



LEGISLATIVE COUNCIL

2023-24

FIRST SESSION OF THE FIFTY-EIGHTH PARLIAMENT

**QUESTIONS
AND
ANSWERS**

No. 322

THURSDAY 22 AUGUST 2024

(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.

| Publication of Questions | Answer to be lodged by |
|---|-------------------------------|
| Q & A No. 307 (Including Question Nos 2616 to 2619) | 22 August 2024 |
| Q & A No. 308 (Including Question Nos 2620 to 2624) | 23 August 2024 |
| Q & A No. 309 (Including Question Nos 2625 to 2634) | 26 August 2024 |
| Q & A No. 310 (Including Question Nos 2635 to 2646) | 27 August 2024 |
| Q & A No. 311 (Questions—Nil) | - |
| Q & A No. 312 (Including Question Nos 2647 to 2648) | 29 August 2024 |
| Q & A No. 313 (Including Question Nos 2649 to 2656) | 30 August 2024 |
| Q & A No. 314 (Including Question Nos 2657 to 2661) | 2 September 2024 |
| Q & A No. 315 (Including Question Nos 2662 to 2665) | 3 September 2024 |
| Q & A No. 316 (Including Question Nos 2666 to 2670) | 4 September 2024 |
| Q & A No. 317 (Questions—Nil) | - |
| Q & A No. 318 (Including Question Nos 2671 to 2671) | 6 September 2024 |
| Q & A No. 319 (Including Question Nos 2672 to 2677) | 9 September 2024 |
| Q & A No. 320 (Including Question Nos 2678 to 2678) | 10 September 2024 |
| Q & A No. 321 (Questions—Nil) | - |
| Q & A No. 322 (Questions—Nil) | - |

1 AUGUST 2024

(Paper No. 307)

* 2616 GAMING AND RACING—GREYHOUND STATUSES AND REHOMING—The Hon. Emma Hurst 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 greyhounds listed below were residing at the Wyee Greyhounds as Pets (GAP) Rehoming Facility before it was closed down:

| | Microchip Number | GAP Greyhound Name | Racing Name |
|-----|-------------------------|---------------------------|--------------------|
| (a) | 956000004273466 | Puddin' | Stylish |
| (b) | 956000004821405 | Foxy | One Foxy Missile |
| (c) | 956000004892422 | Puddles | Groundwater Boy |
| (d) | 956000005106154 | Dusty | I'm Dusty |
| (e) | 956000005397342 | Shamie | Shamie |
| (f) | 956000005413064 | Shadow | Chance Amelia |
| (g) | 956000006663120 | Trent | Starlight Trent |
| (h) | 956000006667068 | Toffee | Adesanya |
| (i) | 956000006671125 | Latte | Zippping Lattee |
| (j) | 956000006671894 | Rusty | Indi's Boy |
| (k) | 956000006672500 | Willow | Iceni Boudica |
| (l) | 956000006676884 | Spiro | Lad From Bunnan |
| (m) | 956000006677656 | Lola | Lola Lovelace |
| (n) | 956000006697978 | Dave | Rogue Painter |
| (o) | 956000006809343 | Danielle | Chloe's Lass |
| (p) | 956000006809758 | Pete | Kinlock Otto |
| (q) | 956000006812680 | Tiny | Little Stars |
| (r) | 956000006813194 | Cooper | Bull Key |
| (s) | 956000007373536 | Rebel | Rotten Rebel |
| (t) | 956000007432605 | Maddie | Princess Maddie |
| (u) | 956000007434288 | Tiger | Tarawi Tiger |
| (v) | 956000007434336 | Forest | Unnamed |
| (w) | 956000007464668 | Ally | Lady Sterling |
| (x) | 956000007467570 | Bart | Copper Power |
| (y) | 956000007824018 | Spider | Tarantula |
| (z) | 956000007832907 | Lucas | Saka Boom |

| | | | |
|------|-----------------|----------|-----------------|
| (aa) | 95600007837408 | Jack | Just Naturally |
| (bb) | 95600007848085 | Ghost | Unnamed |
| (cc) | 95600009463747 | Sooty | Showtime Jack |
| (dd) | 95600009479577 | Aimee | Molly Tiara |
| (ee) | 95600009574145 | Gizmo | Zippping Gizmo |
| (ff) | 956000011358493 | Demi | Unnamed |
| (gg) | 956000011358801 | Hazel | Unnamed |
| (hh) | 956000011575006 | Tina | Frantina |
| (ii) | 956000011575270 | Panda | Unnamed |
| (jj) | 956000011704127 | Waffles | Unnamed |
| (kk) | 956000011710089 | Rosie | Miss Leggy |
| (ll) | 956000011713124 | Custard | Unnamed |
| (mm) | 956000011780284 | Chandler | Psycho's Chance |
| (nn) | 956000012226390 | Action | Let's Go Action |
| (oo) | 956000012226694 | Flash | Twin Turbo |
| (pp) | 956000012247058 | Ken | Blocked Knows |
| (qq) | 956000012247542 | Buddy | Hey Buddy |
| (rr) | 956000012252430 | Buster | Ibiza |
| (ss) | 956000012869145 | Pal | Unnamed |
| (tt) | 956000013020640 | Squirt | Unnamed |

Please advise the status of each individual greyhound, including whether they:

- (i) are in the care of Greyhound Racing NSW or Greyhounds as Pets (and if so, please advise where they are currently being held and in what type of facility)?
 - (ii) have been sent to the United States via the 'Aussie Mates In The States' program?
 - (iii) have been rehomed within New South Wales?
 - (iv) have been euthanised?
- (2) Since October 2023, how many greyhounds have been sent to the United States via the 'Aussie Mates In The States' program?
 - (3) Since October 2023, how many greyhounds have died in connection with the 'Aussie Mates In The States' program? Please provide details of any deaths, including the names of any greyhounds that have died and the details surrounding their death.
 - (4) Has the Greyhound Welfare & Integrity Commission (GWIC) conducted any further audit of the 'Aussie Mates In The States' program since their last report in October 2023?
 - (5) In Greyhound Racing NSW's 2023 Annual Report, Greyhound Racing NSW claims to have rehomed 2022 greyhounds in the 2022-2023 financial year:
 - (a) How many of these greyhounds were 'rehomed to self', that is, retained by greyhound racing participants?
 - (b) How many of these greyhounds accessed the Greyhound Racing NSW 'Homing Assistance Scheme' (HAS) only, and had not otherwise been rehomed?
 - (6) How many greyhounds were 'rehomed to self' in financial year:
 - (a) 2021-22?

- (b) 2022-23?
- (c) 2023-24?
- (7) How many Homing Assistance Scheme greyhounds in 2022-23 were then rehomed through the 'Aussie Mates In The States' program in 2023-24?
- (8) In the Greyhound Welfare & Integrity Commission's 2023 Annual Report – covering the same period – the Greyhound Welfare & Integrity Commission reported that only 1,654 greyhounds were reported as 'retired'. How is this difference explained?
- (a) Has the Greyhound Welfare and Integrity Commission or have you conducted any investigation to determine the discrepancy between these rehoming figures?
- (i) If not, why not?

Answer—

(1) (i)-(iv)

I am advised by the Greyhound Welfare & Integrity Commission (GWIC):

- Following Greyhound Racing NSW's (GRNSW) announcement about the Wyee Greyhounds As Pets (GAP) facility in May 2024, GWIC visited the rehoused greyhounds at the following three locations, identified all greyhounds by microchip scanner and reported all to be in good condition following their relocation:
 - Hanrob (pet boarding company) at Duffy's Forest, 16 greyhounds relocated from Wyee
 - Hanrob Heathcote, 20 greyhounds relocated from Wyee
 - GAP Londonderry facility, eight greyhounds relocated from Wyee.
 - GWIC noted that an additional five greyhounds initially transferred from Wyee to Londonderry were subsequently placed in foster care (three dogs) or rehomed (two dogs).
 - GRNSW stated there are no plans to euthanise any of the Wyee greyhounds.
- (2) Information on the number of greyhounds exported to the United States of America for rehoming by GRNSW is held by GRNSW.
- (3) This is a matter for GRNSW.
- (4) I am advised by GWIC:
- No.
- (5)-(8) I am advised that rehoming programs are the responsibility of GRNSW, in addition to any welfare concerns relating to GRNSW's management of greyhound adoption.

* 2617 POLICE AND COUNTER-TERRORISM—PRIVATE INVESTIGATORS—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) How many Class 2E (Private Investigator) licences are active in New South Wales?
- (2) How many complaints were made about private investigators in each of the 2019/2020, 2020/2021, 2021/2022, 2022/2023, and 2023/2024 financial years?
- (a) Of those complaints, by financial year, how many complaints resulted in a police investigation?
- (i) Of these investigations, how many resulted in the suspension of a licence?
- (ii) Of these investigations, how many resulting in the revocation of a licence?
- (3) How many private investigator licences were revoked in each of the 2019/2020, 2020/2021, 2021/2022, 2022/2023, and 2023/2024 financial years?

- (a) Of these, how many were revoked due to:
- (i) Conviction for an indictable offence, including assault, theft, fraud, drug offences and murder?
 - (ii) Links to criminal intelligence or a criminal investigation?
 - (iii) Providing false or misleading information to Security Licensing & Enforcement Directorate (SLED) in a licence application or renewal?
 - (iv) Breaching the *Security Industry Act 1997* or the regulations?
 - (v) Criminal intelligence that suggests likelihood to engage in improper conduct due to holding the licence?
 - (vi) Revoked with no reason given?
 - (vii) Other reasons (please specify)?

Answer—

I am advised:

- (1) As at 1 August 2024, there are 1,754 current Class 2E (Private Investigator) licences.
- (2) The table below shows the number of complaints regarding private investigators for each financial year from 2019/20 to 2023/24:

| Financial Year | Number of Complaints | Number Investigated | Number of Licences Suspended or Revoked |
|----------------|----------------------|---------------------|---|
| 2019/20 | 3 | 2 | 0 |
| 2020/21 | 7 | 5 | 0 |
| 2021/22 | 9 | 2 | 0 |
| 2022/23 | 8 | 5 | 0 |
| 2023/24 | 5 | 3 | 0 |

Note: Data provided in the table above relates only to those complaints made to the NSW Police Force (NSWPF) Security Licensing Enforcement Directorate. Data relating to complaints made to other areas of the NSWPF are unable to be provided as they are not centrally recorded by the NSWPF.

- (3) The table below shows the number of licence revocations each financial year from 2019/20 to 2023/24:

| Financial Year | Number of Revocations |
|----------------|-----------------------|
| 2019/20 | 5 |
| 2020/21 | 3 |
| 2021/22 | 4 |
| 2022/23 | 2 |
| 2023/24 | 4 |

- (3)

- (a)
- (i) 13
 - (ii) Nil
 - (iii) Nil
 - (iv) Nil
 - (v) Nil

- (vi) Nil
- (vii) Five (5) for the following reasons:
 - ICAC finding of corrupt conduct (x1)
 - Not fit and proper person (offence proven but no conviction recorded) {x2}
 - Breach of Surveillance Devices Act 2007 (x2)

Note: Prior to 1 July 2022, private investigators were regulated under the now repealed Commercial Agents and Private Inquiry Agents Act 2004 (CAPI Act). During the financial years 2019/20, 2020/21 and 2021/22, the NSWPF Security Licensing Enforcement Directorate revoked a total of 92 CAPI licences for breaching licence conditions. These revocations related primarily to licensees who undertook debt collection and had failed to meet conditions relating to the reporting of unclaimed trust money. While some of these licensees may have also been authorised to undertake private inquiry agent activities, these figures have not been included in the figures above.

* 2618 POLICE AND COUNTER-TERRORISM—POLICE ACCESS TO INFORMATION—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) How many police officers have been charged with "Access/modify restricted data held in computer" between 2019-2020 to date, broken down by financial year?
- (2) How many NSW Police Force civilian employees have been charged with "Access/modify restricted data held in computer" between 2019-2020 to date, broken down by financial year?
- (3) How many civil claims and compensation payments have been made by the NSW Police Force in relation to complaints of 'unauthorised/unlawful access' and 'unauthorised/improper disclosure of information' between 2019-2020 to date, broken down by financial year?
- (4) How many complaints were made against NSW Police Force officers for 'unauthorised/unlawful access' and 'unauthorised/improper disclosure of information' between 2019-2020 to date, broken down by financial year?
 - (a) Of these, how many resulted in a finding of misconduct?
 - (b) Of these, how many resulted in a finding of misconduct and the sanctioning of a police officer?
 - (c) Of these, how many resulted in a finding of misconduct and the suspension of an officer's employment?
 - (d) Of these, how many resulted in a finding of misconduct and the suspension of an officer's employment without pay?
 - (e) Of these, how many resulted in a finding of misconduct and the termination of an officer's employment?
 - (f) Of these, how many resulted in a finding of misconduct and a criminal case against an officer?
 - (g) Of these, how many were ongoing at the end of this period?
 - (h) Of these, how many were declined?
- (5) How many complaints were made against NSW Police civilian employees for 'unauthorised/unlawful access' and 'unauthorised/improper disclosure of information' between 2019-2020 to date, broken down by financial year?
 - (a) Of these, how many resulted in a finding of misconduct?
 - (b) Of these, how many resulted in a finding of misconduct and the sanctioning of a civilian employee?
 - (c) Of these, how many resulted in a finding of misconduct and the suspension of a civilian employee's employment?

- (d) Of these, how many resulted in a finding of misconduct and the suspension of a civilian employee's employment without pay?
- (e) Of these, how many resulted in a finding of misconduct and the termination of a civilian employee's employment?
- (f) Of these, how many resulted in a finding of misconduct and a criminal case against a civilian employee?
- (g) Of these, how many were ongoing at the end of this period?
- (h) Of these, how many were declined?
- (6) Where the NSW Police Force declined to investigate complaints made against officers and civilian employees for 'unauthorised/unlawful access' and 'unauthorised/improper disclosure of information' between 2019-2020 to date, how many were declined because:
- (a) action was being, or would be, taken to remedy the subject-matter of the misconduct matter without the need for an investigation?
- (b) the misconduct matter is frivolous, vexatious or not made in good faith?
- (c) the subject-matter of the misconduct matter is trivial?
- (d) the relevant conduct occurred too long ago to justify investigation?
- (e) there is or was available an alternative and satisfactory means of redress in relation to the relevant conduct?
- (f) the complainant does not or could not have an interest, or a sufficient interest, in the conduct complained of?
- (g) civil, criminal or disciplinary proceedings, or a coroner's inquest, relating to the subject-matter of the misconduct matter are pending or reasonably in contemplation?
- (h) declined with no reason given?
- (i) declined for other reasons (please specify)?

Answer—

I am advised:

- (1) 2019-20: 7
 2020-21: 12
 2021-22: 7
 2022-23: 8
 2023-24: 6

Note: Data reflects the number of police officers who were charged with the offence of *Unauthorised access to or modify restricted data held in a computer*.

- (2) 2019-20: 0
 2020-21: 1
 2021-22: 0
 2022-23: 0
 2023-24: 3

Note: Data reflects the number of civilian employees who were charged with the offence of *Unauthorised access to or modify restricted data held in a computer*.

- (3) As a significant amount of manual review is required to obtain this data, the NSW Police Force is unable to provide this information.
- (4) 2019-20: 244

2020-21: 244

2021-22: 205

2022-23: 240

2023-24: 199

Note: 'Complaints' has been interpreted to be *misconduct matters* (which includes internal reports and external complaints relation to misconduct). One complaint can have multiple allegations. The multiple allegations in each complaint have not been included in the data count as this would misinterpret the number of police officers who received complaints.

(a) 2019-20: 60

2020-21: 72

2021-22: 44

2022-23: 38

2023-24: 33

Note: If there were multiple allegations within one misconduct matter for which an officer received a sustained finding, the 'finding of misconduct' was only counted once, thereby reflecting how many police officers received a finding of misconduct.

(b) 2019-20: 60

2020-21: 72

2021-22: 44

2022-23: 38

2023-24: 32 (Note: in one matter the officer resigned before management action could be taken).

(c) The suspension of a police officer with/without pay is a risk mitigation strategy and is used at any stage of the management of a misconduct matter and is not reliant upon a finding of misconduct. Misconduct and suspension data are recorded on separate systems. As a significant amount of manual review is required to obtain this data, the NSW Police Force is unable to provide this information.

(d) Refer to response to question 4(c) above.

(e) 2019-20: 0

2020-21: 0

2021-22: 1

2022-23: 1

2023-24: 1

Note: 'Termination' has been interpreted as removal under s181 D of the Police Act 1990.

(f) 2019-20: 6 (1 matter discontinued due to officer being deceased)

2020-21: 12

2021-22: 7

2022-23: 5 (3 matters still before the court)

2023-24: 4 (2 matters still before the court)

Note: The initiation of criminal charges does not always correlate to the financial year in which the allegation of misconduct was registered.

(g) 2019-20: 0

2020-21: 2

2021-22: 1

2022-23: 10

2023-24: 31

Note: Data provided represents the number of misconduct investigations that were not finalised and remained open at the end of the relevant financial year.

(h) 2019-20: 86

2020-21: 88

2021-22: 99

2022-23: 125

2023-24: 96

(5) 2019-20: 29

2020-21: 30

2021-22: 23

2022-23: 18

2023-24: 21

Note: 'Complaints' has been interpreted to be *misconduct matters* (which includes internal reports and external complaints relation to misconduct). One complaint can have multiple allegations. The multiple allegations in each complaint have not been included in the data count as this would misinterpret the number of police officers who received complaints.

(a) 2019-20: 15

2020-21: 10

2021-22: 6

2022-23: 7

2023-24: 5

Note: If there were multiple allegations within one misconduct matter for which an officer received a sustained finding, the 'finding of misconduct' was only counted once, thereby reflecting how many police officers received a finding of misconduct.

(b) 2019-20: 8

2020-21: 6

2021 -22: 5

2022-23: 6

2023-24: 3

Note: The 'sanctioning' of an administrative employee (civilian) has been interpreted as action taken under s69 (4) of the Government Sector Employment Act 2013 (GSE Act) which is disciplinary in nature. It should be noted that rule 46 (3) of the Government Sector Employment (NSW Police Force Rules 2017) stated that 'If the Commissioner makes a finding of misconduct in relation to an administrative employee, the Commissioner may, instead of taking action under section 69(4) of the GSE Act, require the conduct of the employee to be monitored over a specified period notified to the employee.' These actions have not been included as 'sanctions' in the data above.

(c) The suspension of a civilian officer with/without pay is a risk mitigation strategy and is used at any stage of the management of a misconduct matter and is not reliant upon a finding of misconduct. Misconduct and suspension data are recorded on separate systems. As a

significant amount of manual review is required to obtain this data, the NSW Police Force is unable to provide this information.

(d) Refer to response to question 5(c) above.

(e) 2020-21: 1

(f) 2023-24: 2

(g) 2019-20: 0

2020-21: 0

2021-22: 0

2022-23: 2

2023-24: 4

(h) 2019-20: 7

2020-21: 7

2021-22: 3

2022-23: 1

2023-24: 0

Note: Section 69(4)(b) of the GSE Act 2013 provides for the termination of employment after giving the employee an opportunity to resign. These matters are not recorded as a 'termination' and are not included in data above.

(6)

(a) 111

(b) 168

(c) 4

(d) 5

(e) 15

(f) 16

(g) 7

(h) 0

(i) 375

Note: Section 132 of the Police Act 1990 states that 'In deciding whether any misconduct matter concerning a police officer, or the NSW Police Force should be, or does not need to be investigated or dealt with the Commissioner may have regards to such matters as the Commissioner thinks fit'. It should be noted that the Law Enforcement Conduct Commission (LECC) has oversight of the NSWPF complaints system. Where the LECC disagrees with the decision of the Commissioner of Police not to investigate a notifiable misconduct matter, the Commissioner of Police must cause such misconduct matter to be investigated. The reasons for declining to investigate include factors such as the officer disengaging prior to the misconduct being investigated or the conduct alleged does not amount to misconduct. As a significant amount of manual review is required to obtain the specific reasons for declining matters, the NSW Police Force is unable to provide this information.

* 2619 POLICE AND COUNTER-TERRORISM—PROSECUTION OF OFFENCES INTRODUCED BY THE INCLOSED LANDS, CRIMES AND LAW ENFORCEMENT LEGISLATION AMENDMENT (INTERFERENCE) BILL 2016 AND THE ROADS AND CRIMES LEGISLATION AMENDMENT BILL 2022—Ms Sue Higinson 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) In the 2019/2020 financial year, how many people were arrested for offences introduced by the Inclosed Lands, Crimes and Law Enforcement Legislation Amendment (Interference) Bill 2016?
 - (a) Of these, how many were charged?
 - (i) What is the breakdown of the offences charged?
 - (b) Of these, how many were granted bail?
 - (i) Of these, how many received bail conditional upon orders restricting association with protesters?
 - (ii) Of these, how many received bail conditional upon orders restricting attendance of protests?
 - (c) Of these, how many appeared before a court?
 - (d) Of these, how many received a conviction?
 - (e) Of these, how many received fines?
 - (f) Of these, how many were women?
 - (g) Of these, how many were under the age of 30?
- (2) In the 2020/2021 financial year, how many people were arrested for offences introduced by the Inclosed Lands, Crimes and Law Enforcement Legislation Amendment (Interference) Bill 2016?
 - (a) Of these, how many were charged?
 - (b) Of these, how many were granted bail?
 - (i) Of these, how many received bail conditional upon orders restricting association with protesters?
 - (ii) Of these, how many received bail conditional upon orders restricting attendance of protests?
 - (c) Of these, how many appeared before a court?
 - (d) Of these, how many received a conviction?
 - (e) Of these, how many received fines?
 - (f) Of these, how many were women?
 - (g) Of these, how many were under the age of 30?
- (3) In the 2021/2022 financial year, how many people were arrested for offences introduced by the Inclosed Lands, Crimes and Law Enforcement Legislation Amendment (Interference) Bill 2016?
 - (a) Of these, how many were charged?
 - (i) What is the breakdown of the offences charged?
 - (b) Of these, how many were granted bail?
 - (i) Of these, how many received bail conditional upon orders restricting association with protesters?
 - (ii) Of these, how many received bail conditional upon orders restricting attendance of protests?
 - (c) Of these, how many appeared before a court?
 - (d) Of these, how many received a conviction?

- (e) Of these, how many received fines?
 - (f) Of these, how many were women?
 - (g) Of these, how many were under the age of 30?
- (4) In the 2022/2023 financial year, how many people were arrested for offences introduced by the Inclosed Lands, Crimes and Law Enforcement Legislation Amendment (Interference) Bill 2016?
- (a) Of these, how many were charged?
 - (i) What is the breakdown of the offences charged?
 - (b) Of these, how many were granted bail?
 - (i) Of these, how many received bail conditional upon orders restricting association with protesters?
 - (ii) Of these, how many received bail conditional upon orders restricting attendance of protests?
 - (c) Of these, how many appeared before a court?
 - (d) Of these, how many received a conviction?
 - (e) Of these, how many received fines?
 - (f) Of these, how many were women?
 - (g) Of these, how many were under the age of 30?
- (5) In the 2023/2024 financial year, how many people were arrested for offences introduced by the Inclosed Lands, Crimes and Law Enforcement Legislation Amendment (Interference) Bill 2016?
- (a) Of these, how many were charged?
 - (i) What is the breakdown of the offences charged?
 - (b) Of these, how many were granted bail?
 - (i) Of these, how many received bail conditional upon orders restricting association with protesters?
 - (ii) Of these, how many received bail conditional upon orders restricting attendance of protests?
 - (c) Of these, how many appeared before a court?
 - (d) Of these, how many received a conviction?
 - (e) Of these, how many received fines?
 - (f) Of these, how many were women?
 - (g) Of these, how many were under the age of 30?
- (6) In the 2021/2022 financial year, how many people were arrested for offences introduced by the Roads and Crimes Legislation Amendment Bill 2022?
- (a) Of these, how many were charged?
 - (i) What is the breakdown of the offences charged?
 - (b) Of these, how many were granted bail?
 - (i) Of these, how many received bail conditional upon orders restricting association with protesters?
 - (ii) Of these, how many received bail conditional upon orders restricting attendance of protests?
 - (c) Of these, how many appeared before a court?
 - (d) Of these, how many received a conviction?

- (e) Of these, how many received fines?
 - (f) Of these, how many received a custodial sentence?
 - (g) Of these, how many were women?
 - (h) Of these, how many were under the age of 30?
- (7) In the 2022/2023 financial year, how many people were arrested for offences introduced by the Roads and Crimes Legislation Amendment Bill 2022?
- (a) Of these, how many were charged?
 - (i) What is the breakdown of the offences charged?
 - (b) Of these, how many were granted bail?
 - (i) Of these, how many received bail conditional upon orders restricting association with protesters?
 - (ii) Of these, how many received bail conditional upon orders restricting attendance of protests?
 - (c) Of these, how many appeared before a court?
 - (d) Of these, how many received a conviction?
 - (e) Of these, how many received fines?
 - (f) Of these, how many received a custodial sentence?
 - (g) Of these, how many were women?
 - (h) Of these, how many were under the age of 30?
- (8) In the 2023/2024 financial year, how many people were arrested for offences introduced by the Roads and Crimes Legislation Amendment Bill 2022?
- (a) Of these, how many were charged?
 - (i) What is the breakdown of the offences charged?
 - (b) Of these, how many were granted bail?
 - (i) Of these, how many received bail conditional upon orders restricting association with protesters?
 - (ii) Of these, how many received bail conditional upon orders restricting attendance of protests?
 - (c) Of these, how many appeared before a court?
 - (d) Of these, how many received a conviction?
 - (e) Of these, how many received fines?
 - (f) Of these, how many received a custodial sentence?
 - (g) Of these, how many were women?
 - (h) Of these, how many were under the age of 30?

Answer—

I am advised:

- (1) Arrests are not a recorded measure in NSW Police Force systems.
- (a) 17
 - (i) The table below provides a breakdown of charges for offences introduced by the Inclosed Lands, Crimes and Law Enforcement Legislation Amendment (Interference) Bill 2016 in 2019-20:

| Law Part Title | Law Part Code | Individuals Charged |
|--|----------------------|----------------------------|
| Enter inclosed agricultural lands interfere etc business | 95316 | 5 |
| Enter inclosed lands give rise to serious risk to safety | 87580 | 3 |
| Enter inclosed lands interfere etc conduct of business | 87579 | 7 |
| Enter inclosed non-agricultural lands interfere etc business | 95315 | 2 |

(b) 12

(i)-(ii) Data regarding conditional bail requires a significant amount of manual review and is unable to be provided within the timeframe to respond to a question on notice.

(c) 17

(d) 7

(e) 2

(f) 5

(g) 12

(2) Arrests are not a recorded measure in NSW Police Force systems.

(a) 9

(b) 3

(i)-(ii) Data regarding conditional bail requires a significant amount of manual review and is unable to be provided within the timeframe to respond to a question on notice.

(c) 9

(d) 7

(e) 5

(f) 0

(g) 4

(3) Arrests are not a recorded measure in NSW Police Force systems.

(a) 14

(i) The table below provides a breakdown of charges for offences introduced by the Inclosed Lands, Crimes and Law Enforcement Legislation Amendment (Interference) Bill 2016 in 2021-22:

| Law Part Title | Law Part Code | Individuals Charged |
|--|----------------------|----------------------------|
| Enter inclosed agricultural lands interfere etc business | 95316 | 2 |
| Enter inclosed non-agricultural lands interfere etc business | 95315 | 10 |
| Enter inclosed non-agricultural lands serious safety risk | 95320 | 2 |

(b) 6

(i)-(ii) Data regarding conditional bail requires a significant amount of manual review and is unable to be provided within the timeframe to respond to a question on notice.

(c) 14

(d) 3

(e) 2

(f) 6

(g) 9

(4) Arrests are not a recorded measure in NSW Police Force systems.

(a) 80

(i) The table below provides a breakdown of charges for offences introduced by the Inclosed Lands, Crimes and Law Enforcement Legislation Amendment (Interference) Bill 2016 in 2022-23:

| Law Part Title | Law Part Code | Individuals Charged |
|--|---------------|---------------------|
| Enter agricultural lands interfere etc business — aggravated | 95317 | 4 |
| Enter agricultural lands serious safety risk - aggravated | 95318 | 2 |
| Enter inclosed agricultural lands interfere etc business | 95316 | 5 |
| Enter inclosed non-agricultural lands interfere etc business | 95315 | 64 |
| Enter inclosed non-agricultural lands serious safety risk | 95320 | 12 |

(b) 15

(i)-(ii) Data regarding conditional bail requires a significant amount of manual review and is unable to be provided within the timeframe to respond to a question on notice.

(c) 27

(d) 6

(e) 0

(f) 16

(g) 10

Note regarding responses to Questions 1 to 5:

- Data extracted: 8 August 2024.
- Legal Action Date: 01/07/2019 to 30/06/2020, 01/07/2020 to 30/06/2021, 01/07/2021 to 30/06/2022, 01/07/2022 to 30/06/2023, and 01/07/2023 to 30/06/2024.
- Body of Law Title: Inclosed Lands Protection Act 1901.
- Section Part Description: 48(1)(a), 48(1)(b).
- Breakdown of offences by Law Part Title and Law Part Code.
- The sum of the table rows can be greater than the total persons charged because a person can be charged with multiple offences.
- Court appearance date: equal or less than 4 August 2024.
- It is not possible to confirm that the individual turned up to court on the scheduled Court Appearance Date.

(6) Arrests are not a recorded measure in NSW Police Force systems.

(a) 0

(b)-(h) Not applicable.

(7) Arrests are not a recorded measure in NSW Police Force systems.

(a) 2

(i) The table below provides a breakdown of charges for offences introduced by the Roads and Crimes Legislation Amendment Bill 2022 in 2022-23:

| Law Part Title | Law Part Code | Individuals Charged |
|--|---------------|---------------------|
| Enter/remain on etc major facility cause damage to facility | 99199 | 1 |
| Enter/remain on etc major facility seriously disrupt etc use | 99200 | 1 |

| | | |
|--|-------|---|
| Enter/remain on etc major facility cause closure etc | 99201 | 1 |
|--|-------|---|

(b) 1

(i)-(ii) Data regarding conditional bail requires a significant amount of manual review and is unable to be provided within the timeframe to respond to a question on notice.

(c) 2

(d) 1

(e) 0

(f) 0

(g) 2

(h) 1

(8) Arrests are not a recorded measure in NSW Police Force systems.

(a) 42

(i) The table below provides a breakdown of charges for offences introduced by the Roads and Crimes Legislation Amendment Bill 2022 in 2023-24:

| Law Part Title | Law Part Code | Individuals Charged |
|--|---------------|---------------------|
| Enter/remain on etc major facility seriously disrupt etc use | 99200 | 42 |

(b) 23

(i)-(ii) Data regarding conditional bail requires a significant amount of manual review and is unable to be provided within the timeframe to respond to a question on notice.

(c) 42

(d) 1

(e) 1

(f) 0

(g) 16

(h) 22

Note regarding responses to Questions 6 to 8:

- Data extracted: 8 August 2024.
- Legal Action Date: 01/07/2021 to 30/06/2022, 01/07/2022 to 30/06/2023, and 01/07/2023 to 30/06/2024
- Body of Law Title: Crimes Act 1900.
- Section Part Description: 214A(1)(a), 214A(1)(b), 214A(1)(c), 214A(1)(d).
- Breakdown of offences by Law Part Title and Law Part Code.
- The sum of the table rows can be greater than the total persons charged because a person can be charged with multiple offences.
- Court appearance date: equal or less than 4 August 2024.
- It is not possible to confirm that the individual turned up to court on the scheduled Court Appearance Date.

22 AUGUST 2024

(Paper No. 322)

Nil Questions submitted.

David Blunt AM
Clerk of the Parliaments

Authorised by the Parliament of New South Wales