



LEGISLATIVE COUNCIL

**QUESTIONS
AND
ANSWERS**

No. 319

MONDAY 17 AUGUST 2020

(The Questions and Answers Paper published every Tuesday of each week will contain, by number and title, all unanswered questions, together with questions to which answers have been received on the previous sitting and any new questions. On subsequent days, new questions are printed, as are questions to which answers were received the previous day. Consequently the full text of any question will be printed only twice: when notice is given; and, when answered.)

Notice given on date shown

Publication of Questions	Answer to be lodged by
Q & A No. 304 (Including Question Nos 1776 to 1783)	17 August 2020
Q & A No. 305 (Including Question Nos 1784 to 1786)	18 August 2020
Q & A No. 306 (Including Question Nos 1787 to 1796)	19 August 2020
Q & A No. 307 (Including Question Nos 1797 to 1799)	20 August 2020
Q & A No. 308 (Including Question Nos 1800 to 1816)	21 August 2020
Q & A No. 309 (Including Question Nos 1817 to 1822)	24 August 2020
Q & A No. 310 (Including Question Nos 1823 to 1824)	25 August 2020
Q & A No. 311 (Including Question Nos 1825 to 1840)	26 August 2020
Q & A No. 312 (Including Question Nos 1841 to 1846)	27 August 2020
Q & A No. 313 (Including Question Nos 1847 to 1848)	28 August 2020
Q & A No. 314 (Including Question Nos 1849 to 1855)	31 August 2020
Q & A No. 315 (Including Question Nos 1856 to 1860)	01 September 2020
Q & A No. 316 (Including Question Nos 1861 to 1870)	02 September 2020
Q & A No. 317 (Including Question Nos 1871 to 1872)	03 September 2020
Q & A No. 318 (Including Question Nos 1873 to 1879)	04 September 2020
Q & A No. 319 (Including Question Nos 1880 to 1886)	07 September 2020

27 JULY 2020

(Paper No. 304)

*1776 PUBLIC SERVICE AND EMPLOYEE RELATIONS, ABORIGINAL AFFAIRS, AND THE ARTS—PUBLIC SERVICE CULTURAL CAPABILITY TRAINING AND COSTS—Mr Latham asked the Leader of the Government in the Legislative Council, Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, Vice-President of the Executive Council—

- (1) What are 'cultural capabilities' as defined and developed by the NSW Public Service Commission?
- (2) What is a 'cultural capability framework'?
 - (a) How is it implemented and measured in its workplace impact?
- (3) As all New South Wales public servants come from some type of culture, thousands of them in New South Wales, can a single public servant ever be 'culturally competent' towards each person they work with, or in the delivery of customer service?
- (4) How much money has the Government spent on public service cultural capability training in:
 - (a) 2018?
 - (i) Which outfits have delivered the training?
 - (b) 2019?
 - (i) Which outfits have delivered the training?
 - (c) 2020?
 - (i) Which outfits have delivered the training?
- (5) In cultural capability training on Indigenous culture, as a matter of Government policy, how are the following matters dealt with:
 - (a) The European discovery and settlement of Australia?
 - (b) The nomadic nature of pre-1788 Indigenous tribal life, sometimes featuring inter-tribal warfare?
 - (c) Indigenous incarceration rates and the work of the NSW Police?
 - (d) The Stolen Generations?
 - (e) The successes and failures of land rights and Indigenous welfare policy?
 - (f) Indigenous domestic violence rates?
 - (g) Arguments for a New South Wales treaty and the Uluru Statement policies?

Answer—

I am advised,

The NSW Public Service Commission does not define cultural capabilities and has not developed a cultural capability framework. The NSW Public Service Commission has developed the NSW Public Sector Capability Framework which requires all public servants to demonstrate inclusive behaviours and show respect for diverse backgrounds, experiences and perspectives.

Each government agency is responsible for funding and implementing a variety of capability training delivery models that suit their delivery contexts. Questions regarding expenditure for cultural capability training should be directed to individual government agencies.

*1777 PREMIER—COSTS AND PRODUCTIVITY RELATED TO DIVERSITY AND INCLUSION POLICY—Mr Latham asked the Leader of the Government in the Legislative Council, Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs and the Arts, Vice-President of the Executive Council representing the Premier—

- (1) Which peer-reviewed academic studies showing positive workplace productivity and output results from race, gender and sexuality diversity does the NSW Public Service Commission rely on in pursuing its 'Diversity and Inclusion' policy for the New South Wales public sector?
- (2) Over the past three financial years how much money has the NSW Public Service Commission spent on Unconscious Bias training in the New South Wales public sector, either directly or in organising the training for other government agencies?

- (a) Which organisations conducted the training?
- (3) What is the NSW Public Service Commission's 'inclusive design' policy?
- (4) In the Premier's Priorities for building a more diverse and inclusive NSW public sector, what targets have been set for the employment of:
 - (a) Early school leavers?
 - (b) Long term unemployed people?
 - (c) The homeless?
 - (d) Public housing tenants?

Answer—

I refer you to the answer to Question on Notice 1778.

*1778 PUBLIC SERVICE AND EMPLOYEE RELATIONS, ABORIGINAL AFFAIRS, AND THE ARTS—COSTS AND PRODUCTIVITY RELATED TO DIVERSITY AND INCLUSION POLICY—Mr Latham asked the Leader of the Government in the Legislative Council, Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, Vice-President of the Executive Council—

- (1) Which peer-reviewed academic studies showing positive workplace productivity and output results from race, gender and sexuality diversity does the NSW Public Service Commission rely on in pursuing its 'Diversity and Inclusion' policy for the New South Wales public sector?
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Answer—

- (1) The NSW Public Service Commissioner's diversity and inclusion functions are established by the Government Sector Employment Act 2013 section 11(1)(b)(iv) stating the commissioner must; "lead the strategic development and management of the government sector workforce in relation to ...equity and diversity, including strategies to ensure the government sector reflects the diversity of the wider community." I am advised by the Public Service Commission (the Commission) that they consider having a diverse workforce that reflects the communities it serves enables the government sector to deliver better outcomes to its customers. Further, the Commission advises that they review a wide range of information sources to deliver the functions set out in the GSE Act. The Commission has published the document; Diversity and Inclusion in the NSW Public Sector: A conversation, on its website, which includes literature review setting out some of those sources.
- (2) The Commission has not funded any training in unconscious bias in the NSW public sector in the last three years.
- (3) The PSC does not have a specific policy on inclusive design.
- (4) Diversity targets set by the Premier's Priority – World Class Public Service - reflects the diversity of the NSW public, noting the view of the Commission that the public service should resemble the diversity of the community it serves to deliver better outcomes.

*1779 EDUCATION AND EARLY CHILDHOOD LEARNING—CLIMATE CLEVER INTEGRATION INTO SCHOOL CURRICULUM—Mr Latham asked the Minister for Education and Early Childhood Learning—

- (1) What policies are in place for the acceptance of gifts by New South Wales government schools?
- (2) Are schools allowed to accept gifts on the condition that certain material, from organisations offering the gift, is incorporated into the school's curriculum?
- (3) How many New South Wales government schools have accepted, at the urging of the NSW Primary Principals Association, a gift from a Western Australian organisation called 'Climate Clever' to integrate their material into the school's curriculum?
 - (a) What are the details?

Answer—

- (1) The Department of Education's Code of Conduct applies to the Department's full-time, part-time and casual employees. Section 10 specifically addresses the acceptance of gifts and benefits. The document is available to the public on the Department's website at <https://policies.education.nsw.gov.au/policylibrary/policies/code-of-conduct-policy>. More specific procedures are contained in the Department's Gifts, Benefit and Hospitality Procedures. These procedures are also available on the Department's website at <https://education.nsw.gov.au/about-us/rights-and-accountability/department-of-education-code-of-conduct/corruption-prevention>.
- (2) A school should not accept gifts that may give rise to actual or perceived conflicts of interest. Section 8 of the Department's Code of Conduct provides further guidance.
- (3) Principals, in consultation with their school community, make decisions about the suitability of programs and resources to support teaching and learning in schools. Any decision would be made in line with the Department of Education's Code of Conduct.

The Department does not centrally collect information from schools on what resources they utilise.

*1780 ATTORNEY GENERAL—NSW ANTI-DISCRIMINATION BOARD AND BANKRUPT COMPLAINANTS—Mr Latham asked the Minister for Education and Early Childhood Learning representing the Attorney General, and Minister for the Prevention of Domestic Violence—

- (1) What policies does the NSW Anti-Discrimination Board have in place for accepting complaints from bankrupts?
- (2) What contact does the NSW Anti-Discrimination Board have with Administrators and Creditors prior to the acceptance of complaints by bankrupts, given the cost consequences of matters that go to the NSW Civil and Administration Tribunal (NCAT) and through appeals to New South Wales courts?
- (3) Do Administrators and Creditors need to approve of the valid lodgement of complaints by bankrupts?
 - (a) If not, why not?

Answer—

I am advised:

Given bankruptcy matters are governed by Commonwealth legislation, Anti-Discrimination NSW (ADNSW) does not have any policies in place for accepting complaints from bankrupts.

There are no costs involved in bringing or defending a complaint of discrimination at ADNSW. Some complaints may be referred to the NSW Civil and Administrative Tribunal, which is generally an 'own-costs' jurisdiction.

The roles and responsibilities of administrators and creditors in relation to individuals that are bankrupt are governed by Commonwealth legislation.

*1781 EDUCATION AND EARLY CHILDHOOD LEARNING—CLIMATE CHANGE TEACHER AT KEIRA HIGH SCHOOL—Mr Latham asked the Minister for Education and Early Childhood Learning—

- (1) Given Keira High School is listed on the eduCCate Global website as a participating school:
 - (a) When did the process of Keira High School joining eduCCate Global commence?
 - (b) How much did Keira High School pay to join?
 - (i) What plan did they sign up to?

- (c) When was Keira High accredited by eduCCate Global?
- (d) What certificates of participation were issued by UN CC:Learn as part of the certification process?
- (e) Who was responsible for formally nominating the Keira High School teacher to become an eduCCate Global Climate Change Teacher?
- (f) Has Keira High been awarded Bronze, Silver or Gold eduCCate Global Awards?

Answer—

- (1)
 - (a) Keira High School has no knowledge of joining eduCCate Global. The school has instructed eduCCate Global to remove them from their website as a participating school.
 - (b) Keira High School has no record of the school paying any monies to eduCCate Global.
 - (i) Keira High School has not signed up to a plan with eduCCate Global.
 - (c) Keira High School has no knowledge of accreditation by eduCCate Global.
 - (d) Keira High School has not received any certificates of participation.
 - (e) Keira High School has no knowledge of any formal nomination.
 - (f) Keira High School has no knowledge of any awards.

*1782 EDUCATION AND EARLY CHILDHOOD LEARNING—SCHOOLS VISITED WHEN DEVELOPING MASTERS CURRICULUM REVIEW—Mr Latham asked the Minister for Education and Early Childhood Learning—

- (1) Which New South Wales schools did Geoff Masters visit during school hours in preparing his New South Wales curriculum review?

Answer—

Professor Geoff Masters held consultation meetings with teachers, students, and the wider community, many of which were hosted by schools.

These meetings were held outside of school hours to minimise disruption to teaching and learning and ensure that teachers and community members were able to attend.

*1783 COUNTER TERRORISM AND CORRECTIONS—COVID-19 MINISTERIAL PAROLE DECISIONS—Mr Latham asked the Minister for Education and Early Childhood Learning representing the Minister for Counter Terrorism and Corrections—

- (1) Under the extraordinary powers granted to the Corrections Commissioner under the COVID-19 Legislation Amendment (Emergency Measures) Bill 2020, 2.5 Crimes (Administration of Sentences) Act 1999 No 93, what parole orders have been made from 20 July 2020 to 27 July 2020?
- (2) For which inmates were these orders made?
- (3) What reasons were there for the orders?
- (4) How is parole supervision being administered?
- (5) For what crime was each paroled inmate originally convicted?
 - (a) How long was that sentence?

Answer—

1. Nil.

28 JULY 2020

(Paper No. 305)

*1786 POLICE AND EMERGENCY SERVICES—CHANGES TO THE FIREARMS REGISTRY—Mr Borsak asked the Minister for Finance and Small Business representing the Minister for Police and Emergency Services—

- (1) The New South Wales Police Force recently issued a consultation paper 'Proposed Amendments to the Firearms Regulation 2017'. In the June 2020 version of the consultation paper, paragraph 3.11 proposes amending any reference to the Firearms Registry in the regulation to refer to a Command within the NSW Police Force. Will the Minister confirm whether there are any plans to absorb the Firearms Registry back into a general command of the NSW Police Force, or to re-name the Registry?
- (a) Are there any plans to close or re-locate the Firearms Registry?
- (i) If so, what is the reason for this proposed change?

Answer—

I am advised:

On 1 July 2019, the NSW Police Force established the Police Prosecutions and Licensing Enforcement Command (PPLEC), bringing together the Police Prosecutions Command, the Security Licensing and Enforcement Directorate and the Firearms Registry to be led by an Assistant Commissioner. Amending the references to the Firearms Registry in the Firearms Regulation 2017 is consistent with the establishment of the PPLEC and the appointment of an Assistant Commissioner as the corporate sponsor for firearms and the whole of organisation response to firearms regulation and compliance to maintain public safety.

The PPLEC restructure is ongoing. There are no plans to relocate the Firearms Registry.

29 JULY 2020

(Paper No. 306)

*1796 POLICE AND EMERGENCY SERVICES—FIREARM LICENCES AND AVO—Mr Borsak asked the Minister for Finance and Small Business representing the Minister for Police and Emergency Services—

- (1) Minister, on 4 June 2020, the Hon Robert Borsak MLC wrote to the NSW Police Commissioner outlining his concerns about the operation of the NSW Firearms Registry. Among the numerous concerns was the delay by the NSW Firearms Registry in complying with decisions by New South Wales Courts to dismiss, revoke or withdraw an Interim Apprehended Violence Order or Apprehended Violence Order:
- (a) How many firearm licences were suspended due to imposition of an Interim Apprehended Violence Order or Apprehended Violence Order:
- (i) 2017?
- (ii) 2018?
- (iii) 2019?
- (iv) 2020 to date (1 July 2020)?
- (b) What was the minimum, average and maximum time period between the Firearms Registry being notified of the dismissal, revocation or withdrawal of an Interim Apprehended Violence Order or Apprehended Violence Order and reinstatement and return of the firearms licence to the former licence holder:
- (i) 2017?
- (ii) 2018?
- (iii) 2019?
- (iv) 2020 to date (1 July 2020)?

Answer—

I am advised:

The NSW Firearm Registry's Integrated Licencing System is unable to report on data differentiated by reason for suspension. Any search for this data would involve a manual search across multiple systems and would be onerous and time consuming.

17 AUGUST 2020

(Paper No. 319)

- 1880 COUNTER TERRORISM AND CORRECTIONS—COVID-19 MINISTERIAL PAROLE DECISIONS—Mr Latham to ask the Minister for Education and Early Childhood Learning representing the Minister for Counter Terrorism and Corrections—
- (1) Under the extraordinary powers granted to the Corrections Commissioner under the COVID-19 Legislation Amendment (Emergency Measures) Bill 2020, 2.5 Crimes (Administration of Sentences) Act 1999 No 93, what parole orders have been made from 3 August 2020 to 17 August 2020?
 - (a) For which inmates were these orders made?
 - (b) What reasons were there for the orders?
 - (c) How is parole supervision being administered?
 - (d) For what crime was each paroled inmate originally convicted?
 - (i) How long was that sentence?
- 1881 TRANSPORT AND ROADS—BURLEY GRIFFIN WAY—Mr Veitch to ask the Leader of the Government in the Legislative Council, Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, Vice-President of the Executive Council representing the Minister for Transport and Roads—
- (1) With regard to bridge and road works on the Burley Griffin Way at Demondrille Bridge also known as the Willian Bradford Bridge:
 - (a) When will the works commence?
 - (b) What is the budget for these roadworks?
 - (c) What is the timeframe of the completed works?
 - (d) What is the scope of the works, for example, safety enhancements and major reconstruction?
 - (e) Which fund is the road works being generated from in the New South Wales Budget?
- 1882 ENERGY AND ENVIRONMENT—EMPOWERING HOMES PROGRAM—Mr Latham to ask the Leader of the Government in the Legislative Council, Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, Vice-President of the Executive Council representing the Minister for Energy and Environment—
- (1) When did the Government's Empowering Homes Program commence?
 - (2) How many home owners have taken up the offer of interest-free loans to install solar battery systems?
- 1883 EDUCATION AND EARLY CHILDHOOD LEARNING—TEACHER STRESS LEAVE STATISTICS—Mr Latham to ask the Minister for Education and Early Childhood Learning—
- (1) So far in 2020, how many Government school teachers have taken stress leave?
 - (a) What were the comparable figures in:
 - (i) 2018?
 - (ii) 2019?
- 1884 EDUCATION AND EARLY CHILDHOOD LEARNING—GENDER BALANCE AT ENDEAVOUR SPORTS HIGH SCHOOL—Mr Latham to ask the Minister for Education and Early Childhood Learning—
- (1) At Endeavour Sports High School:
 - (a) What is the gender balance of students?
 - (b) What is the gender balance of teachers at the school?
 - (c) What is the gender balance of the school executive?
 - (d) What has been the gender of the last eight executive appointments at the school?

1885 PUBLIC SERVICE AND EMPLOYEE RELATIONS, ABORIGINAL AFFAIRS, AND THE ARTS—MINISTERIAL FLEET COSTS—Mr Latham to ask the Leader of the Government in the Legislative Council, Special Minister of State, Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts, Vice-President of the Executive Council—

- (1) What are the relative costs to the Government in its ministerial fleet of each of the car models in use for:
 - (a) Capital costs?
 - (b) Leasing costs?
 - (c) On-road costs?
 - (d) Average petrol consumption?
 - (e) Average maintenance costs?
- (2) Who funds the electricity costs for any Tesla being used in accessing the charging station in New South Wales Parliament House?

1886 EDUCATION AND EARLY CHILDHOOD LEARNING—LIFE READY TEACHING PROGRAM—Mr Latham to ask the Minister for Education and Early Childhood Learning—

- (1) What does the mandatory Life Ready teaching program in Years 11 and 12 hope to achieve in Government schools?
 - (a) What is taught in this program?
- (2) Why is Life Ready a responsibility of teachers and not parents?
- (3) Given the Government's intent to de-clutter the curriculum, will Life Ready be kept during the Curriculum Review process?

David Blunt
Clerk of the Parliaments