and we're shut out."

The PRESIDENT: No, that's not the case at all. There is a whole range of key stakeholders in this Parliament. The reality is this implementation plan requires consultation with party leadership, political parties. It requires consultation with staff of all the different departments, and MPs and ministerial staff. It's a very complex work environment. You can rest assured that the parliamentary executive group will be consulting with all those stakeholders and ensuring that the implementation of the recommendations is done in a most consultative way, not with any preference to one group or another but in a very considered and inclusive way.

The Hon. ANTHONY D'ADAM: An element of the Broderick report was these allegations of sexual assault, which are criminal matters. What's going to be the approach of the Parliament to that aspect of the alleged behaviour that has been exposed by the Broderick report?

The PRESIDENT: The Broderick report found, through the process of the personal interviews as well as the survey work, that there were five cases of sexual assault or attempted sexual assault, of three men and two women. Obviously referrals were given to those people, to ensure they understood what they could do if they wished to. That's a matter for each of those individuals involved. Obviously that information was not provided in any sort of particularity to any member. It was done on a completely confidential and private basis, which is, obviously, the appropriate response in that regard. That will be a case, as it always is, for those individuals concerned to make a referral, should they wish—

The Hon. MARK LATHAM: Referral where?

The PRESIDENT: —to the NSW Police Force, if they wish to take—

The Hon. MARK LATHAM: That hasn't been done already?

The PRESIDENT: The information in relation to that has been provided, but it's up to the individuals concerned as to whether they wish to take that complaint forward. In terms of that, I think the Clerk wishes to—

DAVID BLUNT: If I could just refer you to page 4 of the Broderick report, as published. The final paragraph on that page, if I could read it. It's only three sentences:

The Review did not extend to investigating or making any findings about any individual incident or allegation, nor about any individuals. All individuals who disclosed an experience of harmful behaviour were provided with appropriate referrals, as was any individual who was seeking an investigation of their current or past experience. Where ongoing risk or harm was identified, the Review Team notified the relevant authorities.

The Hon. MARK LATHAM: Following up on that matter, are we to believe that the five individuals that you're referring to who made anonymous allegations of sexual assault haven't referred this to the police already?

The PRESIDENT: I don't know.

The Hon. MARK LATHAM: What do you mean you don't know?

The PRESIDENT: This is something that's not within my purview or my knowledge.

The Hon. MARK LATHAM: It could be five people who work in politics, the lawmaking Parliament concerning the criminal laws of New South Wales, and you don't know whether they've taken these matters to the police?

The PRESIDENT: This is a report that was—

The Hon. MARK LATHAM: How substantial can the matters be if they haven't been referred to the police?

The PRESIDENT: I don't have the answer to that information.

The Hon. MARK LATHAM: Are you aware of section 316 of the Crimes Act, where concealing serious indictable offences is against the law of New South Wales? Has Broderick or any of your Executive referred these matters on to the police, knowing the contents of 316?

The PRESIDENT: This information was brought up in the context of the Broderick review on a non-particularised basis. As referred to by the Clerk just a moment ago, depending on the nature of what occurred, the referrals were made appropriately with the information provided to those people to ensure that they were able to move forward on that pathway, if they chose. But it was the—

The Hon. MARK LATHAM: But the information was disclosed to Broderick and, I assume now, the parliamentary Executive. Have you complied with the provisions of 316 of the Crimes Act, which is an authority, whether you like it or not, greater than you or Broderick or anyone else in this room?

The PRESIDENT: As is stated in the Broderick report, the relevant information was provided to the relevant authorities.

The Hon. MARK LATHAM: You've got no idea whether they've gone to the police. How seriously can we take any of these matters?

The PRESIDENT: I think you can take them very seriously in the context in which the report was conducted.

The Hon. MARK LATHAM: How many of these matters that are listed in the report have been proven?

The PRESIDENT: I'm not sure what you're driving at in terms of—

The Hon. MARK LATHAM: The report is what, in politics, you would refer to as one long shit sheet of anonymous allegations against unknown individuals, a couple of whom have been the subject of leaking to the media—Mihailuk and Secord, and I suppose Leong—to say that they're guilty of certain offences. I'm asking how many of these matters listed in the report have been proven. The answer is zero, isn't it?

The PRESIDENT: The report is done in relation to both quantitative and qualitative analysis. We're talking, as you know, about a survey which was responded to by 447 people, representing 27.7 per cent of the workforce here in Parliament and in parliamentary offices. The reality is that was done in a very robust fashion, through a survey which provided quantitative material. That material has been arraigned in the context of the report, in a very detailed way, over the course of the actual report.

The Hon. MARK LATHAM: Why would you take seriously anything in politics that hasn't even been investigated, let alone proven?

The PRESIDENT: This is a robust and detailed report—

The Hon. MARK LATHAM: What's robust about anonymous allegations against unnamed parties in politics that can then be leaked to the media to rub people out at preselection time? What's robust about that?

The PRESIDENT: This is a—

The Hon. MARK LATHAM: Isn't that just the worst element of party politics that your Executive and the Broderick process has actually fostered? You've created this Star Chamber environment? Already three MPs have suffered from it without a single thing proven against them—not a single thing even investigated about them in this report.

The PRESIDENT: This is a report that's been developed on the basis of individual, one-on-one interviews. They are confidential. It is private to protect those who are providing that information. The actual, full evaluation of the survey is done on a confidential basis in order to ensure that information can be brought forward. The confidence of all those people who have been interviewed and all those people who've given responses to the surveys is important in the context of being able to assimilate that information. In terms of the actual information itself and the quality of that, that's been independently assessed. Indeed, it is as robust as anything in this field. The reality is it's not a court of law. It's not a laid-out situation in the way that you're putting to me. But it's a very clear and very detailed report based on reliable data—

The Hon. MARK LATHAM: If people make allegations against members of Parliament, elected here to serve the people of New South Wales, shouldn't they at least be investigated and then proven before they're published, diminishing the reputation of this place?

The PRESIDENT: As was very clearly mentioned earlier, a whole range of people have been affected, who have been given referral information. If they wish to take that further, be it in relation to bullying or sexual harassment or whatever conduct they've experienced, I don't think you can sit and just quietly wave them away on the basis that there hasn't been any proof in a court of law.

The Hon. MARK LATHAM: No, any proof in this process. I'm not talking about a court of law. I'm waving away an anonymous shit sheet, as anyone of any intelligence in politics would.

The PRESIDENT: I think that's a pretty offensive way of responding to a report that has been done—

The Hon. MARK LATHAM: Go talk to Mihailuk and Secord and Leong. You mentioned earlier on, President, that these matters were confidential. How have they ended up in the media for those three MPs when there wasn't anything proven or even investigated against them?

The PRESIDENT: I'm not aware of all the details in that regard. I think, in respect of what was done in the media—

The Hon. MARK LATHAM: Can anyone answer, Mr Webb or Mr Blunt, as to how what was supposed to be a confidential process has ended up in the media, ending the career of at least one MP who had no complaints against him—Secord—from his own staff?

The PRESIDENT: The whole basis of this was meant to be—

The Hon. MARK LATHAM: No, can I get an answer to that? How has what was supposed to be a confidential process ended up in the media in the case of Walt Secord, ending his career, and in the case of Tania Mihailuk immersed in a Labor party preselection battle over the seat of Bankstown and in the case of Leong an allegation that she is a bully?

The PRESIDENT: If I can just say that the idea that people abused a confidential report in that way, I think, is something that was not intended. As to how that reached the media and people identified whichever of the members you mentioned, I'm not sure how that happened.

The Hon. MARK LATHAM: What are you going to do to stop it in the future? It's an abuse of process and it's a denial of procedural fairness. Our Chamber has a resolution of procedural fairness. Where is the procedural fairness here for Mihailuk, Secord and Leong, who have had anonymous allegations made against them that were not investigated or proven and were leaked to the media for political purposes and their reputation was traduced in the public arena? Where is their procedural fairness?

The PRESIDENT: The reality is that this report was done on a confidential basis. If people, one off, want to use a report like this to attack people, I think that's very unfortunate.

The Hon. MARK LATHAM: What are you going to do to stop it in the future?

The PRESIDENT: How do you stop a person—

The Hon. MARK LATHAM: I'm assuming the so-called complaints officer will operate exactly the same way and be subject to exactly the same sort of political abuse.

The PRESIDENT: That is certainly not what is envisaged. The complaints officer—

The Hon. MARK LATHAM: What are you doing to stop it?

The PRESIDENT: That is why we are working through protocols in relation to how investigators—

The Hon. MARK LATHAM: We are told Ms Webb has started. What is being done to stop the abuse of her processes that occurred out of the Broderick report in the case of three MPs—no people sitting up there have had to cop this media firestorm against them but three MPs did, who have not had a single thing proven against them. That's a disgrace.

The PRESIDENT: The reality is that if people want to use whatever process to besmirch people, there are always people who will take whatever course of action they deem appropriate. I'm not responsible for that—

The ACTING CHAIR: Mr President—

The Hon. MARK LATHAM: You are acknowledging it is a Star Chamber and that it's not so bad.

The PRESIDENT: No, I think everyone—

The ACTING CHAIR: Mr President, how are we going to know that this isn't going to happen like this in the future and that this process is going to be safeguarded and people won't be abusing it? The very nature of this place is that people take every advantage against one another as they possibly can, whether it's internally within parties or between parties. Isn't this whole process open to abuse in this way?

The PRESIDENT: The process in relation to the Independent Complaints Officer is being set up at this stage. Whilst Ms Webb has been brought on board, the process will be subject to confidential provisions and, obviously, ensuring that people have complete confidence to report matters that are affecting them in their workplace. At the same time, there will be protocols in relation to how investigations will be conducted to ensure that all those elements are pursued in the most private and confidential manner.

The Hon. MARK LATHAM: President, you know that to be untrue because at page 84 of her report Broderick has recommended eliminating non-disclosure agreements. How can it stay confidential with a complaints officer if you are accepting the Broderick recommendation to eliminate all non-disclosure agreements? What you have just told us is untrue.

The PRESIDENT: Page 84 of the report is a bibliography.

DAVID BLUNT: Mr Latham, can I just add a further response to Mr Borsak's initial question? The Independent Complaints Officer has—

The Hon. MARK LATHAM: Sorry, it's page 82. Page 82 of the report recommends eliminating non-disclosure agreements.

DAVID BLUNT: The Independent Complaints Officer has been established by resolution of both Houses after very careful review by both privileges committees. Clause 5 (c) of the resolution of the Legislative Council provides:

Members of the parliamentary community who are not Members of the Parliament and who make complaints shall be required to maintain confidentiality concerning complaints and investigations. Others involved in any complaints investigations, for example witnesses, shall be required to maintain confidentiality concerning complaints and investigations.

It goes on to further provisions—

The Hon. MARK LATHAM: So you are rejecting the Broderick recommendation to eliminate non-disclosure agreements?

DAVID BLUNT: I think that question was directed to the President.

The Hon. MARK LATHAM: There is a direct contradiction here. You can't say anything is confidential if Broderick is recommending that the Parliament doesn't use any non-disclosure agreements. Do you see the direct contradiction?

DAVID BLUNT: I don't accept that there is a contradiction because I think the recommendation about non-disclosure agreements is a different direction. If I can finish in relation to this issue of confidentiality and the Independent Complaints Officer, the other thing to which I draw members' attention—and I think this should give everyone in the parliamentary community great comfort—is that the privileges committees of both Houses are required to review the Independent Complaints Officer's system within 12 months of its establishment. That is a safeguard for everyone in this community.

The Hon. MARK LATHAM: Moving into the next election, which is over the next six months, any number of MPs can be wiped out on the Secord, Mihailuk, Leong precedent—if you make a complaint anonymously, then you leave it to the media, you didn't have to prove anything, there was no non-disclosure agreement and these MPs suffer. You know that we are going into an election environment, where more of these things are going to happen in this Star Chamber arrangement. It's inevitable, isn't it?

The PRESIDENT: I will take that as a comment.

The Hon. MARK LATHAM: You will take that as a reality that you should be ashamed of.

Ms SUE HIGGINSON: I only have one point on the Broderick review. Given its significant focus on the protection of people in our parliamentary community, particularly staff who are in the weaker and more vulnerable position in the power balance than their employer MPs, one of the recommendations goes to reviewing the MOPS Act—or the Members of Parliament Staff Act—and updating relevant written employment agreements. Have we given thought at this point to—and I absolutely recognise we are still in the preliminary, early phases of response and that it's an enormous report—legislative review and how that would be undertaken, given that this really requires such an apolitical response? Have we given thought to how we would do that? My inquiry comes mainly through the recognition that the staff in this place are really structurally disadvantaged under the current manner and form that the MOPS Act provides for.

The PRESIDENT: In terms of the Broderick recommendations in relation to the MOPS Act, obviously we are going to examine them in detail. But they are pretty clearly looking at that power imbalance. Certainly, explicit protections for staff who are under the MOPS Act will be taken into consideration, as is a practical one in the suggestion that there be provisions created to stop MPs from terminating an employee whilst an investigation of the complaint is underway. So there are some practical things that we need to work through under an appropriate dispute resolution mechanism. We are obviously taking on board what Elizabeth Broderick has said in regard.

As part of the implementation phase, we are looking at that. There was also a recommendation that we should commission an independent expert review of the MOPS Act itself to look at these things. Obviously, that is something we are looking at. We will be able to give a response on that front fairly shortly. I will ask, perhaps, Mr Webb to add anything he might wish to in that regard as well.

MARK WEBB: Absolutely. I agree with everything the President has just said. We are looking at how to balance achieving some of the outcomes that Broderick is talking about with ensuring that the system is workable down the track. For instance, if a relationship of trust breaks down between the member and their staff, regardless of the cause of it, forcing them to continue to work together is probably not an outcome that can work out. So what is the right balance and how do we make sure we balance all of those issues moving through? You might recall—actually, you weren't at previous budget estimates, Ms Higginson, but for others that were—in parallel to Broderick, former President Ajaka had made a commitment in this forum that we would do a review of the members of Parliament staff conditions of employment as well. So that has been happening this year.

We paused it to wait for the Broderick review to come out to make sure that Kellie Edwards, who is undertaking that review, could take into account any feedback that the Broderick review did. She has obviously recommenced her work once the Broderick review came out. It is probably a combination of three things that we are looking at: the provisions of the Act itself; the annual Presiding Officers' determination, which outlines conditions of employment for all staff; and what the Parliamentary Remuneration Tribunal says about the employment of staff as well. Those three employment instruments, if you like, are under consideration at the moment. What I want to do is make sure that we get the positive outcomes that Ms Broderick has put forward,

but without creating an unworkable situation where things really break down. It is a big piece of work that we are undertaking.

Ms SUE HIGGINSON: In terms of timing around that, though, I think that is also a significant factor. Obviously, it is all very important, but there are so many current members of staff and this report has brought it all to the surface. In terms of timing around improving their position, what are we looking at?

MARK WEBB: Well, Kellie Edwards, who has been doing the conditions review, will be due to finish fairly soon. As I said, we were just waiting for the Broderick review. She undertook consultation with staff, talked with a huge number of people, unions gave feedback as well, talked with some members about that staffing relationship as well. So she has done all of that lead work. It was really just waiting for whether something came out of Broderick that she should take into account. That is due to be completed soon. I can't give you an exact time or date here today, but soon. We will then look at implementation of that in context of the Broderick review's implementation as well and make sure there's no crossover. But, yes, the intent is to move quickly through to implementation, to make adjustments to the conditions of employment determination and to make submissions to the PRT, if that's what's required.

One of the issues, again some of us who have been in this forum will know that was put forward, was that the salary of people that work in members' staff positions haven't been reviewed. I mean it's gone up, obviously, with the wages policy but the base level of salary hasn't been reviewed in recorded memory. We don't have any records of a review ever being undertaken. This is also reviewing the salary of people that are in those positions as well. We've had position descriptions again, which we've done extensive consultation and written up. We are having a completely independent review of those position descriptions by Mercer, who do all of the position description to salary conversions across the public sector. It is a completely independent—

Ms SUE HIGGINSON: When is that due back?

MARK WEBB: Soon. I can't give you an exact date, but soon.

Ms SUE HIGGINSON: Moving on from the Broderick review, we recently were looking at having an intern come into our office and the possibility of that person being in a wheelchair. I looked at the safety requirements et cetera. If there's a fire in the building or an emergency, the requirement would be to leave that person in the wheelchair, because there's no way for them to leave like everybody else.

The ACTING CHAIR: Sorry, do you mean leave them behind?

Ms SUE HIGGINSON: Absolutely.

The ACTING CHAIR: Leave them behind, to burn?

The Hon. MARK LATHAM: You can pick them up and carry them to safety.

Ms SUE HIGGINSON: Well, to wait. Yes, to wait for—I literally fell off my chair, obviously. My understanding is the reason is our fire stairs and escape are not fit for that purpose. I was curious, are you alert to that issue? Is that something we are looking at? Is that something we can address?

MARK WEBB: You are quite right. The protocol at the moment for those parts of the building where there isn't accessible—you can't use the lifts, essentially, in a fire. For those situations, the fire stairs are rated to withstand fire as per the code. The protocol at the moment is to move the person in the wheelchair into the fire stair space so that they have got that level of protection, and for the firefighters to come up and carry the person down. That is the protocol at the moment for those parts of the building that aren't accessible. I don't have unpowered access out of the building. We are looking at accessibility all the way through. This is an issue that we are very alive to. You would have seen that we have been looking at making accessible adjustments wherever we can—difficult in a heritage building and difficult in a building built in the 1970s, to be perfectly honest, before there were building codes and accessible access codes. But that is something that we are looking at.

Some of our proposals for the long, long term, which would involve, for instance, if members of the Legislative Council were all to get two staff like the crossbench currently has, we don't have enough room for that, to put all those staff in on level 11. We are starting to turn our minds to what the long-term capacity issues are around the building and issues like this around accessible access and safety are at the top of the list of things that we are looking at as part of that. But it is difficult. I don't want to pretend that it isn't an issue. It is difficult in the building that we are in at the moment, there's no doubt about it.

Ms SUE HIGGINSON: We can't just look at—sorry, not "just". It's not possible to put a chairlift on the current fire stairs?

MARK WEBB: There are two issues with that. The first is that if it's powered, then you can't use it in the fire anyway. Those kind of stairlift things, because of the nature of them, they're powered. Otherwise, if they're not powered you are going to have to move the person by hand in the first place. They are not usable in an emergency situation. And also, fire stairs have to be a certain width so everyone can get out. You have large numbers of people exiting the building at the same time. You put a chairlift in there (a) it can't be used in the fire and (b) it blocks access for everybody leaving. It is problematic. I should say, this is a problem that all high-rise buildings have around the place. We are not special in that sense. But, I did want to emphasise, just to pick up Mr Borsak's comment before, it's not leaving people to burn. It's moving people to the safest possible place and then having the experts come up and get them out of the building as quickly as possible.

The Hon. MARK LATHAM: Call on me and Farlow, we'll carry them out. It won't be like Costanza in the *Seinfeld* episode.

MARK WEBB: I applaud the heroism of both of you in advance.

The Hon. MARK LATHAM: I'm volunteering, even though they're agreeing, I'm volunteering.

The Hon. SCOTT FARLOW: It's very nice of you. It's very ecumenical. You also nominated Ms Higginson for deputy chair this morning.

The Hon. MARK LATHAM: I did, yes.

The Hon. SCOTT FARLOW: The One Nation-Greens alliance.

The Hon. MARK LATHAM: Well, she's a lot better than Shoebridge.

The Hon. SCOTT FARLOW: Thank you very much, Mr President, nice to see you. Welcome back. I think that we have ventilated pretty much all of my questions on the Broderick review. However, I would like to ask one to cover it off and then I will move on to another series of questions. With respect to the independent complaints handling process, what do you envisage being effectively the process? How it is managed, how it is resourced and also the consequences in terms of any findings upheld and how they will be enacted?

The PRESIDENT: All those sorts of issues are before Ms Rose Webb, in terms of working through some of the protocols that I have mentioned earlier. They will all be made public. Obviously, it depends on the nature of the complaint and just where it falls on the wide sort of spectrum. If it was a complaint that dealt with an entitlement issue, that may be something much more straightforward. If it is something that deals with sexual harassment or into the province, if you like, of sexual assault or attempted sexual assault, that will depend on the necessary authorities that we will need to refer to. There is a range of protocols that Ms Webb is working through, not only with ICAC, for example, on the entitlements issues, and how that will work and how that overlaps with ICAC's jurisdiction, but also in relation to the Anti-Discrimination Board in relation to sexual assault issues, obviously issues of sexual harassment, and indeed, referral to police appropriately as well. Those things require a very detailed protocol response, which Ms Webb in the first instance is working through.

Obviously, that will be made public and indicated widely to everybody in the parliamentary precinct so that people are very clear about how each of these complaints, depending on which category they fall in, will be dealt with to ensure that there is very much an accountability regime in that regard. As to disclosure, that will depend on the nature of the actual complaint. I think that will become fairly self-evident once those protocols have been publicly released, but I notice the Clerk might like to add a bit more detail on that.

The Hon. SCOTT FARLOW: Before the Clerk answers, what time line are you envisioning at the moment for this to be rolled out, made public and in place?

The PRESIDENT: I think that's in the next few weeks. David, did you want to respond to that?

DAVID BLUNT: Yes, over the next couple of weeks we expect that Ms Webb, in conjunction with our people, will be communicating to the entire parliamentary community about those systems and complaints handling systems. In terms of your earlier question, though, Mr Farlow, if I can just emphasise three keywords in relation to the Independent Complaints Officer: Firstly, confidentiality—I referred to some of the provisions of clause 5 (c) of the resolution, and they're repeated throughout. The emphasis is on handling complaints confidentially.

Secondly, timeliness—that sits behind the resolution of the two Houses. The expectation of the privileges committees is that the Independent Complaints Officer will resolve complaints as expeditiously as possible so things aren't left hanging around, either for the complainant or the person complained about. Thirdly, the third word is rectification. The emphasis here is on the matters that are complained about, if they do have substance and if the Independent Complaints Officer upholds the complaint, to ensure that there is early and immediate rectification—whether that's repayment of a misused allowance, whether it's updating of a pecuniary interest

disclosure return or, indeed, whether it's taking some action to rectify a matter together with the complainant in relation to inappropriate behaviour.

The Hon. SCOTT FARLOW: I'll now turn to the Mookhey Wing and Standing Order 52s. Mr President, and maybe through you to the Clerk, what's the total number of orders for papers that have been passed this year and the total since 2019?

The PRESIDENT: I'll refer that to the Clerk; I think he's got those figures at his fingertips.

The Hon. MARK LATHAM: Not enough.

The PRESIDENT: He will, no doubt, have that at his fingertips.

The Hon. MARK BUTTIGIEG: They hate this—accountability.

The ACTING CHAIR: There should be more of it.

The Hon. TAYLOR MARTIN: That wasn't your attitude when you came in.

The Hon. MARK LATHAM: I didn't know enough about this Government, and its hypocrisy.

Ms SUE HIGGINSON: Open governments—transparency.

The Hon. MARK BUTTIGIEG: If you just publish them electronically, there won't be an issue.

DAVID BLUNT: Mr Farlow, unfortunately I am going to have to rummage through my weighty folder here to find the precise number for you—which I will, I promise, during the course of this hearing.

The Hon. SCOTT FARLOW: If you want to come back after the break, that's fine.

DAVID BLUNT: Yes, I can come back to you after the break. Unfortunately, I don't have that number at my fingertips and, even if I did, it would probably be out of date by the time I come back after morning tea. There are so many orders.

The ACTING CHAIR: You're misleading the Committee; we're not sitting!

The Hon. SCOTT FARLOW: What is the total cost of storage for all the boxes that sit within the Mookhey Wing in your office and in other assorted locations?

The ACTING CHAIR: Cheap shots on democracy.

DAVID BLUNT: The cost is minimal in terms of dollar figures. The only real cost is on the time that members are required to take to delve through those boxes, and a number of members sitting around the table here are frequent visitors to the so-called Mookhey Wing. Obviously, the number of Standing Order 52 orders for papers has imposed significant resource implications on the public service. We're conscious of that every time we assist a member with the drafting of an order, to try and assist to ensure that they are focused and that they balance capturing everything the member is wanting to obtain, with a degree of knowledge as to where that document sits, and ensuring that it's broad enough to not miss the document but not so broad as to impose unreasonable burdens.

In terms of storage, I know that you, together with others, have visited the Mookhey Wing recently and that you'd be aware of how many boxes there are in there. Also, about every three months we send a consignment off to the State Archives. We can get any of those documents back within 24 hours' notice. I do, in fact, have those statistics here now. In 2019 there were 52 orders for papers. In 2020 there were 116 orders for papers. In 2021 there were 172. Between 1 January and 30 June 2022, there were 63 orders for papers. The Fifty-Seventh Parliament so far, 403. So, yes, it is more than any other parliamentary term.

The Hon. MARK LATHAM: Open government.

DAVID BLUNT: Yes, there are financial implications, and there are administrative burdens placed on the public sector and also the time of the Legislative Council. But I guess the question is: What price accountability and democracy?

The Hon. MARK BUTTIGIEG: Labor was conscious of the cost when we were in government.

The Hon. SCOTT FARLOW: I'm sure your consciousness will be pricked at that time. You mentioned the constraints in terms of storage in the Mookhey Wing. Have you investigated any other options for storage space within the Parliament for Standing Order 52s in the boxes?

DAVID BLUNT: At times we do repurpose other rooms within the Department of the Legislative Council share of the cooperative accommodation space, and everyone is very cooperative with that because everyone understands how important this is and how fundamental it is to the operations of the Legislative Council.

But I do just want to take the opportunity to pay tribute to the staff in the procedure team, not only those who are involved in working with each of you in relation to the drafting of orders for papers but the staff who deal with the process of dealing with such significant volumes of documentation. They keep on top of them absolutely brilliantly.

The Hon. SCOTT FARLOW: On average, how much staff time is dedicated to the processing of those Standing Order 52s?

DAVID BLUNT: I don't think I could give you a percentage figure off the top of my head. But it is a fundamentally important part of the work of the Legislative Council and, therefore, I regard it as one of the most important things that I'm charged with providing administrative support to all of you in relation to.

The Hon. SCOTT FARLOW: Do you have any figures on the average number of members who view documents on Standing Order 52s?

DAVID BLUNT: I'd have to take that question on notice.

The Hon. SCOTT FARLOW: Happy for that to be the case.

DAVID BLUNT: What I would indicate—obviously, members who inspect privileged documents sign a register. Each of you who have been to view those privileged documents would have a pretty fair idea how many of your colleagues are looking at things. In terms of public documents, we do keep a record for administrative purposes, but we don't publish that.

The Hon. MARK LATHAM: Is there a register? You've got to sign for non-privileged—

DAVID BLUNT: Yes, there is a form that's completed by everyone who comes to inspect those documents, whether it's members, members' staff, members of the press or members of the public who make appointments.

The Hon. SCOTT FARLOW: Taking it on notice, would you be able to provide the number, on average, that view documents from an SO 52? How many documents, on average, are photocopied per SO 52, if you've got that information? How many members, on average, view privileged documents from an SO 52?

DAVID BLUNT: I'm not sure that I would be able to provide you with anything in relation to the average number of documents that are photocopied. As at least one member who's sitting at the table knows, we've put in place provisions during the course of this Parliament whereby documents that are public, those that aren't subject to a claim of privilege, can be scanned. In many cases of returns, those documents are being scanned in their entirety, I think. I'm looking for—yes, I'm getting some nods, so those documents are scanned in their entirety. In terms of who then accesses those, that's out of our control. It's beyond the number of people who actually come in person to the office to inspect them physically.

The Hon. SCOTT FARLOW: I will now turn to a different line of questioning, just with respect to committees. We, of course, are meeting here today in 814-815. Just with the amount of committees, I notice that we are having trouble in terms of LA committees and also LC committees meeting on the same day. I think one day recently we were looking for the Public Accountability Committee and there might have been five committee meetings taking place at the same time. Has there been an investigation of additional committee space within the Parliament to cope with all of the committees that are meeting?

The PRESIDENT: Yes, indeed. We've had some capital works ongoing in a number of those committee rooms over the course of a number of months—works in relation to audiovisual and other upgrades for IT and the like—but it's an ongoing issue. I might ask Mr Webb to comment on that specifically, because it's certainly something that we're cognisant of and, indeed, as we move further down towards some of the redevelopment work, it's something that we're looking for opportunities for in the future. I might just ask Mr Webb to respond on that specifically.

MARK WEBB: Absolutely. Yes, you'd be familiar with some of the work we've been doing. We do try to work around the committee schedule as much as possible. If I take the Macquarie Room as an example, we had to split the works into two sections—one that we could do over Christmas and then one that we could do over the winter recess—to try and minimise the impacts on committees. It was not perfect, of course, because we need them for longer periods of time. Most recently we've been working to try and eliminate the sources of noise in the Preston Stanley Room so that it can be used as a community room. You might recall, there were two sources of noise that were causing the Preston Stanley Room to be not suitable for committee hearings. One was that the air-conditioning system was just too loud. The second was that it is just above the trash room on level 6, and there are chillers down there that keep the trash cool—i.e., I would suggest to you that you really want those chillers to

be keeping the trash cool. Otherwise, there would be a completely different set of problems across the area. But one of those chillers is quite loud, so we're looking at insulating it to eliminate that as a source of noise.

Once we've done that, which will be done hopefully in the next few weeks, depending on how those works go, the Preston Stanley Room will become suitable to be a committee room. It has basic audiovisual. Over Christmas we'll be installing the new audiovisual equipment in there as well. But in the meantime it will be able to be used similarly to here with a portable—this is the set-up that we used when the regional health committee went around, and we were the first Parliament in Australia to live broadcast regional committees by basically using this portable equipment. So we'll be able to use that in Preston Stanley between now and the end of the year, and then over Christmas we'll have the new audiovisual equipment installed in there as well.

In terms of the longer term, dedicated committee space is one of our key capacity issues that we are looking at, not just in terms of the number of rooms but, if you go to a Parliament that has built a committee space from scratch as opposed to just repurposing rooms, they usually have things like a green room for witnesses to wait in and separate entrances and exits so that you don't have groups of witnesses crossing over each other as they come in and out. Obviously, different jurisdictions have different requirements around language. If you go to the Canadian parliaments, they have translation booths and all the rest—that's not relevant for us.

In terms of the capacity of the Parliament in the long term, we are not only looking additional community space but we are also looking to see where we might be able to build a dedicated committee space that has been designed to function for committees because, up until now, as you know, the Macquarie Room was the former staff canteen, the Jubilee Room was the former library and the Preston Stanley Room was the members' bar. These are retrofitted spaces that we've just jammed committee equipment into. The New South Wales Parliament has never had dedicated, built committee space and, given the volume of activity, which I imagine will not decrease any time soon, we do feel that the long-term plans for the Parliament should take into account having more and dedicated committee space.

The Hon. SCOTT FARLOW: With respect to that in terms of the transition of the Preston Stanley Room, are you looking at upgrading this as well into having a permanent audiovisual—

MARK WEBB: We are looking at a lot of different options at the moment. Level 8—you will have noticed over the last few years that we've been replacing all the ceiling and doing all the air-conditioning replacement, cable replacement, ceiling tiles and the like. We've left the corporate accommodation here on level 8 till last to make sure members' areas were taken care of first and then move out through the rest of the building. We are going through and looking at this whole level 8 and how we use level 8 as a part of that at the moment. So we're in a planning phase for that right now. I would say, originally, we hadn't intended on doing that here. We thought the Preston Stanley would actually remove the need for this room to be used, but the point you've made about the volume of committee activity and the crossover between the LA and the LC are points well made, and that's something that we're considering right now.

The Hon. SCOTT FARLOW: Mr President and to the Clerk as well, in terms of committee inquiries, what's the average cost to the Parliament of a committee inquiry?

DAVID BLUNT: They all vary quite significantly.

The PRESIDENT: They all vary quite significantly, but do you have any average cost, David, perhaps?

DAVID BLUNT: That's a very difficult question to answer because every committee inquiry is completely different. An inquiry reviewing the provisions of a bill is unlikely to have any cost in terms of committee travel or that sort of thing. The model that we have for staffing and supporting committees is such that each staff member is supporting multiple committee inquiries at any time, so it's very difficult to apportion costs to individual inquiries. But, again, I'm happy to take it on notice and see if I can come back to you with something sensible. But it would be difficult to do so, I think.

The Hon. SCOTT FARLOW: To that point of multiple committee inquiries being supported by each staff member, I know for a period we did have some significant concern in terms of the staffing constraints when it came to the committee secretariat. Has that concern been alleviated somewhat recently or is that still a concern? Have there been additional staff that have been required to be put on in the committee secretariat?

DAVID BLUNT: I'm just nervously looking over my shoulder to see if the acting Clerk assistant of committees is here. I'm not getting an evil look yet, but on behalf of the department and the Legislative Council, I think I can say that I and we are grateful for the support that NSW Treasury has provided over a number of occasions during the course of this parliamentary term. On four separate occasions parameter and technical adjustment bids have been positively dealt with by Treasury, and we've incrementally received additional funding to the point that the committee office is now roughly double the size of what it was four years ago, although the

amount of work has tripled rather than doubled by all of you making use of the committees. It's a fine line. We have some benchmarks in terms of roughly two inquiries per grade 9/10 principal council officer, and we're frequently sailing either just above or on that benchmark. So I think we're coping—just—but it's really up to your judgement as to whether you're continuing to receive the high standards of support that you've always received from the committee office. From the feedback I get from you, I think the answer is very much, yes, that you are receiving that high-quality service.

The Hon. MARK BUTTIGIEG: I just want to tidy up one more question before I hand over to my colleague. Mr Webb, the cleaning staff of Parliament don't have access to computers so they obviously can't participate in staff surveys. What will the Parliament do about rectifying that issue?

MARK WEBB: They don't have individual computers assigned to them, although we do give them access to computers. But where we are undertaking any form of survey, whether it be a staff survey or our participation in, say, something like the People Matter Employee Survey, which is one done across the whole public sector, we always make provision to ensure that any of our staff that don't have access directly, on a day-to-day basis, to computers are given time and access to a computer to undertake that or we find an alternative mechanism for them to go through. I should say not just our excellent cleaning staff but a lot of our catering staff don't access computers on a day-to-day basis as well. So they are also a group that we make sure that they are included.

The Hon. MARK BUTTIGIEG: They are obviously here for limited amounts of time. They don't have a dedicated—

MARK WEBB: That's exactly right. For instance, if you look at the People Matter Employee Survey, which is in the field at the moment, we would make provision within working time for them to either, if they are comfortable with computers, come to a computer and use it to fill out the survey or try to work with the Public Service Commission to find alternatives if they are not comfortable with the use of computers.

The Hon. ANTHONY D'ADAM: Mr Webb, I want to come back to the review that has been conducted by Kellie Edwards. I think earlier you said that the report would be available soon. Can you give some specifics? Are we talking—

MARK WEBB: This month, possibly. It will either be late this month or early next month.

The Hon. ANTHONY D'ADAM: Is it the intention that that will be a publicly released report?

MARK WEBB: Yes.

The Hon. ANTHONY D'ADAM: That will then be provided to the union representatives of the staff and subject to further consultation?

MARK WEBB: Yes, absolutely. Kellie will be making recommendations and we will have to look at how to implement those. Some of that will also involve consultation with staff going through the detail of it. As I said before, some things may require us to put a submission into to the Parliamentary Remuneration Tribunal, and again we will consult on that as well. Some may require changes to the Presiding Officers' annual determination, which again we will consult on the detail of that. But we have a more straightforward mechanism for making those adjustments. If there is a financial impact to anything that Kellie recommends—for instance, let's say the review of the position descriptions results in a higher salary—we will obviously have to engage with Treasury around that. We have flagged to Treasury that this is what we're doing, so it will not be a surprise. But we will be seeking the funding to support that increased salary, if such a thing is recommended.

The Hon. ANTHONY D'ADAM: Just on that question, you talked about the Mercer process. Can you just elaborate? Is that a component of Ms Edwards' review?

MARK WEBB: Yes.

The Hon. ANTHONY D'ADAM: Or is that a process that will occur after the review?

MARK WEBB: No, she's doing it as part of the review.

The Hon. ANTHONY D'ADAM: So that will effectively job evaluate positions based on a contemporary assessment of the role. Is that the intention?

MARK WEBB: That's exactly right. As I said earlier, when it was first raised with former President Ajaka one of the questions that was asked was to go back and find out what was the basis of the current salary level, and we could not find any records that indicated what position description was used, what evaluation was used. Indeed, in 2014 or 2013 when the MOPS Act was passed there was a deliberate, explicit carve-out that said that the salary levels would not be relooked at as part of that process. At first we thought there must have

been a process in 2013, 2014, but that was explicitly put to the side and wasn't looked at. I can't even tell you what the basis was of the current salary levels.

The Hon. ANTHONY D'ADAM: If Ms Edwards recommends a salary adjustment, that is within the power of the Presiding Officers to make a determination to fix a salary at the higher level. Is that correct?

MARK WEBB: It is, but if it means we don't enough money any more, that's why we have to engage with Treasury to make sure that the money also flows. There will be two parts to it: looking at the Presiding Officers' determination and engaging with Treasury to make sure that the money is actually there to pay for the new salary levels. It is perhaps a subtle point, but I do want to emphasise we are not talking about just giving people a pay rise as in doing the same job, getting a pay rise; this is about a re-evaluation of the position which, as I say, hasn't happened in the entire—well, we can't find records of it happening at all. We are not seeking this to give everyone a pay rise. What we are seeking to do is evaluate the positions to make sure that people are being paid fairly for the work that they are doing at the moment.

The Hon. ANTHONY D'ADAM: The scope of this review is to cover both LC and LA staff, is that correct?

MARK WEBB: Yes. While it started with former President Ajaka's commitment in this forum, which obviously related to the Legislative Council staff, the Speaker was supportive of extending it to all members' staff. So we have included the LA staff as part of that.

The Hon. ANTHONY D'ADAM: Obviously one of the issues that has come out of Broderick is the work health and safety question. I think we have had some discussion about who the person conducting the business or undertaking is with duties in relation to staff. If a member of the Legislative Council has just one staff and they are the PCBU, there is an issue there, isn't there, in terms of if the member is the hazard, for example, you've got a major problem if the hazard is also the PCBU? Is that within the scope of Ms Edwards' review—looking at that work health and safety because obviously that features in terms of the conditions?

MARK WEBB: Yes, it is within the scope. I am not sure if she is making any findings in that space. I should say that the work health and safety dimensions of employment of members' staff is something that's never been tested in the courts or by the Coroner at all, so there is a degree of uncertainty of legal interpretation. We work on the basis that there is a joint responsibility for safety that the member obviously has some responsibilities around—because you hire, fire, direct the person in how they work, so there is a responsibility there.

We, as a Parliament, obviously have a responsibility to ensure that it is a safe working environment—that there aren't trip hazards and people have the right equipment to do their job and things along those lines as well. So we work on the basis that there is a joint responsibility for the safety of everybody in the office. But the best definition of where the responsibility for work health and safety lies was given to me by a barrister once, who said it is whoever the Coroner decides was responsible. You just don't know on any given incident.

The Hon. ANTHONY D'ADAM: That doesn't sit very well with a Work Health and Safety Act that is based on prevention rather than—

MARK WEBB: No, that's right. I think what the person meant by that is that you can't just make an arbitrary assignment of safety responsibility to a person and then think, "Oh good, I'm off the hook." So we take safety extremely seriously. We assume that we have a responsibility, as the administration, to do everything we can to make things as safe as they possibly can be, which is one of the reasons why we have been very supportive of this review going through. It is important to us that everyone have safe working conditions as they move forward.

The Hon. ANTHONY D'ADAM: Another element of the safety equation is the issue around late sittings, individual members backing up the following day. Is that within the scope of deliberations for Ms Edwards' report as well—the whole question, if there is a recommendation about of how you might adjust for that in terms of relief staff or relief arrangements or some kind of flex hours, flexibility? I'm not sure about that mechanism there. Is that in contemplation as well?

MARK WEBB: That is absolutely. One of the reasons why I said before that some of it may involve submissions to the PRT, for instance—and I have not seen the recommendations so this is speculation on my part, I will be very clear in saying—if one of the recommendations was that there should be relief arrangements in place for long sitting days, especially for those members who only have one staff so they can't reasonably organise a staggering of work, some of that may involve us having to go back to the PRT and make a submission. You might recall the LA members used to have a thing called ATS—additional temporary staff. The thought process was it was 0.4 of an FTE and it was meant to reflect the additional support that a LA member needed on a sitting day here at Parliament House so that the electorate office stayed fully staffed through that period.

Something like that requires a PRT determination. It might be a PRT determination, but if there is flexibility—you pointed to a couple of other potential solutions—around the scheduling of work or flexible work options. Some of those would sit within the Presiding Officers' determination. So it will depend a little bit on what Kellie Edwards comes back with, but we are open to all of those suggestions.

The Hon. ANTHONY D'ADAM: If these recommendations are measures to adjust for safety concerns then there is obviously an immediate issue, isn't there?

MARK WEBB: Yes.

The Hon. ANTHONY D'ADAM: Is there a capacity for the Presiding Officers to seek a supplementary determination from the PRT rather than waiting? We have just had the PRT determination come down recently so it would be another 11—

MARK WEBB: Yes, you are quite right.

The Hon. ANTHONY D'ADAM: —months before that adjustment could be made.

MARK WEBB: The annual determination, you are quite right. The process will start soon, but the actual determination isn't handed down until June next year. There are provisions under the Act for a special request to be put through. I don't think, from memory, that the Presiding Officers can make that—

The PRESIDENT: I think it's the Premier, isn't it?

MARK WEBB: It's the Premier, I think, that can, and maybe the Attorney General as well. I would have to check on that. But there are provisions for within-the-year determinations to be given by the PRT, so we would investigate that. Again, it depends on the nature of Ms Edwards' recommendations.

The Hon. ANTHONY D'ADAM: What's the timetable if she recommends an adjustment to salary? Will that be immediate or is there some—

MARK WEBB: The default position would be that we would have to put a submission in to Treasury, so it wouldn't take effect until the following July. We could attempt to do something in advance of that. But the default processes that we have access to are all based around the financial year. So I couldn't guarantee anything before—

The Hon. ANTHONY D'ADAM: It does create a problem, doesn't it?

MARK WEBB: Yes.

The Hon. ANTHONY D'ADAM: If you make a work determination, or a work value determination, and say, "The work is worth this. We can only pay you this." Surely that gives rise to some back claim, doesn't it?

MARK WEBB: We would absolutely be looking at all of that and trying to make things happen as quickly as possible. I just know that the default process is an annual financial year process.

The Hon. MARK BUTTIGIEG: On that point, in the event that we can't get an interim fix, would there be a commitment to backdate based on the evaluation date?

MARK WEBB: The submission that we would make to Treasury would be exactly that. We would have the date at which we accepted the recommendation, and that's the submission we would make to Treasury.

The Hon. MARK BUTTIGIEG: On that for you again, one of the themes of the Broderick review was the lack of any real protected pathway for members' staff and their union representatives to negotiate or consult on their working conditions, and the likelihood that this has led to significant shortfalls in pay. Can we commit that we're going to negotiate with members' staff and their representatives on improving working conditions?

MARK WEBB: Essentially, that's why we said with the Edwards' review not to just focus on salary but to focus on the full conditions of employment of members' staff. So, yes, we do have a commitment to doing that.

The Hon. MARK BUTTIGIEG: But there's a two-step thing here. There's the job evaluation process—

MARK WEBB: And there are conditions of employment.

The Hon. MARK BUTTIGIEG: —and then there are conditions. But also then there's the lack of a jurisdictional oversight for bargaining. In a normal workplace the unions would collectivise and say, "We reckon we're worth this." What's the view?

MARK WEBB: That's a provision under the Act, so there would have to be legislative change. The lack of access to the Industrial Relations Commission, for instance—this is all dictated by the Act.

The Hon. MARK BUTTIGIEG: It's part of the purview, isn't it?

MARK WEBB: Yes. So that would have to be looked at as part of it.

The Hon. ANTHONY D'ADAM: Presiding Officers could, as a matter of policy, adopt a collective bargaining approach, in terms of determination.

The Hon. MARK BUTTIGIEG: I think that's the essence of the question.

The Hon. ANTHONY D'ADAM: Is that something that Presiding Officers have contemplated or are prepared to do?

The PRESIDENT: Let's see what Kellie Edwards' report says.

The Hon. MARK BUTTIGIEG: I'm very interested to get the view on this, because if the report comes out and says, "Look, we've got the Mercer spectrum going. The job is worth X," but staff and their unions think, "Well, we should have the right to collectively organise, like we do in other workplaces." As my colleague points out, you could take the view, "Okay, let's go down that approach, even though there's no jurisdictional enforcement."

MARK WEBB: It's something I'm happy to look at. It's not something I've contemplated up until now, so I don't have an answer to give you off the top of my head. But it's something I'd be happy to have a look at and provide advice to the Presiding Officers.

The Hon. MARK BUTTIGIEG: Are you able to provide stats on full-time equivalent numbers of middle and upper management from 2019 to the present?

MARK WEBB: I can't off the top of my head but I can take that on notice.

The Hon. MARK BUTTIGIEG: What about FTEs of people in frontline roles—that is, not upper or middle? The same?

MARK WEBB: I will certainly take that on notice. They are not figures that I have in front of me.

The Hon. MARK BUTTIGIEG: A list of all DPS employment grades by the number of staff in each grade?

MARK WEBB: I can certainly provide that. I think we provided that last time on notice, so happy to do so again.

The Hon. MARK BUTTIGIEG: This would be an update of that. The overall level of non-member full-time equivalents?

MARK WEBB: That would be including members' staff but not members themselves. Is that correct?

The Hon. MARK BUTTIGIEG: Yes.

MARK WEBB: So you'd want to see the departmental full-time equivalents plus the members' staff full-time equivalents, but not anything to do with members?

The Hon. MARK BUTTIGIEG: Correct.

MARK WEBB: Okay.

The Hon. MARK BUTTIGIEG: By the Parliament for FY 2022-23 compared to 2021-22. Well, 2022-23 hasn't finished yet, so we'd have to project.

MARK WEBB: We could do a point in time as of whenever we run the numbers.

The Hon. MARK BUTTIGIEG: Have there been any budget cuts made to Hansard in the current financial year?

MARK WEBB: We're in the process of allocating the budget. There have been no staffing cuts with Hansard at all, no. We do look for efficiencies across the DPS budget in a very small amount so we can reinvest in other parts if we need to. I think Hansard made a small contribution to that, but it's not material and didn't impact anybody's employment.

The Hon. MARK BUTTIGIEG: So there may have been a small budget cut but it hasn't resulted in any—

MARK WEBB: No staffing impact. I will highlight—and I know this Committee has heard this before—that we have almost doubled the size of Hansard in the last few years, up from 20-odd FTE to in the mid- 30s FTE.

The Hon. MARK BUTTIGIEG: What was that again, Mark?

MARK WEBB: Jocelyn will grab the exact numbers for me, but it was roughly 20-21 FTE a few years ago . It's now 36 FTE, if I'm remembering correctly. But many of those positions are—FTE of 21 in 2017-18 and we're now at 33.6 FTE. So 21 to 33.6. I would note that the Hansard team does excellent work, but many of those positions are funded by temporary money. People are in temporary positions because we get, say, two years worth of funding from Treasury.

The Hon. MARK BUTTIGIEG: That leads to my next—on that point, in terms of structural vacancies, how many are there?

MARK WEBB: In terms of the full-time permanent roles, we fill them as soon as they open. We have a steady supply of people because we have a lot of people in temporary roles who, obviously, move straight into the full-time roles. We then immediately do a recruitment for the temporary vacancies that have opened up. At any given time there might be a bit of frictional vacancy—i.e., we've got a recruitment process underway. But we know how much work the Hansard team have to do.

The Hon. MARK BUTTIGIEG: To put that in context, Mr Webb, if that temporary money were to dry up, you would essentially be back to baseline structural FTE, which is—are we talking about that—

MARK WEBB: Yes, it's in the early 20s—23, I think, something along those lines. I'd have to check.

The Hon. MARK BUTTIGIEG: Have there been any recommendations to recognise the permanent structural shift to that higher FTE?

MARK WEBB: Yes. We have made those submissions. The latest feedback we received was that—we will be making the submissions again. People wanted to see the result of the election to see if the level of activity that's currently driving these extra numbers continues into the next Parliament. I have personally said, "Yes, it will," but they do want to see what the result of the election is.

The Hon. MARK BUTTIGIEG: We'll be quite close to perfection, so it may not be required.

MARK WEBB: Yes. If there is a change of government, I look forward to the Treasurer supporting—

The Hon. SCOTT FARLOW: Lots of hubris.

The Hon. MARK LATHAM: Why have the election?

The ACTING CHAIR: Plenty of optimism.

MARK WEBB: But, yes, we put submissions in every year, and we will continue to do so. The Hansard team does excellent work.

The Hon. MARK BUTTIGIEG: But you've been getting knocked back?

MARK WEBB: We've been getting temporary money. We haven't been getting knocked back but we've only been given—

The Hon. MARK BUTTIGIEG: The permanent structural recognition in the budget has been rejected—

MARK WEBB: That's not happened.

The Hon. MARK BUTTIGIEG: —what, how many years in a row now?

MARK WEBB: A few now. The ask has gone up every year for the last few years. I refer to the earlier line of questioning about the level of activity in things like committees. It doesn't only have an impact on David's team. Of course, the Hansard team are very impacted by that as well. So it's grown year on year for the last couple of years. For instance, as I said, it was 21 a few years ago. It went up to 24 in 2019-20, 30 in 2021-22 and now it is at 33.6. So it's been growing. As I say, each of our submissions has been approved, but for temporary money.

The Hon. ANTHONY D'ADAM: This is all driven by the increase in transcription for committees. Is that the driver?

MARK WEBB: Yes. That's one of the drivers.

The Hon. ANTHONY D'ADAM: What about sittings?

DAVID BLUNT: It's also been driven by longer sitting hours.

MARK WEBB: Longer sitting hours as well.

DAVID BLUNT: We've gone from an average sitting day of something like seven hours in the last parliamentary term to an average of 10 hours.

MARK WEBB: The other thing we've been doing to try to support the Hansard team is investing in the technology that they can use. We've got a couple more components to adjust, but soon a Hansard person would be able to do the transcription service from home. For instance, that will give us the ability to do things like people going home over the dinner break—so travelling when they're not tired—continuing transcription at home in the evenings and then being able to go straight to bed, rather than leaving the Parliament at one o'clock in the morning and being tired on the journey home. So we're trying to look for not just staffing but also ways that we can invest in technology and other things to make it as safe as possible for the Hansard team to do their job and as flexible as possible.

It might also open up opportunities for us to find—the Hansard team are real experts in what they do. It's not just that you can go out and click your fingers and find somebody that can do the job of a Hansard person. They do fantastic work. I mean, having to transcribe me now, that's a feat in and of itself. We want to make sure that we can grab onto as many people as possible. If there is someone that lived in regional New South Wales and we have this technology right, they could potentially do the Hansard transcription service from Orange or from Dubbo or something like that. So it will give us the maximum capability to find people as well, as well as safety.

As I say, I would much rather people travelling home at seven o'clock, be back at home by eight o'clock, have some dinner and then do transcription and then go straight to bed as opposed to being here until one o'clock in the morning and stepping out onto Macquarie Street at one o'clock in the morning. Indeed, I would take the opportunity to—I think the move to the 10 o'clock hard has made a big difference for the safety of the Hansard people because, keep in mind, they were here for three hours after you rose. So if you rose at 12.30, they were here at 3.30, finishing the transcription because we're trying to hit this time frame of having it done within three hours.

The ACTING CHAIR: You alluded earlier in your answer to the depth of the skill sets required. What is that like? Are people skilled in Hansard and trained in Hansard readily available in the marketplace?

MARK WEBB: I would say not readily available in the marketplace. It's not just a matter of, say, being a fast typer. There is an interpretive element to Hansard. When kerfuffle ensues in the Chamber or when there a lot of people talking at the same time—David has pointed to the transcription of the election of the President as a great example—

The PRESIDENT: Let's not go there.

MARK WEBB: —of that interpretative side of things if there's a lot going on and it's hard to work out what's going on. So it's not just a matter of—

The Hon. MARK LATHAM: "An incident occurred."

MARK WEBB: Yes, "kerfuffle ensued". There is a series of—

DAVID BLUNT: I did suggest at a recent Presiding Officers and Clerks conference that if there was a specialist Booker Prize for dialogue, then there's about five pages of that transcript that I would like to submit for that award.

The ACTING CHAIR: I greatly admired the transcription of that. It was greatly admired by all of us who were involved in it.

MARK WEBB: Yes, that's right. Obviously, other parliaments—for a little while, there was a lot of people retiring from Canberra looking to move to Sydney in their retirement. They would come and work for us for a period of time. But that kind of dried up.

The ACTING CHAIR: What's the training environment like?

MARK WEBB: I want to give a shout-out to the Deputy Editor of Debates, Karen, for the work she has done in this space. There is an intensive multi-month process where a new person coming into Hansard is trained in how to be a good Hansard operator. I would say that when that supply of people from Canberra dried up, the whole Hansard team did a fantastic job in quantifying what they do, preparing induction materials and guides. Essentially, people go between three- and six-month sort of apprenticeship, if you want to call it that. We look at things like people that do closed captioning. There are people that work for firms that do closed captioning; that can be a good starting point. People who have a journalism background can be a good space. People who have

worked in publishing can be good. It's no longer shorthand or the speed of which you do stenography or things along those lines. Most of the Hansard operators respeak what's said, using a software like Dragon Dictate to respeak what has been said and capture it that way. It is that interpretative element, being able to keep up, understanding the parliamentary processes and being able to understand what is actually going on.

I think people sometimes misinterpret Hansard as kind of like a typing pool, but it is so much more than that. The team does such fantastic work. We are very much dedicated—to pick up your earlier line of questioning—to securing the permanent funding to make sure that we are investing in the technology to both help people do their job and to keep them safe, but also this investment in training and development and giving people those good pathways into Hansard. The people in the Hansard team have also gone on to do fantastic work in other aspects of the Parliament as well. We've had people go from Hansard into the education and engagement space. We've had people go from Hansard—in fact, one of the key people that has been working on the technology for the Macquarie Room and some of the other spaces is a Hansard person, who brings expertise from the outside but also is making sure that what we are doing—in fact, our former Editor of Debates moved over to run that project, Scott Fuller. It's not just the contribution they make to Hansard but a broader contribution to the Parliament as well that this team is doing fantastic work.

The ACTING CHAIR: Thank you very much, Mr Webb. We might have a break now and reconvene at 20 minutes past 11.

(Short adjournment)

The ACTING CHAIR: We will get underway. I might just mention I was reminded by Hansard that, given the nature of the broadcast system we are using, if you have to cough or sneeze, please turn away from the microphone because they can't hear what's being said. Mr President, can you give us an update in terms of the review on sessional and standing orders that we've been progressing through in the current Parliament?

The PRESIDENT: Certainly. The sessional orders, as members would be aware, are in play in the Chamber. In that regard, we are looking at sort of working towards the finalisation of those sessional orders and turning them into the final set of new standing orders. So working back from the end of the year—

The ACTING CHAIR: When is that to be?

The PRESIDENT: That will be sort of working back from the end of the year where obviously it will need to be presented to the Governor. It's just simply at the moment going through a backdating process to ensure that there is enough time from the front end to ensure that we get delivery of those standing orders to the Governor. That process—I will just ask the Clerk—will be a way to work up a time line in that regard, so as we ensure that those standing orders can be signed off at the end of the year so they are ready for the next parliamentary term. The expectation is—obviously, with sitting in November—that the Procedure Committee would need to reinstitute its inquiry to look at any other suggested changes to the current set of sessional orders and any other amendments or additions that the Procedure Committee would need to consider in order to get a sign-off and then bring it back to the House for—

The ACTING CHAIR: That's really where I was getting to, the fine-tuning.

The PRESIDENT: Yes. I think the timing—we are looking at having a Procedure Committee meeting in the September sittings to confirm a number of outstanding matters, including the timing for the finalisation of the sessional order review and the finalisation of the new standing orders.

The ACTING CHAIR: Just in relation to the Legislature budget, I know under the previous President that he always used to have problems with having enough money to do what he wants to do. I'm not hearing that same level of angst coming from you or from Mr Webb. Are we to assume that the Government has learned its lesson and is now supplying sufficient funding for the Legislature?

The PRESIDENT: I think there is always room to do more if you have more to do it with. Obviously, the capital works side of things is probably the area where we have most been short over a number of years. I think at the last estimates hearing—

The ACTING CHAIR: I will come to capital budget in a few minutes. I am talking more of the operational stuff. You talk about temporary roles, for example, earlier in your answer to questions in relation to Hansard. What about the overall moneys that are required to run the Parliament itself, especially given that repairs and maintenance are not necessarily capital works?

The PRESIDENT: Yes. In terms of that, we have been pretty successful in the last budget round in terms of the Expenditure Review Committee, in difficult circumstances, so far as ensuring that we're able to actually be successful in having most of our budget bids approved. I've got to say that they weren't all approved.

In terms of the detail, I might ask Mr Webb to respond to that. Suffice to say that, operationally, so far as recurrent funding as opposed to capital funding, I think we're in a reasonable place. Having said that, there are certain issues that we haven't received funding for or that we have received interim funding for, which is similar to the experience we've just gone through in relation to Hansard or the committee staffing where we don't get the full-time equivalent; we get temporary funding which will be reviewed. That unstable funding base is always a concern but, again, that will come up through the budget process post the next election. Those initial comments—perhaps, Mr Webb, if you'd like to add anything else or, indeed, David as well.

MARK WEBB: Absolutely. The way I would characterise it, Mr Borsak, is that we've stopped the bleeding. You might recall that we used to lose a fair chunk of our budget every year, and that meant we were continuing to make cuts—having to cut back on staff—

The ACTING CHAIR: Are you still subjected to an efficiency—

MARK WEBB: No, we invited Treasury in a couple of years ago, and we said, "We're an open book. Come in and have a look at how we operate. Show us where these efficiencies are." The conclusion that came out of that was that, considering the lack of investment that had happened over decades, we were operating as efficiently as we could. We have not had our budget cut in the last few years. What we're seeking is the kind of investment—for instance, it's boring stuff for most members, but the system that we use to run payroll and pay our accounts and the rest of it is 27 years old.

The ACTING CHAIR: It's boring until people don't get paid.

MARK WEBB: Yes, that would be exactly my point. We do have a lot of processes that are quite manual at the moment. Investment in those systems would help in that space. What that hasn't done is restore previous cuts and the like. What we have been doing is looking at particular areas. We talked about Hansard before the break. The Broderick review does provide an opportunity to re-look at the resources we have available in the HR space and the like. We are basically looking for opportunities to review the resourcing that we have in various aspects of the department and trying to put them on an even footing—as I said, associated with Hansard, looking to where we've been getting temporary money and where we think the demand is ongoing, which I think in Hansard it is, and seeking to put the case that those should be converted to ongoing funding, rather than having to renew it every couple of years.

The bleeding has stopped, but the restoration process is still in case. To give you a sense of that in a broad sense, I will turn over to David. We depreciate, in today's dollars, at about \$15 million to \$17 million a year. In today's dollars, in the 2000 to 2010 period, the average investment in Parliament against that \$15 million to \$17 million worth of depreciation was \$3 million. I'm not a financial genius—that's why I've got Jocelyn here—but you don't have to be a financial genius to work out that \$15 million or \$16 million worth of going backwards is not offset by \$3 million worth of investment. We are paying the price for that, and I would acknowledge that at this point we're having to catch up. That catching up means the work we're doing is more disruptive than it would have otherwise been if there had been steady investment in the Parliament over that period. David, I know you wanted to talk to that point.

DAVID BLUNT: Just very briefly on operational funding for the Department of the Legislative Council, to support you all in your work, both in the Chamber and committees, as I indicated before, we have received funding from Treasury in incremental steps over the last four years, but it is still temporary. I think the latest is that we've actually been given two years, so this financial year and the next one. They are very keen to see what the outcome of the election is for what the make-up of the Legislative Council will be, what implications that will have for committee workloads and whether things that the Legislative Council does—like Mr Webb, I'm confident that the robust, interesting and creative use of procedures by members is likely to continue into the next term, not diminish.

That's committees. We'll be making the submission for that funding to become permanent as soon as we can. The other area of the Department of the Legislative Council's operations is the procedure office. We haven't put in similar incremental funding bids over the last four years. I do have a sort of root-and-branch review of the procedure office underway at the moment. I would be surprised if the outcome of that was not a similar parameter and technical adjustment bid for some incremental increase in support in that area, which we would put in the next budget round.

The ACTING CHAIR: Just to hark back for a minute to the Broderick report, my friend here, Mr Latham, raised it, but I thought what I would do is read on to the *Hansard* my response to the Premier's email to us party leaders to help support the process. I say at the outset that we do support the process, but all the comments seem to be on the basis that we're all equally guilty or perhaps there's something that we don't know about or something that may have been done. My response on behalf of our party is couched in that way, and it

goes like this: The Shooters, Fishers and Farmers Party consents to participate in the response to the Broderick report in a multipartisan way, as requested by the Premier. However, we note that our party already conducts itself and its internal affairs with the utmost respect and consideration of its staff, representative members and all others in Macquarie Street and elsewhere.

I am not aware of any of our staff or members having grounds or circumstances for making any complaints. The way this has been handled by the Premier has been procedurally unfair and belittling to our party and its staff and members. To cast us all and judge all of our members and staff at Macquarie Street and electorate offices by the disgustingly low standards of this Government is unacceptable to us. The culture that this Government has accepted for too long has brought us all into disrepute and must stop. It is simply not good enough to cast disrepute over us all. It is in this spirit that we will be participating in an effort at working to improve and lift the collective standards in the future. We're calling on the Government to acknowledge that not all are as bad as this Coalition Government appears to be. That's not just a political statement; that's a statement from the heart of our party, after we sat down and spoke about it.

This whole process, as good and commendable as it can and should be, in my reading of the report, especially in relation to the recommendations—there's only one small paragraph that says that most people were happy with what's going on. The rest of it is a huge attack on all of us in here, when all of us aren't equally guilty. I have to go out into the public now and explain myself—why, as a member of Parliament, somehow or other, I am some sort of grub—and I don't accept that. More acknowledgement should be given to those of us who have done the right thing, as opposed to only focusing on those that have done the wrong thing.

The Hon. MARK LATHAM: Hear, hear!

The Hon. ROBERT BORSAK: That's my response.

Ms SUE HIGGINSON: I would like to raise an operational matter, if that's possible. It is in relation to the paper that we use in the Parliament. It may seem insignificant, but it's terrifically significant. We do supply what is referred to as 100 per cent recycled paper. It's Reflex brand. Many people would not realise, though, that is actually paper that is still coming out of Victorian native forests. At the moment, those forests are suffering dramatically. We're going to see the end of the logging of those forests at some point; the Premier down there has acknowledged that.

But at the moment, there is an incredible debate going on about the future of some of the threatened species that reside only in those forests—some of the rarest animals on earth. Unfortunately, that 100 per cent recycled paper does still come from those forests. There is now an incredible stream of much more responsible paper to be sourced—100 per cent post-consumer recycled paper. If it is at all possible, it would be wonderful if this great place could look at possibly going that one step higher for us, for future generations and the survival of some of these creatures that don't have a voice at all.

The ACTING CHAIR: Is that paper made in Australia or has it got to be imported from China?

Ms SUE HIGGINSON: There are some that are made in Australia.

The ACTING CHAIR: It can only be made in Australia in my view.

Ms SUE HIGGINSON: There are absolutely papers—

The Hon. MARK LATHAM: Made in New South Wales.

The ACTING CHAIR: Made in New South Wales, not made in China.

Ms SUE HIGGINSON: I would suggest that that is something that the wonderful staff here can look at, and it is literally just to put on the record that we are currently still responsible for using materials from our incredibly valuable public forest estate that is the home to these threatened species. Not only are there 100 per cent post-consumer recycled papers that are made in Australia, there are some that are supplied from First Nations corporations as well. There's a lot of work happening in that space and it would be so good for all of us if we were part of it, and that's all I would add for now.

MARK WEBB: I'm very happy to look at that. I would also just encourage—we've been doing a lot of work on digitisation recently to try and cut down the use of paper completely. If you come up to visit me on level nine, you'll see that the compactus that was there has just been taken out because we have digitised all financial and HR records across the Parliament. So we're also seeking to just reduce our paper use generally, but I'm very happy to look into this particular issue for where paper is still used, and I am conscious that I am sitting in front of a giant folder of paper as I say all that.

The Hon. MARK LATHAM: Chair, could I ask how the membership of the advisory group on bullying, sexual harassment and serious misconduct was determined?

The PRESIDENT: That was before my time, but I might ask Mr Webb to look at that. I understand it was drawn from all parts of the Parliament, but exactly as to which members where, I think that was a process, and I might ask Mr Webb—

The Hon. MARK LATHAM: Was there a vetting process, given that these were going to be eight MPs in particular passing judgement on the rest of us via the Broderick process?

MARK WEBB: In terms of the members, we did not undertake a vetting a process for those members, no. As was pointed out earlier, the advisory group also has staff representatives, so the two Clerks and I looked to make sure that our representatives were people that we—

The Hon. MARK LATHAM: No, I pass no judgement on any of the staff representatives, but I know reasonably well the eight MPs listed. So there was no character test, no seeking out the better angels in the place, that these MPs would pass judgement from their own moral standing on the rest of us.

MARK WEBB: We did not undertake any review.

The Hon. MARK LATHAM: You didn't do that?

MARK WEBB: No.

The Hon. MARK LATHAM: President, are you confident that the eight were suitable representatives to pass these judgements and the point that was made by the Chair about how we've all been smeared by the Broderick report, even those of us who—

The ACTING CHAIR: I don't recall being asked to participate.

The PRESIDENT: I'm not sure of the process behind that. It was, as I said, before my time as President, but I wouldn't characterise it as "passing judgement". The advisory group, if you look at their terms of reference—

The Hon. MARK LATHAM: Have you read the media?

The PRESIDENT: If you look at the terms of reference and you look at what their role is to provide advice to the Parliamentary Executive Group—and obviously the Broderick process has been an independent process which has been done by Elizabeth Broderick in consultation, and close consultation at times, with the parliamentary advisory group and some consultation with the Parliamentary Executive Group. But it has been a very independent process, and that was really important that it was done independently and that there was confidence in that independent process from all those staff members and other people who have been affected so that they were able then to confidently contact and interact with that process without it having any impact—

The Hon. MARK LATHAM: Are you confident that this member should have sat on an advisory group for serious misconduct, who we saw in the staff bar that night paralytically drunk, as drunk as anyone I've ever seen in my long time working in a parliament house, screaming into her phone, "You're too effing good for him, you're too effing good for him," the member for Shellharbour? Do you really think she should have been on an advisory group judging the rest of us for serious misconduct?

The Hon. ANTHONY D'ADAM: Point of order: This is budget estimates. It's not an opportunity for a member to launch into a personal attack on a member.

The Hon. MARK LATHAM: What's this thing?

The Hon. ANTHONY D'ADAM: He knows the standing orders. If he's going to do that, he needs to do it by way of substantive motion in the House and not use this process for that purpose.

The Hon. MARK LATHAM: Was there a security report later that night concerning the way in which parliamentary staff had to stand in front of the car of this particular member to stop her from driving home in this paralytically drunk state?

The PRESIDENT: I'm not aware, but I might ask Mr Webb to comment.

MARK WEBB: I'm not aware of any security report along those lines.

The Hon. MARK LATHAM: Can you take it on notice and check the records? In particular the Broderick report at page 7 refers to training needed for our special constables on how to deal with situations classified as "trauma-informed responses". Is that a reference to the member for Shellharbour—

The Hon. ANTHONY D'ADAM: Point of order: I'm going to object again.

The Hon. MARK LATHAM: —and her disgraceful conduct that night, so drunk that she could barely stand up but apparently decided to drive home.

The ACTING CHAIR: Order!

The Hon. ANTHONY D'ADAM: This line of questioning is filled with assumptions that are not subject to any testing. You're making assertions about a member.

The Hon. MARK LATHAM: I'm asking questions.

The Hon. ANTHONY D'ADAM: The member is not in a position to defend themselves. You should desist from this line of questioning; it's out of order.

The Hon. MARK LATHAM: I'm asking questions about someone on an advisory group for serious misconduct who had the hide, the absolute hide—

The Hon. ANTHONY D'ADAM: Based on assertions and assumptions.

The ACTING CHAIR: Order!

The Hon. MARK LATHAM: —to be on a group passing judgement about the rest of us—

The ACTING CHAIR: Order!

The Hon. ANTHONY D'ADAM: Based on untested assertions.

The Hon. MARK LATHAM: —given the fact in the bar that night she could barely stand up.

The ACTING CHAIR: Order!

The Hon. ANTHONY D'ADAM: Based on untested assertions.

The Hon. MARK LATHAM: President, you were there; you must acknowledge it was disgraceful conduct—

The Hon. MARK BUTTIGIEG: Point of order—

The Hon. MARK LATHAM: —and she should have never have been on this group.

The Hon. MARK BUTTIGIEG: Chair, this is now out of control. The member continues to reflect on another member and he knows very well that it's not in order.

The ACTING CHAIR: I uphold the point of order. You mustn't reflect on another member unless it's by substantive motion.

The Hon. MARK LATHAM: What about a former member? How did the notorious drunk Catherine Cusack get on this group, given that in our Chamber it was an open secret. She brought more shame and disgrace—

The Hon. ANTHONY D'ADAM: Point of order—

The Hon. MARK LATHAM: —and embarrassment to the Legislative Council—

The Hon. ANTHONY D'ADAM: You can't just use this proceeding—

The Hon. MARK LATHAM: —with her behaviour that was persistently drunk.

The ACTING CHAIR: Order!

The Hon. MARK LATHAM: How did she get on a group about serious misconduct—

Ms SUE HIGGINSON: To the point of order. Respect the process.

The Hon. MARK LATHAM: —and is now in the media holier than thou trying to pass judgement on us?

The Hon. ANTHONY D'ADAM: The member knows that this is not an opportunity for him to make allegations and assertions about members or former members of this House.

The Hon. MARK LATHAM: Why not? What's this thing about?

The ACTING CHAIR: I'll uphold the point of order.

The Hon. MARK LATHAM: What about your colleagues that have been rubbed out?

The ACTING CHAIR: I'll uphold the point of order. Please try and desist from naming names.

The Hon. MARK LATHAM: One that's been named in the media already is the member for Newtown, who I will defend that in my assessment she wouldn't be a bully. She'd be intense, engaged and energetic in representing the seat of Newtown. Why is it that she's been outed apparently as allegedly a bully when at page 34 of the Broderick review the bar is set so low for what bullying might be? Bullying is listed as criticism, complaints, saying to someone, "We might have to sack you because you're incompetent," pranks and jokes, moving stuff on their desk, I quote "setting meaningless tasks and spreading misinformation". Isn't, in the eye of the beholder, all of politics about misinformation? Labor will say that about Liberal and vice versa. Isn't it a joke to say that these classifications can be regarded as bullying, and for political reasons staff were invited to lodge through the media or these processes—Broderick or Rose Webb—complaints about a member of Parliament for political reasons?

The PRESIDENT: The reality is, if you look at page 34, there are examples of bullying behaviour listed and we're talking about unjustified criticism or complaints, not just criticism. So I think when you look through that—

The Hon. MARK LATHAM: Who judges that? Who judges what's justified and unjustified in an office?

The PRESIDENT: This is in relation to a survey that was conducted independently by Elizabeth Broderick according to standards set and as part of the review that was conducted. So in that regard, these numbers here are responses to the questions that were put in the context of that survey.

The Hon. MARK LATHAM: But do you acknowledge that the threshold is so low that these are not acts of bullying, these are just the regular activities in an office where if a staff member is incompetent, you might have to say, "You've got to lift your game or you have to go"? How can that be regarded as bullying? What sort of snowflake Parliament and building are we creating here, President?

The PRESIDENT: I think behaviour or language that frightens, humiliates,—

The Hon. MARK LATHAM: No, no, no, no, they're not the questions I raised.

The PRESIDENT: —belittles or degrades, including criticism that is delivered with yelling or screaming is pretty much equivalent—

The Hon. MARK LATHAM: They're not the matters I've raised. I've raised stuff that's absolutely trivial, and under these categories Leong here is probably being fitted up, as has Mihailuk and Secord. Where's the apology to these members that without any proof of such a low threshold these people have been vilified in the public arena?

The ACTING CHAIR: This goes to the statement I read earlier. This now is applying to all of us. Automatically we're all assumed guilty, even if we've had nothing to do with it and have no intent and our organisations and structures are being run properly. What really should be happening is the Broderick report should be looking into the activities of the major parties. That's actually what is needed—who actually run the place, and the Opposition.

The Hon. MARK LATHAM: Yes, and the two known drunks who were allowed to stay on the committee—two who had something to answer, passing judgement on everyone else, the two drunks.

The Hon. ANTHONY D'ADAM: Point of order: The member knows—he's been called to restrain himself from persisting with these untested allegations.

The Hon. MARK LATHAM: I was there and the President was there. And you know about Cusack. Don't try and give me this business—

The ACTING CHAIR: Order!

The Hon. MARK LATHAM: How about dealing in truth?

The ACTING CHAIR: We're now in your time, Sue.

The Hon. ANTHONY D'ADAM: Rather than smear?

The Hon. MARK LATHAM: It's not smear, it's truth.

Ms SUE HIGGINSON: I think we're in the Opposition time.

The Hon. TAYLOR MARTIN: No, it's Government time.

The Hon. MARK LATHAM: The President was there, I was there, you've all been there for Cusack—come on.

The Hon. TAYLOR MARTIN: It's Government time.

The ACTING CHAIR: It's Government time? Okay, now we're in Government time.

Ms SUE HIGGINSON: Just for one second—can we just possibly recalibrate for one second and acknowledge that the report focuses on victims, and let's move on from there. Thank you.

The Hon. MARK LATHAM: Your colleague, Leong—

Ms SUE HIGGINSON: My colleague has said in the media that, as a political party—and not a major one—we support and encourage all complainants coming forward at any time and to any place they feel they need to come forward to. Thank you, Chair.

The ACTING CHAIR: I echo that sentiment and our party would too. But I also regret the focus that minor parties now and participants in minor parties, such as myself and Mr Latham and many others, are now also part of a smear campaign that's being run by the major parties seeking to try to offset the blame for their activities and lack of internal discipline to all of us in this place. It's unacceptable—totally unacceptable.

The Hon. MARK LATHAM: Hear, hear!

The ACTING CHAIR: And I don't care what the major parties say—

The Hon. TAYLOR MARTIN: With all due respect, we're in Government time now—

The ACTING CHAIR: No, no, you're not in Government time, because I haven't—

The Hon. MARK LATHAM: No, we're not in Government time.

The ACTING CHAIR: You're not in Government time yet. I'll switch that on when I'm finished. The minor parties don't often get a chance to point the finger of blame to where it belongs, and in this particular case it belongs in the Premier's office for now dragging us all along down into his cesspool of blame.

The Hon. MARK LATHAM: It's the people who commissioned Broderick, who gave them the report that they wanted.

The Hon. TAYLOR MARTIN: Is that why Helen Dalton left the Shooters?

The ACTING CHAIR: That's go nothing to do with it. You know that. You know that very well. Don't play politics on this—

The Hon. TAYLOR MARTIN: You've got to be kidding. Let's rewind.

The ACTING CHAIR: The reality is this will be used and twisted by the Government, somehow or other, to virtue signal their own lack of good governance in their own party.

Ms SUE HIGGINSON: We have the Legislature here. Let's focus.

The PRESIDENT: Okay. If I could just make a brief comment, this is an independent, creditable report. The reality is that most respondents to this report are very positive about the environment they work in. They are focused in relation to the—

The ACTING CHAIR: There is one paragraph that says that and the rest of the report—

The PRESIDENT: Well, there are a few paragraphs that say that. But then—

The ACTING CHAIR: —is busy telling us what all the problems are.

The PRESIDENT: —as a couple of members have mentioned, there is a focusing, if you like, on those people that have been affected. What we're looking to do is create a safe environment for people who come to work in Parliament, so they feel secure, they feel valued and they feel included. That's what this is all about. So what we aim to be doing is going through this. Obviously there are some people that have been seriously affected. We acknowledge that. We want to ensure that the environment moving forward is as secure and safe and inclusive as it possibly can be. This needs to be an exemplar of a workplace, an example for all of New South Wales, and we'll be doing whatever we can to ensure that happens in consultation with all members, in consultation with the leadership of parties, in consultation with the Parliamentary Advisory Group and all stakeholders.

The ACTING CHAIR: Government time.

The Hon. TAYLOR MARTIN: Thank you, Chair. A moment ago, Ms Higginson alluded to supporting complainants, so I'll turn to one that I know of—and that's me. I know, Mr President and Mr Webb, you'll surely know where this is going. For context for other members and anyone watching, before coming to this place I never, ever, needed a puffer. Since being elected and working in this building, I have to carry this inhaler with me

whenever I'm here for sitting weeks or committee work or estimates weeks that we've just been through. I've never needed it before and, to be frank, when Parliament is in recess and I'm out and about in the community across the Hunter and on the Central Coast, mainly, or committee work throughout the State, I don't need this.

I only need an inhaler when I'm in this building, and that comes about mainly due to the water damage and the ensuing mould throughout the building, but particularly down in level 7 in the LC Chamber itself, in the Members' Lounge next door, in the Parkes Room—which I know has been rehabilitated lately—but particularly in the Jubilee Room, which has sustained a lot of water damage lately, and that's a long, longstanding problem. Other colleagues and staff members, to be frank—of course, I won't name the staff members, but many members have also raised their concerns for their health, and former members as well, can I say. If we could start, I would like to particularly ask about that water damage in the Jubilee Room. It's been an ongoing problem, as we all know, and I know that there has been some work. Mr Webb, thank you for your engagement and your communication on that issue. Are you able to expand on what's happened and what's happening?

MARK WEBB: Yes. On the specific issue, the most recent issues we had with the Jubilee Room came from a blockage in some of the pipework above the Jubilee Room, which caused the water to back up and then spill, essentially, over into the Jubilee Room. So, obviously, that causal factor has been rectified and we have gone through and done mould remediation in the room. But, as you quite rightly point out, across the entire Rum Hospital part of the building, including—strictly speaking, the Jubilee Room is not part of the Rum Hospital, but including the Jubilee Room, we do have an ongoing issue with mould and with other particulates throughout the section.

In the break that's coming up at the end of the year, when you all leave and are out on the hustings and doing your thing, we will be doing a major piece of work across the whole front of the building. That will involve extensive mould remediation works and other remediation works. The primary issue that we've found is that under these buildings is where the mould is thriving. There is a cavity underneath the LC Chamber. Below the Parkes Room, there are a couple of little rooms down there. Similarly, below the LA Chamber there is space down there. The works that we're looking at will work to, essentially, have ways of drying out all of that space to ensure that they're not set up for mould or providing the conditions under which mould thrives, into the future. I think you would have all noticed in the Chamber it's been quite some time since there has been restoration works throughout the Chamber. There is wallpaper that's peeling from the wall. If you look carefully at the colours of the various benches, they're all slightly different shades of red and different—

The Hon. MARK LATHAM: So what? Let's spend this money where it's needed, out in country hospitals or suburban roads. I mean, this is just an indulgence—different coloured leather, who cares?

The Hon. ANTHONY D'ADAM: It's Government time.

The Hon. MARK LATHAM: Well, I haven't noticed. He's asking us if we've noticed—the answer is no.

The Hon. TAYLOR MARTIN: Mark, this is a very small part of a much larger problem.

MARK WEBB: Yes, it is.

The Hon. MARK LATHAM: Different coloured leather?

MARK WEBB: But we are looking at trying to clear out and make sure that the issue that you, quite rightly, point to is sorted out as part of this work. The focus of the works we're doing is on safety, remediation and making sure that the space is fit for purpose, not just now but into the future as well. The building has survived for 200 years; if we want it to be the Parliament for the next 200, we need to do these kinds of works.

The Hon. TAYLOR MARTIN: Thank you. Mr President, do you have anything to add?

The PRESIDENT: Look, it's going to be a very significant range of work, as Mark has said. So it's going to cause a bit more inconvenience to members, I'm sorry to say. But, as part of that, I think it's essential that we embark on a lot of that work that's been ignored for a long time and has simply been a backlog that is now affecting the health of members. I am another person affected by this as well, so I've been a very strong advocate. As part of the funding for this financial year and into next financial year, there will be significant funding to fix these longstanding problems. That's just the nature of working in a heritage building which is subject to the water damage that's occurred over time but also problems with the original construction that we're finding as we're working through this process that need to be remedied if this is going to be a parliament for the next 200 years.

The Hon. TAYLOR MARTIN: Thank you. Mr Webb, at the start of your answer to my first question you mentioned particulate matter. Is that something that—

MARK WEBB: Yes. The mould is the primary issue that we've found. There is no—I was perhaps unnecessarily alarming in saying that. There is no poisonous or hazardous particulate matter, so we're not talking about asbestos or anything along those lines.

The Hon. TAYLOR MARTIN: Okay.

MARK WEBB: But there is significant accumulation of dust in various parts of the building that is very hard to get to and almost impossible to clean. So there are parts of that Rum Hospital area where the air quality is slightly lower than what we would expect in a modern workplace. I know that, in terms of allergies and those kinds of reactions, it's not just mould; it could be dust particulates.

The Hon. TAYLOR MARTIN: Yes, that's right, dust mites—a whole range of things. And I feel like the canary in this proverbial coalmine.

MARK WEBB: If you ever decide to give up politics, I think you could rent yourself out as a mould detector right across the board.

The PRESIDENT: One of the key elements of this refurbishment will be upgrading the air-conditioning system and putting in dehumidifying aspects so that we can actually pull that water out. If you look at how much water comes out, that we're extracting—we have dehumidifiers in the Chamber—it's an extraordinary amount of water that's floating around the place. Something like 21 litres overnight on a regular basis of water is just being pulled out of the Legislative Council environment. It's quite extraordinary, and that's the sort of thing that we have to fix.

The ACTING CHAIR: It shows how much hot air's in there, doesn't it?

The PRESIDENT: A lot of water vapour—nothing else.

The Hon. TAYLOR MARTIN: With regard to the air quality in particular, how often is the air quality tested? Are there spore tests of sorts? Does this happen periodically? Is it scheduled? Does it happen when there's an incident?

MARK WEBB: The answer is both. We have a regular regime of testing. I'm sure the crack squad behind me will be able to tell me the frequency before I finish my answer.

The Hon. TAYLOR MARTIN: If not, I'm happy to take anything on notice.

MARK WEBB: We do have a regular regime of air-quality testing that does include spore testing as well. But especially in the last 12 months we've had to supplement that with additional testing when we've had some of the large rain events. You might have noticed there was a point at which all the photos came down in the little corridor going out, with all the former presidents. That's because we found visible mould through that whole area and had to remediate that space as well. We did air-quality testing as part of that work too. We do have a regular regime, but we are finding we're having to do more and more air-quality testing in excess of that regular regime as well.

The Hon. TAYLOR MARTIN: I take it that there's a third party that you brought in to do the tests?

MARK WEBB: Yes.

The Hon. TAYLOR MARTIN: Would their report be something that you're able to produce on notice to this Committee?

MARK WEBB: Yes, I'm happy to.

The Hon. TAYLOR MARTIN: Thank you. That would be much appreciated.

MARK WEBB: The regular regime is six-monthly.

The Hon. TAYLOR MARTIN: Stepping back from just this particular issue that I've raised, what challenges do you have in running, maintaining a building of such heritage value which is still utilised as a full-time building as this is?

MARK WEBB: There are a few challenges. You're quite right; the balance between heritage, security, accessibility and then operations, especially in the front of the building, is particularly difficult. But people often don't realise that the entire building has a heritage order on it. Some parts are considered more acute heritage areas—of course, the 206-year-old Rum Hospital being a prime example of that—but even the 1970s tower block is considered to have heritage value. So that balancing of all those things together is difficult. Part of the difficulty that we have is, rather than having a steady stream of investment over a long period of time, we have sort of a feast-and-famine approach—nothing for a long time and then some money comes in. So that can cause more

disruption to members and to the operation of the place because we're not doing small amounts of regular maintenance.

If I can give an example from another jurisdiction, the Victorian Parliament is just in the process of completing a 15-year project to restore all the stonework around. They were able to do that because they had that ability to project what was needed and had the funding in place to allow them to do a small amount of work each year. If we were to try to do something similar, we would be given two, maybe three, years worth of funding and we would have to do the entire building in two or three years. So that capacity to schedule out work in the longer term and try to do it in a way that minimises disruption to the Parliament is one of the challenges for us.

I guess the other challenge for us is looking into the future and trying to actually predict—I mentioned before what would happen if all LC members were to get two staffers and then, say, crossbenchers were to move to three staffers. The New South Wales population is growing. Does that mean in the future there might be more members of Parliament? If you want to keep the ratio in the lower House, for instance, between members of Parliament and sizes of electorates consistent, you would end up needing more members. If you were going to keep the number of members constant, then those members would end up with bigger electorates. Either way, more resources are going to be required—either more staff or more members—down the track.

Part of the leadership of the President and the Speaker has been about instructing us to look into the future and say, "What is the long-term use of this space, and how do we undertake planning that will think about the long-term needs of the building, not just fixing up what's here today?" In summary, we're doing rectification works around areas of neglect, we're doing works to try to make sure that the current Parliament can do its job—I refer to our discussion earlier about committee resources, committee hearing rooms, for instance—and we're trying to look into the future to predict what might be required so that we can do things proactively rather than reacting after the case with all the disruption that that entails.

DAVID BLUNT: If I can add something there? The complexity that you talk about, it's not just about this being a heritage building that is in continuous use and managing around the continuous use. That's one of the reasons why, when we have the window every four years during the election cycle—from November through to the end of April—there will be a heck of a lot of work going on, which will be very disruptive because it's the one time that we have that length of time. But it's also the complexity of the parliamentary environment and the nature of the Parliament. The President and I were recently at the Commonwealth Parliamentary Conference. One component of that was the meeting of the Society of Clerks-at-the-Table. There was an absolutely brilliant presentation by Matthew Hamlyn, the former Clerk of the House of Commons—sorry, currently still a Clerk—who's taken a career path into project management and has recently successfully project-managed the restoration of Big Ben. Of course, there are other restoration projects at Westminster.

One of the things that we picked up from his brilliant presentation was just the difficulty of managing capital works projects, not only in a heritage environment but because of the nature of Parliament. It's not a body where there is one chairperson and one CEO who can just make every decision. Everyone wants to be and needs to be consulted. But it doesn't matter how much you consult, there's always somebody who wants to be consulted more. It doesn't matter what collective decision is made—by the two Presiding Officers and the three department heads in this case—there will always be someone who won't be happy with a particular decision. Everyone is equal. The 130-odd members of this place are all equal stakeholders, as are the people of New South Wales and everyone who works in this building as well. It is a complex environment for managing heritage but also continuous use and that sort of decision-making and consultation.

The Hon. TAYLOR MARTIN: Thank you. I'll follow on, Mr Webb, from your answer there. Is it fair to say that the heritage constraints affect the ability to keep this building fit for purpose as the Parliament of this State?

MARK WEBB: I think that is—

The Hon. ANTHONY D'ADAM: Are you angling for a new Parliament?

The Hon. TAYLOR MARTIN: I'm asking about the issues.

The Hon. SCOTT FARLOW: The Primrose bandwagon.

The Hon. MARK LATHAM: On the Central Coast.

The Hon. TAYLOR MARTIN: No, not at all.

MARK WEBB: There are constraints. Just to use an example that I know has come up here before, having an accessible entrance at the front of the building is a good example. Besides the ramp that people currently use, so far we've not been able to find a solution that maintains the heritage value of the building and provides a

way of someone going from the forecourt up to the balcony and straight in at level 7. We are continuing to look at the issue, but you can't just whack a ramp up the front of the building or put a chairlift in or things along those lines. So the heritage constraints do put constraints on things. You will have all seen that most parliaments across Australia have individual seating for members with microphones that are turned on and off by an operator based around the individual, rather than the bench seating arrangements that we have at the moment. That puts constraints on how much technology we can deploy to support the operations that you're having.

Offsetting that, we are in the oldest continuous-use public building in Australia. There is great value in that. There is a history and a heritage to the building as well, which creates the atmosphere in which New South Wales Parliament operates. I don't say any of that to say these are challenges that we should not be trying to overcome—they should be; that heritage and history is incredibly important—but it would be disingenuous of me to suggest that it makes my job easier for that to happen. It is a difficult array of things that we have to balance in order to try and keep things going.

We are also a very small building, relatively speaking, so drilling in one part of the building can echo off through the whole building, so the effect of the work we are doing can also—whereas if you're doing some work in Federal Parliament House, for instance, if you're doing work on one side of the building, nobody in most of the building will even know that it's going on. So the fact that we're smaller, we have a smaller footprint, also creates constraints in the work that we do.

The PRESIDENT: I just might add, to take the UK experience, when they went through an independent sort of styled process to quantify what it would cost and the imposition on the Parliament, they're looking at a 13 billion pound investment over 20 years and relocation of the Parliament to get the work done. So the heritage aspects are pretty serious, but it's an institution that the history, the tradition and the heritage are entwined with, so we need to make those sort of compromises and try and make it work as best we can.

The Hon. TAYLOR MARTIN: Thank you.

The ACTING CHAIR: Opposition?

The Hon. ANTHONY D'ADAM: At the last estimates hearing, Mr Webb, we asked about the issue around who the PCBU is, the person conducting the business or undertaking, who has the work health and safety duties in relation to members of Parliament. I understand that you received some counsel's advice in relation to the issues around staff and you were asked whether you could get an addendum to that advice in relation to members. Did you get that advice, and what did it say?

MARK WEBB: Yes, and I'll probably just refer to my previous comments that essentially said that things haven't been tested, but that there is a shared responsibility between members and the administration for the safety of staff in the Parliament would be my summary.

The Hon. ANTHONY D'ADAM: What about the specific question around members of Parliament? Who has the duty to look after the work health and safety of members?

MARK WEBB: I apologise, I misunderstood your question. Yes, that's the one for staff, but for members, members are not employees of the Parliament. That is relatively clear.

The Hon. MARK LATHAM: Thank goodness.

MARK WEBB: Yes, so members are not employees of the Parliament, but they are, in a broad sense, employed by the Crown in the most—

The ACTING CHAIR: Paid by the Crown.

MARK WEBB: Yes, sorry.

The Hon. MARK LATHAM: Employed by the Crown? Where's the employment contract?

MARK WEBB: I'm sorry, no, you are quite right. Paid by the Crown is a better way of putting it than employed by the Crown.

The Hon. MARK LATHAM: Resourced by the Crown.

MARK WEBB: Yes, that's right. As a result, the PCBU responsibilities of the Parliament's administration don't apply to members. We're not the employers of any of you and don't have the obligations that sit under that. Again, if I was to summarise, essentially though we still do have a responsibility to create as safe a work environment for you to work in as we can. For instance, the provision to you of equipment. We've had members asking for sit/stand desks, for instance. So in order to maintain being able to be safe, we do have an obligation to provide any equipment or resources or a built environment that allows you to do your work safely

but we don't have an employment relationship with you. So, if you like, our responsibility is a more general one from a work health and safety point of view, not the specific responsibility of an employer to their employee, if that—

The Hon. ANTHONY D'ADAM: You have duties in relation to anyone who comes into the Parliament.

MARK WEBB: We do, yes, that's right, but because—

The Hon. ANTHONY D'ADAM: You are covered by that duty as well.

MARK WEBB: Yes, absolutely, and because you work in the physical space that we manage, though, we do have more obligations than we would to a general visitor walking into the building, but it is not the relationship of an employer to an employee.

The Hon. ANTHONY D'ADAM: What about psychological hazards?

The Hon. MARK LATHAM: Noise, quietness?

The Hon. ANTHONY D'ADAM: How do you deal with those?

MARK WEBB: I guess that would depend on those things that are something that we can control, so it would depend on the nature of the psychological hazard, I guess. If you want to give me an example—

The Hon. ANTHONY D'ADAM: Obviously the bullying and harassment which have come out of the Broderick report are psychological hazards in a workplace that arguably is under your control or the control of the presiding officers.

MARK WEBB: The aspects of it that—

The Hon. ANTHONY D'ADAM: How do you discharge your duty in that circumstance?

MARK WEBB: To a certain extent, doing things like reviewing circumstances, and the response we have to the Broderick review will be, in part, us discharging our responsibilities under those spaces; but it's not clear cut when it comes to members and it hasn't been tested. These responsibilities haven't been tested in any kind of court of law, so to a large extent the answer will depend on the specific circumstances of a case. So yes, we do have a responsibility to try and create a safe workplace, and that includes psychological safety in those spaces where we can influence psychological safety, absolutely. But, for instance, the conduct of two members interacting with each other is not something that we have any control over, so we would not be in a position where we could affect that particular outcome.

Decisions that the House makes as a whole is another area. For instance, and if we go to the broader safety issue, your collective decision recently to move to a 10 o'clock hard adjournment can be seen through the light of the House taking a measure to ensure the safety of the people within the House, which is all of you collectively. So that's another example where the administration—we couldn't have told you you must move to a 10 o'clock hard adjournment. That, of course, would be entirely inappropriate. But by taking that decision, you have created a health and safety mitigation that would be based around fatigue and the like. I know that I've just said in very many words that it depends, but it does depend on the circumstances.

The Hon. ANTHONY D'ADAM: The Clerk might have something to say.

DAVID BLUNT: Just in terms of a member, if you're suggesting that a member may feel that they're in an unsafe workplace because of the contributions of a colleague in the Chamber or committees, of course all members have absolute freedom of speech in debate. However, I would say that that freedom of speech is subject, of course, to the rules of the House. The House sets those rules in a number of areas. You can't make disparaging comments in relation to the Crown or the Governor or other members et cetera except in accordance with the conventions of the House. That is just one example of a standing order that the House has put in place to constrain the words that members say in debates. So there are always opportunities for the House to continually review these things.

The Hon. MARK BUTTIGIEG: Can I pursue this a little bit more because we presumably paid for professional legal advice and it sounds like it's a little bit ambiguous?

MARK WEBB: It is an ambiguous situation, yes.

The Hon. ANTHONY D'ADAM: Is the advice available to be tabled? Can you tender the legal advice?

MARK WEBB: I don't know that we can without waiving legal professional privilege. I'd have to take that on notice just to see that we wouldn't inadvertently cause an issue that we didn't mean to cause.

The Hon. MARK BUTTIGIEG: Did the advice go to the train of logic that says that if the ultimate governing body—if the Parliament is the master of its own destiny, and therefore logic would dictate that the Parliament collectively is perhaps the PCBU, but then, in a jurisdictional sense, what is the recourse? Did the advice go to that train of logic?

MARK WEBB: I would have to review it to see. No, I can't recall off the top of my head. I would have to take that on notice and go back and have another look at it. It has been a few months since I looked at the advice.

The Hon. MARK BUTTIGIEG: If you could take that specifically on notice because I think that is probably the nub of the issue. To go to one of your earlier examples, let's say there is an interaction in the hallway and someone stands over someone, you could imagine the Parliament coming up with a solution whereby maybe an officer could be called to intervene to break up the dispute or whatever. That is potentially a way forward.

MARK WEBB: Yes. I think this is a—if I'm going to the heart of the advice, that situation dependency is incredibly important. Is there something that we could have done in the particular circumstances that would result in a safer workplace? It depends on the circumstances. Two members have a dust-up outside—you know, they decide to meet each other at the back of the building to sort things out—

The Hon. MARK LATHAM: The caucus room.

MARK WEBB: That's right—completely outside of our control. I would encourage you to consider the Domain for your back-of-the-building needs if that was to come forward. But you are right, if there were circumstances in which we could take either preventative action—and one of the things about not just the Broderick review but others is that we have been focusing on the reporting process and the like, but of course a large part of what we will be doing is around the preventative space. I would prefer people to not have a bad experience in the first place, rather than have a bad experience and have to report it.

Those things that are within our control, we have an obligation to exercise that, but there is a recognition in the advice that there is a lot of stuff that is outside the administration's control. It might be the case that the House can self-regulate through standing orders and the like, as Mr Blunt just said; it could be a matter for an individual matter to have made decisions about their own conduct in the building; or there could be things that we could do to either mitigate or ameliorate the impact of an event that has happened.

The Hon. MARK BUTTIGIEG: Just two quick—

Ms SUE HIGGINSON: Thank you. We are in crossbench time and we need—

The Hon. MARK BUTTIGIEG: Are we?

Ms SUE HIGGINSON: Well and truly. Thank you, Mr Latham.

The Hon. MARK LATHAM: I am hearing some strange re-definitions of "elected democracy", but does the executive group acknowledge the primacy of parliamentary privilege—that nothing can be done to prevent a member of Parliament legitimately discharging their duties for the people they represent? I haven't heard those two important words, "parliamentary privilege", mentioned once. Is that something you acknowledge in this thirst for behaviour control?

DAVID BLUNT: Mr Latham, I thought I'd said exactly—

The Hon. ANTHONY D'ADAM: To break the law?

The Hon. MARK LATHAM: Breaking what law?

DAVID BLUNT: Mr Latham, I thought I'd said—

The Hon. MARK LATHAM: Parliamentary privilege is the law.

The Hon. ANTHONY D'ADAM: No.

Ms SUE HIGGINSON: Let's let the Clerk speak.

DAVID BLUNT: I thought I'd said exactly that. I had referred to members' absolute freedom of speech in debate. However—

The Hon. MARK LATHAM: You didn't say "privilege".

DAVID BLUNT: Well, freedom of speech is the most fundamental parliamentary privilege.

The Hon. MARK LATHAM: Restraints on the movements, the activities, the thoughts, the values of a member of Parliament—that's outside privilege. These things could well be tested in the future. Just turning

away from Broderick and this emphasis on the heritage values of the front of the building, how does the frozen work on the frosted door fit into that, Mr Webb? What's the heritage value of what you've done there with that hoarding inside the staff bar?

MARK WEBB: It is gone now.

The Hon. MARK LATHAM: It is gone now. Replaced by what?

MARK WEBB: It was restored back to what it was before and there are some display cabinets at the back.

The Hon. MARK LATHAM: What has been the total cost to the Parliament of putting the hole in the wall, ordering the frosted door from overseas, leaving it on the dock in San Francisco and then restoring the wall back to the way it was—that is, back exactly to the starting point?

MARK WEBB: I will have to take the exact dollar figure on notice.

The Hon. MARK LATHAM: Do you acknowledge, though, that it's been a complete fiasco and gives a lie to your pretence about heritage values and sound management of the building? It is an embarrassment, isn't it?

MARK WEBB: I probably don't accept the premise of the question that I pretend to do my job but, besides that, it was a piece of work that we started in good faith and, when further decisions were made, we made best efforts to restore it.

The Hon. MARK LATHAM: Restored it exactly the way it was. How much was your front-of-house proposal going to cost?

MARK WEBB: The full proposal, that could have been—I will get the exact figure on notice, but it was around—

The Hon. MARK LATHAM: Not a lot of exactitude, except the stuff that's embarrassing.

MARK WEBB: It was in the order of \$1 million for the whole pieces of work, but I will have to get you the exact—

The Hon. MARK LATHAM: To do what? What exactly is unsatisfactory with the way in which people enter and leave the building?

MARK WEBB: The proposal has not gone ahead.

The Hon. MARK LATHAM: Just on a few other things, last time I was here at Legislature estimates in October there was a promise that the Indigenous worker was actually going to venture west of the Blue Mountains and visit places with dreadful Indigenous problems like Bourke, Moree, Brewarrina, Walgett—that the President and I have recently visited. Has that promise from estimates in October last year been fulfilled?

The PRESIDENT: Look, I am not sure of the Aboriginal Liaison Officer's exact movements, but I know that he has been doing a range of work including assisting committees down on the South Coast most recently in relation to the Indigenous fishing inquiry and been doing some work with—

The Hon. MARK LATHAM: Still hasn't ventured west of the Blue Mountains. Is he working on the bicentennial celebration?

The PRESIDENT: He is doing some work in relation to the bicentenary, particularly in relation to assistance with the consultation process. The bicentenary has been engaging with Aboriginal groups across the State. The Aboriginal Liaison Officer has been very able in terms of developing those relationships.

The Hon. MARK LATHAM: Why hasn't he visited the places with the worst cases of Indigenous squalor and disadvantage and poverty and come back here with some recommendations on how to fix these problems?

The PRESIDENT: I am not sure where the Aboriginal Liaison Officer has gone or not gone.

The Hon. MARK LATHAM: No-one knows where he has gone.

The PRESIDENT: I could probably get some more information to you about that, but—

The Hon. MARK LATHAM: Take that on notice.

The PRESIDENT: —I know that he has been involved in relation to some of the committee work, in relation to the bicentenary itself, so far as we are working up liaison with a number of those groups, and some visits here in the Sydney area particularly.

The Hon. MARK LATHAM: Just on your first line of defence against COVID, COVID, COVID, Mr Webb, how often does that temperature checker at the security box actually identify someone who has got a high temperature and has to be excluded from the building?

MARK WEBB: Not often.

The Hon. MARK LATHAM: At all?

MARK WEBB: No, not at all.

The Hon. MARK LATHAM: It never has?

MARK WEBB: No.

The Hon. MARK LATHAM: So what you are saying is that tens of thousands of people through the COVID period have come into this building and your first line of defence is this temperature check—I think it needs to be if you are over 37.5 degrees or something—

MARK WEBB: That is correct, yes.

The Hon. MARK LATHAM: Not a single person has triggered that and had a fever or a temperature that would exclude them from the building. Does that indicate to you that the thing is not working?

Ms SUE HIGGINSON: Can I add that when I come in and it tells me I am perfectly normal I feel really grateful?

MARK WEBB: That is good.

The Hon. MARK LATHAM: I am glad someone needs to tell you you are normal but, for those who are abnormal and have a high temperature, of which there must have been some in the tens of thousands who have entered the building, doesn't it indicate to you that it has been another ridiculous joke?

MARK WEBB: We have tested the machines on multiple occasions to make sure that they work and continue to work, but I will be completely up-front in saying, no, we haven't had an incident. I would have probably expected to.

The Hon. MARK LATHAM: Are you going to persist with this joke?

MARK WEBB: We are in the process of reviewing all the COVID recommendations.

The Hon. MARK LATHAM: Are you going to persist with the joke? Wouldn't any rational person say, "Obviously it's a waste of time"? It has been tested over several years, tens of thousands of people have come in, they stand in front of the stupid thing and it tells you that you've got a normal temperature. Nobody has had a high temperature and been excluded from the building. Obviously it has had no impact on anything to do with COVID or the flu or any other type of high-temperature illness. Isn't that true?

MARK WEBB: It may have resulted in—

The Hon. MARK LATHAM: Why do you persist with this farce for so long?

MARK WEBB: It may have resulted—some people may have chosen to not come in because they knew their temperature would have been checked as they came through but, putting that aside, we are in the process of reviewing all of our COVID measures. It could be that things that have been mandatory up until now may move to voluntary services.

The Hon. MARK LATHAM: And have you got the same advice from NSW Health that has been circulated to the Department of Education that, in relation to the new Omicron strains BA.4 and BA.5, any level of vaccination or prior infection has no impact on the transmission of infection?

MARK WEBB: Yes. I've seen some of that advice.

The Hon. MARK LATHAM: What sort of arrangement do we then have whereby, in the advice you sent out on 8 August:

Members will continue to have full access to the Parliamentary precinct and should be fully vaccinated.

Why are you sending out an advice about four jabs of the vaccine if the vaccine's making no impact whatsoever on the spread of BA 4 and 5? Isn't this just another ridiculous joke? And you're recommending a booster. A booster for what?

MARK WEBB: The Health advice does not—unless the Department of Education received something different than what I've said, it doesn't say that the vaccinations are useless. It does talk to—it has less effectiveness about transmission on, as you say, BA.4 and BA.5—

The Hon. MARK LATHAM: No. That's not what the Department of Education is circulating.

MARK WEBB: I haven't seen what—

The Hon. MARK LATHAM: Can you on notice table and circulate to this Committee the latest advice you've got from NSW Health? It sounds like you're saying there's two sets of advice here.

MARK WEBB: You're indicating that something specific has been circulated with the Department of Education. I haven't seen—

The Hon. MARK LATHAM: I have. At our Committee, it's—

MARK WEBB: I'm happy to have a look at that on notice and come back.

The Hon. MARK LATHAM: If you find out that vaccination has no impact on transmission, will you end this sort of advice about telling people to get a booster and also the expensive HIBBS testing that we have?

MARK WEBB: We haven't been using HIBBS for quite some time. But you're talking about the nurses for the rapid antigen testing?

The Hon. MARK LATHAM: Yes. The RAT testing.

MARK WEBB: Yes, of course. We have reviewed the rapid antigen testing. After estimates finishes this week, we will be ceasing the mandatory testing going through. There will be the capacity—we do have stocks of rapid antigen tests. People will be able to access those tests on a voluntary basis—for instance, if you want a test, we will have them available for you to do. Your point about the temperature machines is a reasonable one. So I'd be very happy to look at moving that from being a mandatory step as you walk in the building to something that people can use if it's a useful thing but is no longer mandatory, as well. We are continuously reviewing. I should say on vaccinations we don't just look at the transmission. From a work health and safety perspective, we also have to have regard to the effect that catching COVID could have on a person. The vaccinations do—

The Hon. MARK LATHAM: Is that really your advice? The Health advice is that the unvaccinated are a danger only to themselves. They made that choice.

MARK WEBB: Yes. That—

The Hon. MARK LATHAM: You're their nanny, and you're going to tell them how to run their health.

MARK WEBB: All we're doing with vaccination at the moment is recommending that people get a booster. I will continue to recommend that people should get boosted because I think it is a sensible precaution to take.

The Hon. MARK LATHAM: Behaviour control.

MARK WEBB: It's just a recommendation that we're making to people. I'm not actually seeing that it's particularly controversial. But—

The Hon. MARK LATHAM: It doesn't align with the Health advice. It's as useful as the temperature checker.

MARK WEBB: I have undertaken to—

Ms SUE HIGGINSON: Thank you all so much. Can I just ask one very trivial thing in terms of operations. You know, when you enter the building and there is nobody here, how there is the little screen that puts up the picture, the image of yourself.

MARK WEBB: Yes.

Ms SUE HIGGINSON: Is there a particular reason it is facing outward?

MARK WEBB: It's been positioned so the special constables can see it from most angles in the room. It's something we're happy to look at. You're right. For times when the special constables aren't actually in the gatehouse—

Ms SUE HIGGINSON: It should be facing inward, perhaps, or not outward.

MARK WEBB: Yes. That's a good suggestion. We'll definitely have a look at that.

The Hon. SCOTT FARLOW: It's a good point in terms of how it leaves it up as well. I know I've come in late and I've noticed that you can see who came in before you. It could be a safety concern with that.

MARK WEBB: That's another good recommendation. So we'll definitely look at that. It's a relatively recent addition to the regime, so we can definitely tweak that. I should say the crack squad—I asked the team over the break to tell me whether there's any whiz-bang stair technology that we could utilise for your question earlier. The indication is that there isn't and the approach we take is pretty much the approach that all high-rise buildings take to that particular issue.

The Hon. TAYLOR MARTIN: Just find the two biggest blokes and point them—

Ms SUE HIGGINSON: It certainly did deter—it was a consideration in what I could do in terms of having somebody come in. It was something I felt quite responsible for.

MARK WEBB: I think anyone working in the Parliament building—

Ms SUE HIGGINSON: It's a disincentive, therefore.

MARK WEBB: I can certainly understand that.

The ACTING CHAIR: Get the firemen in to conduct a fireman's carry.

Ms SUE HIGGINSON: Yes. Whether or not that becomes part of our own first aid procedures or whatever, whether there's something we can do to be more proactive in terms of disability inclusion.

MARK WEBB: Absolutely. Always happy to look at those issues.

The ACTING CHAIR: On that happy note, I think, we'll finish today's questioning. I'd encourage any members who have questions, from the supplementary questions to the President—he'll only be too happy to give us a detailed explanation of his trip overseas, which we didn't actually get down to.

The Hon. MARK LATHAM: We still have got supplementary questions.

The Hon. SCOTT FARLOW: All on notice.

The PRESIDENT: Absolutely. We're happy to take that on notice in due course. Thank you very much for your time today.

(The witnesses withdrew.)

The Committee proceeded to deliberate.