



## LEGISLATIVE COUNCIL

2023

FIRST SESSION OF THE FIFTY-EIGHTH PARLIAMENT

# QUESTIONS AND ANSWERS

No. 133

FRIDAY 10 NOVEMBER 2023

(The Questions and Answers Paper published on Monday to Friday of each week will contain, by number and title, all questions to which answers have been received the previous day and any new questions asked that 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.

<b>Publication of Questions</b>	<b>Answer to be lodged by</b>
Q & A No. 118 (Including Question Nos 1402 to 1406)	10 November 2023
Q & A No. 119 (Questions—Nil)	-
Q & A No. 120 (Including Question Nos 1407 to 1411)	14 November 2023
Q & A No. 121 (Including Question Nos 1412 to 1413)	15 November 2023
Q & A No. 122 (Including Question Nos 1414 to 1414)	16 November 2023
Q & A No. 123 (Questions—Nil)	-
Q & A No. 124 (Including Question Nos 1415 to 1418)	20 November 2023
Q & A No. 125 (Questions—Nil)	-
Q & A No. 126 (Questions—Nil)	-
Q & A No. 127 (Including Question Nos 1419 to 1510)	23 November 2023
Q & A No. 128 (Including Question Nos 1423 to 1426)	24 November 2023
Q & A No. 129 (Including Question Nos 1427 to 1450)	27 November 2023
Q & A No. 130 (Including Question Nos 1451 to 1451)	28 November 2023
Q & A No. 131 (Including Question Nos 1452 to 1452)	29 November 2023
Q & A No. 132 (Including Question Nos 1453 to 1477)	30 November 2023
Q & A No. 133 (Questions—Nil)	-

**19 OCTOBER 2023**

(Paper No. 117)

\* 1398 POLICE AND COUNTER-TERRORISM—CLAIMS AGAINST NSW POLICE FORCE—Ms Sue Higginson to ask the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales representing the Minister for Police and Counter-terrorism, and Minister for the Hunter—

- (1) What was the total cost of civil claims commenced in any year against the NSW Police Force in the years:
  - (a) 2022-2023
  - (b) 2021-2022
  - (c) 2020-2021
  - (d) 2019-2020
  - (e) 2018-2019
- (2) What was the total number of civil claims against the NSW Police force commenced in the years:
  - (a) 2022-2023
  - (b) 2021-2022
  - (c) 2020-2021
  - (d) 2019-2020
  - (e) 2018-2019
- (3) What is the total number of civil claims against the NSW Police Force settled or determined in the years:
  - (a) 2022-2023
  - (b) 2021-2022
  - (c) 2020-2021
  - (d) 2019-2020
  - (e) 2018-2019
- (4) How many civil claims against the NSW Police force have not yet been settled or determined that were commenced in the years:
  - (a) 2022-2023
  - (b) 2021-2022
  - (c) 2020-2021
  - (d) 2019-2020
  - (e) 2018-2019
- (5) How much is allocated in any budget for civil claims against police for the year 2023-2024?

Answer—

I am advised:

- (1a) \$37,757,246
- (1b) \$30,928,661
- (1c) \$31,326,644
- (1d) \$27,875,402
- (1e) \$34,055,010

- (2a) 467  
 (2b) 461  
 (2c) 407  
 (2d) 313  
 (2e) 314

- (3a) 186  
 (3b) 368  
 (3c) 361  
 (3d) 306  
 (3e) 301

\* Responses to Questions 3a to 3e show the number of claims that were commenced in the relevant financial year that have been settled.

- (4a) 281  
 (4b) 93  
 (4c) 46  
 (4d) 7  
 (4e) 13

\* Responses to Questions 4a to 4e show the number of claims that were commenced in the relevant financial year that have not been settled. **Civil claims can continue for several years after they are initiated.**

- (5) How much is allocated in any budget for civil claims against police for the year 2023-2024?
- iCare (the NSW Government insurer) have provided the NSW Police Force with an estimate based on civil litigation claims reported between 1 July 2023 and 8 November 2023, this estimate is \$13, 008, 231.91. This amount will increase as further claims are received.
  - The NSW Police Force have been advised by iCare that a forecast estimate of future liability claims against the NSW Police Force for civil litigation is not available. iCare, as the Government insurer, provides policies to Treasury Managed Fund agencies and specified covered individuals for a range of liabilities and a discrete breakdown cannot be provided for civil litigation liabilities only.

## 20 OCTOBER 2023

(Paper No. 118)

- \* 1402 PREMIER—THE VOICE AND GOVERNMENT EMPLOYEES—The Hon. Tania Mihailuk to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage representing the Premier—

- 1) Can the Minister assure government employees who voted ‘No’ at the referendum, that they will not suffer any repercussions in their workplace?

Answer—

While the NSW Government supported a ‘Yes’ vote in the referendum on an Indigenous Voice to Parliament, the Government respects the result and the decision of the people of NSW.

The way in which government sector employees voted at the referendum is a personal matter with no bearing on how they are treated in the workplace.

All government sector employees are expected to comply with the core values expressed in the *Government Sector Employment Act 2013* and the Code of Ethics and Conduct for NSW government sector employees.

- \* 1403 CLIMATE CHANGE—VOICE TO THE NSW PARLIAMENT—The Hon. Tania Mihailuk to ask the Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage—

- (1) On the 14th of October, New South Wales voted to overwhelmingly reject The Voice to Parliament, with the latest count of the ‘No’ vote at of over 60 percent, will the Government respect the decision

of the New South Wales voters, who resoundingly rejected the Voice to Parliament, and rule out legislating a Voice to the New South Wales Parliament?

Answer—

The NSW Government has consistently stated that our commitment is to undertake consultation to determine whether Aboriginal communities in New South Wales prefer a Treaty or agreement-making process, and if an agreement-making process is preferred, what that process would look like. The Government is committed to not pre-empting the outcome of a conversation about Treaty.

Speculating on the content or timing of the consultation process is premature and not in keeping with the commitment for the process to be shaped by Aboriginal people and their aspirations.

\* 1404 ABORIGINAL AFFAIRS AND TREATY—TREATY LISTENING TOUR—The Hon. Tania Mihailuk to ask the Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism representing the Minister for Aboriginal Affairs and Treaty, Minister for Gaming and Racing, Minister for Veterans, Minister for Medical Research, and Minister for the Central Coast—

- (1) The Government has announced \$5 million has been allocated for a year long "listening tour" asking Indigenous communities about a treaty, please provide an update on how the consultation is being undertaken including:
  - (a) locations,
  - (b) times, and
  - (c) dates of the community consultations?
- (2) Specify which entities, organisations and individuals are receiving a share of the \$5 million for the listening tour?

Answer—

I am advised:

- (1) Consultation has not commenced, nor have locations, times or dates been set.
  - (2) The \$5 million committed to support the consultation process has not been allocated as the consultation process has not been finalised.
- \* 1405 LOCAL GOVERNMENT—WRAN LEISURE AQUATIC CENTRE—The Hon. Tania Mihailuk to ask the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales representing the Minister for Local Government—
- (1) The Wran Leisure Centre is now planned for closure, however construction for the replacement community centre has not begun, which will deprive local residents, including many elderly and social housing tenants of the only publicly available recreational facility in the area, why is the Council closing the Wran Leisure & Aquatic Centre prior to the construction of the Community Centre at Thurina Park, given it is planned for another section of the Park?
  - (2) Will the Government intervene and stop the Council from depriving local residents of the only publicly available facility in the area?

Answer—

This is a matter for Canterbury-Bankstown Council to determine in consultation with the local community.

**10 NOVEMBER 2023**

(Paper No. 133)

Nil Questions submitted.

David Blunt AM  
Clerk of the Parliaments

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Authorised by the Parliament of New South Wales