

# **PORTFOLIO COMMITTEE NO. 5 - JUSTICE AND COMMUNITIES**

**Friday 30 August 2024**

**Examination of proposed expenditure for the portfolio areas**

## **POLICE AND COUNTER-TERRORISM, THE HUNTER**

**The Committee met at 9:15.**

### **MEMBERS**

The Hon. Robert Borsak (Chair)

Ms Abigail Boyd

The Hon. Susan Carter

Dr Amanda Cohn

The Hon. Greg Donnelly

Ms Cate Faehrmann

Ms Sue Higginson (Deputy Chair)

The Hon. Stephen Lawrence

The Hon. Rachel Merton

The Hon. Sarah Mitchell

The Hon. Rod Roberts

The Hon. Emily Suvaal

### **PRESENT**

**The Hon. Yasmin Catley, *Minister for Police and Counter-terrorism, and Minister for the Hunter***

## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

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

**Budget Estimates secretariat  
Room 812  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**

**The CHAIR:** Welcome to the Portfolio Committee No. 5 – Justice and Communities hearing for the budget estimates 2024-2025 inquiry. 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 and present 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. My name is Robert Borsak, and I am the Chair of the Committee.

I welcome Minister Catley and accompanying officials to this hearing. Today, the Committee will examine the proposed expenditure for the portfolios of Police and Counter-terrorism, and the Hunter. I ask everyone in the room to please turn their mobile phones to silent. Parliamentary privilege applies to witnesses in relation to the evidence they give today. However, it does not apply to what witnesses say outside of the hearing. I urge witnesses to be careful about making comments to the media or to others after completing their evidence. In addition, the Legislative Council has adopted rules to provide procedural fairness for inquiry participants. I encourage Committee members and witnesses to be mindful of these procedures.

**Mr DEAN SMITH**, Acting Deputy Commissioner, NSW Police Force, sworn and examined

**Mr DAVID HUDSON**, Deputy Commissioner, NSW Police Force, sworn and examined

**Ms KAREN WEBB**, Commissioner, NSW Police Force, sworn and examined

**Mr PETER THURTELL**, Deputy Commissioner, NSW Police Force, sworn and examined

**Mr PAUL PISANOS**, Deputy Commissioner, NSW Police Force, affirmed and examined

**Ms KATE MEAGHER**, Deputy Secretary, Community Engagement Group, Premier's Department, affirmed and examined

**The CHAIR:** Today's hearing will be conducted from 9.15 a.m. to 5.30 p.m. We are joined by the Minister for the morning session from 9.15 a.m. to 1.00 p.m., with a 15-minute break at 11.00 a.m. In the afternoon, we will hear from the departmental witnesses from 2.00 p.m. to 5.30 p.m., with a 15-minute break at 3.30 p.m. During these sessions there will be questions from the Opposition and crossbench members only, with 15 minutes allocated for Government questions at 10.45 a.m., 12.45 p.m. and 5.15 p.m. We will begin with questions from the Opposition.

**Ms YASMIN CATLEY:** Excuse me, just before we start—I know it's a bit unorthodox, but is it possible, if there are any questions for the Hunter portfolio, for the Deputy Secretary to be asked those first? Is that permissible?

**The CHAIR:** I don't have any control over that, sorry. If we have questions in relation to the Hunter, then do them first. That's what you're saying.

**Ms YASMIN CATLEY:** Kate's not here for the whole time.

**The Hon. SARAH MITCHELL:** No, we probably won't start with the Hunter, but we will try and do what we can for Ms Meagher.

**Ms YASMIN CATLEY:** Thank you very much.

**The Hon. SARAH MITCHELL:** Minister, when did you receive a bottle of Commissioner's Gin?

**Ms YASMIN CATLEY:** Not long after I became the Minister.

**The Hon. SARAH MITCHELL:** Do you know the date?

**Ms YASMIN CATLEY:** I wouldn't want to mislead the Committee, so not precisely, no.

**The Hon. SARAH MITCHELL:** Two, three or four weeks? A month? Two months?

**Ms YASMIN CATLEY:** Again, not precisely. I don't precisely know the time.

**The Hon. SARAH MITCHELL:** Do you know why you were given a bottle of the gin?

**Ms YASMIN CATLEY:** I've received quite a lot of different types of merchandise—for want of a better word—from the police and from various commands. I get coins. I've got other gifts that the police give as well—books as well and memorabilia. I was given it, I assume, as any Minister would have been.

**The Hon. SARAH MITCHELL:** I think it's been quite widely publicised that the gin was really designed to be given to visiting dignitaries and charities. With respect, you didn't fit any of that criteria. Did you ask any questions of the commissioner at the time when you received the gin? Was there a discussion about it?

**Ms YASMIN CATLEY:** No. I just received it with thanks.

**The Hon. SARAH MITCHELL:** You didn't think it was a little odd, a few weeks into a job, to be given a gift like that?

**Ms YASMIN CATLEY:** I've been on public record to say that organisations and other departments do give corporate-type gifts, so I didn't find it unusual.

**The Hon. SARAH MITCHELL:** Did you have any discussions, just so we're clear, with the commissioner about it at the time, or was it only really after there was media interest in recent weeks?

**Ms YASMIN CATLEY:** I put it on my shelf, where it still sits with all of the rest of the merchandise and gifts that I get from dignitaries from around the world and from the police themselves—and from other commands as well, and other States.

**The Hon. SARAH MITCHELL:** In your office, on a shelf and still sealed. What are you going to do with it?

**Ms YASMIN CATLEY:** Leave it right where it is. I do dust it, though.

**The Hon. SARAH MITCHELL:** Thank you, Minister. Can you tell me how many current New South Wales police officers have second jobs?

**Ms YASMIN CATLEY:** I would have to take that on notice. I do not know the answer to that. I'm not too sure, actually, if the police would keep a record of that either. As you know, they have to seek permission to have a second job. I guess I would have to ask you, Commissioner. Do you want to take that on notice?

**KAREN WEBB:** Yes.

**The Hon. SARAH MITCHELL:** To go to what you just said then, obviously they need to seek approval to get second jobs. Do you know what that process is?

**Ms YASMIN CATLEY:** Obviously, that's something that's an internal process within the police. They have to seek approval to be able to demonstrate that they are able to do their job and also an additional job as well. That would go through the HR department like it would with any government department.

**The Hon. SARAH MITCHELL:** Is it more about—to pick up what you just said—making sure they have time to do their police job effectively?

**Ms YASMIN CATLEY:** You would need to ask Mr Smith those questions.

**The Hon. SARAH MITCHELL:** Minister, do you know if there would be any examples of a second job or other work that would be knocked back due to any conflicts, whether they're actual or perceived?

**Ms YASMIN CATLEY:** Again, you would be best to ask Mr Smith from human resources that. They're human resources questions. They're not a matter for the Minister.

**The Hon. SARAH MITCHELL:** You have never asked to be advised about what that process is? You're not across the detail?

**Ms YASMIN CATLEY:** As I said, that is a human resources matter, and it should be directed to Mr Smith in his role in corporate.

**The Hon. SARAH MITCHELL:** In your view as Minister, would it be appropriate for a serving police officer to own and operate, say, a private corporate investigation company?

**Ms YASMIN CATLEY:** Again, I think that they're matters that the police themselves in corporate would have to consider.

**The Hon. SARAH MITCHELL:** With respect, you are the Minister. If you've got a serving police officer who might be doing an additional job as a second role that could potentially be in conflict with their role as a police officer, that's not something that would concern you?

**Ms YASMIN CATLEY:** Again, I think there would be rules around that. That's a matter for the police and human resources.

**The Hon. SARAH MITCHELL:** If that was occurring, you don't think that's something that you'd need to be aware of or concerned about? In your view, that's a matter for police, and not your responsibility.

**Ms YASMIN CATLEY:** Again, I think that's a matter for human resources.

**The Hon. SARAH MITCHELL:** What assurances or guarantees have you been given that police officers don't access any of their work resources to assist them with a second role?

**Ms YASMIN CATLEY:** Certainly in terms of their computer system, if that's what you're referring to—is that what you're referring to?

**The Hon. SARAH MITCHELL:** It's just a general question.

**Ms YASMIN CATLEY:** Can you be a bit more specific?

**The Hon. SARAH MITCHELL:** With the example that I gave—if someone is running a private corporate investigation company or if they're potentially working in fraud but are giving advice around how to avoid fraud. I'm just wondering where that crossover would be, and where, as Minister, you think that line is in terms of appropriateness with using police resources, or not accessing any of those work resources in their second job.

**Ms YASMIN CATLEY:** I guess it depends if it's the knowledge that you have in your head. We all use the knowledge that we have from our experience and from our professional capacity, but using resources, if that's what you're referring to, you know very well that is not allowed.

**The Hon. SARAH MITCHELL:** Commissioner or any of the other deputies, is there any more information you can provide in terms of how that process would work if someone was doing a second job that could potentially conflict with their police work?

**KAREN WEBB:** Certainly. I'll throw to Mr Smith in a moment, but there is an application process by which officers make an application to undertake secondary employment. There is a form. The form requires the officer to, firstly, notify the type of work they wish to undertake, but it also asks them to identify any conflicts of interest et cetera. If there are potential conflicts of interest or it's a high-risk secondary employment, that needs to be reviewed by the command. It goes through the chain of command to the command team. Ultimately, the holdings are kept online and subject to HR review, but there are certainly avenues to consider either approval or not. Then, each year, secondary employment needs to be renewed or discontinued, and that process is undertaken each time someone applies to do secondary employment.

**The Hon. SARAH MITCHELL:** Who would ultimately make the decision? If, in the instance that I gave, a serving police officer was running their own private investigation work separately, where is that final decision made as to whether or not there's a conflict and if that's allowed?

**KAREN WEBB:** It goes to the commander, but if there are areas where it's deemed a potential high-risk secondary employment application, it goes to a region commander or assistant commissioner level.

**The Hon. SARAH MITCHELL:** It is possible for the assistant commissioner or the person who makes that decision to say, "This isn't an appropriate second job and you're not able to do it"? That exists? There's a mechanism for that?

**KAREN WEBB:** Certainly. That's the purpose of it escalating to that level.

**The Hon. SARAH MITCHELL:** I don't know whether you wanted to add anything else, Deputy Commissioner, but I'm quite content with that answer, unless there was something you wanted to give.

**DEAN SMITH:** I have nothing else to add.

**The Hon. RACHEL MERTON:** Minister, how many police officers are there in the NSW Police Force today?

**Ms YASMIN CATLEY:** Let me get that exact figure for you.

**The Hon. RACHEL MERTON:** Meaning what is the latest headcount?

**Ms YASMIN CATLEY:** Yes. It is 16,095.

**The Hon. RACHEL MERTON:** Can you specify numbers for sworn and unsworn officers?

**Ms YASMIN CATLEY:** I'll have to take that on notice and give you that. I don't have it in front of me. The number I gave you are sworn, so I don't have the unsworn numbers, but I'm happy to take that on notice.

**The Hon. RACHEL MERTON:** What is our authorised strength in New South Wales?

**Ms YASMIN CATLEY:** It is 18,374.

**The Hon. RACHEL MERTON:** How many short are we of being at full authorised strength?

**Ms YASMIN CATLEY:** That is 18,374 minus 16,095.

**The Hon. RACHEL MERTON:** When was that headcount taken?

**Ms YASMIN CATLEY:** On 6 August.

**The Hon. RACHEL MERTON:** How many of that number are on leave?

**Ms YASMIN CATLEY:** Sorry, can I just come back? The administrative headcount is 4,314.

**The Hon. RACHEL MERTON:** Being the unsworn.

**Ms YASMIN CATLEY:** The administrative aspect. Not authorised strength. That's correct. Sorry, what was your question again?

**The Hon. RACHEL MERTON:** How many of that number are on leave?

**Ms YASMIN CATLEY:** I'll give you that before the end of the session.

**The Hon. RACHEL MERTON:** How many are on stress leave?

**Ms YASMIN CATLEY:** My understanding is they're not necessarily in categories. It will just be on leave. I'll give you the leave number before the end of the break.

**The Hon. RACHEL MERTON:** How many are on sick leave?

**Ms YASMIN CATLEY:** I can give you sick leave, yes. But they're not categorised into the type of sick leave that they're on.

**The Hon. RACHEL MERTON:** How many others are on paternity or maternity leave?

**Ms YASMIN CATLEY:** I'll take these on notice and I'll give you a full list of those numbers of what can be provided from the police.

**The Hon. RACHEL MERTON:** How many are on mental health leave?

**Ms YASMIN CATLEY:** Why don't you just give me the whole list now and then I'll provide it all? What other lists do you have there? Mental health—what's next?

**The Hon. RACHEL MERTON:** Can you provide us with numbers for the last five financial years separately?

**Ms YASMIN CATLEY:** We might go to Mr Smith. Mr Smith, would you be able to answer that?

**DEAN SMITH:** For the five financial years, we'd have to take that on notice for the categories of leave that you are speaking about, whether it's long term, sick and all those other classifications, in terms of annual leave, leave without pay and all other categories, if that's what you're talking about, for five financial years.

**The Hon. RACHEL MERTON:** Minister, how many police are currently suspended and what are those circumstances?

**Ms YASMIN CATLEY:** I would have to ask Mr Smith. Do you have those figures in front of you?

**DEAN SMITH:** I do not, Minister. That would be a professional standards question.

**Ms YASMIN CATLEY:** Again, we'll have to take that on notice.

**The Hon. RACHEL MERTON:** Do you agree with police officers that morale is at an all-time low?

**Ms YASMIN CATLEY:** I'd be interested to know what police officer told you that.

**The Hon. RACHEL MERTON:** Do you agree with police officers reporting morale to be at an all-time low?

**Ms YASMIN CATLEY:** That has not been my experience, to be quite honest with you. I have travelled the State quite extensively, and I am very pleased to report to this Committee that police officers enjoy their job. You don't become a police officer for any other reason than you want to be a civil servant. It is an incredibly tough job. I'm sure that, at times, like every employee in any organisation, you have your ups and your downs. But at the end of the day, people who are police officers do extraordinary work. Whilst everyone is running from danger, they are running to danger. This notion that you've just presented to me, I think, is not accurate. I am constantly impressed, in actual fact, with the fact that people get up after a 12-hour shift and do it all again.

**The Hon. RACHEL MERTON:** Has there been a survey conducted of staff in terms of morale or job satisfaction?

**Ms YASMIN CATLEY:** As you very well know—and if you don't, then you should—there are surveys done across the public service in every department, which we take very seriously as a government, as I know the previous Government certainly did. It's a very common practice across public service across this country, and certainly this State does that as well. As I say, those surveys are conducted and then compared. You can measure what you're doing well, and you can correct what you're not doing well. I think that that is very important—

**The Hon. RACHEL MERTON:** Thank you, Minister. Will the New South Wales Government release the People Matter survey responses that you speak highly of?

**Ms YASMIN CATLEY:** I think we need to be a little careful here, because you know very well that the information in that is currently under privilege.

**The Hon. RACHEL MERTON:** Will the New South Wales Government release the People Matter survey—

**Ms YASMIN CATLEY:** It's in the privilege box, as I understand it. Is that correct? I am told it's on the public website. There you go. You can read it on the website.

**The Hon. RACHEL MERTON:** Do we know the results or the finding of the survey?

**Ms YASMIN CATLEY:** You can read it on the website, apparently.

**The Hon. RACHEL MERTON:** But you talk of your engagement with the police and how you reflect this. Do you know the results of the findings?

**Ms YASMIN CATLEY:** As I say, there is information in those surveys that is used to do things better or to, indeed, find out what you do well. The police use the summary of that as a descriptor to go forward in how they operate their business.

**The Hon. RACHEL MERTON:** As the police Minister, this information wouldn't be of value to you?

**Ms YASMIN CATLEY:** I'm provided with information about the police from all of the different commands, regularly.

**The Hon. RACHEL MERTON:** But as to these specific survey results, have you read them?

**Ms YASMIN CATLEY:** I have been provided, as I've just described to you, those things that the police do well and those things that we can do better, and that forms how we go forward.

**The Hon. RACHEL MERTON:** Could you reflect on any of the results that you've read, sighted or been briefed on? Could you reflect on any of those results?

**Ms YASMIN CATLEY:** I have just said to you, I have been provided—and it goes forward to help us look at—

**The Hon. RACHEL MERTON:** What are the results saying?

**Ms YASMIN CATLEY:** I'm not going to repeat the results. I don't remember.

**The Hon. RACHEL MERTON:** It's public information. What are the results saying? As the police Minister, the police survey is critical. It's important. What's it saying?

**Ms YASMIN CATLEY:** I don't remember. I'm not going to misinform the House by saying verbatim what it says in there, because I don't recollect word by word. What I am telling you is that what every one department does is use this information as assistance going forward as part of the whole organisation's capacity to, as I said, do things better in those areas that have been identified as not doing well.

**The Hon. RACHEL MERTON:** Do the results of the survey show any areas of improvement where we might be able to do this better? We owe it to the force.

**Ms YASMIN CATLEY:** Of course. That's why, for instance—

**The Hon. RACHEL MERTON:** What would some of those areas be?

**Ms YASMIN CATLEY:** Domestic violence is an area that the police are absolutely doing an incredible amount of work in, for instance. Also, the mental health of police and making sure that individual police officers have wraparound services. We have stood up the wellbeing command, for instance. All of those initiatives come out of—

**The Hon. RACHEL MERTON:** Thank you, Minister. If I could just redirect you—

**Ms YASMIN CATLEY:** I will just finish. All of these initiatives—

**The Hon. RACHEL MERTON:** My question was specific to—

**The Hon. EMILY SUVAAL:** Point of order: My point of order relates to the continual interruption of the Minister when she is mid-answer. We know and we have had advice from the clerks about the inability to redirect just because you may not like the answer that is being given to your question. I would just ask you to remind the member of the procedural fairness resolution affording witnesses to be treated with courtesy at all times and allow the Minister to answer the question.

**The CHAIR:** Please allow the Minister to answer the question before you ask the next one, if you can. Obviously, there is no redirect. But you can ask other questions in a serial fashion. Please allow the Minister to answer if she wants to.

**Ms YASMIN CATLEY:** All of these initiatives combine to make a better working place. Flexible working hours is another one that has been identified in the survey. There is recruitment and burnout. That is why



the wellbeing unit has been set up, to look at all of those aspects. I agree with you that they are really useful because you can find out exactly what you need to improve on and also what you're doing well. That is very important for any organisation going forward, particularly one with such a large workforce.

**The Hon. SARAH MITCHELL:** But, Minister, the wellbeing program wasn't under your Government. That's been in place for some time.

**Ms YASMIN CATLEY:** The wellbeing unit has just been stood up, actually.

**The Hon. SARAH MITCHELL:** My understanding is that there have been wellbeing programs in place. It's not new that you would have police wellbeing programs.

**Ms YASMIN CATLEY:** We have set up a wellbeing unit. It's a specific unit with an assistant commissioner at the head of it. It's very new. I'm happy to take you through it if you would like more information.

**The Hon. SARAH MITCHELL:** No, it's fine. It's just that the inference of your answer was that wellbeing support was new, and that wasn't my understanding.

**Ms YASMIN CATLEY:** No, I wasn't saying that. It's the wellbeing unit.

**The Hon. SARAH MITCHELL:** Thank you for clarifying. Sorry, I didn't mean to interrupt.

**Ms YASMIN CATLEY:** It's fantastic, actually. They're working with commands directly and ensuring they wrap around people, particularly those who—as you very well know—see extraordinary things on any given day. They're making sure they're being wrapped around and given the support that they need to keep doing their jobs. We know and it's no secret that retention's a problem. We really want to focus on doing that, and that's why this particular special unit has been set up to try to address those issues that we know are common amongst our police. We want to help them stay in their jobs.

**The Hon. SUSAN CARTER:** Minister, just focusing on retention and new police officers, how many attestation classes will we have in 2024?

**Ms YASMIN CATLEY:** In December there will have been four.

**The Hon. SUSAN CARTER:** Is that more or less than last year?

**Ms YASMIN CATLEY:** I think it's the same. Hold on, I will just ask Mr Smith.

**DEAN SMITH:** There were five attestation parades last year. There will be four attestation parades this year.

**The Hon. SUSAN CARTER:** So there is one less this year? Are there fewer recruits this year?

**Ms YASMIN CATLEY:** No, there are different numbers. That's not how it works.

**DEAN SMITH:** No, actually, there are more recruits this year than last year.

**The Hon. SUSAN CARTER:** So in terms of recruit numbers, are they the same or—

**Ms YASMIN CATLEY:** Mr Smith just said there are more recruits this year.

**The Hon. ROD ROBERTS:** Good morning, everybody. I am going to start with you, Commissioner Webb. I'll take you back two years and one day to the budget estimates hearing of 2022 on 31 August 2022. I will draw your attention to some answers that you gave. Do you want a copy for your own benefit?

**The Hon. EMILY SUVAAL:** Can we all have a copy?

**The Hon. ROD ROBERTS:** I only have one copy at the moment to suit the witness, but perhaps at some stage the secretariat can provide copies.

**The CHAIR:** Maybe we should get copies, if you are tabling them.

**The Hon. ROD ROBERTS:** I'm not tabling it. I was just giving it to the commissioner for assistance.

**The Hon. EMILY SUVAAL:** That's a tabled document, Chair. We all need to have a copy of it.

**The Hon. ROD ROBERTS:** If you want to table it, let's table it. By leave, I table the document.

**Document tabled.**

**The CHAIR:** Can we get a copy of that document, please?

**The Hon. ROD ROBERTS:** While they're getting copies, let's proceed through it.

**The Hon. EMILY SUVAAL:** Chair, I have a procedural point of order. It would benefit all members to have the tabled document in front of us before witness questioning begins.

**The CHAIR:** I uphold the point of order. Commissioner, can we get a copy of that off you, please, so we can take photocopies for the Committee members?

**KAREN WEBB:** Sure.

**The Hon. ROD ROBERTS:** I'll move on to something else while we're waiting for that. Minister, you would be well aware of your responsibilities under the Westminster system for being a Minister?

**Ms YASMIN CATLEY:** Yes.

**The Hon. ROD ROBERTS:** And that is what, in terms of ministerial responsibility?

**Ms YASMIN CATLEY:** As police Minister, certainly making sure that the police have the resources that they need to do their job and keep our streets safe in New South Wales.

**The Hon. ROD ROBERTS:** If I quote from the New South Wales Government website, under the term "Ministers" it states:

Ministers decide on policy and are accountable to the Parliament for their decisions. One convention of the Westminster system is ministerial responsibility, whereby Ministers administer and bear responsibility for the actions of an agency within their control.

Taking that into account—and we'll just park that to the side for the moment—when I first raised the Standing Order 52 motion in the Legislative Council about three weeks ago, of which the gin was only one component, it created a bit of a media furore. You wrote to the commissioner, didn't you, asking for clarification on the purchase of the gin?

**Ms YASMIN CATLEY:** Yes, I did.

**The Hon. ROD ROBERTS:** What response did you get?

**Ms YASMIN CATLEY:** I got a response that answered the question I asked.

**The Hon. ROD ROBERTS:** Which was?

**Ms YASMIN CATLEY:** I don't have it before me, sorry.

**The Hon. ROD ROBERTS:** No, this is not a trick, Minister. This is not a trick. The answer was it was 50 bottles.

**Ms YASMIN CATLEY:** Correct. As I said—

**The Hon. ROD ROBERTS:** That was the response, wasn't it?

**Ms YASMIN CATLEY:** Yes, I suppose.

**The Hon. ROD ROBERTS:** It was 50 bottles. I have it here. It was 50 bottles for a total value of \$4,250. Then you also asked if there were any other commissioner's purchases in the past. Then we had 60 bottles of red wine, for a total of about \$4,700. Everybody was happy that it was about the same expenditure. As Minister, were you concerned that the commissioner, in her answer, wasn't full and frank and did not tell you that it was, in fact, 100 bottles, which it was?

**Ms YASMIN CATLEY:** The commissioner explained to me after the correspondence that there had been a further 50 bottles located in her office.

**The Hon. ROD ROBERTS:** Did you think it was appropriate that the Commissioner of Police should inform the Minister that there was also a purchase of 200 bespoke handmade, unique timber boxes to house that gin in?

**Ms YASMIN CATLEY:** I didn't ask that question, to be fair. However, the commissioner has subsequently advised me of the boxes and also the further 50 bottles of gin.

**The Hon. ROD ROBERTS:** Did she tell you that there has been any other expenditure in relation to that gin?

**Ms YASMIN CATLEY:** As you know—you have the correspondence in front of you—that's what I was advised of.

**The Hon. ROD ROBERTS:** As Minister, who has ultimate responsibility for the portfolio, are you concerned that the commissioner and her office did not give you full and frank information in relation to the

purchase of the gin? Did she leave you exposed? Did she leave Cabinet exposed? Did she leave the Premier exposed? I don't expect you to tell me what happened in Cabinet, because that's Cabinet in confidence, but I'm having a guess that when this hit the media, there would've been a Cabinet meeting at some stage and they would have said, "Minister, what's going on with the cops?" You would have said, "Don't worry, I've been told it's only 50 bottles. Nothing to see here."

**Ms YASMIN CATLEY:** When the commissioner became aware of the further purchase of the other 50 bottles, she described that to me immediately. And I was satisfied.

**The Hon. ROD ROBERTS:** Along with the boxes and everything else?

**Ms YASMIN CATLEY:** All of the information that we have read publicly.

**The Hon. ROD ROBERTS:** It was some days later, though.

**Ms YASMIN CATLEY:** Yes.

**The Hon. ROD ROBERTS:** I was aware of all that information before it even happened. How does the commissioner not know and how do you not know? Are you embarrassed by that?

**Ms YASMIN CATLEY:** No, I'm not. I'm not embarrassed whatsoever, thank you very much. I believe the commissioner gave me the information accurately and truthfully at the time of asking the question, and then subsequently provided further information to me when she became aware of it.

**The Hon. ROD ROBERTS:** It wasn't accurate and truthful at the beginning, though, was it?

**Ms YASMIN CATLEY:** To her knowledge, yes.

**The Hon. ROD ROBERTS:** Do you know what's in her head?

**Ms YASMIN CATLEY:** Well, I don't believe that the Commissioner did anything but tell me the truth, with the knowledge that she—

**The Hon. ROD ROBERTS:** That letter that she sent you, is that the truth?

**Ms YASMIN CATLEY:** I don't believe—

**The Hon. STEPHEN LAWRENCE:** Point of order: The Minister was about to answer what I think is a pretty important question in terms of the line of questioning, and she was interrupted. Given what it bears upon, I don't think a reasonable opportunity was given to answer it.

**The CHAIR:** Mr Roberts, can you—

**The Hon. ROD ROBERTS:** I agree. I was out of line.

**The CHAIR:** I uphold the point of order.

**The Hon. ROD ROBERTS:** Please answer.

**Ms YASMIN CATLEY:** I don't believe that the Commissioner did anything but tell me the truth with the information that she had at that point in time, and then subsequently updated that information as that information became available to her.

**The Hon. ROD ROBERTS:** Okay. Do we have those documents back yet?

**The Hon. SUSAN CARTER:** Yes, we just got them.

**The Hon. ROD ROBERTS:** Let's go to budget estimates 2022, Commissioner. I've highlighted certain parts of the transcript for your benefit. It relates to my questioning of you in relation to the position of Constable Daniel Keneally at the time in the NSW Police Force. Do you have page 54 of the transcript? I think you have a highlighted part too.

**KAREN WEBB:** Yes.

**The Hon. ROD ROBERTS:** I'm going to shorten it up because of our time. The question was:

Do you have confidence in Constable Keneally and his ability to perform a role as a police officer?

We will go to the highlighted part of your answer. You say:

... he was originally suspended and he's now back in the workplace. That's something that we will have to review subject to what else happens.

So you say suspended, now he's back. I ask another question. You go:

Certainly, like I said, the issue of him being suspended predates me. I welcome any resubmission of a report ...

On page 55, again in response to another question, you say:

I said I welcome an opportunity to review that matter. As I said, he's been reinstated in the workplace and I welcome from his chain command ...

Was Keneally ever suspended from the NSW Police Force?

**KAREN WEBB:** I will have to take that on notice. As you point out, it's over a year or so, or two years ago, and I don't have it in front of me and I will have to take that on notice.

**The Hon. ROD ROBERTS:** To assist you, let's go back into the documents I have given you. You will see that there are some supplementary questions for written answers that I asked at the end. Do you have that?

**KAREN WEBB:** Page 55?

**The Hon. ROD ROBERTS:** It will be page 2 of the document that you were handed.

**KAREN WEBB:** All right.

**The Hon. ROD ROBERTS:** I asked:

When was Constable Keneally first suspended from the NSW Force? Who suspended Constable Keneally? Why was Constable Keneally suspended? When was Constable Keneally reinstated? Who reinstated Constable Keneally? Why was Constable Keneally reinstated? What is Constable Keneally's current employment status?

The answer we received from the NSW Police Force, 21 days later, was:

Constable Keneally was never suspended from the NSW Police Force and is a current serving police officer with the NSW Police Force.

So, Commissioner, your answers to this Committee were false and misleading.

**KAREN WEBB:** Not intentionally, sir, and that's why the record was corrected.

**The Hon. ROD ROBERTS:** Well, the record was corrected. Let's go to the next page, under the letterhead of the NSW Police Force Office of the Commissioner. It states:

We note questions 1 – 7 of the supplementary questions from the recent Budget Estimates hearing. In compiling information to provide a response it's become apparent the Commissioner inadvertently—

three times, my emphasis—

indicated during the hearing that Constable Keneally had been suspended. The Commissioner wishes to formally correct the record and acknowledge Constable Keneally was never suspended from the NSW Police Force.

Commissioner, if I didn't ask those supplementary questions, the *Hansard* record of the Parliament of New South Wales would have it down as Constable Keneally being suspended and reinstated. Do you agree?

**KAREN WEBB:** Thank you for clarifying it.

**The Hon. ROD ROBERTS:** No, I'm asking you a question.

**KAREN WEBB:** I agree. I'm not disagreeing with you. I'm just saying thank you for clarifying it.

**The Hon. ROD ROBERTS:** So your answers were misleading.

**KAREN WEBB:** I didn't intend to mislead and I've corrected the record.

**The Hon. ROD ROBERTS:** But the answers were misleading. Now, I didn't say you intentionally did.

**KAREN WEBB:** No. Thank you.

**The Hon. ROD ROBERTS:** Did these answers mislead?

**KAREN WEBB:** Apparently they did, and that's why I corrected the record.

**The Hon. ROD ROBERTS:** Not apparently; clearly they did.

**KAREN WEBB:** That's right. That's why the record was corrected, and thank you for raising it subsequently in questions.

**The Hon. ROD ROBERTS:** I know as police officers you've got to be aware of a number of Acts of Parliament. Are you aware of the Parliamentary Evidence Act?

**KAREN WEBB:** I am, sir.

**The Hon. ROD ROBERTS:** Do you know section 13 of the Parliamentary Evidence Act?

**KAREN WEBB:** Not off the top of my head. But if you want to provide it—

**The Hon. ROD ROBERTS:** It's the penalty for giving false evidence. Let's just put that on the record before we go much further today. That'll do me.

**Ms CATE FAEHRMANN:** Good morning, Minister. I want to go to the Early Drug Diversion Initiative. On 10 October last year, when the Government announced it, it claimed that it's anticipated that this scheme will divert thousands of people away from our court system each year, including hundreds of First Nations people. In data obtained by my office, it suggests that in the first three months just 7.5 per cent of people caught were diverted. What's the reason for that?

**Ms YASMIN CATLEY:** It's still early stages. I think that's fair to say, that that implementation—it's new and we will continue to monitor it.

**Ms CATE FAEHRMANN:** Are you satisfied with those figures?

**Ms YASMIN CATLEY:** It's also worth noting that there have been issued 1,117 cannabis cautions since the commencement of EDDI, which is, for the purpose of the Committee, the Early Drug Diversion Initiative. To say that it's not—it is low. I agree with you that it is low, but you have to also factor in other things as well. I think that's important.

**Ms CATE FAEHRMANN:** Let's not talk about cannabis then. What about ice? Of course, this kind of came about, really, as a result of the inquiry into ice. Yet in those first three months, just 5 per cent of people who were caught by police in this State with a personal quantity of ice on them—just 5 per cent—were given the option of paying a fine or, tragically, of getting professional health advice or seeing a counsellor. So, 95 per cent of people were still sent to courts. How is that in any way going with what the Government said it would do, which is essentially help people and divert people away from the courts?

**Ms YASMIN CATLEY:** As you know, there are quite a number of different factors that are taken into account when a decision is made by the police for the Early Drug Diversion Initiative. For instance, it looks at their past police record, their past record of possession and the quantity of drugs that they have, and all of those things are taken into consideration as well. If we want to put this in context, I think just saying 5 per cent and 95 per cent is not putting it into context of the whole policy around the drug diversion. I think that it's fair to say—

**Ms CATE FAEHRMANN:** Across the State, 1,247 people were sent to court. Just 60—just 60—were given the option of speaking to a drug counsellor—just 60 of those people caught with ice. Do you really think those 1,247 people should have been denied the right to be able to access a drug counsellor instead of being sent to court?

**Ms YASMIN CATLEY:** I think that, again, we need to know the full set of circumstances around those more than 1,000 people that you've just referred to, because there are a whole lot of policy areas that are taken into account or circumstances that are taken into account when the drug diversion scheme is issued.

**Ms CATE FAEHRMANN:** Why do you think—

**Ms YASMIN CATLEY:** Just let me finish, if you would, please. As I said to you, it started in February, so we've got now—in 12 months, we're going to be reviewing it.

**Ms CATE FAEHRMANN:** When you say "reviewing it"—

**Ms YASMIN CATLEY:** I take this very seriously as well, quite frankly. I think that we genuinely want to divert people, if that's possible. I don't think, for any reason, that other than—and I know that you come from a really strong point on this and I agree with you. We will look at it, and if there are some things that we can do better—it's not that it's not—

**Ms CATE FAEHRMANN:** When you say you agree with me, what do you agree with me on, Minister?

**Ms YASMIN CATLEY:** I agree that I want this to work.

**The Hon. EMILY SUVAAL:** Point of order—

**Ms YASMIN CATLEY:** I want the program to work.

**Ms CATE FAEHRMANN:** I'm just asking for a clarification. She's fine.

**Ms YASMIN CATLEY:** Yes.

**The Hon. EMILY SUVAAL:** The point of order relates to the continual interruption by the member over the Minister. She continues. That's about the third time she has interrupted the Minister mid-reply.

**The CHAIR:** I actually thought it was going along reasonably well.

**Ms YASMIN CATLEY:** Yes.

**The CHAIR:** I don't uphold the point of order.

**Ms YASMIN CATLEY:** I want it to work, just like you do, and we will review it. If you can work with us and help us, I would welcome that very much. I say that to you genuinely.

**Ms CATE FAEHRMANN:** Thank you.

**Ms YASMIN CATLEY:** But I do think it is—

**Ms CATE FAEHRMANN:** My time is so limited, Minister. Sorry. I've literally got another five minutes and that's it; I'm out of here. Similarly, in that same period, almost 30 per cent of people who were caught with cocaine were offered the choice of paying a \$400 fine or being sent to a drug counsellor. So 30 per cent of people caught with coke but just 5 per cent of people caught with ice. Do you think something is going wrong here?

**Ms YASMIN CATLEY:** As I say, and I think it's fair, we have to look at the circumstances around the individuals and what other factors played into that. I think that is a reasonable thing for us to look at and we need to look at those generally. If you have some ideas about how we can do this better, as I say, my door is open to you, Cate, and I would welcome that.

**Ms CATE FAEHRMANN:** Thank you, Minister. I'll take you up on that. Wouldn't you think, though, that those people caught with ice are probably more suitable for a call with a drug counsellor to get help to get treatment than being sent to court?

**Ms YASMIN CATLEY:** I would like everybody who takes drugs—let's just come from a simple proposition here. Drugs are illegal, so if people are taking drugs and we can get people who are taking drugs into diversion programs, then that's a good result holus-bolus. I don't care what drug it is, quite frankly. I would like all drugs, if you've got—if we're able to get people off drugs, that's a good thing, particularly in regional New South Wales. I have to say that would be fantastic.

**Ms CATE FAEHRMANN:** I did speak with the Broken Hill local area command superintendent a few moments ago at a drug treatment round table. He didn't know about the EDDI scheme. His officers weren't enforcing it. He was surprised to find out about it. When I told him about it, he said he would look into it and then convey this scheme to his officers. Commissioner, does that seem to suggest that it's not coming from the top, in terms of this leadership within the force, to alert them to the fact that there is this scheme that the Government said in October last year would be in place this year to divert people away from the criminal justice system and towards help if they needed it?

**KAREN WEBB:** Certainly, we've communicated that and there's training available, but if we need to do more to inform commanders and their staff about the program—as has been said by the Minister, it's only been in place since 29 February this year, so there's plenty of time for us within the 12 months to remind officers that the scheme is available to be used.

**Ms CATE FAEHRMANN:** The figures suggest that they're not using it very much, though. The figures suggest that more work's needed.

**KAREN WEBB:** To the point the Minister makes, that there are criteria for the issuing of a criminal infringement notice—when it can be used—if that individual doesn't meet that criteria, there may be other mechanisms. There are many times that we issue cautions and warnings to young people, particularly young people. It could be a transport or a rail infringement—they're not given an infringement. In fact, I can tell you the number of times that's used.

**Ms CATE FAEHRMANN:** No, thank you. I'll come back this afternoon.

**KAREN WEBB:** They're diverted many, many times.

**Ms CATE FAEHRMANN:** Minister, what have you been doing, as police Minister, to reduce the cost of what police are charging music festival organisers?

**Ms YASMIN CATLEY:** We have been working with the Minister, John Graham, specifically in relation to festivals. I want to thank Mr Thurtell. He and I have been working very collaboratively with industry, the Minister himself, festival users and Health. There's a committee of us that are working on this. We have been

looking at ways in which we can "cut red tape"—and I use that term, which comes from Minister Graham's office—to streamline processes when it comes to music festivals, but Mr Thurtell would—

**Ms CATE FAEHRMANN:** Are you committed to reducing costs for music festival organisers in terms of what the police charge?

**Ms YASMIN CATLEY:** I'm committed to making sure that music festivals are safe. If that includes reducing costs, then that's great, but I think that it's in the best interests of all of us to ensure that music festivals are safe, that music festivalgoers are safe and that those people who are working there are safe. We have a responsibility to do that. If by having a safe environment to work in and for music festivals to play in, we can reduce the costs, then that is also a good thing.

**Ms CATE FAEHRMANN:** I've got ten seconds left. You are aware of other jurisdictions which have the same music festival and the same number of patrons, yet what police charge—for example, in Victoria and Queensland—can be 12 times less than what is charged in New South Wales. Deaths do not occur as much as they occur in New South Wales at those music festivals comparatively, so it's not about keeping patrons safe. Would you agree?

**Ms YASMIN CATLEY:** It is the responsibility of the police to be part of the whole process in supporting a music festival. The safety component of that rests with the police. I believe that the police do a good job and I believe that they are absolutely critically important in that process. As I say, if it means that there are some cost savings, then that's terrific but, at the end of the day, safety and making sure that people are in a safe environment is the imperative.

**The Hon. SUSAN CARTER:** Good morning, Minister. Can I take you to *Budget Paper No. 2*? At page 4-1, we see the agency expense summary. I'm just wondering why, after accounting for inflation, when we look at the NSW Police Force, we see on the expense summary a cut of almost 6 per cent. When BOCSAR figures are showing us a 15 per cent increase in violent crime over the past two years, why are we cutting funding for police?

**Ms YASMIN CATLEY:** I'll just take you through what you are suggesting, which is completely inaccurate. The NSW Police Force 2023-24 original expense budget was \$5.057 billion. In 2024-25, the expense budget, excluding depreciation, as you said, is \$5.254 billion.

**The Hon. SUSAN CARTER:** Which is less.

**Ms YASMIN CATLEY:** This is actually an increase of \$197 million. The 2023-24—

**The Hon. SUSAN CARTER:** The figures in your budget don't support that.

**The Hon. STEPHEN LAWRENCE:** Point of order—

**Ms YASMIN CATLEY:** I want to be very clear. I want to take you through this because this is not accurate, and it is mischievous to suggest that the police budget has been reduced.

**The Hon. SUSAN CARTER:** Excuse me, Minister—

**Ms YASMIN CATLEY:** I'd like to take you through it.

**The CHAIR:** There is a point of order being taken.

**The Hon. STEPHEN LAWRENCE:** A really clear question was put, which was obviously highly contentious in terms of the word "cut". In those circumstances, the Minister should be allowed, I would have thought, a reasonable time to answer that. If you put a contentious question that has argument in it, you can expect a response and you shouldn't cut someone off.

**The Hon. SUSAN CARTER:** To the point of order: I'm simply seeking a clarification whether the Minister is saying that the figures in her budget are inaccurate.

**The Hon. STEPHEN LAWRENCE:** Sure, but the Minister is attempting to answer the question and she should be allowed to.

**The CHAIR:** I'll partially uphold the point of order. The Minister is entitled to answer, but you're entitled to ask another question. Please just let her finish the first before you start the second one.

**Ms YASMIN CATLEY:** For the benefit of the Committee, this question has been asked to me in questions in writing a number of times, including from the shadow Minister, so I have the answer very clearly here, which absolutely does not support the premise of your question. The New South Wales police revised expense budget in 2023-24, excluding depreciation, was \$5.39 billion. This includes—and this is the part that you are not factoring in—a one-off back payment of \$240.244 million to iCare for workers compensation as premiums

were lower than actual claims. So although the comparison appears to reflect a decrease of \$137 million, in actual fact it was the compensation back payment that you need to exclude from that amount. That payment for the workers compensation has been going up exponentially under the previous Government year on year on year, so it's a bit rich to come in here and say that we have cut the budget, which is inaccurate. I would actually like that removed because it is inaccurate and untrue.

**The Hon. SUSAN CARTER:** Minister, can I just ask a question about the \$5.39 billion. Do you get that by subtracting the capex figure from the opex figure? That's the only way I see the \$5.39 billion on these figures. If we're focusing on opex, which is what we should be doing for whether police have enough money to pay the bills and operate appropriately, then your own budget shows a cut of, adjusted for inflation, 6 per cent.

**Ms YASMIN CATLEY:** It is not a cut to the budget at all. In actual fact, it is a higher amount this year than it was the previous year when you take into account factors that were unforeseen, if you like—however, they weren't so unforeseen because we know that we've seen the PBRI costs increase year on year on year on year. That would be something you might want to investigate because it's extraordinary the amount of money it was costing the New South Wales police. We've been able to fix that. It's taken a lot of hard work, a lot of courage, and I thank the Police Association for their ongoing advocacy for this. They are the ones who have been driving it, which is fantastic on their behalf. But, no, the budget has not been cut. I do not accept the premise. You and your colleagues continue to assert that, and you are wrong.

**The Hon. SUSAN CARTER:** Minister, we assert that because we use the figures from your budget—the budget that is provided to the people of New South Wales so we can understand the spending. I would draw that to your attention and to the attention of the Treasurer.

**Ms YASMIN CATLEY:** I would draw you back to the explanation that has been given, which is very simple, very accurate and needs to be accepted.

**The Hon. SUSAN CARTER:** Can I also then perhaps ask you what is meant by "other operating expenses"? Why have they been cut by 28 per cent? What is being cut in other operating expenses?

**Ms YASMIN CATLEY:** Nothing has been cut at all. I would need the budget—

**The Hon. SUSAN CARTER:** It is 28 per cent down. Something has been cut.

**Ms YASMIN CATLEY:** There have been no cuts whatsoever. I think that your interpretation of these things—I've made it very clear to you that the budget this year that you have before you is higher than it was the previous year. You choose certain convenient facts to come in here and try to get the gotcha moment. The budget is more. It's as simple as that. There is no cut.

**The Hon. SUSAN CARTER:** Minister, we are not interested in gotcha moments. We are interested in whether the police have adequate resourcing to keep the people of New South Wales safe. Your budget figures, published for transparency, show a 28 per cent cut to other operating expenses. You say to us now that nothing has been cut. This is magic pudding accounting, Minister.

**The Hon. STEPHEN LAWRENCE:** Point of order: It's clearly not a question.

**The Hon. SARAH MITCHELL:** What's in other operating expenses?

**The Hon. STEPHEN LAWRENCE:** And we've got another interruption occurring. It's clearly not a question. It's some form of speech. This is a process of questioning, not speech making.

**The CHAIR:** I don't uphold the point of order. There is a question there, somewhere. It'll turn up.

**The Hon. SARAH MITCHELL:** What's other operating expenses?

**Ms YASMIN CATLEY:** I'll tell you what. We know that we inherited, the numbers that—

**The Hon. SUSAN CARTER:** Sorry, Minister.

**Ms YASMIN CATLEY:** No, this is important, because this is part of—

**The Hon. SUSAN CARTER:** Point of order: The Minister is not responding to a question. The question by my colleague was about what is meant by other operating expenses.

**The Hon. STEPHEN LAWRENCE:** To the point of order: She clearly is attempting to answer the question. She's being directly relevant.

**The Hon. SARAH MITCHELL:** Talking about the previous Government doesn't answer your budget papers.



**The CHAIR:** Order! We don't need any arguing across the table, thanks. The Minister, I think, is trying to answer a question. I'm not sure which one she is trying to answer, because there are two running at the same time.

**The Hon. SARAH MITCHELL:** Sorry, that's my fault. I'm jumping in. I just want to know, the budget papers say "other operating expenses". What does that mean?

**Ms YASMIN CATLEY:** I'll refer to Mr Smith in a minute, but I—

**The Hon. SARAH MITCHELL:** So you don't know, Minister?

**Ms YASMIN CATLEY:** What I want to say is that we've just had the numbers of authorised strength and how many we are down. That is a problem that we inherited. We know that there are a—

**The Hon. SUSAN CARTER:** Point of order: This is not an answer to a question that's been asked. It doesn't relate to other operating expenses.

**Ms YASMIN CATLEY:** It relates to the police budget, so yes it does. Sorry, yes, it does.

**The CHAIR:** That is not a point of order. The Minister can answer or not in her own fashion.

**Ms YASMIN CATLEY:** Mr Smith?

**DEAN SMITH:** In terms of the ERE versus other operating costs, employee-related expenses and salary-related expenses and items like that—other operating expenses that we look at really focus around other areas, like our insurance products. It relates to operations and other things that come into play. You're talking about leases, other aspects of the business. About 86 per cent of our budget relates to ERE, and the rest makes up other operating expenses, which is the way we go about our business to fund other aspects.

**The Hon. SUSAN CARTER:** Your insurance and lease costs are 28 per cent down this year?

**DEAN SMITH:** I'd have to take that on notice in terms of what that question is.

**The Hon. SUSAN CARTER:** Because there is a 28 per cent cut in other operating expenses. As the Minister has just indicated, it's an unusual insurance premium in this environment that is going down by 28 per cent. If you could take on notice what has been cut, that would be great, thank you.

**The Hon. SARAH MITCHELL:** Minister, why haven't you completed the new award for the police?

**Ms YASMIN CATLEY:** That is still being negotiated.

**The Hon. SARAH MITCHELL:** Wasn't it due on 1 July?

**Ms YASMIN CATLEY:** I'll take you back to some fundamentals about negotiations, like I did last time.

**The Hon. SARAH MITCHELL:** Minister, it was a simple question.

**Ms YASMIN CATLEY:** I will take you back to some fundamentals.

**The Hon. SARAH MITCHELL:** Point of order: I asked a very direct question. Wasn't it due on 1 July? It's a time question. It either was, or it wasn't.

**The Hon. EMILY SUVAAL:** To the point of order—

**Ms YASMIN CATLEY:** This is what you don't understand, though.

**The Hon. SARAH MITCHELL:** I do understand, but it's not what I asked you. I don't need a lesson.

**The CHAIR:** What is the point of order?

**The Hon. EMILY SUVAAL:** Chair, I think you may guess what this is. The Minister is being directly relevant in her replies. She may not be answering in the way that the member would like.

**The CHAIR:** I don't think the Minister had a chance to get to relevance before she was interrupted. Would you like to try to be relevant, Minister, please?

**Ms YASMIN CATLEY:** I will be very relevant, Mr Chairman. As this Parliament knows, and as the people of New South Wales know, we have introduced negotiations and bargaining for awards and conditions of public sector workers in this State. As part of that, those negotiations continue until both sides agree. Can I say the negotiations that I am having with the New South Wales police, the Police Association and the Government have been respectful, they are very productive and we are working very, very well to make sure that the pay and conditions of the New South Wales police going forward are contemporary. We're certainly moving away, as you

know, from the capped wage structure, which has been applauded by the police in New South Wales. We're working very cooperatively. You put a—

**The Hon. SARAH MITCHELL:** Thanks, Minister. Can you tell me what percentage—

**Ms YASMIN CATLEY:** I'm still answering. You put a definitive date on it. I've been part of negotiations for most of my working life as a Commonwealth public servant. Even if the date is 1 July that the previous award finishes, there are clauses in there that actually allow that award to continue until a new award is signed. And that is exactly what will happen. We are going through that process in a very respectful way, and I suspect it will be successful.

**The Hon. SARAH MITCHELL:** Can you tell me what percentage pay rise the police are seeking?

**Ms YASMIN CATLEY:** No, I cannot. That is a conversation that is happening between the negotiating parties. Are you a police officer?

**The Hon. SARAH MITCHELL:** I'm clearly not a police officer, Minister. You don't need to—

**Ms YASMIN CATLEY:** If you are, you can ask the association. They might share it with you.

**The Hon. SARAH MITCHELL:** It is not an unreasonable question to ask. You just said that you are negotiating and it's all happening in good faith. It's not an unreasonable question to ask. How much have you offered as a government?

**Ms YASMIN CATLEY:** As you know, there is a floor amount that has been offered. Negotiation beyond that is exactly what happens. We negotiate beyond the floor amount that has been offered.

**The Hon. SARAH MITCHELL:** What is the floor amount that you've offered?

**Ms YASMIN CATLEY:** It's a common floor amount across the public sector. I would have thought you would know that.

**The Hon. SARAH MITCHELL:** I do. I thought you would know, as the Minister. Do you?

**Ms YASMIN CATLEY:** I do. It's 10.5.

**The Hon. SARAH MITCHELL:** Over what period of time?

**Ms YASMIN CATLEY:** Three years.

**The Hon. SARAH MITCHELL:** How much is in the budget for the pay rise? Is it just 10½ over three years? Is that all you've budgeted for?

**Ms YASMIN CATLEY:** I'm not going to divulge anything further from that. They are negotiations that are happening between the three parties.

**The Hon. SARAH MITCHELL:** With respect, I'm not asking you to. You've just said there is the 10½ over three years. So in the budget papers that's all that's been budgeted for, isn't it, Minister?

**Ms YASMIN CATLEY:** As I said to you, negotiations are about bringing in productivity measures which also have to be accounted for financially and then factored into the negotiation. These are the things that you, as a party, do not understand or accept. Negotiations are not just about the budget line.

**The Hon. SARAH MITCHELL:** Minister, I don't need you to explain to me negotiations.

**Ms YASMIN CATLEY:** I'm sorry, Mrs Mitchell, but it's not just about the budget. You can look at—

**The Hon. SARAH MITCHELL:** If you're going to negotiate more, you're going to have to pay for it. We want to understand how you're going to pay above 10½ per cent.

**The Hon. BOB NANVA:** Point of order—

**Ms YASMIN CATLEY:** You need to understand the productivity measures can be—

**The Hon. SARAH MITCHELL:** I don't need you to explain to me, Minister. I'm quite adept at that.

**The CHAIR:** Order! A point of order has been taken.

**The Hon. STEPHEN LAWRENCE:** Clearly the Minister is trying to answer the question, which is in relation to what was budgeted. She has been interrupted about three times, and I'd raise that as an issue of courtesy.

**The CHAIR:** I'll uphold the point of order. Let the Minister answer the question, please.

**Ms YASMIN CATLEY:** Thank you very much, Mr Chairman. There are so many factors that are taken into account when you go through award and work condition negotiations. It can be leave conditions. It can be rostering. It can be pay level scales. It can be annual leave. It can be so many factors. It's complex. But it makes the work environment a better environment for those people working in it. Also, obviously in this situation, they will have a pay rise that is certainly above the cap that they had to endure for the last 12 years.

**The Hon. SARAH MITCHELL:** Will you be looking to make New South Wales police the highest paid in the country?

**Ms YASMIN CATLEY:** I will continue to negotiate very cooperatively, very respectfully, with the Police Association, with the police, on behalf of the Government.

**The Hon. SARAH MITCHELL:** But you won't tell us today if you've got any extra money in the budget to pay for it, even though clearly the budget papers show you don't. You won't tell us what efficiencies you're looking at, and you can't give us a time frame of when that will all be finalised?

**Ms YASMIN CATLEY:** As I said to you, those negotiations are going ahead, and I'm very, very happy with where they are at.

**The Hon. SARAH MITCHELL:** Will you be looking at a new pay structure to have a difference between commissioned and non-commissioned officers?

**Ms YASMIN CATLEY:** I will continue to have those conversations and those negotiations with the Police Association and with the police on behalf of the Government.

**The Hon. SARAH MITCHELL:** Do you expect to have the deal or the award finalised before the end of the year? Is there any time frame you can give the people of New South Wales and serving police officers in terms of a time frame?

**Ms YASMIN CATLEY:** I certainly hope that it's before the end of the year, but one thing I should advise you—and the New South Wales police know this—the Premier has said, obviously, the current agreement will continue. However, back payment will begin from 1 July.

**The Hon. SUSAN CARTER:** Minister, I want to ask you some questions now in your capacity as the Minister for Counter-terrorism. I understand, and there has been extensive press reporting, about police expressing concerns about security risks posed by refugees coming to Australia on tourist visas. Have these concerns been shared with you?

**Ms YASMIN CATLEY:** From whom?

**The Hon. SUSAN CARTER:** From police officers who have concerns about the terrorist risk posed by refugees coming, likely vetted or unvetted, on tourist visas.

**Ms YASMIN CATLEY:** Police have not suggested to me that they are concerned. Mr Hudson, is that your understanding?

**DAVID HUDSON:** I think our position—

**The Hon. SUSAN CARTER:** Perhaps, Mr Hudson, if it's all right, I can come to you in the afternoon.

**DAVID HUDSON:** Okay, good.

**The Hon. SUSAN CARTER:** I'm interested to know what the Minister knows. Have you sought any—

**Ms YASMIN CATLEY:** You asked if "police" and Mr Hudson would know that more so, so I think it is worthwhile you contributing, Mr Hudson.

**The Hon. SUSAN CARTER:** Minister, I'm really interested in what you know. Have you sought advice proactively about this issue?

**Ms YASMIN CATLEY:** Just so you're very clear on this, police, and certainly Mr Hudson in his role, work with all of the Federal agencies regularly. In fact, you can ask Mr Hudson this later today, but he chairs a number of committees and organisations on a Federal basis and they share information all the time.

**The Hon. SUSAN CARTER:** Minister, is that shared with you in your capacity as Minister for Counter-terrorism?

**Ms YASMIN CATLEY:** I'm regularly updated by Mr Hudson in relation to this and he will be able to share that information with you later today, and what he will share with you, I already know.

**The Hon. SUSAN CARTER:** Do you have concerns about community safety, if there are people coming to Australia who may have active terrorist links?

**Ms YASMIN CATLEY:** The police in New South Wales will police, as they do now, regardless of what the landscape is.

**The Hon. SUSAN CARTER:** I share your confidence in the police. Do you have concerns—

**The Hon. STEPHEN LAWRENCE:** Point of order: The Minister was about a sentence into that answer. I would have thought it's a pretty important issue. She should be allowed a reasonable opportunity to answer questions.

**The CHAIR:** I uphold the point of order.

**Ms YASMIN CATLEY:** I have full confidence that the New South Wales police will continue to deal with any matter that is before them, as they have. There has not been a year that I can think of where the police have been so exceptional, particularly in the counter-terrorism space. We have had to deal with some very big matters, as you well know, and issues. Again, the New South Wales police, along with our Federal counterparts, have done an exemplary job. I have full confidence that they will continue to do that. If a matter arises, they will approach that matter, as they do always. They will do it professionally, they will do it expertly and they will make sure that the safety of the community of New South Wales is at the heart of everything they do.

**The Hon. SUSAN CARTER:** Minister, I share your confidence about the police, but as Minister for Counter-terrorism, are you interested in ensuring that risks are dealt with before they come to New South Wales so we're not putting additional burdens on our Police Force?

**Ms YASMIN CATLEY:** If there are these issues and there are risks, then New South Wales will be advised of that through Mr Hudson.

**The Hon. SUSAN CARTER:** You don't believe that there are any risks of—

**Ms YASMIN CATLEY:** Please don't put words in my mouth. What I—

**The Hon. SUSAN CARTER:** Excuse me, Minister. What I heard you say was "if there are any risks". Do you believe—

**Ms YASMIN CATLEY:** I haven't been advised of any, which is how I started off that answer. Remember?

**The Hon. SUSAN CARTER:** Do you believe that if an applicant for a tourist visa supports Hamas, or has a history of supporting Hamas, that they could pose a security or terrorist risk, or just a community safety risk, to the people of New South Wales?

**Ms YASMIN CATLEY:** If, if, this is the case, then as I said to you, the Federal agency will advise Mr—

**The Hon. SUSAN CARTER:** Point of order: I am asking the Minister a direct question: Do you believe—

**Ms YASMIN CATLEY:** You're asking me my opinion. I'm the Minister.

**The CHAIR:** Order!

**Ms YASMIN CATLEY:** I'm telling you as the Minister.

**The CHAIR:** Order!

**The Hon. STEPHEN LAWRENCE:** To the point of order: This was a question about a visa. I accept there is possibly an indirect link to New South Wales, but in circumstances where it's about a visa applicant offshore, I would have thought the Minister is entitled to more than a sentence to explain the structures of government and how they're interacting, and their information sources.

**The Hon. SUSAN CARTER:** We don't need the explanation.

**The Hon. STEPHEN LAWRENCE:** She's interrupted a sentence in.

**The CHAIR:** I hear the point of order, but the Minister can answer with one sentence or a number of sentences, as far as I'm concerned anyway. If there's more questioning to come, please allow the answer in full before the next question.

**Ms YASMIN CATLEY:** Thank you.

**The Hon. SUSAN CARTER:** Are you taking any steps to protect New South Wales from a terrorist risk posed by people on tourist visas who haven't been vetted?

**Ms YASMIN CATLEY:** Mr Hudson is in regular contact with our Federal counterparts exactly in relation to this. We have a counter-terrorism expert globally sitting here at the table. Mr Hudson is advised of any risks, any heightened risks, and he shares that information with me as that comes about.

**The Hon. ROD ROBERTS:** Minister, on 13 August it was reported by Australian Associated Press that at a press conference announcing the inaugural emergency services fixture to be held by the NRL in September, Commissioner Webb stated that she's in conversation with you about introducing an up-to-date electronic system to track police equipment. Commissioner Webb is quoted saying:

We're currently operating in an antiquated, paper-based spreadsheet system.

It seems that you, at a previous estimates hearing, said:

The last thing we need in New South Wales are antiquated systems.

Can you tell the Committee something about this antiquated paper database that's being used?

**Ms YASMIN CATLEY:** Yes, I can, from what I understand. In 2022 I understand there was an audit—we're referring to vests, right?

**The Hon. ROD ROBERTS:** I'm referring to what the commissioner said at the press conference. I'm assuming it's in relation to vests. I don't really care. It just says:

We're currently operating in an antiquated, paper-based spreadsheet system.

**Ms YASMIN CATLEY:** It needs context. What are we talking about?

**The Hon. ROD ROBERTS:** Let's assume it's the vests then. Let's assume that. This is not a trick.

**Ms YASMIN CATLEY:** We can't assume.

**The Hon. ROD ROBERTS:** Okay, it's the vests. Let's say it's the vests.

**Ms YASMIN CATLEY:** I think it's important that we know what we're talking about.

**The Hon. ROD ROBERTS:** I wasn't at the press conference, so I don't know what the commissioner was relating to, but I'm assuming it's the vests. Let's assume that.

**Ms YASMIN CATLEY:** That's what I'm going to tell you—what my knowledge of that is. Up until then there was a paper-based system in relation to the allocation of vests and an audit was undertaken. It was completed in '23 in the early stages, the early part of '23—February or March. I think that's correct. A new system was then put in place in October 2023, which is now digitised, and which is the allocation of those vests from that point in time. I think that that is exactly what we should be doing with all appointments, in actual fact. In fact, one of my visits to the armoury with the new tasers that are being used—they are all digitally allocated as well, which of course we would expect. I think that that is the expectation of the community in today's age that there is a digitised account, a record-keeping of appointments.

**The Hon. ROD ROBERTS:** I don't expect you to know this. It's not a trick question, but I'm going to ask you. Do you know what a P359 is?

**Ms YASMIN CATLEY:** I have heard that, actually.

**The Hon. ROD ROBERTS:** I think you have because, in answer to a question—

**Ms YASMIN CATLEY:** Yes, I have, yes.

**The Hon. ROD ROBERTS:** —from Ms Sue Higginson, question on notice number 1913, you answered in relation to the P359. Do you know what it is?

**Ms YASMIN CATLEY:** I have heard that.

**The Hon. ROD ROBERTS:** Again, this is not a trick. Do you know what it is, or not?

**Ms YASMIN CATLEY:** Just describe to me again. I do hear a lot of—

**The Hon. ROD ROBERTS:** It's an electronic recording of arms and appointments.

**Ms YASMIN CATLEY:** Yes.

**The Hon. ROD ROBERTS:** We already had, and already had had, an electronic recording of arms and appointments.

**Ms YASMIN CATLEY:** Except I don't—

**The Hon. ROD ROBERTS:** Including vests.

**Ms YASMIN CATLEY:** May I answer? I don't think that vests were considered part of the armoury, though, until recent times. This is my understanding. So you're right.

**The Hon. ROD ROBERTS:** That's your evidence?

**Ms YASMIN CATLEY:** That's my understanding. I'd need to have a look. I don't recall the date of when they became part of the armoury, but I understand that that has been in more recent times.

**The Hon. ROD ROBERTS:** But there's been a provision for some time on the P359 for the recording of vest serial numbers and plate numbers et cetera, so we don't really operate on an antiquated, paper-based spreadsheet system at all, do we?

**Ms YASMIN CATLEY:** No, we don't now.

**The Hon. ROD ROBERTS:** But back then, even. So the Commissioner's talking—when you said not now—only on 13 August. She says, "We are currently operating in an antiquated, paper-based spreadsheet system," but the P359 has existed for some time.

**Ms YASMIN CATLEY:** As I say, as of today, as I understand it, we're certainly not, and I'm very pleased about that. We should be using much more modern systems right across the Police Force, and I think there's a lot of things—

**The Hon. ROD ROBERTS:** We have been for some time, though.

**Ms YASMIN CATLEY:** That's not my understanding. It is certainly since 2022.

**The Hon. ROD ROBERTS:** Let's move on then because I've only got a short period of time. Do you have confidence in the Commissioner of Police?

**Ms YASMIN CATLEY:** I do have confidence in the Commissioner of Police.

**The Hon. ROD ROBERTS:** I'm going to run you through a few things. You've just heard here this morning how she gave false evidence to this Committee in 2022. We know that she told you and the Government that there were only 50 bottles of gin purchased. We know that she told the public that, via her radio interview with Chris O'Keefe. One would expect that a commissioner of police giving answers to the public would be full, frank, honest and truthful, and dependable and reliable. Let's put that aside for a second.

The NSW Police Force is about 2,500 under strength at the moment, and we have an inordinate number off on sick leave. The crime stats are through the roof. I'll give you a couple. As of March 24—this is from BOCSAR—murder is up 28 per cent in the 12 months, DV-related assault up 5 per cent, non-DV-related assault up 6 per cent, break and enter up 12 per cent, motor vehicle theft up 11 per cent, steal from retail store up 11 per cent, other theft up 7 per cent, breach of AVO 7 per cent. I could continue.

**The Hon. STEPHEN LAWRENCE:** Point of order: I think that this is a question that's—if it is a question—so long, it's ceased to become a question. How is anyone supposed to remember the string of things that are being put? It's really just a speech, I would suggest, not a question.

**The Hon. ROD ROBERTS:** To the point of order: The Minister is allowed to answer it in any way she sees fit, as long it's relevant. My question may well be long; this is the lead-up to the question. There is a definite question coming; I'm setting the scene. I'm entitled to ask a question how I wish to ask it. The Minister is entitled to answer it as she wishes to answer it.

**The CHAIR:** I don't uphold the—

**The Hon. STEPHEN LAWRENCE:** It's just impossible to remember at some point.

**The Hon. ROD ROBERTS:** I'm not going to ask her to quote the figures back.

**The CHAIR:** Order! I don't think we're going to make judgements about the Minister's ability to remember what she's been told here.

**The Hon. ROD ROBERTS:** Exactly.

**The Hon. STEPHEN LAWRENCE:** I was talking about my ability to remember.

**The Hon. ROD ROBERTS:** You don't have to.

**The CHAIR:** With respect, you're not the one being questioned here.

**The Hon. SARAH MITCHELL:** It's not your problem, Stephen.

**The Hon. ROD ROBERTS:** By the way, Chair, the clock's ticking down so let's keep going. So we've got motor vehicle fatalities up inordinately compared to what they've been in the past. We've got an inability to retain police. We've got an inability to recruit sufficient numbers to replace them. The 2023 People Matter survey—that you tried to hide behind and said was privileged is not. We're not talking about from a particular unit; we're talking about the New South Wales police in general. Only 39 per cent of the respondents would recommend the NSW Police Force as a great place to work, down 7 per cent from the previous year and 24 per cent lower than the rest of the public service.

Thirty-eight per cent believe senior leadership is poor. That's 14 per cent higher than any other sector. Only 25 per cent believe the NSW Police Force makes fair recruitment decisions, 20 per cent below lower than the wider sector. I could continue on but I don't confuse you with a long question. Rural and regional crime is out of control, and we don't have the ability to recruit cops to the bush. Youth crime in rural areas is a major concern for everybody. There's a massive increase in knife crime; we all know this. Thirty-six million dollars in taxpayer money—

**The Hon. STEPHEN LAWRENCE:** Point of order: It's essentially the same point of order as before, which is that this is not a question; this is some form of speech.

**The Hon. ROD ROBERTS:** This is a question.

**The CHAIR:** I think you're getting to the question now.

**The Hon. ROD ROBERTS:** I'm nearly there. If I wasn't interrupted, we'd have been done.

**The CHAIR:** Please, ask the question.

**The Hon. ROD ROBERTS:** Thirty-six million dollars was paid out in taxpayer money for civil litigation and damages last year on behalf of the NSW Police Force. You say you have confidence in the New South Wales police commissioner. Bearing in mind everything we've just been through—misleading the public and a force that's in a disaster state—what KPIs are you measuring the commissioner's performance on?

**Ms YASMIN CATLEY:** Would you mind repeating the question please?

**The Hon. ROD ROBERTS:** Sure, no problem at all. Let's go.

**The Hon. STEPHEN LAWRENCE:** It's a reasonable request, I would have thought.

**The Hon. ROD ROBERTS:** Sure, let's do it all over again. You're just giving the media more chance to record all this. The NSW Police Force is 2,500 understaffed. We have an inordinate amount off on sick leave. We've got crime stats: murder up 28 per cent, DV up 5 per cent, non-DV up 6 per cent, break and enter up 12 per cent, motor vehicle theft up 11 per cent, steal from retail store up 11 per cent, other theft up 7 per cent, breaching AVO up 7 per cent. We've got motor vehicle fatalities worse than they've ever been in some years. We've got inability to retain police. We've got inability to recruit sufficient numbers to replace them. We went through the People Matter surveys that say that morale is at an all-time low, which goes back to what Ms Merton asked you before. Regional and rural crime is out of control. We have an inability to recruit cops to go to the bush at the moment. Youth crime in rural areas is a major concern. We've got an increase in knife crime. Thirty six million dollars was paid out for various civil litigation and damages in the last 12 months. What are your KPIs for saying the commissioner's doing a good job?

**Ms YASMIN CATLEY:** I concentrate on the areas where I know that we need to be really focused: on recruitment and retention. I believe that we have put some really good initiatives in place there. The paying of the recruits has seen a 50 per cent increase in applications.

**The Hon. ROD ROBERTS:** My idea, by the way.

**Ms YASMIN CATLEY:** The payment of recruits has seen a 50 per cent increase in applications to the academy, which is a positive thing. I'm not hiding, and never have hidden away, from the fact that we have a problem with retention. I honestly believe that the wages cap had a significant impact on that. The police's incomes were essentially going backwards. I concentrate on the things that I think will get us more boots on the ground to address a lot of the issues that you said, particularly in regional areas. We also have the regional programs in place as well, encouraging police to go there and to stay there.

**Ms SUE HIGGINSON:** Good morning, Minister and Commissioner, and all deputy commissioners. I'm racing in between two hearings so excuse my comings and goings. Minister, at budget estimates in February you stated that the New South Wales police review of police responses to the mental health crisis would be made available to the public in coming weeks. As far as I'm aware, we haven't seen anything. What's happening?

**Ms YASMIN CATLEY:** We're still preparing. It's a big body of work, so we're still preparing that document. But that doesn't mean we're not doing anything, and I think that it's important that I update the Committee on what's happening there. The commissioner can talk more to this because she's on the—we've got a senior steering committee. The commissioner is on that, as well as the Secretary of NSW Health and other mental health officials—Murray Watts there—and other senior people are on that as well. The commissioner can take you through where they're up to. They have already met four times and they are looking at those initiatives that we can put in place quickly to address issues in relation to first responders to people with mental health issues. Just to give you an overview, they are in the throes of bringing together, and close to, a memorandum of understanding with police and with Health. That's critically important. That, of course, as you well know, is longstanding, but it will now include that first response as well, like who—the first responder to mental health. Did you want to add anything further to that, Commissioner?

**Ms SUE HIGGINSON:** Can I just ask, if that's okay, are we moving towards what many experts are asking for, and that is that first responders will not be necessarily the uniformed police with the weapons and so on and that we will have Health responding and a proper co-designed approach. Is that what we can expect?

**Ms YASMIN CATLEY:** Ms Higginson, as you well know, I support that. It can be the case if someone in a blue uniform arrives, it can escalate instead of de-escalate. I think we're all in agreement with that and we are looking at the best response. I don't want to pre-empt what that resolution is going to be with the steering committee's work that they're doing, but we're certainly wanting the best response for people with mental health issues. If that is that it's a Health response supported by police response, or sometimes a police response supported by Health response—

**Ms SUE HIGGINSON:** Thank you. Can I ask then, what is the timeline? What are we looking at? What is the reporting date? When will we see actual change, and change that people can expect to see a difference on the ground?

**Ms YASMIN CATLEY:** Correct me if I am wrong, Commissioner, but are you reporting back by the end of the year? Is the steering committee reporting back by the end of the year?

**KAREN WEBB:** Yes, we are. We certainly have done the review. We led the review. It has gone to our partner agency at Health, who are working with us, as has been described by the Minister. Health—who own Mental Health, of course—will consider some other options, and no doubt that will become part of our discussion with them. But we're certainly working through our standing up of a command dedicated to mental health and how we might staff that, respond, train the police et cetera. That work has already started in response to the review that we did.

**Ms SUE HIGGINSON:** When you say, "by the end of the year", what will we see? Will we see a document? Will we see you stand up and explain it all? What will people see, particularly those people working with people with mental health issues at the moment?

**Ms YASMIN CATLEY:** What's the committee going to be delivering?

**KAREN WEBB:** I work with the Secretary of Health, and there is a subcommittee that Mr Hudson works on with—

**Ms SUE HIGGINSON:** But what is your plan, Commissioner? What is the intention? Say, "On 1 December we're going to—

**KAREN WEBB:** I can't say. What I want to do and what we agree on might be different things but, ultimately, what we need to do is remove police from attending to mental health concerns where there are no immediate risks to safety for people. That's where I would like to take it.

**Ms SUE HIGGINSON:** At the moment in this committee, does it appear that's the agreement? Is that where we're heading? I'm just trying to understand where we are. As I said, it was February, and last year I know Deputy Commissioner Hudson said that people are heading off to the UK and having a look at things. We just want to know, and we don't want this to go for another year. We don't want the next person experiencing a psychosis, and police turn up and then somebody is dead. We want to know what's changed and when we can know that.

**Ms YASMIN CATLEY:** I think that is absolutely a fair question. As I've said to you already, four meetings have occurred. There's another one scheduled, I think, for next week. Is that correct, Mr Hudson? Are you going to one next week?

**DAVID HUDSON:** Yes.



**Ms YASMIN CATLEY:** There is progression on this. We are working towards what we see as the best emergency response for people with a mental health—as you well know, there were 60,000 mental health calls. Most of those—and I don't have the figure in front of me, but I know that I have said it to you before when we've discussed this matter—are not in a dangerous setting. Obviously, police will continue to provide that safety mechanism. If the community, or indeed the person themselves, are at risk, the police will continue to be there. But it often is the case that it will be better suited that it's a health response, as we've discussed in the past. That, I think, is universally accepted from our colleagues as well.

**Ms SUE HIGGINSON:** Do you expect, Minister, that by 1 December—we said the end of the year—you will have something to announce that is a change in the way our communities operate right now if a phone call is made and there's a person in distress? If somebody makes a phone call, will there be a difference? Right now, the only call somebody can make is to 000 and then the police rock up.

**Ms YASMIN CATLEY:** I know that the committee are also looking at other jurisdictions. Victoria do some things; and Queensland do some things.

**Ms SUE HIGGINSON:** Minister, I—

**Ms YASMIN CATLEY:** It is part of the answer, I promise.

**Ms SUE HIGGINSON:** I know there are really good intentions here. I'm honestly not trying to undermine the goodness of the answers you're giving; I just want to know something. I just want to know—

**Ms YASMIN CATLEY:** I can't give you a date, exactly, but I hope that we're in a position to be able to provide more information to you and to the community on what the Government's response will be in relation to dealing with people with a mental health issue who need support.

**Ms SUE HIGGINSON:** And that will be this year?

**Ms YASMIN CATLEY:** The committee are supposed to come back this year. They're working very hard to achieve that, I assure you.

**Ms SUE HIGGINSON:** Is it something, Minister, that you expect you would need to take to Cabinet? I'm simply trying to understand what we can expect. What is the process?

**Ms YASMIN CATLEY:** Well, there are other Ministers involved in this. Yes, it would be something that I believe we would have to take to Cabinet. Obviously, the health Minister and the Minister for Mental Health—we're all involved in this process.

**Ms SUE HIGGINSON:** Minister, can I ask you to take on notice that you will provide this Committee with a really clear outline of what the steps are and what your Government is going to do to address this issue that you are looking into, to give us an idea of what we can plan for and what we can expect?

**Ms YASMIN CATLEY:** I can't speak on behalf of my colleagues. What I can tell you is—

**Ms SUE HIGGINSON:** Could you speak to your colleagues and then come back?

**Ms YASMIN CATLEY:** I will be able to provide to you police's response for police, as the police Minister, but I'm not going to speak on behalf of my colleagues. The committee has been set up. It's co-chaired, as I said to you, by the commissioner and the Secretary of Health.

**Ms SUE HIGGINSON:** Thank you, Minister. I'm running out of time. Why did the police challenge and take to court the Law Enforcement Conduct Commission and their ability to access the information they needed to access to undertake the oversight that they are empowered to do in relation to the critical incidents that were subject to the proceedings? Where does that come from? What kind of impunity is it that you would challenge the Law Enforcement Conduct Commission from doing their job?

**Ms YASMIN CATLEY:** My understanding is that it wasn't not providing the information entirely; it was not wanting the information published because that would have compromised police operations. I think it's important to—

**Ms SUE HIGGINSON:** But the proceedings—

**Ms YASMIN CATLEY:** Can I just finish, please?

**Ms SUE HIGGINSON:** But, with respect, that's not what happened in the proceedings. The proceedings were that it was argued by police in the court in New South Wales that the Law Enforcement Conduct Commission can't have the documents that they asked for. You made a claim of public interest immunity. You said to the LECC, "You can't have the documents you want, and you can't have access to the things you want." That's not

just about publishing or making public; that is denying the LECC the capacity to do its job. Why did the police think that was okay?

**Ms YASMIN CATLEY:** I was actually going to start at the beginning, which is where I wanted to start. But anyway, I think it's important to note that a memorandum of understanding has now been signed between the LECC and the police—

**Ms SUE HIGGINSON:** It has now, because the police lost in court. You lost.

**The CHAIR:** Order!

**Ms SUE HIGGINSON:** Why would you go to court and tell the LECC—the one oversight body for police conduct and misconduct that this State has—"You can't do your job."

**Ms YASMIN CATLEY:** I'm pleased that they've resolved it and there's now a memorandum, and they're working together.

**Ms SUE HIGGINSON:** So are we, all of us.

**The CHAIR:** Order! We've got about five minutes left for Opposition questions.

**The Hon. SARAH MITCHELL:** I might ask a couple of Hunter questions now. I apologise, Ms Meagher, but we might get you back at two o'clock because we might have some more questions. But I'm happy to give you a leave pass from morning tea to lunchtime if that's all right. Minister, can you tell me how much of the Hunter's \$7 billion in mining royalties over the next four years will be coming back into the Hunter?

**Ms YASMIN CATLEY:** You know very well that the money isn't allocated by royalties to the Hunter specifically, or to anywhere specifically. It's part of the budget. It comes in to form part of the budgetary pool of money.

**The Hon. SARAH MITCHELL:** But under the previous Government there did used to be, to be honest, opportunities for councils that had mining in their local government areas to get a percentage of that back through those programs.

**Ms YASMIN CATLEY:** And there still are opportunities for regional funds.

**The Hon. SARAH MITCHELL:** As the Minister for the Hunter, what will you be doing? You would agree with me that the Hunter is very much a powerhouse when it comes to mining royalties, but those communities also then, of course, feel the impacts of that industry. What will you be doing to ensure that that money is coming back in, and how much of it should be being spent back in the Hunter?

**Ms YASMIN CATLEY:** The Hunter is a very, very important region; there is no doubt about that. It has been the significant energy provider of the State for a very long time—for centuries—and it will continue to do that. We've had some significant investments in renewable energies. Most recently, there's the hydrogen hub at Kooragang, which is more than \$200 million. We've had significant investment further up into the valley in other hydrogen projects as well, up in Muswellbrook and Singleton. You will have seen the power station at Bayswater—sorry, Liddell. AGL have a significant investment there as well, which the State Government is participating in.

What we're trying to do—it's pretty important here—is make sure that the region is equipped for the future. There are 15,000 direct coal jobs in the Hunter. I have a coalmine in the electorate that I represent, for those of you who don't know, and there are many families that rely on that industry to pay their bills and put food on their table. We have to be very forward thinking in what that's going to look like in the decades ahead, to ensure that those families are still able to thrive and to have the jobs that they need to do exactly that.

**The Hon. SARAH MITCHELL:** As part of that—and you spoke about the issues around if, potentially, there's change of employment and changes to industry—what's the status of the *Hunter Regional Plan 2041*?

**Ms YASMIN CATLEY:** The plans guide us into making sure that we're putting in place the necessary investment, the necessary roads and the necessary education and health facilities that we need going forward.

**The Hon. SARAH MITCHELL:** Is that still an active plan under your Government? I just wanted clarity on that.

**Ms YASMIN CATLEY:** We use those and the community use those. I don't know how familiar you are with the Hunter and the groups in the Hunter.

**The Hon. SARAH MITCHELL:** I'm pretty familiar.

**Ms YASMIN CATLEY:** Then you know they still use those as part of their assistance to help them with all their plans. We have lots of plans from different organisations. It's important that they set the basis, if you like, for us to be able, going forward, to plan what those future requirements are, not just from an infrastructure perspective but population growth and where people are moving throughout the whole of the region.

**The Hon. SARAH MITCHELL:** One of the decisions by your Government has been to pause the Royalties for Rejuvenation program, which is obviously about helping coal communities transition as well. Do you support that approach?

**Ms YASMIN CATLEY:** We've set up the regional trust fund, which is very important and will continue to grow—

**The Hon. SARAH MITCHELL:** But none of that money so far has been earmarked for the Hunter. With respect, anything that has been announced has been for western areas.

**Ms YASMIN CATLEY:** The Hunter is a significant region and it will have access to those funds, to be fair.

**The Hon. SARAH MITCHELL:** Under what?

**Ms YASMIN CATLEY:** There is no regional allocation. But the point that I'm making is the Government made a decision to change the structure of the way that funding is given to regional areas and that trust fund is one of those.

**The Hon. SARAH MITCHELL:** I understand that, but that's separate. As I said to you, there used to be, under Royalties for Rejuvenation—and I've asked Minister Houssos about this as well—funding that went specifically into those communities that were mine impacted, for lack of a better term. Some of that was about helping Gloucester, for instance, transition away from coal. Have you talked to Minister Houssos in your capacity as Minister for the Hunter about how these changes will impact those communities that you represent, as Minister for the Hunter?

**Ms YASMIN CATLEY:** Yes, I have. But I think it's important that you're not comparing apples and apples here. You're quite right: That fund is no longer available. However, we have put in place other mechanisms for regional areas to access funding, and that is one of them.

**The Hon. SARAH MITCHELL:** Sure, but overall the money is down, Minister, and specific money for regional communities who have mines in them, which used to be earmarked for local upgrades, has gone under your Government. And people aren't happy about that in regional areas that are mine impacted. I'm wondering whether you, as Minister for the Hunter, are doing something proactively to make sure that some of those billions of dollars of mining royalties from those communities come back into those areas.

**Ms YASMIN CATLEY:** What I am doing is working right across all of the departments, not just with Minister Houssos. We've got a significant amount of funding coming out of Minister Sharpe's office in the Environment, for instance, specifically in relation to renewable energy, which is what I was just talking about earlier. We think much more broadly than just that these pots of money are set aside for that purpose. I think what we're doing is absolutely correct. The roads budget has been—

**The Hon. SARAH MITCHELL:** That's an interesting take.

**Ms YASMIN CATLEY:** Just a moment. The roads budget has been increased substantially. If we can't get around on our roads—Dungog was the worst council in the State for roads. The worst.

**The Hon. SARAH MITCHELL:** Is it the best now? Are they getting more money?

**Ms YASMIN CATLEY:** It's certainly receiving funding and we're very pleased to be able to announce that.

**The CHAIR:** Time has expired.

**The Hon. SARAH MITCHELL:** Just for clarity, Chair, we will have more Hunter questions likely this afternoon, but if Ms Meagher would like to come back at 2.00 p.m., if that's amenable to the Committee, then you're not here for the entire time. If you wanted to go now but then come back after the lunchbreak for the officials, we're happy to start with the Hunter questions then. I'm trying to give you some time. I just can't give you the whole day. I apologise.

**KATE MEAGHER:** I appreciate that.

**The CHAIR:** I've been informed that the Government has no questions, so we'll break now and come back at quarter past 11.

**(Short adjournment)**

**The CHAIR:** Welcome back. We might recommence with Opposition questioning.

**The Hon. SARAH MITCHELL:** Minister, during the morning tea break, were you able to get any of the figures in relation to leave that we asked about?

**Ms YASMIN CATLEY:** No. We'll provide all of those. Could we have all of those in writing, maybe, because you wanted so many different variances? Has somebody taken a note?

**The Hon. SARAH MITCHELL:** We did ask for over five years. But also now, as of today, how many police officers are on leave?

**Ms YASMIN CATLEY:** Sure. I'll see if I've got it in here. Do you want to ask the next question?

**The Hon. SARAH MITCHELL:** Susan will, but if you've got just an overall figure, that would be helpful.

**Ms YASMIN CATLEY:** Dean's got it now.

**DEAN SMITH:** In terms of the breakdown of annual leave and others, we'll have to take that on notice, because that changes every day. People go on and off leave. Maternity leave and other types of leave, we will do. But in terms of specifically long-term sick leave, there are currently 1,362 on long-term sick leave.

**The Hon. SUSAN CARTER:** Minister, I wonder if you could tell me how many hand-held metal-detecting wands are in the possession of New South Wales police?

**Ms YASMIN CATLEY:** I'll have to take that on notice.

**The Hon. SUSAN CARTER:** Can you also perhaps take on notice whether they're available in every New South Wales police station.

**Ms YASMIN CATLEY:** I can answer that. No, I don't believe that to be the case.

**The Hon. SUSAN CARTER:** Do you have any idea of in roughly how many police stations they would be available?

**Ms YASMIN CATLEY:** I'd have to take that on notice. But don't forget—I think it's important that we put this in context. They will be used for special operations. It will be that special operation unit that would have access to them. That's important to put it in that context, because that is how they are effective. That has certainly been our observation from Queensland. When they're used in certain precincts, which we have designated through legislative change, the designated operation will be in that precinct.

**The Hon. SUSAN CARTER:** To clarify, how many specialist units will there be that will be using those wands in those special operations?

**Ms YASMIN CATLEY:** Mr Thurtell?

**PETER THURTELL:** Sorry, what was the question again? I was distracted.

**The Hon. SUSAN CARTER:** The Minister has indicated that there will be specialist units that will be using the electronic wands. I'm wondering how many.

**PETER THURTELL:** It depends on the intensity of an operation. You're talking about when the new legislation comes into effect in December?

**The Hon. SUSAN CARTER:** Sorry, there seems to be some confusion. I'm asking how available are electronic wands? The Minister has indicated that they're not, but that's not an issue because only certain police will be using them.

**Ms YASMIN CATLEY:** Don't put words in my mouth. That is not what I said.

**The Hon. SUSAN CARTER:** Then I'm happy to be corrected, Minister. But I'm trying to understand: Will every member of the NSW Police Force be able to be pulled into these operations? Will they be adequately trained and resourced? What I'm hearing now is it might only be certain members. If it's only certain members, how many certain members and where will they be located throughout New South Wales?

**Ms YASMIN CATLEY:** Can you just explain how an operation works to the member of the Committee?

**PETER THURTELL:** If we're talking about the new legislation that the media have been referring to as Jack's law, that legislation comes into effect in December, and the Premier has been on record as saying that the—

**The Hon. SUSAN CARTER:** Excuse me. Can we just clarify that? Has it actually been proclaimed yet?

**Ms YASMIN CATLEY:** Procured, you mean?

**The Hon. SUSAN CARTER:** No, the legislation.

**Ms YASMIN CATLEY:** No. I'd have to check the date for you. I'll get back to you.

**The Hon. SUSAN CARTER:** What is the date that it will operate?

**PETER THURTELL:** It will be operationalised. The Premier has committed to the New South Wales police to operationalise the legislation before Christmas.

**The Hon. SUSAN CARTER:** On 24 December?

**PETER THURTELL:** No, before Christmas. So it's my job—

**The Hon. SUSAN CARTER:** As of today, we don't know when Jack's law starts operating in New South Wales?

**PETER THURTELL:** No. And there's—

**The Hon. SUSAN CARTER:** How many wands will we need to procure before the start date to make sure that police will be adequately resourced for their roles under that law?

**PETER THURTELL:** The exact number hasn't been determined yet, but—

**The Hon. SUSAN CARTER:** What's the process to determine that number?

**PETER THURTELL:** It'll depend on some procurement that we're looking at and what particular wands we're looking at. It won't be an extensive number—

**The Hon. SUSAN CARTER:** Sorry, can I just question what particular wands? Have you decided yet what wands?

**The Hon. STEPHEN LAWRENCE:** Point of order. There have been about three interruptions in a row, which I haven't raised any issue about.

**The Hon. SUSAN CARTER:** Clarifications, I think.

**The Hon. STEPHEN LAWRENCE:** He should be allowed to answer. He got about four words in.

**The CHAIR:** Please allow the witness to answer.

**The Hon. SUSAN CARTER:** Just to recap and clarify, we don't know when the legislation starts, we don't know what wands will be used, and we don't know how many wands will be needed. When will the decisions be made about the wands?

**PETER THURTELL:** In the next few months.

**The Hon. SUSAN CARTER:** In the next few months. And the legislation starts in the next few months. What is the procurement timeline for the wands?

**PETER THURTELL:** That's unknown as well, at this stage.

**The Hon. SUSAN CARTER:** We don't know what wands and we don't know how long it will take to get them. In practical terms, when do you think police will have the resources to actually perform the first operation under Jack's law?

**PETER THURTELL:** Is that question to me?

**The Hon. SUSAN CARTER:** Yes.

**PETER THURTELL:** In terms of operationalising the law, should we be required to do it today, we have wands that we could use today. What we're looking at—

**The Hon. SUSAN CARTER:** How many?

**PETER THURTELL:** I don't have the exact number that we have but we have—

**The Hon. SUSAN CARTER:** Where are they?

**PETER THURTELL:** They are at the police transport and public safety command. We have purchased a number of wands for the usual operational conduct that they do on a day-to-day basis. Should we require them, we have those wands. However, we're of the opinion that there are more modern, more sophisticated and less invasive wands available. We are yet to speak to the manufacturers about that.

**The Hon. SUSAN CARTER:** Are they Australian manufacturers?

**PETER THURTELL:** No.

**The Hon. SUSAN CARTER:** So we'll need to source them from which country?

**PETER THURTELL:** My understanding is that there are manufacturers in both the US and the UK.

**The Hon. SUSAN CARTER:** Which one do you prefer at the moment?

**PETER THURTELL:** We haven't got to the point where we are comparing those at the moment. Very soon we will be commencing that process.

**The Hon. SUSAN CARTER:** What's the training requirement once these wands are acquired?

**PETER THURTELL:** I think it would be a very basic training requirement for the wands.

**The Hon. SUSAN CARTER:** How many do you anticipate that you'll need to acquire?

**PETER THURTELL:** I would expect not an extensive number. I can't give you an exact number, but there is no reason why, depending on the cost and availability of these wands, they can't be a region-wide resource, as opposed to providing them to every command or every officer.

**The Hon. SUSAN CARTER:** Minister, can you indicate where in the budget I can find the allocation of funds for the wands?

**Ms YASMIN CATLEY:** We will absolutely be making sure that the wands are funded. Can I also say in relation to this, the police are looking at new technology and different technology. As has been indicated, the US and the UK have different styles of wands. We want to make sure that we get the best that are fit for purpose here in New South Wales. That is why the procurement has not begun in its totality. It's looking at what is the most appropriate for us here in New South Wales. They will absolutely be funded. As the Premier has said, and I will reiterate, legislation will be in December. It will be up and running by the end of the year.

**The Hon. SUSAN CARTER:** Can you tell me where in the budget I will find the allocation for the wands?

**Ms YASMIN CATLEY:** In our budget we already have funding for appointments. It will be as part of that.

**The Hon. SARAH MITCHELL:** In either the last hearing or the one before, we were talking to you about unmanned police stations. I think there was the example of Randwick, I believe, which had to shut because it was understaffed.

**Ms YASMIN CATLEY:** Paddington.

**The Hon. SARAH MITCHELL:** I think you indicated that you read about it in the newspaper. Can you indicate which other stations have been shutting their doors in recent months because you've had staffing challenges?

**Ms YASMIN CATLEY:** I would have to seek that information from police. It's no secret that we have low numbers. It has been described here today—more than 2,000. Closing their doors—I know my police station has never been open since I have been the member for Swansea, which is more than a decade.

**The Hon. SARAH MITCHELL:** Sorry, your police station has never been opened?

**Ms YASMIN CATLEY:** The police station at Swansea. That's right. The doors don't open. And they haven't been for 10 years. I would have liked it had you been at the Cabinet table prosecuting for me then. But you weren't.

**The Hon. SARAH MITCHELL:** I was the education Minister, but sure.

**Ms YASMIN CATLEY:** But you're still at the Cabinet table and you've still got a say.

**The Hon. SARAH MITCHELL:** With respect, Minister, so are you. Why hasn't Swansea opened in the past 18 months since you've been the Minister? Do you prosecute for yourself?

**Ms YASMIN CATLEY:** That is the point I want to get to. In that 10-year period, the police in Lake Macquarie have told me that each police car is a police station. They are equipped with the resources and the appointments they need. They can be at an event much quicker than when they're sitting behind a desk. I am not suggesting that that makes it right, but that is the explanation. It is one that I accept, quite frankly, because they're the experts and they're the ones that know their work. I certainly don't go around bagging them; I go around supporting them because they do a fantastic job. Let me say that that explanation is widely known, certainly in my town. It is one that people accept because they want them in the vehicle with the capacity to get to an issue or event very quickly, as opposed to sitting behind a desk, answering the phone.

**The Hon. SARAH MITCHELL:** Can I just take from that, Minister, that there isn't any intention under your Government for any new stations to be flagged to become 24-hour stations that aren't currently?

**Ms YASMIN CATLEY:** What you can take from that is, don't put words into my mouth.

**The Hon. SARAH MITCHELL:** You just said that if you've got a police car operating, that's sufficient.

**Ms YASMIN CATLEY:** What you can take from that is that I will continue to recruit police because that is the priority. We need to recruit police to have boots on the ground.

**The Hon. SARAH MITCHELL:** Can you list any stations that are flagged to become 24-hour under your Government?

**Ms YASMIN CATLEY:** Every command has a 24-hour presence. Every region has a 24-hour service for their area in cars, as you very well know.

**The Hon. SARAH MITCHELL:** I'll just pick you up on that, Minister, because I want to talk about rural and regional areas. Again, you and I both know that is something I feel very strongly about, living in the regions myself. We'll come back to some of the operational stuff with the officers this afternoon. Recently you would have seen in *The Daily Telegraph* that there was a quote from a resident in a regional area that said, "I know what time the police finish up every day, so I'm sure the small minority doing the wrong thing do too." Do you appreciate that having set operational hours—and everyone knows what they are, let's be honest—actually reduces the ability of police to effectively protect those communities?

**Ms YASMIN CATLEY:** I'm concerned if you think that because the police station closes its doors at, let's say, 10 o'clock at night, that means, therefore, there are no police policing beyond that time.

**The Hon. SARAH MITCHELL:** I am not asking about a station. That's not what I said.

**Ms YASMIN CATLEY:** With all respect, these are the facts. There is still a 24-hour policing presence, even though the door may close at 10 o'clock.

**The Hon. SARAH MITCHELL:** Sure, but my point is that presence is not always within that community. You know full well that in regional areas police will sometimes have to travel from neighbouring cities or villages, sometimes many kilometres, leaving their existing resources understaffed while they, say, come to Gunnedah from Tamworth or go out to wherever they go. My question to you was, do you accept that having those issues around the operational hours and the opening hours of the station, there is a gap sometimes because not every community has police on duty 24/7? Yes, they may be able to come and access that community, but that is often from a distance away. Do you appreciate that in regional communities, that makes it much tougher for police to be able to effectively protect those citizens and communities?

**Ms YASMIN CATLEY:** I accept the tyranny of distance in regional and particularly remote communities when I have visited them. I absolutely accept that. However, as I have just described, there is always a 24-hour policing presence in these communities. It's difficult to say where they will actually come from at any given time. It may, in actual fact, be the case that they're already close by and, therefore, come a lot less distance. These are all hypotheticals.

**The Hon. SARAH MITCHELL:** With respect, Minister, it's the lived reality for a lot of people in regional communities. We understand how this works.

**Ms YASMIN CATLEY:** And that is distance and I understand. I could not sympathise more, particularly in remote areas.

**The Hon. SARAH MITCHELL:** It's not just remote areas, to be fair, because this is an issue in other regional parts of the State as well.

**Ms YASMIN CATLEY:** But the distance is what I meant—just to clarify.

**The Hon. SARAH MITCHELL:** Distance is relative. It depends—

**Ms YASMIN CATLEY:** The distance in remote areas can be hundreds of kilometres.

**The Hon. SARAH MITCHELL:** That's right. In terms of the impact that it has on the police—and you've already given quite public statements about officers being overstretched in every command—is the safety and wellbeing of those officers who are left on duty understaffed when others have to travel to different areas a concern for you, and do you think that they are at risk when they are understaffed when that happens?

**Ms YASMIN CATLEY:** This is exactly why the recruitment piece is so important. We need more boots on the ground. It is a forensic focus of mine and it is a forensic focus of the commissioner. We are all working to get more police there. As you very well know, paying the recruits, as I've already said in this hearing, down at Goulburn—by adding that, we have seen 50 per cent more uptake in recruits. Also, what we're seeing is a good cross-section of people applying, not just young people who could afford it. At Lake Macquarie last week, I went to meet the new recruits. There were six. Believe it or not, they were between the ages of 26 and 47—that has not been the case—because they were paid and able to, therefore, continue to live their life and pay their mortgage. That is the critical part here, Ms Mitchell. We need more boots on the ground.

**The Hon. SARAH MITCHELL:** Absolutely, we do.

**Ms YASMIN CATLEY:** I absolutely acknowledge that and I will continue to work hard to do that.

**The Hon. SARAH MITCHELL:** You just mentioned that there has been an increase in recruits, you were saying—

**Ms YASMIN CATLEY:** Diversity, yes.

**The Hon. SARAH MITCHELL:** —or diversity. Have you got any updated advice in terms of changes in response times in rural and regional areas?

**Ms YASMIN CATLEY:** It varies, obviously, all the time.

**The Hon. SARAH MITCHELL:** But have you been briefed on any improvements in that space since we last asked you about this at estimates earlier in the year?

**Ms YASMIN CATLEY:** It's still—because we don't have enough police on the ground. I just keep going back to that focus, because that is the critical—

**The Hon. SARAH MITCHELL:** We're well aware of that—that there's not enough.

**Ms YASMIN CATLEY:** It's the critical missing link and we have to accept it. We keep saying that police aren't doing this, police aren't doing that. Police are doing a lot.

**The Hon. SARAH MITCHELL:** Absolutely. You have no argument from me.

**Ms YASMIN CATLEY:** They are doing a huge amount.

**The Hon. SARAH MITCHELL:** My concern is—and you, yourself, have talked about them being overstretched. Again, these aren't new issues, because I've flagged them with you before. But that concern is about them not getting the support that they need, and particularly the impact on rural and regional communities.

**Ms YASMIN CATLEY:** You know what, though? I want to add this too, and I think this is really important. In Moree a few months ago, there was an incident where there were five or six young people offending. There were three different incidents. Every single one of those people were arrested by the next morning.

**The Hon. SARAH MITCHELL:** That's great.

**Ms YASMIN CATLEY:** What more—

**The Hon. SARAH MITCHELL:** That would be really great—

**Ms YASMIN CATLEY:** The point I'm making, though, is they are doing their job and they do it so well.

**The Hon. SARAH MITCHELL:** Thank you, Minister. You will get—

**Ms YASMIN CATLEY:** There's not enough acknowledgement of that.

**The Hon. SARAH MITCHELL:** You will get no argument from me on that.

**Ms YASMIN CATLEY:** Good.

**The Hon. SARAH MITCHELL:** The police do an amazing job. But I can guarantee you that that is not happening in every single community when there is an incident: that people are arrested. It's not through lack



of effort from the police at all. I think it's more just the concern about not having the resources. I want to take you to the inquiry that's happening into regional and rural crime. Will you allow local police to attend the parliamentary inquiry if they're invited to give evidence as that parliamentary inquiry moves around the State?

**Ms YASMIN CATLEY:** That would be a question for the commissioner.

**The Hon. SARAH MITCHELL:** But you're the Minister. It's a parliamentary inquiry. If local police are invited—

**Ms YASMIN CATLEY:** That would be a question for the commissioner. I don't direct police.

**The Hon. SARAH MITCHELL:** But I would like—

**Ms YASMIN CATLEY:** I don't direct police. That's my answer.

**The Hon. SARAH MITCHELL:** Commissioner, will local police be able to give evidence if they're invited?

**KAREN WEBB:** I will consider that, but we will be providing a response to the inquiry one way or the other. I know the Police Association will be attending to respond on behalf of its members. Certainly we may provide a written response to the inquiry.

**The Hon. SARAH MITCHELL:** Okay. I might come back to that this afternoon. One more for you, Minister. Do you have any updated data in terms of the number of police that have been moved from metro areas to regional areas under the incentive scheme? I think it was set up prior to your Government, but I know it continues.

**Ms YASMIN CATLEY:** Yes, we do. The scheme? Yes, we do. I read it the other day, actually.

**The Hon. SARAH MITCHELL:** Are there any updated figures?

**Ms YASMIN CATLEY:** I will give it to you. I think it was 70, 77?

**The Hon. SARAH MITCHELL:** I'm happy if you want to take it on notice.

**Ms YASMIN CATLEY:** I'm happy to give it to you, so we don't have to—

**The Hon. SARAH MITCHELL:** Sure. I would also like you to tell me which locality they have moved to, as best you can, if possible, as well.

**Ms YASMIN CATLEY:** It is 104 and eight further pending transfers.

**The Hon. SARAH MITCHELL:** Maybe on notice, can you tell me where they've been?

**Ms YASMIN CATLEY:** Do we keep that? I'm told we've got a table.

**The Hon. SARAH MITCHELL:** Even better.

**Ms YASMIN CATLEY:** We've got Barrier Highway Patrol, four; Bellata Police Station, one—am I going slow enough for you?

**The Hon. SARAH MITCHELL:** It's fine. I'm listening. Someone else will be taking the notes, don't worry.

**Ms YASMIN CATLEY:** Boggabilla, two; Bourke, 10; Brewarrina, four; Broken Hill Criminal Investigation, two; Broken Hill Police Station, six; Central North Crime Prevention Unit, one; Central North Criminal Investigation, two; Central North PD, four; Child Abuse, Bourke, one; Coleambally, one; Condobolin, one; Moree Criminal Investigation, two; Moree Police Station, three; Mungindi, two; New England Crime Prevention Unit, one; New England Highway Patrol, three; New England PD, two; Nyngan Highway Patrol, four; Nyngan Police Station, two; Peak Hill Police Station, two; Police Prosecutor, western Dubbo to Bourke, one; Proactive Crime Team, New England, three; Rankins Springs, one; Walgett Highway Patrol, one; Coonabarabran, two; Coonamble, one; Dareton, two; Western Zone Crime Scene, one; Hay Police Station, four; Hillston, two; Lightning Ridge, two; Walgett Police Station, 13; Warren Police Station, one; Warialda Police Station, one; Waa Police Station, three; Wilcannia Police Station, five; and the Youth Command Western Region, one.

The ones that are being transferred are Broken Hill Criminal Investigation, one; Broken Hill Police Station, one; Central North Criminal Investigation, two; Child Abuse, Bourke, one; Condobolin Police Station, one; Dareton Police Station, one; and Walgett Police Station, one. That's the pending transfers, totalling eight.

**The Hon. ROD ROBERTS:** Minister, I take you back to where we were interrupted by the bell last time. I rattled off a litany of problems for the NSW Police Force at the moment and asked you what KPIs you

were judging Commissioner Webb's performance on. You told me it was recruitment and retention. What other KPIs? What about the stuff about all the crime and stuff like that? Is that a concern to you?

**Ms YASMIN CATLEY:** As I have just described to Ms Mitchell, I do think that recruitment and not having enough police—and I keep being told that and, in fact, told by yourself, indeed, that more boots on the ground means that we will have better policing, full stop. We won't have cops as tired. More police—we need more police. That's the bottom line. I always go to solving the problem. The problem is we don't have enough police. That is what my absolute forensic attention is and I make no apology for that, Mr Roberts.

**The Hon. ROD ROBERTS:** What about the crime stats, Minister? Have you got forensic attention to that? What about the road toll, Minister? Have you got forensic attention to that? What about the \$36 million paid out last year in civil litigation payments? Have you got forensic attention to that? What about the People Matter Employee Survey, where morale is absolute rock bottom? Have you got forensic attention to that?

**Ms YASMIN CATLEY:** Again, I go back to the problem, and the problem is we need more boots on the ground.

**The Hon. ROD ROBERTS:** What, that's going to solve \$36 million being paid out in civil damages and claims, for example?

**Ms YASMIN CATLEY:** That's a different proposition.

**The Hon. ROD ROBERTS:** You just said that's going to fix that.

**Ms YASMIN CATLEY:** I thought your question was about KPIs.

**The Hon. ROD ROBERTS:** Yes.

**Ms YASMIN CATLEY:** So, that's what I'm trying to answer.

**The Hon. ROD ROBERTS:** That's it: What KPIs are we hitting?

**Ms YASMIN CATLEY:** And I'm saying to you I am absolutely focused on making sure that the police have all the boots on the ground at their authorised strength that we have here in New South Wales, and my attention is to that. I'm truly hopeful that when we finish the award negotiations and the award and pay conditions, that will also be a further incentive for more people to join the police. As you know, we've put in place our recruitment from other jurisdictions—indeed, including New Zealand. We've got our moving to regional areas program as well, which has seen—I just gave you the list; that's positive as well—and paying recruits. If you've got any further suggestions, please share them with me, because we do need more boots on the ground.

**The Hon. ROD ROBERTS:** I've got plenty, but you don't talk to me. Anyway, let's move along. You talked about an increase in applicants to join the police. Don't talk to me about applicants, Minister. I'm 62 and busted, and I could be an applicant. That might boost your application numbers. Tell me about actual recruits that have been taken in and have passed all the requirements to be accepted as a student police officer.

**Ms YASMIN CATLEY:** In the next attestation, which is in December, as we talked about earlier—that is what is referred to as a full class. We've got more than 300 attesting in that. Now, that's not to say that every single one of them will attest on the day. As you well know, some fall out, even on the last day, the day before. But that's significant; that's a large number. We haven't had that number for quite some time. We hope next year—we're projecting up to a thousand students for the year.

**The Hon. ROD ROBERTS:** Point of order: I've allowed the Minister to go on without rudely interrupting. I asked for a percentage in relation to recruiting increase, not applicant increase.

**Ms YASMIN CATLEY:** You didn't ask me that. Well, I didn't hear.

**The Hon. ROD ROBERTS:** Yes, I did! Let's pull the *Hansard* back and have a look.

**The CHAIR:** Order! We don't need argument. Would the Minister like to take it on notice?

**Ms YASMIN CATLEY:** I didn't hear that part of the question. Can you repeat the question then, please?

**The Hon. ROD ROBERTS:** I said that you keep talking about an increase in applicants. I said I'm 62 and busted and could apply to join the cops, and I would be included as an applicant, but there's no way I'm getting in. Give us the percentage increase in recruits, not applicants.

**Ms YASMIN CATLEY:** I'd have to ask. Mr Smith, do you have that percentage increase?

**The Hon. ROD ROBERTS:** You can take it on notice; I don't care.

**Ms YASMIN CATLEY:** No, I'm happy for Mr Smith to answer it.

**DEAN SMITH:** Currently, in terms of the number of applications which are in process— notwithstanding that the Minister has indicated in the current class at the academy there are 320—we have 370 which have commenced online in the next class, and we have a further around about 600 applications in various stages of the application process. What that conversion will be will depend upon what part of the recruitment process they are in. But, in terms of applications that are currently in process, we have around about 600 of those.

**The Hon. ROD ROBERTS:** I'll ask some questions on notice to get to the bottom of that. Minister, I'll take you very quickly to the new Enhanced Police Support Scheme. I applaud you and the commissioner for parts of it, in particular addressing the concessional cap issue. That was a big issue for cops, so congratulations on that. However, am I correct in saying that the new program, unlike the PBRI, will not have a total and permanent disability lump sum payout?

**Ms YASMIN CATLEY:** Mr Roberts, that is all still being worked through with Aware and Treasury and police. I'm not going to make any comment on that until such time as all of those details have been finalised.

**The Hon. ROD ROBERTS:** But didn't you make an announcement on 19 August? Your words were—and I'm quoting from the media release—"This is a great day for New South Wales police." You're telling me you've released a scheme that hasn't been worked out yet?

**Ms YASMIN CATLEY:** I'm saying that the details are still being finalised.

**The Hon. ROD ROBERTS:** I'll put it to the commissioner, and perhaps you'll have to take this on notice. I don't expect an answer. I've been told that since this was released on 19 August, up until today, there have been over 200 police go off sick so that they can access the old PBRI scheme—including four detective sergeants from Lake Illawarra, as I've been told. Have you got any comment to make on that?

**KAREN WEBB:** I've heard that number, the four. I haven't heard the 200 and I will take that on notice. What I can say, though, is that each of those claims will be viewed as contested claims because of the timing and the nature of those that align to the announcement.

**The Hon. ROD ROBERTS:** I'm very confused because the Minister says that hasn't been worked out yet. You're now telling us they'll be contested because they've gone into a different scheme.

**KAREN WEBB:** That's a different question—one is about the new scheme, and you're talking about those that want to access PBRI. But I did hear an interesting quote when I was in a regional area recently where officers have said, "People take out insurance to insure their car or insure their house, but they don't set fire to their house just to claim their insurance." If it's a broken system, we have to fix it.

**The Hon. ROD ROBERTS:** Certainly. I agree. As I said, I applaud you for the concessional cap changes to it, but I think you've created a monster for yourselves in the way you've—

**KAREN WEBB:** It's not finalised, as the Minister said. It's still got to go through—

**The Hon. ROD ROBERTS:** Why the big press release? "It's a great day for police", she says.

**KAREN WEBB:** It is a great day.

**The Hon. ROD ROBERTS:** And you say, "I'm brimming with pride".

**Ms YASMIN CATLEY:** I'll add to that. There were certain timelines that we had to adhere to that are legislated federally to address the cap. Those people who are in that scheme were going to be notified, so that's why we had to announce the initial stages of it. It's the framework of it; there's some of the detail that is being worked out with those organisations.

**The Hon. ROD ROBERTS:** Minister, I'll take you to a completely different subject altogether, and that is in relation to the scrap metal industry, in particular the Scrap Metal Industry Act 2016. This was introduced at the request of the New South Wales police. In an answer to a question on notice you gave me, since the law was enacted, there have been only three prosecutions, with the last one being in 2019. AUSTRAC and the Australian Border Force have said the scrap metal industry is a high-risk industry for trade-based money laundering. We know that legitimate businesses are suffering because there are businesses taking scrap for cash. You've only got to go on to Google, Minister, and have a look. Google "cash for scrap" and see how many come up. You may as well put a sign out the front that reads, "Drugs for sale here." It's there. Why have there been no prosecutions since 2019? Is it because the police are under-resourced or they're not interested?

**Ms YASMIN CATLEY:** Would you like to answer that, Mr Hudson?

**DAVID HUDSON:** The scrap metal industry was formerly policed by the Property Crime Squad. That was devolved by the former commissioner under re-engineering. The responsibility then devolved to local area command. There were some amendments made to the regulation last year, I think, to make it easier to prosecute individuals, including an extension of what is included as those engaged in the scrap metal industry. It hasn't led, to my knowledge—no request of police. I don't believe there have been any additional prosecutions made since then, but I can take that on notice.

**The Hon. ROD ROBERTS:** No, I don't believe there have either, because I have the answer from the Minister. Do you think it should be an area that should be targeted, though?

**DAVID HUDSON:** I think there's a vulnerability there in relation to exploiting the scrap metal industry that we probably do need to do more on. As I said, it's one of those things that, when certain areas of the organisation were disbanded under the re-engineering program, we've tried to, over the last few years, amend some of those anomalies. It's probably one that has slipped through, such as retail theft has as well, when the Property Crime Squad devolved.

**The Hon. ROD ROBERTS:** But it's recognised, and you think there may be some concerted effort?

**DAVID HUDSON:** It is recognised, as is retail theft and others, and we've had discussions about what we need to do to try to put that focus back on those areas that we may have taken our eyes off.

**The Hon. ROD ROBERTS:** Legitimate businesses, then, Mr Hudson—and I don't want to put words in your mouth—can have some degree of comfort that the police are looking at this as an issue?

**DAVID HUDSON:** Yes.

**The Hon. ROD ROBERTS:** Or are aware of this as an issue?

**DAVID HUDSON:** We're aware of this as an issue. We have had discussions about it, and I think it's one of those vulnerabilities that, if we don't, will balloon unless we do police it.

**The Hon. ROD ROBERTS:** As we all know—well, I'm an ex-detective, you're a detective, the commissioner's a detective and I'm not aware of the others—if you cut off the receivers, there's no stolen property, is there, because there's no market for the stolen property. So let's crunch them at the beginning.

**DAVID HUDSON:** That's why the Act exists.

**The Hon. ROD ROBERTS:** The Act exists, but it's not being enforced, is it, Mr Hudson?

**DAVID HUDSON:** And that's something that we need to look at.

**Ms ABIGAIL BOYD:** Last estimates I asked about the functionality of the COPS system and the delays in upgrading it to IPOS. I understand that there was a tender put out and we were getting another company on board. Do we have an update on how that's going?

**KAREN WEBB:** I will go to Mr Smith. I think your question, if I'm correct, goes to the recording. Your interest is in the recording of reasons that victims of sexual assault are not recorded. We can't determine that data.

**Ms ABIGAIL BOYD:** No, there are two different issues.

**KAREN WEBB:** Sorry.

**Ms YASMIN CATLEY:** Mr Smith is aware of that.

**DEAN SMITH:** In terms of where we are with IPOS, yes, you are correct: We are reprioritising and resetting the direction, not approaching it from a single-vendor perspective but with a multi-vendor approach, and looking at how we can build capability across how we can build those systems. In terms of the COPS, we are currently in phase one around undertaking the potential rescope and timeline of the replacement. Obviously, that was set at 2027. That is pushed out to June 2029 based on where we are currently at. As I said, we are looking at a shelving police system which is capability based, so they are integrated and certainly linked. Where we currently are phasing is around the discovery and options, looking at the analysis and obviously preparing for the request for pricing for that to make sure that is correct.

**Ms ABIGAIL BOYD:** In the interests of time, can I ask you specifically about phase two, which I understand was where we were going to get that domestic and family violence functionality for the IPOS system. When is phase two happening?

**DEAN SMITH:** I cannot give you an answer today. I can take that on notice in terms of when it is.

**Ms ABIGAIL BOYD:** Will it be after 2029, then, if phase one is—

**DEAN SMITH:** No, it will not be after 2029, but I will get you the phasing and the road map to do that and what that looks like. I'll be able to give you those details.

**Ms ABIGAIL BOYD:** Okay. I think we had some confusion last time in estimates. I was asking about coercive control and the lack of readiness of the system to cope with coercive control. I think the answer I got back was "We have put a field in for coercive control," which was not the question. So just to clarify, under the Auditor-General's April 2022 report, she points out:

COPS is single event oriented. To identify whether individuals have been involved in prior domestic and family violence events, police must manually search through narrative summaries associated with other events.

She goes into some detail about how difficult it then is to string together events, which would be vital to be able to more effectively and efficiently work out coercive control evidence, and build an offence from that. Is there a priority being put on that part of the functionality under the IPOS upgrade?

**KAREN WEBB:** I think that the COPS system, although it is single event based, it is a record system that records both the victim particulars, and offender and witness particulars. So if you search the system based on a victim particular, it will bring up all events related to that victim. It can be collated.

**Ms ABIGAIL BOYD:** That's not what the Auditor-General's report says. She says:

Police advise that connections between events or individuals are not displayed as automated alerts, and they must manually scroll and search for relational aspects or patterns of domestic and family violence.

**KAREN WEBB:** That's right. It doesn't pop up and say, "This victim and this offender have commonality in five events on the system." But if I search a victim, it brings up a whole list of things I can look at.

**Ms ABIGAIL BOYD:** But you agree that the functionality is not there in the way that the Auditor-General—

**KAREN WEBB:** In terms of matching, if that is what you are asking?

**Ms ABIGAIL BOYD:** Yes.

**KAREN WEBB:** Not readily.

**Ms ABIGAIL BOYD:** So Minister, given that we've now put in place the coercive control offence, will there now be a focus on improving that part of the IPOS system in phase one, rather than having to wait till phase two?

**Ms YASMIN CATLEY:** I'll get advice from Mr Smith in relation to the road map.

**Ms ABIGAIL BOYD:** Can I ask, similarly to last estimates, how many currently serving police officers we now have, who have, at any time, been charged with crimes related to domestic and family violence?

**KAREN WEBB:** I've got a number. I've got that 54 currently serving police officers have been, at any time, charged with 91 domestic violence related offences, which I have a list of.

**Ms ABIGAIL BOYD:** How many currently serving police officers have been convicted?

**KAREN WEBB:** Two.

**Ms ABIGAIL BOYD:** How many have been found guilty of a domestic and family violence offence but without a conviction recorded?

**KAREN WEBB:** I'll have to take the latter question on notice.

**Ms ABIGAIL BOYD:** That is a slight reduction from when I asked in March?

**KAREN WEBB:** That's correct.

**Ms ABIGAIL BOYD:** In relation to offences relating to sexual violence, do you have the numbers for those?

**KAREN WEBB:** As at 27 August, 13 serving officers have been charged with sexual violence and none have yet been convicted. Obviously this can fluctuate due to separations from the organisation.

**Ms ABIGAIL BOYD:** Okay. Of the 18 that you provided details of in March—we had 18 at that point, so we've got five less now? But there were 18 at that point who had been charged with 39 offences relating to sexual violence. Two of those charges were of sex with a person under 10 or intercourse with a person under 10,

and five were charges of sexual offences with children between 10 and 16. Given that they were currently serving at the time, what is the procedure for, if someone is charged with something that significant—

**KAREN WEBB:** Just because it shows on our records that they are serving, so they are still attached, it doesn't mean that they are in the workplace, necessarily. When an officer is charged, there is an assessment by their commander about their interim risk, or other risk. That often results in suspension or some other form of action, sometimes pending the court outcome. Equally, as the commissioner, I can invoke parts of the Police Act that consider their employment, that doesn't rely on the outcome of the criminal proceedings. So there are times that those matters will be considered by me.

**Ms ABIGAIL BOYD:** Are you able to provide, maybe on notice, just how many of them are in active duty versus—I would like to know that you've got some oversight of where those people are?

**KAREN WEBB:** Of the 13, I'm informed that there are two not in the workplace due to a leave situation. One officer is suspended, and there are 10 in the workplace, but I'll have to take on notice their actual duty status.

**Ms ABIGAIL BOYD:** That would be very useful, because that is quite concerning, still. It's good to see we've got a reduction to 54 serving police officers with a DFE offence being charged against them, but that's still 54, and then we've got 13 still with a sexual violence offence. Last time when we talked, you said that you had dismissed, I think in the previous six months, four officers on the basis of acts relating to domestic and family violence and sexual violence. Has that increased since then?

**KAREN WEBB:** Since March? Since 23 February, our last estimates? I'll check in the break, and I hope to get that to you before the end of today.

**Ms ABIGAIL BOYD:** That would be great, thank you. The Women's Domestic Violence Court Advocacy Service co-location with police stations—we're all very interested in that, because it looks very promising. Does the evaluation indicate that victim-survivors are getting better support? Are there any plans to expand that program out?

**KAREN WEBB:** As you may know—I may have said it last estimates—the number of locations has increased to 10; so it's doubled. I believe police have received an interim report from the evaluator.

**Ms YASMIN CATLEY:** The university.

**KAREN WEBB:** The university. That shows some promising signs, but we haven't yet been provided a formal response.

**Ms ABIGAIL BOYD:** Finally, what actions, as an update to what we were told last estimates, have been taken in relation to the LECC's review of Police Force responses to domestic and family violence? Has there been any update to what we discussed last time?

**KAREN WEBB:** I'll have to take that on notice, or come back to you before the end of today.

**Ms ABIGAIL BOYD:** I'd like to know if there has been any movement in relation to the investigation of police by police within the same command.

**KAREN WEBB:** What I can say though, is that we do know that 75 per cent of investigations have been conducted by commands outside of where the involved officer is attached.

**Ms ABIGAIL BOYD:** With the discretion of the—

**Ms YASMIN CATLEY:** That has been a change, yes.

**Ms ABIGAIL BOYD:** So then we still need to know about those 25 per cent. If you could give me details. Are they in regional areas? Why is it that we still have 25 per cent of cops being investigated by their mates?

**The Hon. SUSAN CARTER:** Minister, if I can take you back to Jack's law, is it the intention that those operations will operate in the same places that Operation Foil has been operating?

**Ms YASMIN CATLEY:** It depends. They'll be designated areas, as you know. In the legislation, it's sporting—I have to go through and see the different precincts.

**The Hon. SUSAN CARTER:** Will it operate in Moree?

**Ms YASMIN CATLEY:** Again, it depends. That will be an operational decision for police to make in response to what, operationally, is happening on the ground.

**The Hon. SUSAN CARTER:** Is the current intention that it operate throughout the regions as well as in Sydney, Newcastle and Wollongong?

**Ms YASMIN CATLEY:** As I said, that will be an operational decision made by police. They are the experts to make those decisions, and they will make those decisions. It's legislation for the State.

**The Hon. SUSAN CARTER:** So when you spoke at the time of the second reading speech and you described this legislation as driving a necessary culture change, did you intend that the police would be driving that culture change throughout the whole of New South Wales?

**Ms YASMIN CATLEY:** It's legislation for the State.

**The Hon. SUSAN CARTER:** Therefore, Jack's law should operate throughout the entirety of the State?

**Ms YASMIN CATLEY:** Police will make the decision where those operations will take place.

**The Hon. SUSAN CARTER:** As the Minister responsible for the police, are you confident that in just over 90 days there will be sufficient wands and sufficiently trained police who could roll out operations in Moree and in Bega and in Sydney and in Newcastle at the same time?

**Ms YASMIN CATLEY:** The police will make the decisions on where those operations will take place.

**The Hon. SUSAN CARTER:** I accept that. Are you confident that it could be done?

**Ms YASMIN CATLEY:** The New South Wales Police astonish me with the amount of work that they do, with the level of professionalism that they take. Their surge capacity is just extraordinary. They will make the decision, and if they determine that it is warranted to have an operation in that location, then it will be manned, and the wands will be available, and they will do it professionally, as they do with everything they do.

**The Hon. SUSAN CARTER:** If we don't currently have the wands, where will they come from?

**Ms YASMIN CATLEY:** It's been described to you already. There's a procurement process that will take place.

**The Hon. SUSAN CARTER:** A procurement process which has not begun, and which needs to be completed, including sourcing from overseas sources as yet to be determined, with just over 90 days. Currently, all the wands that we have appear to be located in one place in Sydney. How do they get to Moree, Minister?

**Ms YASMIN CATLEY:** I'll take you to Amarok. We just had Amarok last weekend, last Wednesday to last Saturday. They are police in local areas but predominantly from metropolitan special commands, and the special command is exactly what you're referring to here. Police surge their resources all the time. What we might do is take you through how incredibly professional they are with their various commands to address specific operations that are required right around the State.

**The Hon. SUSAN CARTER:** I thank you for that offer, Minister. It's not necessary, especially given the time we have available for this.

**Ms YASMIN CATLEY:** This will exactly happen in exactly the same way that police undergo all of their operations.

**The Hon. SUSAN CARTER:** Am I understanding that Jack's law is to be a surge operation, not part of normal operational procedure?

**Ms YASMIN CATLEY:** The legislation says that it will be a designated area and it will be an operation.

**The Hon. SUSAN CARTER:** But are you describing Jack's law as being a surge operation and not normal police operating procedure?

**Ms YASMIN CATLEY:** Am I not explaining this properly? It's an operation that—

**The Hon. SUSAN CARTER:** What I understand from you, Minister, is that you are seeing it as a surge operation.

**Ms YASMIN CATLEY:** No, it's an operation that takes place. An "operation" as a term of policing is—

**The Hon. SUSAN CARTER:** Will that operation take place in Moree at the same time as Bega, at the same time as Newcastle, at the same time as Sydney? Could that operation take place concurrently, or is there insufficient capacity?

**Ms YASMIN CATLEY:** I just answered that question. This is what will happen. This is how it works in Queensland, okay? There's a designated area.

**The Hon. SUSAN CARTER:** We're all very familiar with that.

**Ms YASMIN CATLEY:** No, there's a designated area and in that designated area an operation takes place.

**The Hon. SUSAN CARTER:** We have limited time.

**Ms YASMIN CATLEY:** Police refer to them as an operation.

**The Hon. EMILY SUVAAL:** Point of order: The Minister is attempting to answer the question and being interrupted and spoken over the top of.

**The CHAIR:** I uphold the point of order. There'll be plenty of time after one o'clock.

**The Hon. RACHEL MERTON:** Minister, can I ask you this: What happened to the \$7 million committed in 2022 to the upgrade of the Revesby police station?

**Ms YASMIN CATLEY:** That money is still in the budget but, as I said at the last estimates in March, we still haven't got a determination on what they're going to do with the road that's right in front of it. It escapes me, the name of the road. River Road, that's it. It's a major intersection. The Federal Government has provided some funding, as I understand it. The local council are working. They're working together on working out what they're going to do with the road and then we will know what we can do with the police station, how much road—

**The Hon. RACHEL MERTON:** Minister, are you aware of the current state of the Revesby police station where officers are working today?

**Ms YASMIN CATLEY:** I'm certainly aware of the police station, yes.

**The Hon. RACHEL MERTON:** The state of it, the condition, the working environment?

**Ms YASMIN CATLEY:** I have not been into Revesby police station, but what I know is that we've got the money there and we're waiting for the Feds. It's been a couple of—whatever date you said.

**The Hon. RACHEL MERTON:** It was 2022. Two years ago.

**Ms YASMIN CATLEY:** Yes. We're waiting for that road. Our hands are tied until such time as we know what they're doing with the road, but the money is certainly still in the budget, as you know.

**The Hon. RACHEL MERTON:** Minister, the roof continues to leak at the Revesby police station.

**Ms YASMIN CATLEY:** It's not ideal, is it.

**The Hon. RACHEL MERTON:** Minister, is the provision of a safe working environment for police not part of the Government's commitment to address police retention—a safe, clean, responsible working environment?

**Ms YASMIN CATLEY:** We want to replace the police station, but we also have a responsibility to use that money wisely and use it to the best of its capacity. That will be in whatever form is decided once we know exactly what it is we're working with. The road needs to be fixed, as I'm told. It's a pinch point. There are options that are being investigated. Once we have confirmation—the good member for this—

**The Hon. RACHEL MERTON:** If I could just ask for the time frame on this, Minister?

**Ms YASMIN CATLEY:** I'm certainly answering the question.

**The Hon. RACHEL MERTON:** It's been two years. The roof's still leaking.

**Ms YASMIN CATLEY:** I hope that we all get an answer from the council soon when they make the decision.

**The Hon. RACHEL MERTON:** Your time frame, Minister. You're the Minister.

**Ms YASMIN CATLEY:** It will obviously depend on what happens with the road.

**The Hon. RACHEL MERTON:** Could I also ask you are you aware of reports of unsuitable police premises in the Ryde Police Area Command?

**Ms YASMIN CATLEY:** I do know that there is a number of police stations that require repairs. I mean, the portfolio is huge. There are almost 900 buildings that the police have in their portfolio. Obviously, the



maintenance of those right around the State is important. I do know that Ryde, as has been described to me, is certainly one that needs addressing.

**The Hon. RACHEL MERTON:** In a similar situation to Revesby, I'm informed in terms of Ryde that the money was committed. The money was in place. It was a priority. It no longer stands. The view is that the Government's walked away from this. Is that the case?

**Ms YASMIN CATLEY:** I might just have to check with Mr Smith.

**DEAN SMITH:** In terms of the status of Ryde, Minister?

**Ms YASMIN CATLEY:** The question was that the money has been—

**The Hon. RACHEL MERTON:** Money's committed. It was at the top of the list. It was a priority. Now, there's nothing.

**DEAN SMITH:** I'll get the specific detail, but in terms of the acquisition of the land and the location to do that, that has certainly been somewhat problematic. At this point in time, I'll get a response in regards to the next steps in relation to Ryde and what that looks like. Again, in relation to Revesby, our infrastructure and assets command is working directly with council and others, and other parties, and meeting regularly to be able to do that. Again, in relation to that funding envelope and those repairs, I'll also provide an update to you in relation to the issues you've raised around the leaking roof and the conditions and what's been spent thus far.

**The Hon. RACHEL MERTON:** Deputy Commissioner, as you offered to do for Ryde there in terms of the forward plans and what's next, could we have that for Revesby?

**DEAN SMITH:** Yes, certainly.

**The Hon. RACHEL MERTON:** That would be helpful. Thank you very much. Minister, if I could ask you about PolAir, how many hours a day does PolAir operate, and how many days a week does it operate?

**Ms YASMIN CATLEY:** They're operational questions. Mr Thurtell will be able to answer those.

**PETER THURTELL:** Do you want me to answer?

**The Hon. RACHEL MERTON:** Yes, please.

**PETER THURTELL:** PolAir operates seven days a week. The hours vary. The evenings of Thursday, Friday and Saturday are extended operational hours.

**The Hon. RACHEL MERTON:** Minister, what is the total number of helicopters and fixed-wing aircraft just in terms of infrastructure required by PolAir for full operation? Would you have knowledge of this?

**Ms YASMIN CATLEY:** I'm pretty sure it's five and three.

**The Hon. RACHEL MERTON:** That would be required for full operation, Minister?

**Ms YASMIN CATLEY:** That's certainly how many they have.

**The Hon. RACHEL MERTON:** But in terms of what's in place today, what's operational today if they were called on today? What infrastructure's available today?

**Ms YASMIN CATLEY:** I'm not sure what's being maintained, if there's maintenance. Obviously, they're aircraft so they need to be maintained regularly. If that's your question—what can fly in the air today—I'd have to ring up and ask. But, as I say, they have five helicopters and three planes.

**The Hon. RACHEL MERTON:** Do you think you could possibly take it on notice in terms of what is operational today? What's not sitting in the workshop and under repair? If needed, what's available today?

**Ms YASMIN CATLEY:** I think it's important that we note they're all maintained, because obviously we need to have them maintained like aircraft are maintained at a level that we would expect because the safety of our crew is paramount.

**The Hon. RACHEL MERTON:** Certainly it is a priority. Minister, was aerial support available for the 2024 Wakeley church stabbing, which clearly had a serious impact on the community?

**Ms YASMIN CATLEY:** I'd have to ask Mr Thurtell.

**The Hon. RACHEL MERTON:** Was it available?

**Ms YASMIN CATLEY:** I'd have to ask Mr Thurtell if it was available.

**PETER THURTELL:** My understanding is that it wasn't utilised on the night. Whether it was available, I'll have to take that on notice.

**The Hon. RACHEL MERTON:** Was there a delay in providing the support, or no availability?

**PETER THURTELL:** No, I'd have to take that on notice but, as far as I was concerned, it wasn't requested on the evening.

**The Hon. RACHEL MERTON:** So to confirm, PolAir played no role at that incident?

**PETER THURTELL:** That's my understanding.

**The Hon. RACHEL MERTON:** Okay. I'm conscious of your time and I'm happy to look at that this afternoon, if I could. Minister, if I could move to the area of protests, are you concerned with the diversion of police resources to protests? Are the police overstretched?

**Ms YASMIN CATLEY:** I think it's important to put this in context. Correct me if I'm wrong here, Mr Thurtell, but in any given year there are at least 2,000 protests in this city alone and police support all of them in terms of keeping the community safe. I think it's fair to say that community expectation is that that happens, so that is certainly what has occurred in the past and will continue to occur into the future.

**The Hon. RACHEL MERTON:** Minister, in terms of the cost to the community, to the taxpayer, of policing resources available for these protests, what do we know?

**Ms YASMIN CATLEY:** It depends.

**The Hon. RACHEL MERTON:** I could be more specific: I think you've spoken earlier about some of the pro-Palestinian protests—the officers that were called to that and the cost of the taxpayer of that.

**Ms YASMIN CATLEY:** Any protest, it depends on the—if it's not a hallmark event, there will be resources used at that. It's difficult for me to give you a precise figure because—do you want me to include those officers who are actually on duty, being paid? Because that's also part of the make-up of the people who are actually there at the protest. There are the officers who are on duty working, and they become part of that. If there's a larger volume required, then the police may ask for people to put up their hand to work overtime or work another shift.

**The Hon. RACHEL MERTON:** In terms of what you said—and, I think, earlier you have provided the information of 200 police officers at each protest—

**Ms YASMIN CATLEY:** That's different. It depends.

**The Hon. RACHEL MERTON:** Minister, what was the cost of that again?

**Ms YASMIN CATLEY:** Which protest? As I say, I don't have—

**The Hon. RACHEL MERTON:** It was a pro-Palestinian protest. There were 200 officers called, and I think there was an estimate of what the cost was. Are you familiar with—

**Ms YASMIN CATLEY:** I don't want to mislead the House by giving a figure that I'm not 100 per cent certain of, but it would depend—

**The Hon. RACHEL MERTON:** You stated at that time it was \$220,000.

**Ms YASMIN CATLEY:** I have no reason to disbelieve what I said.

**The Hon. RACHEL MERTON:** Minister, another issue on protests, and that is the cost of the disruption of illegal protest groups like Blockade Australia, Extinction Rebellion, in blocking transport corridors in New South Wales. Do we know what that cost is?

**Ms YASMIN CATLEY:** It's difficult, again, to say. I think we would have to lean on our corporate partners to provide that for us. For instance, I'll use the Hunter Valley coal transport up there. We're talking nearly 100 kilometres of rail line, as you know, that was subject to this only some months ago, so it's difficult to know what that is. We'd have to ask them what that would be. What we know is that it's outrageous that we have these people not only putting themselves at risk but putting first responders at risk. I tell you what: Again, every single person was arrested. The police arrested everyone—100 per cent arrest rate there. Again, they're amazing and doing an amazing job, but putting them at risk is just—it's not on. They certainly didn't leave my home town with any friends, so they didn't bring the community on side with them; I'll absolutely tell you that. You'd agree with me, wouldn't you?

**The Hon. RACHEL MERTON:** Minister, if I could take you back to your reference to the arrests—everyone was arrested. The community come to me concerned. They report 21 people were arrested over 10 days. These are long, protracted protests. Twenty-one protesters were arrested—a \$750 fine. Is that adequate? Is that responsible?

**Ms YASMIN CATLEY:** As you very well know, I'll speak to you on behalf of the police, and the police did a bloody good job. They arrested every single one of them. I'll say that again and again and again.

**The Hon. RACHEL MERTON:** Do they have the necessary resources to do this? The community feel like it's not enough.

**Ms YASMIN CATLEY:** They arrested every single person—100 per cent arrest rate. What more do you want them to do?

**The Hon. RACHEL MERTON:** Twenty-one were arrested.

**Ms YASMIN CATLEY:** Yes, every single person who was on that coal train or in the port got arrested. There were no more to be arrested. They arrested every—100 per cent. What more do you want them to do?

**The Hon. RACHEL MERTON:** Minister, are surveillance operations or proactive arrangements taking place in terms of these illegal protests?

**Ms YASMIN CATLEY:** One hundred per cent. During the evenings we had drones, and we had PolAir there as well, so they were also surveilling. It was a full operation with every resource thrown at it. As I said to you, it's very difficult terrain to police because of the distance and also in the bush et cetera. I don't know if you're familiar with where we're talking about up there in the valley, but it's very difficult terrain. As I say, it's a massive area but the police arrested 100 per cent of the people who were breaking the law.

**The Hon. RACHEL MERTON:** Are the protests illegal?

**Ms YASMIN CATLEY:** They're trespassing and they've been arrested, so clearly it's illegal behaviour, given that the police arrested them.

**The Hon. RACHEL MERTON:** Minister, did you agree with the New South Wales Police Association's president that reports that events like this are placing enormous strain on officers?

**Ms YASMIN CATLEY:** They're placing enormous risk! They're having to get on train lines. They're having to get people off davits hanging over—it's risky. It's behaviour that we should not tolerate.

**The Hon. RACHEL MERTON:** In terms of the cost, Minister, how much has the NSW Police Force spent specifically on these illegal protests?

**Ms YASMIN CATLEY:** Well, again—

**The Hon. RACHEL MERTON:** And we talk about the stress and the strain on officers.

**Ms YASMIN CATLEY:** Again, they're policing; they're doing their job. I don't—

**The Hon. RACHEL MERTON:** The diversion cost?

**Ms YASMIN CATLEY:** These are very specialist police that do specialist work from our rescue squads. Again, I don't know if we'd be able to give you a dollar figure on that, and I don't want to lock us into doing that because it's police doing their job, police doing their work.

**The Hon. ROD ROBERTS:** Minister, who hires and fires a commissioner of police?

**Ms YASMIN CATLEY:** My understanding is that there's a—I have not hired or fired a police commissioner, that's for sure.

**The Hon. ROD ROBERTS:** I understand that but what does the Police Act say?

**Ms YASMIN CATLEY:** My understanding is that the Minister makes the final decision.

**The Hon. ROD ROBERTS:** That's right, so it's not a trick question.

**Ms YASMIN CATLEY:** No, I wasn't suggesting it was. I was just saying I haven't.

**The Hon. ROD ROBERTS:** Taking that on board, do you think the perception of you receiving a gift, be it gin or otherwise, from the commissioner is a good look, bearing in mind you determine her fate, or his fate, depending on whoever the commissioner is at the time? From a subordinate, you're given a gift. What's the perception in the public, do you think, in relation to that?

**Ms YASMIN CATLEY:** I've been on public record, Mr Roberts, in the Parliament saying that public servants at this level give gifts right across the board, as do corporate organisations. I think that that is something that is fairly well acknowledged and accepted in community.

**The Hon. ROD ROBERTS:** Yes, it is, certainly, but from a subordinate, whom you have the power to hire and fire? What's the perception, do you think, in the public? In other words—let's put it in basic language—would it pass the pub test?

**Ms YASMIN CATLEY:** That's a pun.

**The Hon. ROD ROBERTS:** Pardon the pun, when it comes to drinking.

**Ms YASMIN CATLEY:** That's my view on it. I think that it is—

**The Hon. ROD ROBERTS:** So you think it's okay to get it then?

**Ms YASMIN CATLEY:** I think it's pretty ordinary practice for people to give gifts in that manner; I do.

**The Hon. ROD ROBERTS:** Yes, of course it's ordinary practice but from a subordinate, whom you have, under the Act, the power to hire or fire? You think that the public thinks, "Oh, that's not too bad. It's fine."

**Ms YASMIN CATLEY:** I'll reiterate my comment again. I think that there is an acceptance that that happens.

**The Hon. ROD ROBERTS:** Commissioner, did anyone in your organisation, anyone at all, suggest to you or to your office that it would be unwise and—to use that expression again—not pass the pub test for you to purchase the gin?

**KAREN WEBB:** I understand from the records that I've been provided that that advice was provided. I wasn't aware of it at the time. However, I would like to provide further comment in response to the assertions that I've made misstatements, et cetera, on some of the matters. To put it into context, I rely on the information provided to me. When I become aware that incorrect facts have been provided, I immediately correct the record. In relation to the 50 bottles versus 100, at the time of my radio interview—

**The Hon. ROD ROBERTS:** Point of order—

**KAREN WEBB:** I'm trying to answer your question.

**The Hon. ROD ROBERTS:** You have answered my question. You're now going on to a round about something else I haven't even got to yet. I understand your position, but I haven't asked about that. All I asked was—

**The Hon. EMILY SUVAAL:** Point of order: There was a point of order raised and we didn't hear what it was. It just interrupted the flow of the questioning. What's the point of order?

**The Hon. ROD ROBERTS:** The point of order was that I asked a specific question: Did someone in your organisation warn you against the purchase of the gin?

**The Hon. EMILY SUVAAL:** To the point of order: The member was being directly relevant in responding.

**The Hon. ROD ROBERTS:** She's not a member.

**The Hon. EMILY SUVAAL:** She may not have been answering quite like Mr Roberts would have wanted.

**The CHAIR:** Do you mean the commissioner?

**The Hon. EMILY SUVAAL:** The commissioner, yes, was being directly relevant.

**The Hon. ROD ROBERTS:** To the point of order: Let's have a look at *Hansard*. She started to talk about 50 bottles. I haven't asked about 50 bottles. I asked a very specific, direct question: Did anyone in your organisation recommend to you and your office that you should not purchase this gin? To which the commissioner answered, yes. She then went on to talk about 50 bottles. Nobody has asked about 50 bottles yet—that might be coming.

**The Hon. EMILY SUVAAL:** Further to the point of order: The commissioner and other sworn witnesses are entitled to answer a question as they see fit, so long as they are being directly relevant. I believe that the commissioner was being directly relevant.

**The Hon. ROD ROBERTS:** Further to the point of order: To help in your deliberations—we're on the clock here—the question has been put and answered. Allow me to move onto something else.

**The CHAIR:** The question was answered. I'll uphold the point of order. Next question.

**The Hon. ROD ROBERTS:** You and your office chose to go against that advice then?

**KAREN WEBB:** I answered the question and said that the advice had been provided to people in my office and that the transaction continued. I made a statement, about any assertions, that I'd made a misstatement to correct that record on the information that I had available to me.

**The Hon. ROD ROBERTS:** So "The dog ate my homework. It wasn't me. It was someone else."

**KAREN WEBB:** No, I take full responsibility.

**The Hon. ROD ROBERTS:** So you should. You can delegate authority, but you can't delegate responsibility.

**KAREN WEBB:** I've never said that I did.

**The Hon. ROD ROBERTS:** Somebody has recommended against it, but, "Bugger the recommendation. Let's just do it anyway." Was there any additional cost to the gin that hasn't been disclosed to the public so far? We've talked about the cost of the gin, and we've talked about the box. Were there other costs that we haven't been told about yet?

**KAREN WEBB:** Would you like to give me an example?

**The Hon. ROD ROBERTS:** Yes, the artwork for the labels. I've been informed that a couple of thousand dollars paid for the artwork. Is that correct?

**KAREN WEBB:** I believe that that's the case, yes.

**The Hon. ROD ROBERTS:** Did you know about this, Minister? Did you know about the cost of the labels?

**Ms YASMIN CATLEY:** I know what I have provided to you.

**The Hon. ROD ROBERTS:** I just asked you a direct question. Did you know about the cost of the labels? Was that ever disclosed to you before today?

**Ms YASMIN CATLEY:** As I said, what you've been provided—what you've got in your SO 52 is what I knew.

**The Hon. ROD ROBERTS:** You only knew about the 50 bottles, that's it?

**Ms YASMIN CATLEY:** And, subsequently, what the commissioner has informed me.

**The Hon. ROD ROBERTS:** Let's move on and continue. There's plenty more to go yet. Did anyone in your organisation ever question the appropriateness of putting Indigenous artwork on alcohol bottles? I've got to be careful what I say here, because alcohol affects all levels of the community. It is known that alcohol is a driver of social issues and crime in Indigenous communities. Did anyone ever question, "Hang on, is it appropriate that we put Aboriginal artwork on alcohol bottles?"

**KAREN WEBB:** No.

**The Hon. ROD ROBERTS:** No-one ever questioned that?

**KAREN WEBB:** Not to my knowledge. To the point that the purpose of the original order of the gin was for international delegates who we want to showcase our culture to, which includes Aboriginal art.

**The Hon. ROD ROBERTS:** No-one ever—

**KAREN WEBB:** I'm not saying that.

**The Hon. ROD ROBERTS:** No-one ever, to your knowledge, ever said, "Listen, this is not a good idea."?

**KAREN WEBB:** To my knowledge.

**The Hon. ROD ROBERTS:** Do you think if someone did, you should have known about it?

**KAREN WEBB:** I am not drawing the association between Aboriginal art on an alcohol bottle and what that might mean to an Aboriginal community or to any other community.

**The Hon. ROD ROBERTS:** In hindsight—because hindsight is a wonderful tool—do you think, "Maybe we shouldn't have used indigenous artwork on alcohol bottles"? Or are you quite confident that, "No, that's the right thing to do. I'm going to stand by this 100 per cent"?

**KAREN WEBB:** The Aboriginal artwork was used not only on the alcohol bottles but also on the reverse of the commissioner's coins because of the nature of—

**The Hon. ROD ROBERTS:** They're coins; they're not alcohol.

**KAREN WEBB:** I know that.

**The Hon. ROD ROBERTS:** Coins don't cause social issues.

**KAREN WEBB:** I've answered the question.

**The Hon. ROD ROBERTS:** Let's have a look at this. On 7 August, you appeared on the Chris O'Keefe radio show on radio 2GB, Sydney's number-one rating radio station. On that, Chris O'Keefe asked you a number of questions. In particular, he said:

The register. Are you happy to make that public? Put this matter to bed?

You said:

Well. There's a standing order 52 that Mr. Roberts has called for, and the register will be captured in that, and that will be provided.

O'Keefe said:

So, the register will be furnished to parliament, so we'll all see it.

And you said, "That's right." Your department has claimed privilege over the register. So you don't want anyone to see it then, contrary to what you've told the public?

**KAREN WEBB:** The register has been provided. It's on the public record, redacting names of individuals that bottles were given to because it is a matter for privacy.

**The Hon. ROD ROBERTS:** I'll get right to the point then. Commissioner, I've been informed from a very reliable source that the register is a recent fabrication. The NSW Police Force has an excellent—as in all the cops—cyber security unit. On notice, will you provide the metadata to this inquiry showing exactly when the entries were made on that register?

**KAREN WEBB:** I have provided the register. In relation to if this is going to the point of the 24 versus the 32 bottles, I had initially been advised that only 24 bottles had been gifted. However, following the review of stock and of the gift register, I confirmed that 32 bottles had been distributed as gifts or donated for charity purposes. The gift register was attached to the media release with names redacted to protect the privacy of individuals. I have asked that the remaining 18 bottles be donated to Police Legacy for fundraising purposes.

**The Hon. ROD ROBERTS:** I just asked, will you provide the metadata to this inquiry—

**KAREN WEBB:** I don't see the need to provide the metadata given that I have—

**The Hon. ROD ROBERTS:** —so we can prove the authenticity of that register?

**KAREN WEBB:** What I'm saying is, I have a register. I've provided the register. If I was trying to mislead Parliament or anyone else, I wouldn't have provided the update. As soon as I become aware of information, and I could correct the record, I have corrected the record.

**The Hon. ROD ROBERTS:** You had to, because the SO 52 would bring it all out anyway.

**The CHAIR:** Commissioner, the Liberal member for Pittwater, Rory Amon, has just been charged with child sex offences—five counts of sexual intercourse with a person over 10 and under 14 years old. Commissioner, can you inform us about the processes and charges in relation to Mr Amon's charging today?

**KAREN WEBB:** I will take that on notice.

**The CHAIR:** He is currently in custody awaiting an appearance in court. Will the police support an application for bail from him?

**KAREN WEBB:** That will be up to the bail sergeant.

**The CHAIR:** You wouldn't be instructing them in any way?

**KAREN WEBB:** A bail sergeant makes the determination. That's the decision of the bail sergeant.

**The CHAIR:** Minister, have you got any comment in relation to Mr Amon's charging?

**Ms YASMIN CATLEY:** This is news to me.

**Ms SUE HIGGINSON:** Minister, are you aware of the key recommendations and findings of the Ombudsman's 2016 report into the search powers related to FPOs—firearms prohibition orders?

**Ms YASMIN CATLEY:** I would have to refresh my—

**Ms SUE HIGGINSON:** Sure. I raised this in the last budget estimates. I am very concerned about the use of FPOs. Obviously I get contacted by people who are subject to these orders. I see their cases. I just want to know what steps have been taken to implement the recommendations of the August 2016 review of the police use—

**Ms YASMIN CATLEY:** We might ask Mr Hudson what steps have been taken.

**DAVID HUDSON:** The 2016 recommendations I am unaware of, as I sit here. I wouldn't have had any visibility over the firearms prohibition order process in that time. I can say in the last few years, since I have had ownership over it, we have done a lot. We did an audit of the execution and exercise of the firearms prohibition order powers.

**Ms SUE HIGGINSON:** Thank you, Deputy Commissioner. Sorry to butt in. Have you found any overreach and misuse, like the report did and like a number of case studies that have come forward have done?

**DAVID HUDSON:** We found some anomalies that we sought to address, bearing in mind the number of FPOs that were utilised, which are quite heavy. I can't give exact numbers as I sit here, but they are heavily utilised as a crime prevention and deterrent tool. Part of the changes we made to firearms prohibition orders since 2016 and then since we inherited it three or four years ago is that they used to be centrally issued from the Firearms Registry. Now that delegation has been distributed across to regional operations managers. Recently, following that review and audit, we identified that the Firearms Registry still had a responsibility to oversight the process. I don't think they had been doing that. We've reintroduced that to make sure to give greater oversight to what the region delegates and State crime delegates are issuing. So there's a process in place to ensure accountability around it. If any anomalies are identified, they're tried to be addressed. We're currently going through a five-year review of FPOs. Police Prosecutions and Licensing Enforcement Command are in the process of allocating those out to those delegates for review. There are many FPOs out there that have never been served that need to be withdrawn.

**Ms SUE HIGGINSON:** How does that happen? How can one just be out there and it's not served?

**DAVID HUDSON:** If someone is arrested in the interim. If, after the order is taken out, they're arrested for an offence, it will remain unserved and they need to be withdrawn. There's certainly some work to do there, which we're undertaking. We've self-identified that. But I can give you a more qualitative answer on notice, if you'd like.

**Ms SUE HIGGINSON:** I might put some supplementary questions, because it's quite hard to find out where things are up to and what's happening. What do we do about people who are subject to an FPO and getting regularly searched without any apparent reason but just because they've got an FPO? We write to the police and say, "Can you get rid of this FPO? This person is clearly somebody who is suffering. They're a vulnerable person. They're really not a threat to the community, but they won't go to NCAT or challenge it because they don't have the means." How do we deal with people like that, where the police interactions are driving them to a place of further, deeper vulnerability?

**DAVID HUDSON:** As you've outlined, the process is to appeal to NCAT about the issue of that FPO. Obviously, the alternative, as you've probably experienced, is that they go to their local member or to a member of this Committee to raise it. They can write to the commander to seek a review if they don't want to go to NCAT, but that is the process outlined in the Act.

**Ms SUE HIGGINSON:** What if the commander won't take it onboard and keeps providing the same answer, saying, "No, we think they're a threat", and there's just no material evidence? There's just nothing. Where do we go? Do we just keep writing and keep going?

**DAVID HUDSON:** The commander may be in a position of evidence or intelligence that they're not disclosing to you, ma'am. I can't comment on individual cases without knowing what they are. That might be their answer: that they consider them an ongoing threat. That might be based on valid information and intelligence. But without individual cases, I can't comment.

**Ms SUE HIGGINSON:** Minister, are you confident in the PDR program that we now have, that is replacing the STMP program? Have you been briefed and do you understand whether or not it will have the same harmful practices as the STMP? With that, in particular, I'm referring to the gross over-representation of First Nations young people and the impact it had.

**Ms YASMIN CATLEY:** I'm hopeful that it will be a lot more grassroots and focused locally. As you know, there's a local decision-making body in that. The prevention disruption response process that is being put in place is acknowledged and that's why we've changed to a new model. Like you—we've talked about this—I do genuinely hope that, having that community involvement and that community buy-in, we're able to actually have prevention, and prevent and disrupt and have a more positive response.

**Ms SUE HIGGINSON:** What are the main things that are different? What are the main features?

**Ms YASMIN CATLEY:** I'm very pleased that community is a component of what the police are doing now. It's considering all the factors as well. I think it's broadened the scope of the police's response in community. It's more collaborative.

**Ms SUE HIGGINSON:** What's the current training that police access in terms of dealing with vulnerable people and people experiencing mental health issues?

**Ms YASMIN CATLEY:** Mr Smith, you might be able to speak to that specifically but, as you know, there is training from the outset, when they're at Goulburn doing their training. The police are very well trained. And there's a lot to train them on because they cover all of our societal issues that we have at hand. They are the people who respond to everything, 24/7, in our society. You might like to speak specifically about those, if you would, Mr Smith.

**DEAN SMITH:** In relation to the specific courses, through the academy our officers are trained in communication, escalation and de-escalation in relation to their tactical options models. They are very well aware and trained around vulnerable communities and various members within those vulnerable communities themselves. What is called our police training environment is always looking at mandatory training, which focuses on the vulnerability aspects, whether that is through mental health or other vulnerable communities. We do that yearly. We have modules which are contained there, which are accessed by every one of our officers. It's not necessarily that they formally do course after course. There are training modules which are constantly evolving and being put on the system to be able to train our police. Every single year we go through mandatory training. Those mandatory training regimes have different themes and are also focused around vulnerable communities.

**Ms SUE HIGGINSON:** Can I ask about a program called MHIT? Is that something that still happens?

**DAVID HUDSON:** Ma'am, that's the Mental Health Intervention Team. It did conduct training, which was very specific and to a very limited number of people. As I think the commissioner and Minister indicated earlier, we're in the process of establishing the mental health command. We've identified a superintendent to temporarily lead that and get that structure going. The Mental Health Intervention Team will become part of that structure.

**Ms SUE HIGGINSON:** Does it still exist, just to be clear?

**DAVID HUDSON:** Yes, it does.

**The Hon. SARAH MITCHELL:** My colleague asked about whether there was any extra budget allocation for the wands. Can you show me where in the budget allocation there has been any money for the replacement of the vests as well? Is there any specific budget allocation for that?

**Ms YASMIN CATLEY:** I'd have to check with Dean.

**DEAN SMITH:** There was a capital program for the first rollout of the vests. At the moment there is no capital funding around it. However, there is funding which is contained within the various operating expenses within the organisation to be able to replace vests, whether that be light body armour or the over body armour themselves.

**The Hon. SARAH MITCHELL:** Thank you for that clarification. Sorry, I'm jumping around a little bit because we'll get through a lot of different things in the five or 10 minutes we've got. Minister, I wanted to ask you about Bendemeer Police Station, just outside of Tamworth. There are issues there with mould in the residence house. I believe it has been unmanned for at least 12 months and there's no police officer there at the moment. Do you have an update on that station and what's happening in Bendemeer?

**Ms YASMIN CATLEY:** I'll have to take that on notice.

**The Hon. SARAH MITCHELL:** Do any of the officials know?

**KAREN WEBB:** If it's a police house, it'll be a Property and Development NSW concern. If it's the police station then it'll be under our maintenance schedule.

**Ms YASMIN CATLEY:** Is it the house?



**The Hon. SARAH MITCHELL:** My understanding is it has been unmanned. I think there is mould in the house, but also that the station has been unmanned and there's no police officer there either. I think it might go across both.

**KAREN WEBB:** We'll take that on notice, then.

**Ms YASMIN CATLEY:** That it is an important point to make, though, if it is a house.

**The Hon. SARAH MITCHELL:** I understand what you're saying. I want to go back to the rural and regional crime inquiry just briefly. Last time we were here, Minister, you said that you thought it would be a talkfest. Obviously, there has been a change in that position from your Government in terms of having the inquiry. Will you give any indication in terms of where you would like that inquiry to go, as police Minister? Will you work with the chair in relation to that?

**Ms YASMIN CATLEY:** I will, just for the record, say the original proposal was to have an inquiry into policing in regional areas. I did not believe that was something that this Parliament should have been undertaking, and I made that point very, very clear. As it turns out now, I think it's important we note this for this Committee that it is a much broader inquiry about other social issues that are happening in regional areas as well. That is important because all of the blame lies at the feet of our New South Wales police, particularly regional police. I find that to be, quite frankly, offensive.

The New South Wales police do an incredible job, particularly our regional and remote police. It's important that we now look at social issues more broadly, and that is what the inquiry is doing. I will be pleased to see them coming back with solutions that are about the social issues in our regional areas and looking at the problem and fixing the problem. The police are at the crisis end, mopping everything up. They do that day in and day out, and it's exhausting.

**The Hon. SARAH MITCHELL:** There was never any suggestion—if you wanted to correct the record, I would like to do the same—that the blame for what is happening in regional communities lies at the feet of police. Those organisations that were calling for the inquiry, including NSW Farmers, the Country Mayors Association and others—to be crystal clear—want police to get the support that they need from your Government. You said that having an inquiry was a talkfest, but you obviously don't have that view anymore, now that you've set one up.

**Ms YASMIN CATLEY:** You wanted to have an inquiry into policing—let's be clear—in New South Wales, which would have been an opportunity to come in here and throw the blame at their feet.

**The Hon. SARAH MITCHELL:** We wanted to make sure that police had the resourcing they need because they're overstretched in every command, which is what you've said yourself. It's not about blaming police; we want to support them.

**The Hon. STEPHEN LAWRENCE:** Point of order. It was all proceeding well, I would suggest, until the last interaction.

**The Hon. SARAH MITCHELL:** We've been pretty good, Stephen—come on.

**The CHAIR:** I uphold the point of order. It was all proceeding pretty well, until.

**The Hon. SUSAN CARTER:** Minister, you've just released the annual report card on the *National Plan to End Violence against Women and Children 2022-2032*, which calls for the implementation of the recommendations of the Auditor-General's report about the New South Wales police response to domestic and family violence. What money is allocated in the budget to implement these changes?

**Ms YASMIN CATLEY:** Are you referring to the Commonwealth report?

**The Hon. SUSAN CARTER:** No, I'm talking about a report that is part of your plan. You're a signatory to it, and part of that plan says that the New South Wales Auditor-General's report about the police response to domestic and family violence should be implemented. It's one of the action items, so I'm wondering what money has been allocated to make sure that can happen.

**Ms YASMIN CATLEY:** I'll take that on notice.

**The Hon. SUSAN CARTER:** Can I quickly ask you about Sanctuary Point and the police station that has been opened there, which is not going to be a 24-hour police station. The community have responded because they're concerned. They have re-established neighbourhood watch. As the person responsible said, "I know what time the police finish up every day, so I'm sure the small minority doing the wrong thing do too". Are police stations that aren't open 24 hours a day a crime risk for neighbourhoods, because everybody knows when the police station is no longer staffed?

**Ms YASMIN CATLEY:** I've already answered that question earlier today—very clearly.

**The Hon. SUSAN CARTER:** So you don't share the concerns of the Sanctuary Point residents?

**Ms YASMIN CATLEY:** What I will say, though, back to your previous question in relation to funding for domestic violence—there has never been more funding for domestic violence than from the Minns Labor Government. In fact, there was \$236 million allocated, as you know, earlier this year in relation to domestic violence services in this State. Really important was the \$5.1 billion in the budget into housing. Half of those, which will be more than 3,000 homes, will be set aside for women fleeing domestic violence to have a home. We all know that if you don't have a home, you don't have security and you can't flee your situation. So I think we have a very proud track record in such a short period of time.

**The Hon. SUSAN CARTER:** Yet, Minister, you would acknowledge that the BOCSAR figures for the March quarter show that DV-related assault is up 5 per cent on the previous 12 months.

**Ms YASMIN CATLEY:** Absolutely, I do.

**The Hon. SUSAN CARTER:** And this would concern you about the adequacy of—

**Ms YASMIN CATLEY:** Are you blaming the police for that? Are you suggesting that's the police?

**The Hon. SUSAN CARTER:** Oh, Minister.

**Ms YASMIN CATLEY:** Well, I'm the police Minister. Is that what you're suggesting?

**The Hon. SUSAN CARTER:** I am concerned about the adequacy of resourcing. I share your enthusiasm for the very hard work that the police do. I am concerned that they have the correct pay, the correct facilities and safe places where they can go to work, and that they are not asked to do so much with too little. That is my concern. This is a community issue which needs to be resourced properly, and that is the concern.

**Ms YASMIN CATLEY:** We share that concern, and I ask you to join with the Government to recruit, because that's what we have to do. Join with us; help us to get more police on the ground. That is exactly what we need. I could not agree more, and I believe that many of these concerns that you raise will certainly be attributed to the resourcing gaps that we have in our policing. I could not agree more. Let's work on it together, all of us in here.

**The Hon. SUSAN CARTER:** So if you believe it is an issue with the lack of resources on the ground, you are concerned about the lack of 24-hour police stations?

**Ms YASMIN CATLEY:** I have said before that every police car is a 24-hour—

**The Hon. SUSAN CARTER:** It's pretty tricky for a woman fleeing domestic violence to find that police car circling around the suburbs.

**The Hon. EMILY SUVAAL:** Chair, I note we are in Government time now.

**The CHAIR:** At this point of bonhomie, I will finish the questions from the Opposition and offer questions to the Government.

**The Hon. EMILY SUVAAL:** No questions from us.

**The CHAIR:** Minister, thank you very much. That will end your appearance today. The officials will be back at two o'clock.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**The CHAIR:** We will move to Opposition questions.

**KAREN WEBB:** Chair, we have a couple of matters to correct on the record. We were just wondering if we could do that now, or at a time that suits you.

**The CHAIR:** Is the Opposition happy to hear some answers?

**The Hon. SARAH MITCHELL:** Yes.

**KAREN WEBB:** I will go to Mr Smith first and then Mr Thurtell second.

**DEAN SMITH:** Thank you, Chair and members. Earlier, there was a statement made that the EPS scheme was still being worked through. What I wanted to make sure was clear was that we have been very clear

in relation to the policy position and the details of the mechanics of the scheme. The scheme, yes, will change on 1 October, as announced. As I've said, the policy settings for the new EPS scheme are as have been communicated widely in the media, also through our organisation and all of our officers from commanders all the way through to the field. When it was stated that elements are still being worked through, that component is true. The scheme is moving from private sector management into public hands, through icare.

This is something that will undoubtedly improve the health and wellbeing of our officers, and we are working closely with icare and other partners to make sure that the implementation and the mechanics of the implementation are correct. That involves what we are working through around the systems, the processing, the payments and what is being finalised so that we are able to stress test that environment to make sure that there is a seamless transition from 1 October 2024. Additionally, those that are currently under the scheme now—that those processes also need to make sure that they are being managed appropriately so there is no misapprehension about what scheme is covered by what person and what is happening as we move into 1 October and the launch of EPSS and make sure that all our systems and processes are fit for purpose.

**The Hon. SARAH MITCHELL:** Is there another one?

**KAREN WEBB:** There is.

**PETER THURTELL:** Earlier this morning I was asked whether PolAir was used on the night of the Wakeley riots in April. I indicated that to my recollection it wasn't. My recollection was incorrect. It was used on the night and, in fact, we have a considerable amount of footage of the riots available from PolAir.

**KAREN WEBB:** Lastly, to answer Ms Boyd's question around officers charged with domestic and family violence offences since the last estimates hearing, the number is nine.

**The Hon. SARAH MITCHELL:** I will direct some questions to Ms Meagher about the Hunter so that we can do that and then let you go. I appreciate that this is relevant not just to the Hunter but also the other regional areas. The restructure—obviously now having that responsibility in the Premier's Department since we last met, the department of regional has been sort of disbanded, for lack of a better term. Can you just talk me through, in terms of how this fits in your responsibilities, how many staff are working in the Premier's Department on those—I think it's five regional Ministers that the Government has. An overview of that, please.

**KATE MEAGHER:** Yes, happy do that. For the benefit of the Committee, the decision was made to bring the regional coordination function back into the Premier's Department. It obviously had been there previously. I think it's fair to say that the regional coordinators work hand in glove with the Department of Primary Industries and Regional Development. We have 33 regional coordinators who have come into the Premier's Department, and they are all still based in the regions and many of them are co-located with their colleagues from DPIRD. Obviously, there's a continuum of work in the regions, if you like, with the Premier's Department in any case.

As a central government agency, we have a lot of involvement in the regions and so we're able to wrap around additional supports, to the regional coordinators. All of our comms functions, briefings, support for Ministers is still obviously something that we can prioritise from the central agency. And then there's obviously that uplift that we can provide. Intelligence, knowledge on the ground from regional coordinators is a godsend for when we're trying to grapple with things from a whole-of-government perspective.

**The Hon. SARAH MITCHELL:** You said there are 33 regional coordinators. Are those numbers the same as when it was under department of regional as its own entity?

**KATE MEAGHER:** I'll just take that on notice, if that's okay. I'll double-check. We have made some adjustments around the senior executive roles. We've got four senior executive roles. I will just double-check to see on the non-executive, if you don't mind.

**The Hon. SARAH MITCHELL:** Could you provide on notice for me, as best you can, a breakdown of the roles and also where they're located?

**KATE MEAGHER:** We've got that. That's no trouble.

**The Hon. SARAH MITCHELL:** I'm happy for you to provide that on notice. You don't have to do it now. For the Hunter specifically, do you know how many staff work on Hunter?

**KATE MEAGHER:** Could you give me one sec?

**The Hon. SARAH MITCHELL:** Sure.

**KATE MEAGHER:** Actually, you know what? It's going to be embarrassing if I try to count it because it's a really tiny font.

**The Hon. SARAH MITCHELL:** You can take it on notice, if you'd like to.

**KATE MEAGHER:** But Hunter staff continue to be based in the Hunter region.

**The Hon. SARAH MITCHELL:** I appreciate, with what you've just said, that you work across agencies, and I get that. But in terms of the Hunter regional plan that I asked the Minister about earlier, do you have any updates in terms of the status of that or the work that's happening under that plan?

**KATE MEAGHER:** My understanding on that is it's a department of planning instrument: the *Hunter Regional Plan 2041*. Is that the one you mentioned?

**The Hon. SARAH MITCHELL:** Yes.

**KATE MEAGHER:** That is a department of planning document. I think, from the regional coordination perspective, what we do and continue to do—and, to be honest, the portfolio has only just moved and we want to have a look at how we might be able to augment this role, but the regional leadership executive function remains. So, boring governance talk, but that's where we can pull together all key agencies working on issues and opportunities for communities. I appreciate what you're saying about that particular planning instrument, but from our perspective in regional coordination, we're very focused on using that forum of the regional leadership executive. I don't have a lot of detail around the 2041—

**The Hon. SARAH MITCHELL:** No, but it goes to issues around working with the local Aboriginal land councils, it goes to housing, it goes to transitioning from renewable energy from the different industries in that area.

**KATE MEAGHER:** Exactly.

**The Hon. SARAH MITCHELL:** Again, I know the Minister talked about hydrogen this morning. I guess I'm just trying to understand the role that your agency will play—it's different, obviously, now it's not department of regional—and just what that oversight will look like around some of those issues, particularly around things like housing and the transition in terms of energy.

**KATE MEAGHER:** They're big priorities.

**The Hon. SARAH MITCHELL:** So you just work closely with the other agencies?

**KATE MEAGHER:** Yes, and, where needed, step in to do that additional layer of convening, facilitating, working with agencies to make sure we can unstick things. If anything, I hope that we would be able to bring an extra layer of input from that ability to coordinate across government.

**The Hon. SARAH MITCHELL:** In terms of specific government priorities—again, one that I know is across government but relates to surplus government land audit and that work in the Hunter—do your regional staff feed into that process? How does that work in practice?

**KATE MEAGHER:** I think, proactively at the moment, potentially not. I can take that on notice just to check. There are definitely vehicles for us to get their inputs and defer to them for their knowledge around those sorts of things. There's no issue with that. As I say, I'll take that on notice as to how they're involved in the land audit at the moment, but there's definitely a vehicle for their knowledge and input.

**The Hon. SARAH MITCHELL:** I'm happy for you to take these on notice as well. Are there any insights or feedback from your staff around the place strategy for Hunter Park, which I think was outlined by the Minister in May? I think there's a \$3 billion investment over 30 years, is my advice. Are there any updates from your agency in relation to that? Then just one other one: the Newcastle to Sydney high-speed rail. Is there any work happening on that from your agency's perspective?

**KATE MEAGHER:** I'll happily take that on notice for you.

(Kate Meagher withdrew.)

**The Hon. SARAH MITCHELL:** I'll come back to you, Commissioner. Obviously I don't want to inhibit any legal proceedings that are underway but, following the alleged double murder that occurred with a former police senior constable, you made some comments—I think it was in May this year—that you would be doing an inquiry into the gun safety rules.

**KAREN WEBB:** Review, yes.

**The Hon. SARAH MITCHELL:** It was an internal review of policies and procedures. Do you have any updates in relation to that work?

**DAVID HUDSON:** I do. In fact, Mr Thurtell sitting to my left has undertaken that review and has led that piece of work, so I'll hand to him in a moment. That work isn't yet finalised but, certainly, some of the work that will come through and is needed will be around the need for a system to manage the movement of firearms. At the moment, we will use a paper-based system but we will look to, amongst other things—need an electronic RFID-type system that can manage all of our arms and appointments. It's certainly a step in the process to manage movement from an officer taking a gun from one location to another for a particular purpose, but it's certainly only a step process. I'll pass you to Mr Thurtell to talk about it in more detail.

**PETER THURTELL:** Extensive work has been done in reviewing our policies and practices across the board. A working group was established, which included members of the Police Association and was chaired by a superintendent. We have created a firearms manual which is, I would suggest to you, all but finished. There is some legal advice yet to be obtained on some issues—just some definitive advice—and after that I would expect that we would finalise that document and those policy procedures through the Commissioner's executive team.

**The Hon. SARAH MITCHELL:** I appreciate that you said it's close to being—I don't want to put words in your mouth, but it's well progressed. Is there an indicative time frame of when you would hope to have that finalised by?

**PETER THURTELL:** Depending on how long it takes for the legal advice to come back, which will be sought externally, I would suggest that it should be finished by the end of September.

**The Hon. SARAH MITCHELL:** There were some media reports that Victorian police were going to either be involved or they would then review that. Is that correct? Did that happen?

**PETER THURTELL:** Victorian police had two contributions to it: firstly, independent expert input into the review process and then, finally, a review of the final document.

**The Hon. SARAH MITCHELL:** In relation to the same issue, in a sense, there were also questions at the time about the psychometric testing that goes with police. I appreciate you can't foreshadow every circumstance and what may or may not occur, but have there been any reviews or changes to that process or assessments through either recruiting or for serving police officers?

**KAREN WEBB:** I'll ask Mr Smith to comment on that. You mentioned before there's currently a matter before the Coroner. It's a critical incident investigation, so I wouldn't like to go too far into it but, in a generic sense, I'll pass to Mr Smith.

**DEAN SMITH:** In a generic sense, obviously our recruitment branch and the processes to enter via the physical and psychological testings certainly have been looked at, but there are no changes in terms of what the current processes are. Obviously, we have gone through each of those aspects of entry to make sure that they are fit for purpose and appropriate.

**The Hon. SARAH MITCHELL:** Turning now to the issues around the numbers coming in through the academy—I know we've talked about it earlier today and in other hearings that you've got an increase, I think, in those who are going through the process with the paid recruitment. I think I asked you last time how you're going to measure the success of that program. Obviously, if you get more people going throughout a station, that's a positive thing. But in terms of capturing the data for the longevity of those officers serving, has there been any more thought or work to look at how successful that program is?

**KAREN WEBB:** We can measure how long someone stays in the organisation, but I guess there are other moving parts. We talked earlier about the new EPSS process and other things. There will be other factors that may influence how long someone stays before they leave the organisation, of course, but certainly we'll have the data that we can track by entry date and then exit date and see if there's any comparison—but, as you point out, it would be over a period of time.

**The Hon. SARAH MITCHELL:** I'm happy to say that if you've got higher recruits coming through, then that's obviously a positive sign, but if you end up in a situation where people are paid, train but don't last a particularly long time, would that then give you an impetus to look at the program and the recruitment policies if it's not successful?

**KAREN WEBB:** Mr Smith will answer it.

**The Hon. SARAH MITCHELL:** I hope it doesn't happen, just to be honest; I hope it's a raging success for you. I'm just curious in terms of government spend and value for retention.

**KAREN WEBB:** That's right. I'll hand to Mr Smith, but certainly we've had two classes now go through where they have been paid. In addition to that, we've got You Should Be a Cop in Your Hometown, where it's giving regional people, particularly, a guarantee that they don't have to be concerned that they'll be sent to Sydney

if they want to join the police. The interest in that has been very strong. I think that will be another factor. I'll hand to Dean.

**DEAN SMITH:** In relation to measuring success and evaluating it, as part of our People and Capability Command we obviously work through strategic workforce planning and what the make-up of our organisation is. We are mapping the demographic of those who are coming through now that they are being paid in terms of age. We know that, for decades and decades, over 80 per cent of our classes have generally been young people from the ages of 19 to 23. We want to make sure that we are capturing a greater demographic. We are measuring that.

The introduction of careers advisory teams—to make sure that, once people are in the New South Wales police, we understand what their needs are, what they're looking for and how they can go through the NSW Police Force with a career within a career, rather than looking for something else. Our focus on retention—yes, it is good to recruit, but we need to make sure that we are retaining our people and making sure we understand the reasons why they are thinking of moving. All of those factors come into that. That is what we specifically have a unit set up to do and look at. That looks at the culture, it looks at strategic workforce, it looks at demographic and it looks at career pathway. It looks at analysing all of that data to make sure that we can be putting in place systems, processes and the work environment that we need to keep our people.

**The Hon. SARAH MITCHELL:** In terms of the data—I know the Minister mentioned more diversity earlier this morning, and you just did then yourself, Deputy Commissioner—is it intended to make that data public throughout the recruitment process or does that happen already?

**DEAN SMITH:** In terms of the make-up and the demographics of our organisation, that's relatively publicly known through annual reporting and other things. There's no reason we wouldn't do that, because we want to be able to, one, celebrate it, but, two, make sure that we can see where the gaps are and what we need to do differently. We welcome that. Through our research and partners and other things, we are always looking for better ways to work out how we retain our workforce and what our workforce needs to look like into the future. If we want to be competitive—and we want to make sure that we're getting the right people in—we have to understand what the future police officer actually looks like: what skill sets they need, what training they need, what environment they need and what work conditions that they need.

**The Hon. SARAH MITCHELL:** I want to move now, and I think it might still be with you. In relation to station upgrades, you maybe said earlier as we were leaving that you might have some more information about both Bendemeer and Revesby, as well. Is there anything that you could provide in addition?

**DEAN SMITH:** In relation to Revesby, I'm told that to date, just in term of maintenance and workings, there have been over \$170,000 spent on Revesby. The issue around the roof has been assessed in terms of the leaking from a window. Our infrastructure and assets group are working through the contractor arrangements to make sure that those are rectified. We need to remediate what is there in terms of making sure that those environments are safe to be able to work in, so that work will be undertaken. In relation to Bendemeer, what I am told is that the house and station are under the same roof, and both have been fully refurbished, and the issue is remediated. The occupant has moved to Tamworth and there is a vacancy at Bendemeer. But there is an EOJ process that is currently in place, with a preferred applicant being selected.

**The Hon. SARAH MITCHELL:** Great, thank you. I have a local member who will be very happy to hear that, I'm sure. Just keeping with station upgrades, is there any update on the Singleton Police Station upgrade that you can provide?

**DEAN SMITH:** That remains within the program of works. However, in terms of where that sits around development applications or other processes, that has not commenced. It does remain within the program.

**The Hon. SARAH MITCHELL:** And Blayney Police Station upgrade as well?

**DEAN SMITH:** The same.

**The Hon. ROD ROBERTS:** Mr Smith, thanks for providing clarity when we first came back about the EPSS scheme. Commissioner, why did you tell us the opposite of what Mr Smith said before the lunchbreak?

**KAREN WEBB:** What was that?

**The Hon. ROD ROBERTS:** It appears as though he's had to come back—I'll be careful what I say, because I don't want to put words in your mouth. But my recollection is something along the lines of "It's still being worked through; we haven't finished the details yet" et cetera.

**KAREN WEBB:** My recollection is that is what the Minister said, sir.

**The Hon. ROD ROBERTS:** Well good. I stand corrected then and I withdraw that, if that wasn't what you said. There does appear to be some confusion inside the organisation, though—between the organisation and the Minister's office—as to where things are exactly at? Would that be a fair comment, Mr Smith?

**DEAN SMITH:** I've made the statement, Mr Roberts.

**The Hon. ROD ROBERTS:** Righto, we'll leave it there then. Commissioner, just in closing on the gin saga, you've said before lunch that your office was warned not to purchase the gin. You said you weren't aware of it at the time. I'll be careful because I don't involve innocent people's names in parliament, but who or what position did the person hold that said don't buy this?

**KAREN WEBB:** Who provided, or asked the question? Someone in our business services area, I understand.

**The Hon. ROD ROBERTS:** So a public servant then?

**KAREN WEBB:** Yes.

**The Hon. ROD ROBERTS:** Okay, good. Well I don't want to name them, but I think we should, because clearly they've given full and frank advice and guidance to your department—it makes it seem like *Yes, Minister*, but anyway. So then, if this has been provided to your office, but you didn't know about it, who are we saying is actually responsible?

**KAREN WEBB:** I said I am accountable and I take full responsibility.

**The Hon. ROD ROBERTS:** But you didn't know about it, though.

**KAREN WEBB:** That's okay. I'm the commissioner, so I'll take responsibility.

**The Hon. ROD ROBERTS:** So the person that was told about it and withheld it from you—where are they, now?

**KAREN WEBB:** I'm not sure how that is relevant.

**The Hon. ROD ROBERTS:** Well, it's exactly relevant. We've got someone who you tell us didn't tell you anything about it. You've subsequently found out about it. It was hidden from you, as Commissioner of Police.

**KAREN WEBB:** I wouldn't say it was hidden.

**The Hon. ROD ROBERTS:** Well, did you know about it?

**KAREN WEBB:** No, but I didn't say it was hidden; that's your word.

**The Hon. ROD ROBERTS:** Okay then. As Commissioner of Police—if somebody said to your chief of staff—if a senior public servant said—"Listen, don't buy that gin. I recommend against it", wouldn't your chief of staff tell you?

**The Hon. EMILY SUVAAL:** Point of order: The question that Mr Roberts has just put to the commissioner is completely hypothetical and skirts close to asking for an opinion.

**The Hon. ROD ROBERTS:** Well it mightn't be hypothetical; you don't know what I know.

**The Hon. EMILY SUVAAL:** I'll ask you to rule it out of order.

**The CHAIR:** It might not be a hypothetical question, depending on the answer we get. So I don't uphold the point of order.

**The Hon. ROD ROBERTS:** Did you chief of staff tell you about it, then?

**KAREN WEBB:** About what, sir?

**The Hon. ROD ROBERTS:** About the recommendation not to buy the gin.

**KAREN WEBB:** I became aware of it later on, following the LECC investigation.

**The Hon. ROD ROBERTS:** Where is that chief of staff now?

**KAREN WEBB:** At a different location.

**The Hon. ROD ROBERTS:** Burwood.

**KAREN WEBB:** I didn't say that, and I don't want to name anyone in these proceedings, because I have accepted full responsibility for the actions of people in my office.

**The Hon. ROD ROBERTS:** Well you've got to question their judgement and integrity, don't you? You've moved them out to an operational command, someone that didn't tell you the full circumstances behind what's happening in the scene. You've put them into a high-ranking position, in charge of a command. This person's judgement is questioned, and therefore, I question your judgement in placing them in such a position. Nothing?

**KAREN WEBB:** Well—

**The Hon. ROD ROBERTS:** Let's move on.

**KAREN WEBB:** Let's move on.

**The Hon. ROD ROBERTS:** Deputy Commissioner Smith—the other elephant in the room, and that is the vests. Can you tell the Committee what a yellow is, please?

**DEAN SMITH:** A yellow?

**The Hon. ROD ROBERTS:** Yes.

**DEAN SMITH:** A yellow is a briefing note that is prepared and progresses through the chain of command to the executive.

**The Hon. ROD ROBERTS:** I just wanted that, because other Committee members won't know what a yellow is.

**DEAN SMITH:** It's a document that is destined for the executive—but I have five of them in front of me at the moment.

**The Hon. ROD ROBERTS:** In 2022 did Detective Superintendent Jonathan Beard author a yellow document in relation to the audit of the vests?

**KAREN WEBB:** I understand these documents are all privileged, sir.

**The Hon. ROD ROBERTS:** I'm not asking about the document, I'm asking a question of which I possess the knowledge of. You must remember, in the SO 52 that I originally asked for, I mentioned the audit reports done by Superintendent Beard. You can question, you can go back and have a look at the SO 52. I possess a certain knowledge. I'm aware of what is in the privileged documents. I'm not referring to the privileged documents; I'm referring to the information that I possess. Clearly, I possess a lot of information about what is happening inside your office, and inside the executive of the New South Wales police. So don't hide behind privilege. I didn't ask anything about any privileged documents. Deputy Commissioner Smith, did Detective Superintendent Jonathan Beard author a yellow in relation to the audit?

**The Hon. STEPHEN LAWRENCE:** Point of order: Chair, I'm not intimately on top of the facts that underlay this issue. But a claim of privilege advanced in the House in relation to a document, is in substance, a claim of privilege in respect of the information, and a claim that putting information in the public domain is detrimental to the public interest. So that is an issue to be determined by the House. I would suggest that it's pre-empting that issue to allow those facts to be ventilated here, and we should, therefore, move in camera at least.

**The CHAIR:** I'd like to hear a little bit more before we do that.

**The Hon. ROD ROBERTS:** To the point of order—

**The CHAIR:** Do you intend to ventilate?

**The Hon. ROD ROBERTS:** Yes, clearly I am possessed with lots and lots of information about what is taking place inside the Police Force. I was possessed with information that led me to move a Standing Order 52 before our Chamber, which the chamber unanimously supported, because clearly I articulated certain documents I wanted. One of the documents was a report, and we can find the SO 52, if you like, that said a report audited by—a report into the audit done by Superintendent Beard. Now I have prior knowledge of the contents of that document, way before it is provided—because as you all know, I never ask you a question unless I know the answer. So it's got nothing to do with the privileged documents. I won't go anywhere near the privileged documents.

**The Hon. EMILY SUVAAL:** Is this a point of order, Chair? Or is it a speech?

**The CHAIR:** That document was privileged and is in the Clerk's office in that way?

**The Hon. ROD ROBERTS:** There is a document in the Clerk's office that is privileged, yes.

**The Hon. EMILY SUVAAL:** You can't refer to it.



**The CHAIR:** It is only for the view of members.

**The Hon. ROD ROBERTS:** That's correct.

**The CHAIR:** Okay. Were you going to discuss the detail of that now?

**The Hon. ROD ROBERTS:** No.

**The CHAIR:** You're not?

**The Hon. ROD ROBERTS:** I'm asking did Superintendent Beard author a document back in 2022?

**The Hon. STEPHEN LAWRENCE:** Chair, my point is this: A claim of privilege is not over a piece of paper. In substance a claim of privilege—

**The CHAIR:** No, it's the substance over what is on the paper.

**The Hon. STEPHEN LAWRENCE:** Yes, correct. Therefore—

**The CHAIR:** But hang on, he hasn't said that he's going to mention what is on the paper. Are you going to do that? That is the point of the point of order.

**The Hon. ROD ROBERTS:** I'm waiting on the answer from the deputy commissioner.

**The CHAIR:** Subject to the answer, we may go in camera.

**The Hon. SARAH MITCHELL:** Can you do that in estimates? I don't think you can go in camera in estimates.

**The Hon. EMILY SUVAAL:** Well, we probably shouldn't discuss it, then.

**The Hon. SARAH MITCHELL:** We can't go in camera in budget estimates.

**The Hon. STEPHEN LAWRENCE:** My submission would be that if there is to be questions about the underlying facts, what's contained in the document, we shouldn't pre-empt the determination of that privilege claim here, and the question should be ruled out of order.

**The Hon. SUSAN CARTER:** To the point of order: I entirely agree with my colleague but, as I understand it, the questions are about the existence of the document, not the contents of the document. To the extent that they're about the existence of the document, they are in order.

**The CHAIR:** We already established that, but Mr Roberts has said, subject to the answer he gets, he may want to put it on the table, and I don't think he can.

**The Hon. ROD ROBERTS:** No. I didn't say I was going to table it, Chair. It's privileged. I know that. I know the rules.

**The Hon. STEPHEN LAWRENCE:** It's not tabling that I'm concerned with, just to be clear.

**The CHAIR:** No. I'm using the word pejoratively. Talking about what's on the document.

**The Hon. EMILY SUVAAL:** It's just the reference to it.

**The Hon. STEPHEN LAWRENCE:** Yes. There's been a claim made that it's detrimental to the public interest for the facts to be aired.

**The CHAIR:** That's right.

**The Hon. STEPHEN LAWRENCE:** That's a substantive matter. It's not about a piece of paper. If that's to occur, it shouldn't, in my submission.

**The CHAIR:** What you can't do is talk about what was on the paper.

**The Hon. ROD ROBERTS:** Yes. I know that. I didn't ask about what was on it. I just asked whether there was one in existence first.

**The CHAIR:** Then proceed, but proceed carefully.

**DEAN SMITH:** I'm aware that Superintendent Beard was part of the audit process and I'm aware that he submitted a number of reports. I'm not specifically commenting on the report that you may be referencing, but I'm aware of the role of Superintendent Beard in relation to the audit of the vests.

**The Hon. ROD ROBERTS:** I'm being very careful here, and I listen to what you say, Chair. I don't want to impinge on any rules. The document that Superintendent Beard authored got sent to you, didn't it?

**DEAN SMITH:** It could've been—it should've been sent to me.

**The Hon. ROD ROBERTS:** As you were acting as Acting Deputy Commissioner Corporate Services at the time.

**DEAN SMITH:** If I haven't got access to the actual document you are talking about, then it's difficult for me to comment. But if you're asking me if I have acted as the Deputy Commissioner Corporate Services and received documents around the audit of the vests, the answer would be yes.

**The Hon. ROD ROBERTS:** There's a media release attributed to you on 9 August:

Statement attributed to A/Deputy Commissioner Dean Smith APM, Corporate Services ...

Within this audit a number of vests were identified as being unaccounted for, and a number of deficiencies were identified.

That was your statement?

**DEAN SMITH:** I'd have to have a look at it, but if you're reading directly from it—

**The Hon. ROD ROBERTS:** It's from the police media website. I'm not here to trick you, Deputy Commissioner.

**DEAN SMITH:** Yes.

**The Hon. ROD ROBERTS:** Lots of things have happened here today that people aren't attributed to. How many vests are missing?

**DEAN SMITH:** I'll have to take that question on notice.

**The Hon. ROD ROBERTS:** I asked how many are unaccounted for. What was your answer, again, I'm sorry?

**DEAN SMITH:** I will have to take that on notice.

**The Hon. ROD ROBERTS:** You don't know?

**DEAN SMITH:** Specifically, no. I do not know.

**The Hon. ROD ROBERTS:** You don't tell me that over the last couple of days that you guys didn't swat and cram for all the questions you were going to get from me today and you didn't think to consider, "Oh, he might ask us a question about the vests"?

**The Hon. STEPHEN LAWRENCE:** Point of order: I think this was taken on notice, wasn't it, rather than a denial of it.

**The CHAIR:** You need to withdraw that. It was taken on notice.

**The Hon. ROD ROBERTS:** I withdraw. What's the value of the vests that are unaccounted for?

**DEAN SMITH:** I'll have to take that on notice. I'm not aware of that.

**The Hon. ROD ROBERTS:** How did all these vests become unaccounted for?

**The Hon. STEPHEN LAWRENCE:** Point of order: Again, I'm not trying to interrupt and I'm not aware of the substance of the privilege issue, but I just raise an issue. Is this an issue that pertains to the privileged document and the substance of it?

**The Hon. ROD ROBERTS:** It has nothing to do with the privilege.

**The CHAIR:** I don't think that that does. The discussion in relation to these vests being lost—

**The Hon. ROD ROBERTS:** It's in the public domain for a start.

**The CHAIR:** It's in the public domain already. We're not getting to the substance of the document.

**The Hon. ROD ROBERTS:** This officer here made a press release about it.

**The Hon. STEPHEN LAWRENCE:** I'm sort of in the dark in the sense that I'm not on top of the facts of the matter.

**The Hon. ROD ROBERTS:** Then be careful where you tread.

**The Hon. STEPHEN LAWRENCE:** It's clearly related to the same subject matter.

**The CHAIR:** It's common knowledge that there are a lot of missing vests of various types.

**The Hon. ROD ROBERTS:** Deputy Commissioner, do you know about the Weapons Prohibition Act 1998?

**DEAN SMITH:** Yes, details.

**The Hon. ROD ROBERTS:** I'm sure Mr Borsak would be keen on this, because I'm sure he's had constituents who've had their vehicle pulled over and who accidentally left the .22 cartridge in the centre console after a shooting weekend or whatever and been breached by the police. Section 32A of the Weapons Prohibition Act says:

A person who possesses a prohibited weapon—

which we agree the vests are. Is that right? They're prohibited weapons, right—

must take all reasonable precautions to ensure—

- (a) its safe keeping, and
- (b) that it is not stolen or lost, and
- (c) that it does not come into the possession of a person who is not authorised to possess the weapon.

Maximum penalty—100 penalty units or imprisonment for 2 years, or both.

Have the police breached section 32A of the prohibited weapons Act if the vests are lost or stolen—32A (b), actually?

**The Hon. EMILY SUVAAL:** Point of order: The question is asking for a legal opinion.

**The Hon. ROD ROBERTS:** He's a police officer.

**The Hon. EMILY SUVAAL:** If you wouldn't interrupt me in the middle of a point of order, I'd appreciate it. It is requesting a legal opinion of a public servant.

**The CHAIR:** There is no point of order.

**The Hon. EMILY SUVAAL:** I think it's completely disorderly under the procedural fairness resolution.

**The CHAIR:** There is no point of order.

**The Hon. ROD ROBERTS:** The Act says:

A person who possesses a prohibited weapon must take all reasonable precautions to ensure—

- (a) its safe keeping, and
- (b) that it is not stolen or lost, and
- (c) that it does not come into the possession of a person who is not authorised to possess the weapon.

You won't tell me how many are missing, but we'll find out eventually. You know that. You're just dragging it out a bit, but anyway—

**DEAN SMITH:** That's incorrect.

**The Hon. ROD ROBERTS:** There is a number missing, stolen or lost. We don't know. Nobody will tell us. Has the Police Force breached 32A of the Act?

**DEAN SMITH:** Without specific reference, I'd have to take that on notice, but I do not—

**The Hon. ROD ROBERTS:** Please take it on notice then. It's brought to my attention that a number of these vests may be expired in terms of their warranty. Is that correct? Sorry, let me be more specific: not the lost vests. The vests that are issued to our men and women on the front line, some of them have passed their expiry date in terms of their shelf life as warranty provided by the manufacturer. Is that correct?

**DEAN SMITH:** As to the warranty provided by the manufacturer, yes.

**The Hon. ROD ROBERTS:** Do New South Wales police have any concerns about section 44 (3) of the Work Health and Safety Regulation?

**DEAN SMITH:** If you could read that section, thank you?

**The Hon. ROD ROBERTS:** Most certainly. I'll just go to the points. It's division 5, personal protective equipment, section 44 subclause (3):

The person conducting the business or undertaking who directs the carrying out of work must ensure that personal protective equipment provided under subclause (2) is—

- (a) selected to minimise risk to health and safety, including by ensuring that the equipment is—
  - (i) suitable having regard to the nature of the work and any hazard associated with the work, and
  - (ii) a suitable size and fit and reasonably comfortable for the worker who is to use or wear it, and
- (b) maintained, repaired or replaced so that it continues to minimise risk to the worker who uses it, including by ensuring that the equipment is—
  - (i) clean and hygienic, and
  - (ii) in good working order ...

**DAVID HUDSON:** Mr Roberts, could I answer some of those questions because I inherited this problem last October after the first two audits. I can confirm there is a significant number, without breaching privilege, of vests unaccounted for.

**The Hon. ROD ROBERTS:** It's a very, very significant number.

**DAVID HUDSON:** Responsibility for management of that process has been taken over by the police armoury, and the 359 process, that you alluded to earlier this morning, has been linked to the AIMS system maintained by the armoury, the Armoury Inventory Management System, so that there's visibility over the organisation of where these vests are. In relation to the expiry date, that's an expiry of the warranty. We have gained extensions for two-year periods for those expirations of the warranty period, and we have a ballistics expert attest to the fact that they are still suitable, even though they are beyond their warranty period. When a vest is close to expiring—I'm talking about the personal-issue vests, either CLAVs or ILAVs—the officer will get a notification through the email system, because it's linked to the 359 system, that that vest is expiring and to contact the armoury.

Once that contact is made, the armoury know which batch number that serial number is from, and then will tell that officer whether it needs to be replaced immediately by returning it to the armoury or whether it has an extension to that warranty period. That's for the personal-issue vests. The full ballistic vests, there's a different process. They're checked quarterly by the commands, as a minimum, to test that the ballistic plates are still viable. If that's not the case, there's a stockpile at the armoury for their replacement, and they can be returned and replaced by the command. So there should not be a situation where we are in breach. There are systems in place to ensure that vests that might not be considered functional and might breach the Act are replaced. There are systems in place for that.

**The Hon. ROD ROBERTS:** You brought up the 359. When did P359 on the computer database come into existence?

**DAVID HUDSON:** As you are probably aware, it was a card system retained, which is the P359 card. It was made electronic some years ago.

**The Hon. ROD ROBERTS:** When the commissioner is quoted at that rugby league thing that I talked about earlier, that "we're operating on an antiquated paper database", that wasn't really a true reflection of the fact that the 359 is an electronic database.

**DAVID HUDSON:** I'm not sure if the commissioner was referring to that system or something else. I don't know.

**The Hon. ROD ROBERTS:** Can we all agree—and tell me if I'm wrong—that the 359, the electronic database for recording arms and appointments, including vests, existed long before the 2022 audits came about?

**DAVID HUDSON:** I'd agree with that.

**The Hon. SUSAN CARTER:** Commissioner, I have some questions about Operation Foil. Are they best answered by you? I'm happy to address them to whoever they're best directed to.

**KAREN WEBB:** Ordinarily those operations are conducted by a police transport command in the metropolitan area. However, if you want to ask a question and I'll decide where—

**The Hon. SUSAN CARTER:** I'm wondering how many times would Operation Foil have been conducted over the last year?

**KAREN WEBB:** We would have that data. I'll hand to Mr Thurtell.

**PETER THURTELL:** I'll have to take that on notice. Over the past 12 months, I would estimate on four occasions. However, I can't say that with any certainty.

**The Hon. SUSAN CARTER:** Did I understand you correctly, Commissioner, that they're conducted by a metropolitan-based command? Is that right?

**KAREN WEBB:** Mostly, but that's not to say exclusively. Foil is just an operation name. It doesn't mean there aren't knife operations or other operations conducted outside that aren't called Foil.

**The Hon. SUSAN CARTER:** That would be great to know. Could you tell me how many knife operations have been in Moree? Do we know how many have been done in Moree over the last year?

**KAREN WEBB:** We'll have to take that on notice.

**The Hon. SUSAN CARTER:** If you're taking it on notice, perhaps we could get Moree, Dubbo, Bega, Cooma, Lismore—all the major regional centres. It would be great to know how many knife operations. Can we also get the results? How many knives and other weapons were confiscated as a result?

**PETER THURTELL:** That may be difficult to obtain. If an operation is being conducted in the regional areas under the auspices of Operation Foil, that may be possible. But individual commands conducting individual operations are not necessarily captured underneath that particular thing—only perhaps the results of that operation, should there be arrests and charges.

**The Hon. SUSAN CARTER:** I would be happy if you could give me the best indication that you can. As a follow-up question from that, as I understand it, the way that Jack's law is intended to operate, that there will be areas that will be designated and part of the indicia for that designation will be a history of knife incidents.

**PETER THURTELL:** A relevant offence.

**The Hon. SUSAN CARTER:** Does Operation Foil lead into intelligence to designate an area for Jack's law? If we've got operations that are happening, as you've indicated, how does this intelligence feed into identifying a Jack's law area?

**PETER THURTELL:** In terms of intelligence, intelligence is intelligence, whether it's gathered through Operation Foil or any other means. It's the offence that's committed, not the intelligence about a particular area. It has to have a relevant offence in the previous 12 months in the particular area, and then the area to be designated. Foil may well play a role in an area being designated if Foil resulted in an offence being detected.

**The Hon. SUSAN CARTER:** Would Foil ever be an occasion where knives may be confiscated but warnings given and no charge proceeded with?

**PETER THURTELL:** It would be, I would suggest, not common that that would happen. I would suggest that the vast people that are detected with unauthorised possession of knives in the public place are not cautioned or conferenced.

**The Hon. SUSAN CARTER:** So they would be charged?

**PETER THURTELL:** Correct.

**The Hon. SUSAN CARTER:** If they're minors, they would be charged?

**PETER THURTELL:** They may well have some sort of action taken under the Young Offenders Act, but I'd have to get some statistics for you on that. I don't have them off the top of my head.

**The Hon. SUSAN CARTER:** I understand. If you could get those statistics—

**PETER THURTELL:** One thing: Don't be too focused on Foil itself. Foil is a knife operation but there are lots of other policing activities that result in the detection of knives, not just Foil.

**The Hon. SUSAN CARTER:** When Jack's law is operational, do you have any estimate of how many times in a given year it may be an operation that would be conducted?

**PETER THURTELL:** The standard operating procedures for the legislation, when it's proclaimed, are yet to be determined. There's a lot to be done before then. It's not possible to say how many operations will be conducted under that legislation, only that we will have the capability to conduct operations under that legislation. It's another tool in our kit, I would say.

**The Hon. SUSAN CARTER:** Capability, that means personnel, equipment, training?

**PETER THURTELL:** Correct.

**The Hon. SUSAN CARTER:** Anything else? I suppose determination of where?

**PETER THURTELL:** Correct.

**The Hon. SUSAN CARTER:** Anything else that would come into capability?

**PETER THURTELL:** No, that pretty much sums it up.

**The Hon. SUSAN CARTER:** How do you go about the process of determining how many wands are going to be needed if you don't know roughly how many operations will be conducted in a year?

**PETER THURTELL:** It depends on the type of wands that we get and also the amount of funding we get for the purchase of specific wands. Then it would be determined on how we allocate those wands, whether they're allocated to a region and then utilised by commands within that region, or allocated to a specialist command and then allocated by units within those specialist commands.

**The Hon. SUSAN CARTER:** Have you been informed how much funding you have to purchase wands?

**PETER THURTELL:** No, because we need to actually understand what we want to purchase and how many we want to purchase, and then we'll put a business case to the government in relation to that.

**The Hon. SUSAN CARTER:** If I can state my understanding of what the procurement process might be, you would make your determination as to the appropriate wands, and then you would determine the number that you think you need for operational purposes.

**PETER THURTELL:** Correct.

**The Hon. SUSAN CARTER:** Then you would put a business case to the Government, and then the Government would decide how much funding they can or cannot allocate to meet the business case. Then you would put the order in for the wands, and then the wands would be furnished.

**PETER THURTELL:** Pretty much sums it up.

**The Hon. SUSAN CARTER:** From your experience of purchasing other equipment, what's the likely timeline? If we're at the stage of not yet determining what it is that we want to purchase, through to that decision—preparation of business case, submission to government, funding allocation, putting in the order, delivery—what's the typical timeline for something like that?

**PETER THURTELL:** It may well be that we purchase some of the items and then trial them over a period of time to see that they suit our needs and whether they are operationally effective before we go into a mass purchase. As I said, there is some technology that currently exists overseas which other countries are about to embark on trialling. It may well be that we want to do the same thing—to trial this equipment—because I've said before it could be less invasive in its nature. If we went that way, we may well trial something for a period of time before we make a decision as to whether we should buy more.

**The Hon. SUSAN CARTER:** What would be the timeline to make the decision to decide what was going to be trialled, business case, purchase order? What's the timeline to get the trial group of wands in the hands of police officers in New South Wales?

**PETER THURTELL:** I can't really give you an exact time.

**The Hon. SUSAN CARTER:** No, just a rough indication from your experience.

**PETER THURTELL:** It depends on the availability of them from the manufacturer et cetera.

**The Hon. SUSAN CARTER:** If they were available now, what's your rough timeline? What's your best estimate in terms of your planning?

**PETER THURTELL:** Going off what the Premier said during the week about operationalising the legislation prior to Christmas, then I would suspect that we will have a product available—at least to trial during operations—before Christmas.

**The Hon. SUSAN CARTER:** When did you know that the deadline for the implementation of Jack's law was to be Christmas?

**PETER THURTELL:** We have been working with the Premier's Department on their desire to—I'll use the term again—operationalise the legislation. For, I would suggest a month or so, we have been aware that they are keen for us to operationalise the legislation sooner rather than later.

**The Hon. SUSAN CARTER:** When did you receive notice of that December deadline?

**PETER THURTELL:** I don't know that it is a December deadline. As I said, I heard the Premier during the week suggest before Christmas. Prior to that, I was thinking that we would maybe have something in November.

**The Hon. SUSAN CARTER:** The first communication you had of an actual date or time frame was hearing the Premier announce it on the radio?

**PETER THURTELL:** No. The first indication, as I said, was about a month ago when we had discussions with the Premier's Department around their desire—they're also conscious of the fact that we have work to do. That's just setting a desirable time frame.

**The Hon. SUSAN CARTER:** I may have misheard you. What I thought I heard you say was that you had had discussions with the Premier's Department about their desire to operationalise it sooner rather than later, but then you heard the Premier say December.

**PETER THURTELL:** Yes, sooner rather than later. November had been mentioned at one point.

**The Hon. SUSAN CARTER:** What planning have you done to work backwards from a November deadline in terms of acquiring the wands, implementing training and deciding, for example—how do you go about deciding whether the wands are going to be held by a specialist command or whether they're going to be distributed through the regions. How is that decision-making process undertaken?

**PETER THURTELL:** I have an assistant commissioner in charge of a working group that is working through all of this. It is likely that myself and the assistant commissioner may travel overseas in the very near future to discuss what other countries are doing, as well as to speak to some of the manufacturers about the products that they have and whether they are available for trialling, purchase or whatever it is.

**The Hon. SUSAN CARTER:** Were you involved with the purchase of tasers by the NSW Police Force?

**PETER THURTELL:** No.

**The Hon. SUSAN CARTER:** Is there anybody who can assist me in terms of the time line that that took from the decision of when to purchase and how long it was until they were received?

**DEAN SMITH:** In terms of the procurement process—without going back and having a look at that—I would have to specifically take the time frame on notice. It would depend upon the asset, the contract and all of those things that you are purchasing, the volume and the operation environment that it's coming into. Tasers was a lengthy procurement process, but in terms of "exactly", I would have to take that on notice.

**The Hon. SUSAN CARTER:** I'm hearing that procurement depends on the operational environment that it's going into, so you can't really decide which wands until you know whether it's specialist command or regional.

**PETER THURTELL:** Sorry, can you repeat that? You said you're hearing something, but I didn't say that.

**The Hon. SUSAN CARTER:** What I heard was that procurement depends on the operational environment in which the equipment is going to be used. As I understand it, there is still no decision made as to whether the operational environment will be a specialist command—a centralised location—or whether the wands will be available to be used widely through the regions.

**PETER THURTELL:** The legislation would allow any police command to conduct the legislation, but it needs approval from a senior officer and assistant commissioner. I would suggest to you that the regions, of which we have six in New South Wales, will all have the capability to conduct operations and the authorisations to conduct them. The specialist command would likely be the police transport and public safety command because they police all the railways et cetera. Obviously, train stations et cetera would likely be the target of an operation under this new legislation. All of those commands will ultimately have the ability to conduct operations within their command and within the designated locations within those commands.

**The Hon. SUSAN CARTER:** How long is ultimately?

**PETER THURTELL:** It won't be in November or December that this is available for a mass statewide operation. As I suggested to you, it will depend on the equipment that we purchase. We can't get this wrong. When we introduce legislation like this and police operationalise it—there have been concerns expressed around police targeting particular communities et cetera. We need to make sure we get this right. We need to make sure that the public is confident in the way that the police are operationalising this legislation. We will be up and running before Christmas, in some capacity, to utilise this legislation.

**The Hon. SUSAN CARTER:** You're suggesting that the Christmas deadline is a very limited capacity. It may well be a trial of wands that you will then make a decision about. When can people in the regions expect that their local regional command will have the capacity to keep them safe by implementing Jack's law?

**PETER THURTELL:** Definitely in 2025, I would suggest.

**The Hon. SUSAN CARTER:** January 2025 or December 2025?

**PETER THURTELL:** However, should we need to conduct an operation in regional New South Wales, I see no reason why the same equipment, even if it's on a trial basis, can't be transported to a designated location within regional New South Wales and utilised in that location—as long as a relevant offence has been committed in the previous 12 months et cetera.

**The Hon. SUSAN CARTER:** So what we're looking out by December is a trial with perhaps one command having access, but that would be mobile and could travel to other regions on request.

**PETER THURTELL:** Correct.

**The Hon. SUSAN CARTER:** We wouldn't have the capacity, for example, to run an operation in Dubbo and Moree at the same time because we would only have that trial capacity.

**PETER THURTELL:** No. I'm not suggesting we won't have the capacity to have it in more than one location, but perhaps not across the whole State at the one time.

**The Hon. SUSAN CARTER:** You've suggested 2025. Again, I'm asking you are you thinking—realistically, so we don't disappoint people—January? Are we thinking June? Are we thinking September? Are we thinking December 2025 before it's actually operational throughout New South Wales?

**PETER THURTELL:** I can't tell you that exactly. What I can tell you is if we are commencing a trial in December or November—whenever it is—then I'm not going to turn around and say that we'll be fully operational by January. However, I would suggest in the second half of 2025 it is more realistic that we have much more capability.

**The Hon. SUSAN CARTER:** Does that aspirational target of the second half of 2025 rest on whether or not there is sufficient availability of the equipment with either the US or the UK supplier?

**PETER THURTELL:** It would also depend on how that particular equipment is working for us and whether it turns out it is the best equipment that we can get.

**The Hon. SUSAN CARTER:** If, for example, in the trial period you find out that the equipment doesn't work as you'd hoped, it may be back to the drawing board, so we might need to factor in further delays to make sure that its operating to the peak capacity that you want?

**PETER THURTELL:** There would certainly be other equipment available, and we may trial more than one at the same time. So it may well be that we end up deciding which of a particular model is best suited to our operational needs, and it may well be that we then go from there.

**The Hon. SUSAN CARTER:** The wands that you currently have—how many of those do you have and are they fit for purpose, or are they not as good as the overseas models that you're looking at?

**PETER THURTELL:** The vast majority of the wands that we currently have are in stations, in custody areas et cetera for searching people. We do have other equipment with the Police Transport and Public Safety Command, which does use them. However, as I suggested to you before, our international research suggests that better products are available and less invasive products are available, and they're safe for police.

**The Hon. SUSAN CARTER:** Can you explain what a less invasive electronic wand is?

**PETER THURTELL:** In the UK and, I understand, in Boston in the US, they have what are called radar wands, which will allow you to detect a firearm or a knife on a person and distinguish it from something else, such as a mobile phone, from a distance of up to five metres.

**The Hon. SUSAN CARTER:** Sorry, I'm just thinking this through. If you're five metres away from somebody and you detect they have a knife or gun, how is the apprehension of that person then made from five metres away?

**PETER THURTELL:** You don't. You close the gap, of course, if you're going to do that. But that detects the possession of a knife.

**The Hon. SUSAN CARTER:** This is technology that you're looking at?

**PETER THURTELL:** This is technology we're looking at.

**The Hon. SUSAN CARTER:** Roughly, what does each of those wands cost?

**PETER THURTELL:** I don't know.

**The Hon. SUSAN CARTER:** So you're not at the stage yet of actually having any costings from any of these suppliers?



**PETER THURTELL:** No, not for that type of equipment. We know what we can get available today which is cheaper. You have to be in very close proximity to a particular person to do it, which is obviously putting the police closer to the weapon et cetera.

**The Hon. SUSAN CARTER:** But you don't actually know how much money you're going to get from the Government, so you can't work out whether you need to go the cheaper or the safer option at the moment.

**PETER THURTELL:** It's not a matter of how much we're going to get from the Government. We don't know how much we're going to ask the Government for.

**The Hon. SUSAN CARTER:** You'll forgive me; there seem to be a lot of unknowns. The quantum of money available is unknown. The timeline is unknown. The type of wand is unknown. The areas in which they're going to operate are unknown. The exact deadline in December is unknown. The exact time in 2025 is unknown. It's challenging to have confidence that this will be operationally ready by December. Commissioner, are you confident that this will be operationally ready by December?

**KAREN WEBB:** What I'm confident about is that we have existing powers. We're not relying on a wand to do our job. If there are concerns in the community—every day police are taking knives and weapons off people using their ordinary powers. This is another tool.

**The Hon. SUSAN CARTER:** Are you suggesting that Jack's law was unnecessary, if you have existing powers?

**KAREN WEBB:** I'm just suggesting it's another tool. Based on the experience from Queensland and the way that the Queensland police and Government have implemented it, we will work with the law that is coming into being in New South Wales. However, we seize about 4,000 knives a year just in our normal operations.

**The Hon. SUSAN CARTER:** But I didn't hear you say you were confident that it would be operational by December.

**KAREN WEBB:** I think Mr Thurtell has spoken to the issues that we need to—our due diligence, and I expect that the Government would expect of me that we do due diligence to make sure that we're assessing all the viable products to make sure that they are fit for purpose and we're not running off and buying items that are not suitable.

**Ms CATE FAEHRMANN:** Commissioner, I want to get your views on a situation in Kings Cross at a club that has contacted me regarding the licensing division within Kings Cross Local Area Command. The club is Club 77. They operate on William Street. They've started putting on, I understand, something called Sundays at 77. They've had a lot of issues with the Kings Cross licensing division, which they say has been trying to, for all intents and purposes, almost close them down for some time. I'm just wondering whether any of the commissioners here are aware of that. Who would largely deal with licensing?

**PETER THURTELL:** Kings Cross certainly comes under me. I'm not aware of it. I'll take it on notice.

**Ms CATE FAEHRMANN:** The owner of Club 77 is telling me that, for example, he has been told by one of the officers—I'm happy to give you the names of some of the officers—"Why are you doing an event like this? It's not worth it. Why are you wasting our time on this?" This is a Sunday daytime into Sunday evening event for hospitality workers and what have you. I've spoken to the owner of Club 77 a number of times, who says to me that he has quite a few records of different incidents of the officers in Kings Cross treating him and his venue with disrespect. I just wanted to get your views on that. Commissioner, from your perspective, we have feedback that the biggest thing that is holding back Sydney and Sydney's night-time economy from thriving—people going out late, venues staying open—is the attitude of the police. Have you heard that feedback yourself?

**KAREN WEBB:** No, I haven't. In fact, I went to a meeting just this week with Ministers and other Government members about the night-time economy and how we will work with those stakeholders in their efforts to get the night-time economy going.

**Ms CATE FAEHRMANN:** Does it concern you to hear that? And this isn't an isolated incident. The owner of this particular venue says that other owners of other venues regularly complain about the attitude of the police. The relatively new Government came in making a big deal of trying to get-night life going, but it really does sound like Kings Cross police continue to crack down on venues that are actually trying to stay open and make the most of it.

**KAREN WEBB:** I accept that that's what you've been told. As has been said, I can't answer your questions directly on those issues and will have to take those on notice.

**Ms CATE FAEHRMANN:** Deputy Commissioner Thurtell, can I ask whether you're aware of the difference, in terms of liquor licence conditions, between live entertainment and DJ entertainment? Are they separate things or the same things?

**PETER THURTELL:** I'd have to take that on notice as well.

**Ms CATE FAEHRMANN:** You haven't worked in that space?

**PETER THURTELL:** No.

**Ms CATE FAEHRMANN:** Commissioner, if I can go back to the questions I was asking earlier today around the Early Drug Diversion Initiative, could you talk us through how you and the Police Force are rolling that out through the local area commands and how you're ensuring that all the officers know that that's an option for them?

**KAREN WEBB:** Thanks for the opportunity, because we were able to clarify some of that information you talked about. Mr Thurtell can update the Committee on that.

**PETER THURTELL:** Since 29 February this year, a police education training environment micro learn package has been delivered for officers statewide. A memorandum has been issued to commanders regarding the new EDDI scheme.

**Ms CATE FAEHRMANN:** When was that issued?

**PETER THURTELL:** The micro learn?

**Ms CATE FAEHRMANN:** The memorandum.

**PETER THURTELL:** I don't have the date, I'm sorry. But it was, I believe, post-29 February.

**Ms CATE FAEHRMANN:** Could you take that on notice to provide?

**PETER THURTELL:** If you like. Do you want me to keep going?

**Ms CATE FAEHRMANN:** Yes.

**PETER THURTELL:** The memorandum has been issued about the changes to the scheme and the update to the Cannabis Cautioning Scheme. A NEMESIS, which is a statewide message to all officers, has been issued. Standard operating procedures for the new EDDI and updates for the Cannabis Cautioning Scheme have been issued. In *Police Monthly*, which is our magazine that all the officers have access to, a front-page article featuring the new EDDI was published. Instructions from the deputy commissioners have also been sent. Provision of legal advice to officers in the form of a law note, which is a common-practice note that we send out to officers on how the law relates to this scheme. Intranet content is available, including a front-page promotional tile and an updated drug-related crime page which is, again, a page that our officers have access to on our intranet and on WebCOPS, on our maintenance page. We had a screensaver during March of 2024 which publicised the new scheme. There was subsequent content developed in the form of fact sheets and a quick reference card, which have been available on the internet since August this year.

**Ms CATE FAEHRMANN:** That sounds very comprehensive. My office requested updated data. I quoted to you this morning the first three months. We have requested updated data, which I understand we might get by the end of the day, which is bad timing, really, for me. But do you expect those numbers to have improved a little bit based on everything you have just told me? Remember, roughly 7.5 per cent of people who were caught with low-level quantities of drugs were diverted or given the opportunity to pay a fine.

**PETER THURTELL:** The data you disclosed this morning—I think you restricted it to ice at one point in time. I think you mentioned the number 60 at one stage. I can tell you that as of 20 August this year, 467 CINs have been issued since 29 February for low-level drug offending.

**Ms CATE FAEHRMANN:** How many up until 20 August?

**PETER THURTELL:** So, 467 plus 1,117 cannabis cautions.

**Ms CATE FAEHRMANN:** You have just told me 467, and I appreciate you giving me that information. The number that I did have for how many people have been diverted—and this was up until May—was 275. I don't think it has improved. The number of 60 that I gave you was cocaine. So, 275 were diverted. For the 467, do you know how many that is out of? It was 467 out of how many in total that were caught? How many were charged?

**PETER THURTELL:** I do have information about the number of charges but the relevance to the charges and the CINs is that people who are charged are generally ineligible for the CIN because of the factors

that have to be taken into account, such as the quantity and whether they have multiple drugs et cetera. Yes, there would be more court attendance notices issued than CINs, but it is not necessarily the case that those court attendance notices could have been CINs, because they might not have met the criteria for the CIN.

**Ms CATE FAEHRMANN:** That does seem extraordinary, though, just using the data that I have in front of me for the first three months. It might sound like its roughly similar, given the number that you just gave me.

**PETER THURTELL:** Double.

**Ms CATE FAEHRMANN:** That does sound extraordinary. For example, with the 275, 3,404 were charged with low-level drug possession instead of being diverted. That's significant. That's 92.5 per cent of people. I recognise that some people are stopped by the police and they are cautioned. But 92.5 per cent were actually charged. I wouldn't have thought that all of those people had come into trouble with the law or had other offences.

**PETER THURTELL:** Or didn't meet the quantity criteria for the cautioning system.

**Ms CATE FAEHRMANN:** I think they did because this was low level. The question I asked was about low-level drug possession.

**PETER THURTELL:** To be honest, I can't exactly go into those 3,000. All I can tell you about is the 467.

**Ms CATE FAEHRMANN:** Sure, but you're getting my point in terms of why I'm asking what I'm asking?

**PETER THURTELL:** I think it's worth bearing in mind, though, that it is early days. It is from 29 February to now. It has just tipped over six months in the 12-month review period. Hopefully things will improve.

**Ms CATE FAEHRMANN:** I am asking because I hope it's successful in the 12 months. That's all.

**PETER THURTELL:** So do we.

**The Hon. ROD ROBERTS:** Mr Smith, back to you again. In relation to the media release attributed to you on 9 August, there is a line in particular that I am interested in. It says, " Within this audit a number of vests were identified as being unaccounted for, and a number of deficiencies were identified." Why didn't you disclose in that media release the number of vests that were unaccounted for?

**DEAN SMITH:** Probably a number of reasons in relation to the accuracy of the data and the information that we had. Certainly, the processes and the review processes that needed to be undertaken. Secondly, it was also in relation to methodology and the safety of our officers to make sure that all of those things were considered.

**The Hon. ROD ROBERTS:** I am very mindful of methodology and there is no way I would do anything to endanger the life of any New South Wales police officer. How is the methodology of a count—and an inaccurate one at that—endangering anybody. I think that is a fairly lame excuse to use. You were not prepared to tell the public on 9 August when you released this statement how many vests were unaccounted for. You know how many there are, right?

**DEAN SMITH:** There is a significant number, however—

**The Hon. ROD ROBERTS:** We're not going to go there because it's privileged, right? But there is a significant number. So you know the number. The New South Wales police know the number—yes?

**DEAN SMITH:** I do not accurately know the number. There is a significant number.

**The Hon. ROD ROBERTS:** Perhaps I will refer to Mr Hudson. He seems to be the only one on top of stuff here today. There's a number, Mr Hudson? Don't tell me what it is if it's privileged.

**DAVID HUDSON:** There is a number. I have no confidence in that number, Mr Roberts.

**DEAN SMITH:** Which is exactly—

**DAVID HUDSON:** What Mr Smith and I agree on is that, since that last audit was done, 200 of those unaccounted vests have shown up. They continue to show up to the armoury since we have inherited that. Subsequently, we are going to do another audit. The armoury is going to run this audit.

**The Hon. ROD ROBERTS:** How many audits do we need?

**DAVID HUDSON:** It's going to be done properly. It's going to be done with expiry dates and it's going to be done with numbers, and there will be no dispute. We caused inquiries to be made yesterday, through the

State Intelligence Command. I asked for downloads of COPS events for the last five years to see how many police vests have been stolen. There's a total number of seven. There's a further number of six that were lost, four of which have been recovered. Whilst the number is significant, as we have indicated, there is also a number of COPS events on the system with mass destructions of expired vests where the serial numbers have not been recorded. This is an accounting—

**The Hon. ROD ROBERTS:** We can't really tell then, can we?

**DAVID HUDSON:** No, which is why we are not open about the number, apart from the privilege aspect. Mr Smith, the commissioner and I agree that we're not confident in the number.

**The Hon. ROD ROBERTS:** The bottom line is, we don't know where they are. It's a dog's breakfast.

**DAVID HUDSON:** We have unaccounted-for vests.

**The Hon. ROD ROBERTS:** A significant number of them—we agree?

**DAVID HUDSON:** A significant number.

**The Hon. ROD ROBERTS:** With a significant value too, by the way.

**DAVID HUDSON:** They are of significant value. I agree with that. Some have been destroyed as they have gone past their expiry.

**The Hon. ROD ROBERTS:** How do we know they've been destroyed?

**KAREN WEBB:** COPS entries.

**DAVID HUDSON:** There are COPS entries, as I said, with mass—

**The Hon. ROD ROBERTS:** But no numbers, though.

**DAVID HUDSON:** That's right—so something has been destroyed.

**The Hon. ROD ROBERTS:** Something has, but it could have been one for all we know.

**DAVID HUDSON:** No, there are numbers there but not serial numbers, which is why we need to do another audit. Any commander out there who is watching this hearing, streaming it—you can get ready now, Mr Roberts, because it's coming again, and it's going to be done properly.

**The Hon. ROD ROBERTS:** I'm sure there are a few. I've been told there are a few. They are sick of these audits. How many have we had now?

**DAVID HUDSON:** This will be the third.

**The Hon. ROD ROBERTS:** And we still can't come up with a figure.

**DAVID HUDSON:** It's embarrassing and we all agree with that.

**The Hon. ROD ROBERTS:** It is embarrassing, isn't it? It's highly embarrassing.

**DAVID HUDSON:** We all agree with that.

**The Hon. ROD ROBERTS:** Mr Pisanos, are you aware that in the last financial year over \$36 million in taxpayer dollars has been paid out in civil litigation for civil damage claims et cetera?

**PAUL PISANOS:** I'll have to accept the figure from you.

**The Hon. ROD ROBERTS:** I only got it from the police Minister. I am assuming she got it from you guys. It's not a trick question.

**PAUL PISANOS:** I'll accept it from you.

**The Hon. ROD ROBERTS:** There were 359 individual claims that were paid over the last 12 months. The average was over \$100,000 per claim. They were fairly significant breaches and trespasses against individuals for them to be given over 100 grand in compo. I want to refer you to an article in *The Daily Telegraph* of 10 February 2022 by Natalie O'Brien, in which she and I talked about the significant amount of payouts the New South Wales taxpayer has paid out because New South Wales police have made mistakes. I alluded to the fact that this was because police aren't trained properly. Ms O'Brien put to you the comment "Roberts said they're not trained properly." You—New South Wales police Acting Deputy Commissioner Paul Pisanos, in those days—said, "There's a myriad of reasons why civil claims are brought against the New South Wales police, and to suggest that training or lack thereof is the cause is incorrect." Do you recall saying that?

**PAUL PISANOS:** I do, sir.

**The Hon. ROD ROBERTS:** What are the myriad of reasons?

**PAUL PISANOS:** I think for me the key one with training is we train our people comprehensively but often the interpretation of the training and the execution operationally is a very different issue to the actual training itself being the reason why a civil action might be launched. I think that was the point I was making. We train our employees—

**The Hon. ROD ROBERTS:** What are the other reasons? You said a myriad of reasons why civil claims are brought against the cops. What are some of the others? You're saying it's not training. They have been trained, but they've interpreted it wrongly?

**PAUL PISANOS:** Yes. An accused or a person that police interact with that is unhappy civilly with the actions police have taken is another reason.

**The Hon. ROD ROBERTS:** Don't they have to substantiate that at a court, though?

**PAUL PISANOS:** Eventually, yes. It amounts to a statement of—

**The Hon. ROD ROBERTS:** Okay, so the court finds that they have been trespassed against.

**PAUL PISANOS:** Ultimately.

**The Hon. ROD ROBERTS:** Yes, so we're still back to the same thing. We haven't got a myriad of reasons yet. What else? I'll put it to you then, Deputy Commissioner. Let's shorten this up because we're all on the clock here. There are three reasons that the New South Wales taxpayer is paying out close to \$40 million a year. One, the police are deliberately going out there breaking the law—and I suggest that that is not the case because 99.9 per cent of all men and women in the NSW Police Force are good, honest, hardworking people, so it's not that.

**PAUL PISANOS:** Agreed.

**The Hon. ROD ROBERTS:** They are unintentionally doing it because they haven't been trained correctly. Or the third reason is you're using taxpayer money as go-away money. Do you know what I mean when I talk about go-away money?

**PAUL PISANOS:** I do.

**The Hon. ROD ROBERTS:** So, what is it then? Are they deliberately breaking the law, have they not been trained properly or is it go-away money?

**PAUL PISANOS:** I disagree with the point you're making about go-away money. It's not for me to say.

**The Hon. ROD ROBERTS:** You have told the public there is a myriad of reasons. Please explain to us what the myriad of reasons are.

**PAUL PISANOS:** I think I have answered the question.

**The Hon. ROD ROBERTS:** I don't think you have; that's why I'm asking. What is the myriad of reasons?

**PAUL PISANOS:** I have answered the question.

**KAREN WEBB:** Mr Roberts, can I interject just to say that the Minister has written to me to ask me to do a review of all of the civil claims so that we have a better understanding of the root causes of the cost of civil claims and the drivers of civil claims et cetera. I've written back to her this week and accepted that I will undertake that review.

**The Hon. ROD ROBERTS:** Okay. I have been on about this for five years, as you know. Let me refer you to this, then, Deputy Commissioner Pisanos. I asked a question of the Minister, which was in those days Paul Toole. For Hansard, it is question on notice No. 8332:

- (a) What issues have been identified out of the 1614 claims over the last five years that have required educational or training opportunities?
- (b) What training and educational strategies have been put in place to address these issues?
- (c) What systemic issues have been identified?
- (d) What has been done to address those systemic issues?

He has come back with a long answer. I am going to try to read some of it on the record, but it is all training. It is absolutely all about training. He states:

- (a) Educational and training opportunities identified include non-compliance with sections of the Law Enforcement (Powers and Responsibilities) Act 2002 and Police Act 1990, failures to record certain information on the Computerised Operational Policing System (COPS), and non-compliance with various policies or operating procedures of the NSW Police Force.
- (b) A number of measures have been undertaken to address educational and training opportunities identified as a result of civil claims, or other processes. These include:
  - in-command training,
  - police powers face-to-face training sessions,
  - development or updating of reference materials,
  - publication of further information on key NSW Police Force intra net sites,
  - creation of open e-learning modules and Microlearns, and
  - development of Commissioner's Training Directives, Mandatory Continuing Police Education (MCPE) packages and Employee Acknowledgments.
- (a) Systemic issues identified include the failure to comply with certain legislative or NSW Police Force policy requirements.
- (b) A number of measures have been undertaken to address systemic issues identified as a result of civil claims, or other processes. These include:
  - various amendments to the Law Enforcement (Powers and Responsibilities) Act 2002,
  - development of various manuals and guidelines,
  - creation of the Police Powers Person Search face-to-face training workshop,
  - amendments to COPS,
  - development of other educational resources such as Microlearns, and
  - the distribution of further information via email and Police Monthly articles.

The Minister provided that answer. Has the Minister misled Parliament that education and training has been identified as the issue, or have you misled the public in your statement that it is not training; it is a myriad of reasons?

**The Hon. EMILY SUVAAL:** Point of order: The honourable member is referring to the previous Minister in his remarks. I ask him to be clear—

**The Hon. ROD ROBERTS:** Yes, definitely. I said Paul Toole.

**The Hon. EMILY SUVAAL:** You just referred to "the Minister".

**The Hon. ROD ROBERTS:** I said Paul Toole.

**The Hon. EMILY SUVAAL:** But in the latter part of your statement, you were referring to "the Minister".

**The CHAIR:** He did clarify at the start.

**The Hon. EMILY SUVAAL:** I would like for the record to be clear.

**The Hon. ROD ROBERTS:** Definitely, it's Paul Toole.

**The CHAIR:** He said it.

**The Hon. EMILY SUVAAL:** It's the previous Government.

**The Hon. ROD ROBERTS:** Paul Toole has told us it is nothing but training, right? Training, training, training, training, training is what has been identified as the cause of this. But you say to the public, "No, it's not training. Roberts is wrong. It's a myriad of reasons."

**PAUL PISANOS:** I'm not saying Roberts is wrong. The actual point I made was training alone—we train our police significantly. I'd say it is the interpretation of the training at times and the way, operationally, police execute the business on the ground that can lead to civil actions, both intentional and reckless torts. That's the point I made.

**The Hon. ROD ROBERTS:** But we agree there is no myriad of reasons, then. There are no other reasons.

**PAUL PISANOS:** It's a fair comment.

**The Hon. ROD ROBERTS:** Fair comment?

**PAUL PISANOS:** In regard to myriad.

**The Hon. ROD ROBERTS:** But be careful what you say to the public, because you're a deputy commissioner of police. People would expect—same as when the commissioner makes statements to the media that are incorrect. How do you expect the community to have trust in the Police Force if what their senior leaders are telling them is incorrect?

**The Hon. STEPHEN LAWRENCE:** Point of order: This is not an opportunity for a lecture, with the greatest of respect to Mr Roberts; it is an opportunity for questions.

**The Hon. ROD ROBERTS:** It is a question.

**The Hon. STEPHEN LAWRENCE:** It is a rhetorical question, in reality, disguised.

**The CHAIR:** I uphold the point of order. We've got to the end of the questioning.

**The Hon. EMILY SUVAAL:** There was quite a significant adverse reflection in there about making incorrect statements.

**The Hon. ROD ROBERTS:** The bell has gone, anyway.

**The CHAIR:** We will hear from the Opposition.

**The Hon. RACHEL MERTON:** I direct my question to Peter Thurtell. Deputy Commissioner, just picking up the correction that you opened with following the break in reference to PolAir and Wakeley, my question is was there a delay in PolAir providing aerial support for Wakeley?

**PETER THURTELL:** The first call for assistance from police attending at the scene occurred at 8.01 p.m. PolAir were in attendance at 9.43 p.m. and, as far as I am aware, were in the air for at least 1½ hours after they arrived over the scene of the riot.

**The Hon. RACHEL MERTON:** Could I just clarify, at 8.01 p.m. the call for assistance was made or received by PolAir?

**PETER THURTELL:** No, that was the first call from police on the scene requiring assistance from other police.

**The Hon. RACHEL MERTON:** And then at 9.43 p.m. the assistance was in place?

**PETER THURTELL:** No. At 8.01 p.m. the first police at the scene called for assistance from other police. That assistance came almost immediately. The aerial support arrived at 9.43 p.m. My understanding is that that support was not requested immediately. You've got to remember this is a ground-based operation—rioting et cetera—but obviously the aerial support came and assisted later.

**The Hon. RACHEL MERTON:** In terms of the response time from PolAir on this, is this a typical, usual response time?

**PETER THURTELL:** The response time itself has to be taken from the time that PolAir were requested for assistance, not the time of the instigation of the call for assistance from the police that first had attended the scene. When you say, "usual response time", I don't know a usual response time.

**The Hon. RACHEL MERTON:** The question is was there a delay here? That's all.

**PETER THURTELL:** Yes, there was a delay.

**The Hon. RACHEL MERTON:** Were the crews based at PolAir at the time that the call for assistance was made?

**PETER THURTELL:** No, they had to come in to provide that assistance.

**The Hon. RACHEL MERTON:** So, the facility was not manned by staff at the time the call was made?

**PETER THURTELL:** I'm not prepared to say "not staffed" at the time the call was made. I am prepared to say that a pilot wasn't available at the time the call was made.

**The Hon. RACHEL MERTON:** Are there other requests for operational support by PolAir that have had a similar delay experience such as this?

**PETER THURTELL:** I can't say with any certainty, but I wouldn't be surprised if there was, particularly if it came at night and a pilot had to be recalled to provide the aerial support.

**The Hon. RACHEL MERTON:** Have PolAir been unable to provide support for operations because helicopters were being serviced or required servicing? Is the required infrastructure available?

**PETER THURTELL:** Yes, it's true to say that PolAir have been unavailable to assist some operations because of either scheduled or unscheduled maintenance, or the lack of availability of pilots—because our pilots have fairly extensive night-vision training that they're undergoing at the moment, which takes a lot of their hours as well. But, yes, it is accurate to say that, on some occasions, a particular operational response wasn't available for various reasons.

**The Hon. RACHEL MERTON:** Are there any helicopters or planes out of service at the moment?

**PETER THURTELL:** You asked the question earlier in the day about today. What I can tell you is, as we stand today, there are four aircraft available and two pilots.

**The Hon. RACHEL MERTON:** Over the last six months, has PolAir been unable to provide support for operations because the required aircraft have not been available?

**PETER THURTELL:** Yes, I think that's fair to say because, as I said before, both scheduled and unscheduled maintenance take our aircraft out of the air at times. There's always something available, but as many as we possess might not be able to be put up in the air at one time.

**The Hon. RACHEL MERTON:** Then, to the question as to whether the necessary infrastructure is available to PolAir, in light of what you're telling me in terms of aircraft or availability or—

**PETER THURTELL:** In terms of aircraft, we've got—you accurately stated it before, so I don't need to go back over that—world-class facilities. We do have, as I have already mentioned, scheduled and unscheduled maintenance, much of which is outsourced. Our police air wing have recently put up a business case. We're looking for some licensed aeronautical maintenance engineers to increase our ability to conduct our own scheduled maintenance so that we can rotate the aircraft through a maintenance program without leaving ourselves short of work aircraft.

**The Hon. RACHEL MERTON:** In terms of critical instances like Wakeley and the impact on the community and the safety of the church, what does a delay by PolAir mean for a situation like that?

**PETER THURTELL:** To be honest, not a lot. Our response was a ground-based response. Yes, PolAir is always handy when they're above. They did do some extensive videoing of what was going on. That video recording has been used and will be used in legal proceedings. It did help those on the ground coordinate the ground police. However, as I said, the vast majority of our response was police coming in to the scene from around Sydney and our public order and riot squad police turning up to assist.

**(Short adjournment)**

**The CHAIR:** We will begin with Opposition questions.

**The Hon. SARAH MITCHELL:** Commissioner, I'll direct this to you but, again, I'm happy for anyone else to answer as well. Last time we talked about some of the challenges around social media and young people, particularly with crime and posting on social media. Since we last met, there has been the introduction of what we call the "post and boast" laws. Are there any updates that you could give us in terms of numbers of people charged or police feedback on the efficacy of those legislative changes?

**KAREN WEBB:** I'll pass to Deputy Commissioner Pisanos, who can talk to that. It's statewide but particularly relevant in regional areas.

**The Hon. SARAH MITCHELL:** Hence the reason I was asking.

**PAUL PISANOS:** Definitely. If you'll allow me to find that particular section. I've changed my filing system around—my apologies.

**The Hon. SARAH MITCHELL:** I can relate. You should see my desk.

**PAUL PISANOS:** The legislative reform—we're talking about post and boast, not the Bail Act reforms?

**The Hon. SARAH MITCHELL:** Yes, post and boast, specifically.

**PAUL PISANOS:** Forgive me for the delay. About 15 individuals have been charged under the offences. I can go through and stipulate. They are a mixture between metro and regional.

**The Hon. SARAH MITCHELL:** I'm particularly interested in the regional ones, if you've got any info.

**PAUL PISANOS:** I have. I will read down a breakdown: There was a 13-year-old at Manning, Great Lakes, up around the Central Coast; Mount Druitt, a 14-year-old; a 14-year-old in New England PD; a 15-year-old



in Brisbane Water; a 15-year-old at Cumberland; a 15-year-old at Lake Macquarie; a 16-year-old at Chifley; a 16-year-old in the Hunter Valley; a 16-year-old in New England; a 17-year-old in the Hunter Valley, again; Nepean; a 17-year-old in New England; a 17-year-old in Newcastle; Mount Druitt; and then Murray River, an adult. All but one were under the age of 18.

**The Hon. SARAH MITCHELL:** I appreciate that this might be anecdotal, but I guess in terms of from police officers on the ground, having that as an additional charge that can be put when some of these crimes are undertaken—has that been received well by frontline police officers?

**PAUL PISANOS:** It has been received well, and I think it's just a tool that we can utilise for recidivism, in effect—for repeat offending in a certain category. Similar to the bail provision, it's for aggravated break-and-enters—stealing cars, escalated violence and then posting that type of offending on social media.

**The Hon. SARAH MITCHELL:** Have you had to make any changes? I appreciate when I've asked about this before—and I know that you do have relationships with the eSafety Commissioner and with the relevant social media companies. But in terms of getting the footage or the data that you need to attribute that charge, did you have to have any other processes in place, or did that happen already before this change?

**PAUL PISANOS:** There were protocols that were in place, and I think they are well established. I think there is always opportunity to improve those, and I think there are ongoing meetings that are taking place around particularly violent crimes and crimes of this nature. I think it's a work in progress, but certainly, the meetings and the discussions are still ongoing.

**The Hon. SARAH MITCHELL:** I might stick with you if I can, Deputy Commissioner Pisanos. I would like a general update—and I've asked about this before—about Operation Mongoose and where you are up to with the rural and regional. You are probably not surprised I was going to ask it, but I'm just wondering if there are any updates in terms of that work, and arrests, and the like.

**PAUL PISANOS:** Again, I'm going to have to go back to my more bespoke filing system, if that's okay. I will talk about Mongoose in terms of western region, northern region and southern, holistically. If I need to, I can break them down. Between 26 September 2023 and 26 August 2024, a combined—west, north, south—Operation Regional Mongoose response has investigated 940 break-and-enters and 845 stolen vehicle offences that have been reported. We have arrested and charged 464 individuals, of which 294 were juveniles, issuing 1,407 court attendance notices, consisting of 3,403 offences. Four hundred and fifty-five CANs, court attendance notices, were issued for breach of bail offences and 44.26 per cent of persons charged were on bail for other offences at the time they were charged.

**The Hon. SARAH MITCHELL:** Sorry, 46 that was?

**PAUL PISANOS:** Yes. I can break that down into regions, if you need to.

**The Hon. SARAH MITCHELL:** Could you, maybe on notice, provide it broken down in regions, if that is easier? The figures around break-and-enter and vehicle theft—that was over almost a 12-month period. Is that an increase, compared to data in previous years?

**PAUL PISANOS:** Definitely it's an increase in aggravated break-and-enters in regional. I can take it on notice and come back to you with the specifics, but we'll have to look at probably the BOCSAR data for that.

**The Hon. SARAH MITCHELL:** Which, obviously, we've got access to, as well. We spoke about it last time, but I would like to ask about operational numbers of police. I know there have been—I'll use the term "surges", where you'll see more visible policing in certain communities, and additional cops when there are issues in places like Moree. I think Gunnedah has had that as well, where I'm from, as you know. Is there any update you can provide? Obviously the arrests and charges speak in a positive way in terms of that more active policing, but how is the operational strength in order to get the police where you need them when the issues are there, in certain communities at certain times?

**PAUL PISANOS:** I think we've spoken earlier today around the regional recruitment, Cop in your Hometown. That's significant. As I've spent probably the last 18 months with most of my time in regional and remote communities, I definitely could see that there was a massive opportunity for recruitment from regional communities and regional cities. The big issue was about, where are those police, once they join, going to land up? They want to go back towards the places that they are from, and where they've grown up. They've got family connections, housing connections, support and otherwise. So come December this year, which is one of our big classes, there will be, I would say, a more enhanced distribution of police to regional areas, and based in those locations that we know are in need of extra police. We certainly make no apology that will be the case, and that is certainly our global strategy around that. We will put those extra police in regional, where they are required, and where that offending is happening, and where that community need is there.

**The Hon. SARAH MITCHELL:** The Cop in your Hometown—obviously some people would be applying to go through the recruitment process wanting that. But would you also still look at sending metro people, as you normally do, of course?

**PAUL PISANOS:** Absolutely, nothing changes our recruiting streams. This is an enhancement to that that. It's piloted in 12 locations around the regional areas. The take-up of that and the interest in it has been really positive. There have been a number of different launches. There are senior officers at each police district and each region who have responsibility for driving that at a local level. It is very important to us for that to be successful, on top of our existing recruitment procedures. The signs, anecdotally, and from what I've heard over the past two months have been phenomenal.

**The Hon. SARAH MITCHELL:** We'll probably ask you about it when we're back here again, I would say.

**PAUL PISANOS:** I think it's something to keep track of. People that are at a change in career—tradies, builders, farmers and other people in regional communities—are showing a keen interest in joining the police. Some of them are in their late twenties and thirties. They are the types of people that we want to join the Police Force.

**The Hon. SARAH MITCHELL:** Yes, with a bit of lived experience in a country town—it's really an asset for them. I just have two more in the same vein of questioning. I think last time, Commissioner, you talked about the Engage system, which was relatively new, I think, in terms of that prevention and having diversionary opportunities before young people end up being picked up by police. Are there any updates in terms of that work?

**KAREN WEBB:** The Engage platform is an IT recording system and it records our interactions with the community. Mr Pisanos' area owns that. So we can talk to some of that, but we might not get down to the granular level, whether they are youth, whether they are adults, et cetera. Our youth strategy has two streams, which is the tier 1 and tier 2 streams. Earlier today we talked about the PDR—or prevention, disruption, response—way of managing crime in communities where, for example, youths picked up in that, will be referred to a youth officer in youth command for engagement, either as a tier 1 or a tier 2 child or young person, for whatever appropriate intervention is needed, whether that's with the PCYC—that's one program and there are many of those that we've talked about before. The Engage platform is really more holistically about how police account for all of the things that we do connected to our communities. So Paul can probably tell you more.

**PAUL PISANOS:** I'm going to take the number of engagements on notice because I'm not going to sit here going through this folder.

**The Hon. SARAH MITCHELL:** That would be good.

**PAUL PISANOS:** I know they're in there. Needless to say, I can say that there have been thousands of individual engagements across regions. By engagements, I mean potentially an engagement at a local level, at a community level, a local government level, with multicultural communities across New South Wales and also our First Nations Aboriginal communities in both metro and regional. It's a way of us basically recording in terms of our interactions and the business that we do—it doesn't necessarily translate into a COPS event, like an event or an incident we respond to.

This is a way of us capturing our outputs in terms of that holistic community engagement and also the outcomes. It measures outcomes in relation to what we're getting and driving through that meeting or engagement in terms of an outcome. It's been in play for a bit over 12 months and it's been taken up holistically across the whole organisation from the local level to a regional level in terms of the things that we do as police that aren't necessarily captured in the response to a job. It's about keeping communities safe. It's about engaging with our broader community. It's been a phenomenal success.

**The Hon. SARAH MITCHELL:** If you can provide on notice whatever data you have?

**PAUL PISANOS:** I know I have them.

**The Hon. SARAH MITCHELL:** I apologise for not knowing, but is that ever released by the police proactively in the community? I'm just thinking people obviously want to see arrest rates, but if you can also say, "Well, actually, this is the work that we're doing in early intervention and prevention", that might help allay community concerns in some respect too.

**KAREN WEBB:** Maybe the next year's annual report. Might be too late for this one, but certainly.

**The Hon. SARAH MITCHELL:** To your point, there would be a lot of work that police do that doesn't necessarily get captured, and prevention's always better than cure, right? I think last time, Commissioner, I was

asking you about response times across the different areas. You gave me some data from 2022-23. I think the other response times might be collected or collated by financial year. I just wondered if there are any updates.

**KAREN WEBB:** I did have some.

**The Hon. SARAH MITCHELL:** I'm particularly interested in regional, but if you've got everywhere, that's fine, too.

**KAREN WEBB:** I'll see if I can get my hand on it quickly. By financial year, in 2021 to 2023-24, northern region has actually gone down since. It was 13 minutes and 49 seconds in 2021 and now it's 13.39; southern region, 13.24 and it's 13.44 now; western region is 14.05 and it's 14.55. It hasn't fluctuated too madly.

**The Hon. SUSAN CARTER:** I think these questions are probably for you, Mr Hudson. What information do you get in the New South Wales police about refugees who are settling in New South Wales on tourist visas?

**DAVID HUDSON:** Until recently, very little. There's now a process. I spoke to my ASIO counterpart last week. They're going to let us know of individuals that have come here from Gaza so that we can have some visibility over those individuals, but that's only a recent occurrence.

**The Hon. SUSAN CARTER:** That information will be backdated, or it's prospective?

**DAVID HUDSON:** I believe at this stage we have been provided with one individual. We have a database called the known entity management model, and there are four tiers for that of people that are of interest to us. We created that five years ago when most of the people that were causing us harm had been previously known to us but then had been discarded as of interest to us. We've needed a monitoring system just to trigger certain things when their circumstances change. There are four tiers of that. They will go into tier three, initially, which is a monitoring process just so that we have some visibility and can do some background checks. My understanding is that there's very little information known about some of these individuals locally because, obviously, there's no local history that we have on our databases. We're relying very heavily on what ASIO tell us.

**The Hon. SUSAN CARTER:** Does that lack of information about these people raise any security concerns for the community?

**DAVID HUDSON:** I take confidence in the fact that ASIO has done their assessments, and ultimately that issue is a Commonwealth issue. It's only an issue for us when they come to New South Wales. I take confidence from what ASIO are telling me—that these individuals have been assessed.

**The Hon. SUSAN CARTER:** It appears from public statements to be the attitude of ASIO, or certainly the head of ASIO, that links with Hamas, supporting Hamas, is not a reason to decline a visa for Australia. Would you agree with that assessment?

**DAVID HUDSON:** I can't comment on what would prohibit someone being allowed to enter Australia. We don't have that strong a border for New South Wales, but obviously we will be placing them on our known entity management system and managing those individuals.

**The Hon. SUSAN CARTER:** Do you get particular notice if any of the people settling in New South Wales have known links with Hamas?

**DAVID HUDSON:** We would be told that, yes, if that's identified.

**The Hon. SUSAN CARTER:** If that's identified. So there could be situations, given they're coming on tourist visas, where that may not be identified?

**DAVID HUDSON:** As I said, this is a Commonwealth process. We haven't been fully informed of what they're going through, but I need to take confidence from my counterparts, who are partners in the Joint Counter-Terrorism Team as well for investigations, that what they tell me is valid. I'm taking them at face value at this stage.

**The Hon. SUSAN CARTER:** It's my understanding, for example, that when we were resettling the children of the women who were known as ISIS brides there was more vetting of those children than there is of these adults who are coming in as refugees on tourist visas because tourist visas typically have a whole different standard of vetting. Are you concerned that we simply don't know enough about the terrorist links of people who will be living in New South Wales?

**DAVID HUDSON:** Again, I need to take some confidence in what my ASIO peers tell me. However, we will be monitoring them. They will be of interest to us, as a number of other individuals in the community are.

**The Hon. SUSAN CARTER:** The New South Wales counter-terrorism operation is wholly dependent on whatever ASIO says. There's no independent assessment or sorting?

**DAVID HUDSON:** They will provide us with a name. We will do our own inquiries, but we are very limited, obviously, with those inquiries. Most of the information relating to these individuals is held by the Israelis, I'm told, which we rely upon ASIO to tell us.

**The Hon. SUSAN CARTER:** Other than the communication of names, is there any other support provided to you by the Commonwealth Government to assist with the safe resettlement of these refugees?

**DAVID HUDSON:** No.

**The Hon. SUSAN CARTER:** Have you asked for any support?

**DAVID HUDSON:** Not at this stage. We aren't aware of volume and we're unaware of the exact circumstances. As I said, we've got very little visibility over the process. It's a Commonwealth process driven by them as to who enters the country. Individuals that are coming to New South Wales will obviously be of significant interest to us and their backgrounds, but we're relying upon the intelligence assessments done by ASIO.

**The Hon. SUSAN CARTER:** Do you see any need to offer deradicalisation programs to any of these people settling in New South Wales?

**DAVID HUDSON:** If they were identified as being radicalised, then the full suite of products would be made available to assist these individuals to integrate. As you said, we've been through this process with the children and wives of foreign fighters previously. Our government, not just the police but broader government, are well versed in that practice. They're not being treated in the same way, but we will deal what's put in front of us. It's very low numbers at the moment. As I said, we've been informed of one, but that will obviously grow.

**The Hon. ROD ROBERTS:** Commissioner, you're a former detective. Sorry, I should withdraw that. You're not a former—you are a detective. Once a detective, always a detective.

**KAREN WEBB:** As are all the CET members, yes.

**The Hon. ROD ROBERTS:** Great, I'll address this to you but anyone can answer it. How important are informants in criminal investigation?

**KAREN WEBB:** They're a key tool.

**The Hon. ROD ROBERTS:** They are a key tool. If informants come forward to the New South Wales police—I don't want to go into methodology here; let's make that perfectly clear—you offer them support, encouragement, perhaps a witness protection program et cetera. As I said, let's not go into methodology, but those things are there. Why do we do that?

**KAREN WEBB:** Why do we offer support? I'm a bit rusty, but my dealings in the past—and I'm sure the heads of profession will correct me—certainly it's at great personal risk that someone would come forward, and there would be a need to support them in that process.

**The Hon. ROD ROBERTS:** Rightly so. Tell me about Crime Stoppers. How valuable a tool is Crime Stoppers?

**KAREN WEBB:** It's also a valuable tool. It's another tool where people can call, generally anonymously, to provide information to police on all range of things.

**The Hon. ROD ROBERTS:** Why do we allow anonymous calls to be made? Why do people want to remain anonymous, do you think?

**KAREN WEBB:** For their own safety. I couldn't speculate, but I imagine for all of those reasons.

**The Hon. ROD ROBERTS:** Yes, sure. What motivates people to come forward as informants, or motivates people to ring Crime Stoppers?

**KAREN WEBB:** I don't know; I have never called Crime Stoppers.

**The Hon. ROD ROBERTS:** Well, you've been a detective—still a detective. In your experience, why do informants come forward? Again, let's cut methodology out here, but let's say you have somebody from an outlaw motorcycle gang or someone in these crime families at the moment who wants to come forward and assist the police and help. What motivates them? What motivates people to ring Crime Stoppers? What motivates somebody to give a witness statement to the cops if they've witnessed a crime?

**KAREN WEBB:** It could be a whole range of reasons, really. But they want to—a noble, something—

**The Hon. ROD ROBERTS:** Do the right thing?

**KAREN WEBB:** Yes, support the community.

**The Hon. ROD ROBERTS:** All these people, these informants, people who ring Crime Stoppers, people that provide statements to police to assist investigations and to uncover things because of a sense of rightness, a sense of honesty and sense of duty, are they all faceless cowards?

**KAREN WEBB:** No.

**The Hon. ROD ROBERTS:** No. So why do police who have spoken to me, who want to do the right thing, want to remain anonymous for fear of retribution—why have you labelled these people that are assisting this Parliament to do its duty faceless cowards?

**KAREN WEBB:** I followed this up with an email across the organisation recently—that people inside my organisation know what tools and methods are available if they want to make complaints. They can do that anonymously. They can call the customer assistance line. They can make a report to LECC et cetera. But I have said publicly that I'm not chasing whistleblowers or leakers. If people have complaints, then they are entitled to make them.

**The Hon. ROD ROBERTS:** So those statements attributed to you in *The Daily Telegraph* a couple of times about hunting them down and getting professional standards to hunt them down are completely false and inaccurate again.

**KAREN WEBB:** I'll have to see what comments I made, or what comments were attributed to me, and what is actually fact.

**The Hon. ROD ROBERTS:** Why would you want to hunt them down?

**KAREN WEBB:** That's right, because I'm not hunting an individual. I was concerned that people were unlawfully releasing information from the organisation.

**The Hon. ROD ROBERTS:** What sort of information? Nothing too sensitive. Nobody's talking about anything about methodology or crime or—

**KAREN WEBB:** No, that's right, and that's why it was important that we—people in my team office had forwarded it to professional standards for an assessment and it didn't meet the threshold for a part 8A. So that process has been done. I've been criticised before for not following a process, so it was important that we followed a process.

**The Hon. ROD ROBERTS:** Do you think it is a legitimate response for members of your service that have no faith in internal investigation to approach their member of Parliament? We heard Ms Faehrmann talk to you and Mr Thurtell about some nightclub owner that's spoken to her et cetera. This happens to us constantly.

**KAREN WEBB:** I can imagine.

**The Hon. ROD ROBERTS:** What should we do? Turn them away?

**KAREN WEBB:** No, I'm not suggesting that. What I'm suggesting is that there are means, well-trodden paths in the organisation, either professional standards, customer service unit or LECC, which is our oversight agency, which is ultimately where things end up.

**The Hon. ROD ROBERTS:** We can argue that until the cows come home, about how efficient LECC is. We'll bypass that, bearing in mind some documents are privileged and we won't go down that path. It's a legitimate course of action for a member of the police service that has complaints about the professional standards unit not to complain to professional standards, obviously, but to come to a member of Parliament. They wouldn't be a faceless coward for doing that?

**KAREN WEBB:** If that avenue has been exhausted, then that's probably an option.

**The Hon. ROD ROBERTS:** But you did call them faceless cowards, correct?

**KAREN WEBB:** Like I said a minute ago, I'll have to get the record to get the context—whether that's a word I actually used, or someone interpreted what I said.

**The Hon. ROD ROBERTS:** You're not suggesting Cydonee Mardon, who does the best puff pieces for you ever, would misquote you, would you? Here's the article here.

**KAREN WEBB:** I don't know. I'll have to take that on notice.

**The Hon. ROD ROBERTS:** Take it on notice, then. That'd be great. As Commissioner of Police, you should be aware if there's nothing to see, there's nothing to see. If there's nothing to complain about, there's nothing to complain about. But clearly the stuff I've been told, when we look at the totality of it, there's some veracity to it. We're not on a mere fishing expedition. Let's move on. I've only got a minute left. Deputy Commissioner Pisanos, were you involved in the culling of applicants for the promotion of superintendent when Don Forbes was one of the applicants?

**PAUL PISANOS:** I was, sir, yes.

**The Hon. ROD ROBERTS:** Forbes was successful in making it through the cull.

**PAUL PISANOS:** He was, sir, yes.

**The Hon. ROD ROBERTS:** Did you subsequently sit on an interview panel for his promotion?

**PAUL PISANOS:** I did.

**The Hon. ROD ROBERTS:** Did you and Don Forbes go to school together?

**PAUL PISANOS:** We did.

**The Hon. ROD ROBERTS:** Keira High School?

**PAUL PISANOS:** We did.

**The Hon. ROD ROBERTS:** Were you the groomsman at his wedding, or was he the groomsman at your wedding, because I can't read my own handwriting?

**PAUL PISANOS:** He was a groomsman at my first wedding a long time ago, yes.

**The Hon. ROD ROBERTS:** That's okay, we've all had first weddings. We've all made mistakes, don't worry about that.

**The Hon. SARAH MITCHELL:** Not all.

**The Hon. EMILY SUVAAL:** Not all of us.

**The CHAIR:** Order! Speak for your yourself.

**The Hon. ROD ROBERTS:** Not all of us. Sorry, I shouldn't say that. But some of us have made mistakes in the past. So he was a groomsman at your wedding. When you sit on an interview panel, do you have to declare conflicts of interest?

**PAUL PISANOS:** Yes.

**The Hon. ROD ROBERTS:** Did you declare a conflict of interest in this matter?

**PAUL PISANOS:** Yes.

**The Hon. ROD ROBERTS:** You did?

**PAUL PISANOS:** I absolutely did.

**The Hon. ROD ROBERTS:** How did do you that?

**PAUL PISANOS:** Basically, Mr Thurtell was with me. He was on the panel, as was our general counsel. Basically, while I believed I did not have a direct conflict, I actually disclosed that there could be a perception of a conflict, so I stayed out of scoring and otherwise assessing on the scores and outcomes of that panel.

**The Hon. ROD ROBERTS:** I've got to be careful here because of privileged documents, but there'd be a record of you declaring the conflict of interest.

**PAUL PISANOS:** Yes.

**The Hon. ROD ROBERTS:** There would be?

**PAUL PISANOS:** Yes.

**The Hon. ROD ROBERTS:** That would've been scooped up in the SO 52 then?

**PAUL PISANOS:** Definitely it was captured in a yellow.

**Ms SUE HIGGINSON:** This is for you, Commissioner, but I'm happy for you to refer it to anyone. I want to go to the fact that we are seeing high numbers of racial disparity in the exercise of punitive police

discretionary powers like stop-and-searches. I've got a bunch; I could go through it all but the ABC did a really good report on stats in March this year, including that 18 per cent of people searched by police in New South Wales are First Nations people despite being 3 per cent of the population—the Orana-Mid Western region. They're quite alarming figures at the end of the day, including that a First Nations person is 20 times more likely in Dubbo to be searched than a non-Aboriginal person. Where are we at? How many Aboriginal engagement officers are currently employed by the NSW Police Force? If you need to take anything on notice, I'm okay with that. I've got limited time but these are things that, if you do know, it would be good.

**PAUL PISANOS:** I'm going to ask you to repeat the question, ma'am. My apologies.

**Ms SUE HIGGINSON:** That's okay. You were recovering, I think it's called.

**PAUL PISANOS:** I was recovering emotionally and psychologically, absolutely.

**Ms SUE HIGGINSON:** It's understandable. Everyone at ease; it's my turn. How many Aboriginal engagement officers are currently employed by the NSW Police Force?

**PAUL PISANOS:** As in AEOs?

**Ms SUE HIGGINSON:** Yes.

**PAUL PISANOS:** We're talking about inspectors—Aboriginal engagement officers at PACs and PDs?

**Ms SUE HIGGINSON:** Yes.

**PAUL PISANOS:** I'm going to take that away and get you an accurate figure.

**Ms SUE HIGGINSON:** Thank you, I would be very grateful. How many future locally based Aboriginal awareness training sessions are currently scheduled, and in which area command, district command and police districts? If you want to take that on notice?

**PAUL PISANOS:** I will, but needless to say a rollout of focused, localised training in terms of cultural awareness is a major focus for us under the new Aboriginal Strategic Direction. Let me come back to you with the details of when things are scheduled.

**Ms SUE HIGGINSON:** Thank you, I would be very grateful for the detail. Can you give me quite a quick, succinct—what does it look like when you say, "We've got this new direction"? Can you give us a flavour please?

**PAUL PISANOS:** Are you talking about the entire Aboriginal Strategic Direction?

**Ms SUE HIGGINSON:** Yes.

**PAUL PISANOS:** The flavour is that it's written for First Nations communities by, largely, our Aboriginal Employee Network. It's written for community by first Nations people that are employed with the police—sworn and non-sworn people. It's basically designed to form an overarching strategy around how we engage with our First Nations communities across domestic family violence, youth crime, drug and alcohol issues and the lot. It's just about how the police can interact and impact on the good function of our First Nation communities around the State, delivered through some key strategies.

**Ms SUE HIGGINSON:** Great. Do you think then that there is a general premise of understanding and awareness that, when it comes to police, we have drastically failed First Nations people in terms of the over-representation of First Nations people, with that first contact of the criminal justice system being the police?

**PAUL PISANOS:** I disagree with you on, I think, the way that it was framed. Can you repeat the question, because I don't know if I agree with the premise on which it's based.

**Ms SUE HIGGINSON:** I think this might be the problem. The commencement of the discussion is the overwhelming data. First Nations people are over-represented and searched more so, in a disproportionate manner, to any other person in the community. What do you think is the problem if it's not a cognitive racial bias in policing?

**PAUL PISANOS:** I think it's a complex issue. I think that's been well reported by government and non-government in many, many reports.

**Ms SUE HIGGINSON:** How does this new strategy premise that First Nations people are disproportionately impacted at that first point of the criminal justice system, namely police interaction?

**PAUL PISANOS:** I think it recognises that this is a holistic problem. It's complex. The police are one small part of the criminal justice system. Before the police are many, many, many other government and

non-government community-based organisations, families and others who can have an impact on those criminal justice outcomes as well as the police. As you know, we have got many diversionary programs and other things we're piloting right across New South Wales in many communities, from short-term remand pilots to bail pilots and our multi-agency, multi-partnership programs and projects that we collaborate with government across. The Moree focus at the moment, as you're aware of, is just one example.

**Ms SUE HIGGINSON:** Thank you, I'm going to ask you about that in a second. Really, what I think we're talking about is that exercise of police discretion. You're talking about those other places in the criminal justice system. It's that initial exercise of police discretion that tends to be the place where First Nations people are pulled into the criminal justice system disproportionately. Does your new strategic approach recognise that and deal with that?

**PAUL PISANOS:** I think it does; I think it absolutely does. I think it's got to be said that the real issue here is that a percentage of our First Nations people continue to repeat and are recidivist offenders, which gives that higher representation in the criminal justice system. If we talk about that cohort of Mongoose offenders that we were talking about earlier, we're talking about a small cohort of just over 200 people that continue to repeat to commit the most serious offences. Outside of that, our diversionary rates in terms of programs and partnerships that we participate in are significant. They are well funded, and they are significant priorities for us. They are captured under our Aboriginal Strategic Direction strategies and pillars, and they are captured in that engage system.

There are thousands and thousands of engagements that are designed to divert people away from the criminal justice system to work with Aboriginal women in communities that are under-reported as victims of family violence. Their children go on to be victims and then become offenders themselves due to their difficult circumstances. They form a big part of this cohort of serious offenders that police are interacting with. It sometimes leaves us with very little choice in terms of community safety but to take a criminal-justice-type action. Our record in terms of diversion, and our attempts at being a good partner in the diversion space, speaks for itself. It is well known among Aboriginal legal aid, our partners at the Department of Aboriginal Affairs and the Closing the Gap meetings. It is significant.

**Ms SUE HIGGINSON:** Could you give me an update on where the NRL supporter program is at, and how many children are currently enrolled in that program?

**PAUL PISANOS:** Are you talking about operation pathfinder that was launched at Moree?

**Ms SUE HIGGINSON:** Yes.

**PAUL PISANOS:** Can I take that on notice, ma'am, just for the specifics? It's ongoing and it's still happening in terms of those small levels of mentoring.

**Ms SUE HIGGINSON:** I'm interested in how many children are currently enrolled in the program. Is the program providing local employment opportunities? How many NRL stars have been to visit and provide mentorship in person since April?

**PAUL PISANOS:** Sure.

**The Hon. ROD ROBERTS:** Please don't tell us Latrell Mitchell, whatever you say.

**The Hon. SARAH MITCHELL:** I think he was, wasn't he?

**Ms SUE HIGGINSON:** Have you already asked this?

**The Hon. SARAH MITCHELL:** No, sorry.

**The Hon. ROD ROBERTS:** Sorry, I shouldn't interrupt.

**Ms SUE HIGGINSON:** It's fine. Commissioner, I am interested, in my short time—have you been provided a brief about the stripsearch class action?

**KAREN WEBB:** I'm aware that there is a class action. I don't have a brief on it.

**Ms SUE HIGGINSON:** Have you considered the possibility that, if a plaintiff is successful either at mediation or trial—have you given it any thought?

**KAREN WEBB:** As I understand it, the law firm is still calling for potential candidates.

**Ms SUE HIGGINSON:** Have you considered what the police could do to prevent further unlawful strip searches?



**KAREN WEBB:** Well, certainly. We've done a lot already, and I will hand over to Mr Thurtell. Out of the LECC review, the update of the standard operating procedures around strip searches, the stripsearch manual, update to forms—there's a whole raft of things that we have done since that review. I'll hand to Mr Thurtell.

**Ms SUE HIGGINSON:** I'd be very interested, Mr Thurtell—are you still searching children from 10 to 17 years of age?

**KAREN WEBB:** If they meet the criteria for a search, certainly. The criteria are around public safety, officer safety and other things. So if it's necessary and police officers are satisfied, they will be searched.

**Ms SUE HIGGINSON:** My time is up, but perhaps if you could provide on notice some of the things that have changed, and what you are doing around mitigating the possibility of unlawful searches of children. Is that something that you could provide to us about material things that you've done?

**KAREN WEBB:** Yes.

**The Hon. SUSAN CARTER:** Commissioner, do all police commands operate with a domestic violence liaison officer?

**KAREN WEBB:** They have domestic violence liaison officer positions. Whether they are occupied or not at this point in time, I couldn't tell you. But certainly, in locations that I have been to, there are more than one officer performing those roles. In some locations there are sergeants performing that role with a team.

**The Hon. SUSAN CARTER:** I wonder if you could take on notice and provide us with information about what the status of the domestic violence liaison officers in each command is as at today's date—whether there is a vacancy, whether the officer is on leave and if there is a vacancy, the length of that vacancy. It would also be good to have that information as well please.

**KAREN WEBB:** I might not be able to give you leave, unless it's long-term leave. That might not be available. But, certainly, occupancy and vacancies I can give you.

**The Hon. SUSAN CARTER:** And length of vacancy, if there is one?

**KAREN WEBB:** If I can give you that, I will.

**The Hon. SUSAN CARTER:** Are there specialised units or officers dedicated to handling domestic violence cases within the Police Force?

**KAREN WEBB:** In terms of—I'm sorry?

**The Hon. SUSAN CARTER:** Say there's a domestic violence liaison officer in a command. Are there specialist units that operate? There's a homicide unit. Is there a domestic violence unit?

**KAREN WEBB:** We've got a DV registry that is basically the head of profession in terms of our policies and practice review of domestic violence matters from the statewide perspective. That unit also includes—and I will go to Mr Thurtell in a minute—a training cell. It then has a psychologist attached to it. It's got a whole range of resources. At region-based levels, there are what we call DV high-risk offender teams that primarily lock up DV offenders.

**The Hon. SUSAN CARTER:** I wonder if you could give me some information about whether, because of staff shortages, domestic violence liaison officers or specialist domestic violence staff have had to be diverted to other duties.

**KAREN WEBB:** I'll have to take that on notice, but it's one of my priorities, so it would be unlikely. But in some cases that might have been necessary.

**The Hon. SUSAN CARTER:** If you could take that on notice and provide that information, that would be good. Commissioner, are you aware of the campaign by Tabitha Acret, who lost her daughter to domestic violence and raises the issue of, in smaller rural settings, the difficulty sometimes of reporting domestic violence to the police if, for example, the abuser is on the same footy team as the police officer to whom they report? Have you given some consideration to this situation and how the situation can be eased for women experiencing domestic violence?

**KAREN WEBB:** Certainly, towns that I'm aware of that have DV support services is another avenue. Going to the police in the first instance is not the only option available for victims. I know that through some DV services, they can facilitate some other connection with the police where they have some concerns about that, for example. So there are mechanisms to mitigate that risk. But I don't know the Acret matter specifically, so if there are specific questions, I'll have to take them on notice.

**The Hon. SUSAN CARTER:** It's more the campaign that comes out of the death of her daughter and the situation where you have towns that don't have those specialist domestic violence services and what can be done in those towns.

**KAREN WEBB:** Certainly, where there are police officers, they're trained to respond to domestic violence, but within a police area command or police district, at the head station, there would be domestic violence liaison officers that are available.

**The Hon. SUSAN CARTER:** I think the issue is in small communities it may be difficult to report to, effectively, a friend of the abuser. What can be done in those situations? Is it possible for a domestic violence service to be established in every town so it's not luck of the draw if the abuser plays snooker every Friday with the police sergeant?

**KAREN WEBB:** I'll have to take on notice if there are tools available on our website, for example, or other means by which victims can find a path where they have those concerns.

**The Hon. SUSAN CARTER:** If those tools are available, is it possible to have them widely publicised so victims are aware of them?

**KAREN WEBB:** That's what I'm saying. Hopefully they're on our website or some other public-facing site.

**The Hon. SUSAN CARTER:** I wonder whether we need something more than simply being on a website, because if somebody is in distress, they don't always sit down and calmly scroll through a website to find the various pages that they're looking for. If I could take you to the Bail and Other Legislation Amendment (Domestic Violence) Bill 2024, there is a higher threshold for bail in relation to domestic violence. For accused who are not granted bail, will they be held in police cells or will they be held in remand facilities?

**KAREN WEBB:** That's a piece of work that remains ongoing. In fact, this week I've been having discussions with the secretary of DCJ around managing the workload so as not to have any unintended consequences for police, in terms of managing those refused bail in police custody any longer than we have to. So that's still an ongoing piece of work.

**The Hon. SUSAN CARTER:** When do you anticipate that piece of work would be finished?

**KAREN WEBB:** I think the Government are still talking about what is workable without setting up everyone to fail. We have requested either a staged implementation or a delayed implementation.

**The Hon. SUSAN CARTER:** Do you have any timeline from the Government about expected implementation?

**KAREN WEBB:** Not yet. That was a discussion I had this week.

**The Hon. SUSAN CARTER:** You're requesting either a staged or a delayed implementation. Would a staged implementation be different for regions and city areas? Mr Hudson, do you have something to add about this?

**DAVID HUDSON:** I think the commissioner is referring to the process for centralised bail courts on weekends, which she spoke to the secretary about. There is a working group that we represent on in relation to the implementation of the new bail laws in relation to DV, including electronic monitoring. Those discussions are ongoing still.

**The Hon. SUSAN CARTER:** You don't have any timeline on that?

**DAVID HUDSON:** We're not establishing that timeline. I sent a file to Mr Thurtell about some input from the DV registry. Police Prosecutions are currently representing, but there are some operational decisions that have to be made about the extent of what exclusion zones should be for electronic monitoring from a premises. Prosecutors are not best placed to answer that; operational police need to.

**The Hon. SUSAN CARTER:** That working group is dealing with both remand and electronic monitoring?

**DAVID HUDSON:** Yes.

**The Hon. SUSAN CARTER:** Who are the parties on that working group?

**DAVID HUDSON:** I'm not a member. I'd have to get back to you, but I know from a police point of view—

**The Hon. SUSAN CARTER:** Could you take that on notice and provide information?

**DAVID HUDSON:** —Police Prosecutions are currently representing, but we need broader representation on it from an operational point of view.

**The Hon. SUSAN CARTER:** I'm a little perplexed because it's my understanding that this legislation has three parts, and that the provision in respect to the increased threshold for bail is currently in force, but it sounds like you're saying it's not in force?

**KAREN WEBB:** If we specify the three separate parts, the part that relates to the electronic monitoring is still ongoing. The part that relates to the bail reform and changing out registrars for magistrates is ongoing. I think the third part you're referring to is, basically, the accounting for the views of the victim and the seriousness issue.

**The Hon. SUSAN CARTER:** The third part would suggest that there would be more people not granted bail. Will they be kept in police cells? Will they be kept on remand? Where are they now? Are they currently in police cells? Are they currently in remand facilities?

**PETER THURTELL:** They're not in police cells. That legislation commenced on 1 July, and it puts an onus on people charged with serious domestic violence offences to show cause as to why they should be given bail. If they can't show cause, then obviously their bail will be refused by the police and then before the court. Once they go before the court, if they're remanded in custody, then they're remanded into the custody of Corrections. Up until the point in time they go to court, they're in the custody of police.

**The Hon. SUSAN CARTER:** Is there an extended period of time that they remain in police custody because of any more complexity in relation to the matters that they're contesting for bail?

**PETER THURTELL:** No, not unless they're arrested on a Friday night or something like that and they're in a regional area where they can't get to court until Monday. They may stay in police custody a little while. But, no, they will go to court as soon as it's possible.

**The Hon. SUSAN CARTER:** It's in remand so there's no extra burden on police cells. So what, then, is the working group looking at? I understood you, Commissioner, to say that you were looking at workload issues, staged implementation in relation to—

**KAREN WEBB:** That's the centralised bail court.

**The Hon. SUSAN CARTER:** That's the centralised bail court, which is a separate thing to this DV legislation?

**KAREN WEBB:** It's part of that package that came out of that legislation, in respect of using magistrates instead of registrars. To make that viable, the discussion has been about centralising bail courts at Parramatta.

**The Hon. SUSAN CARTER:** That's for weekends?

**KAREN WEBB:** Yes.

**The Hon. SUSAN CARTER:** There's no timeline on that piece of work?

**KAREN WEBB:** No. We've got to work together with the other justice agencies to make that workable.

**The Hon. SUSAN CARTER:** In relation to the electronic monitoring, where are we with the procurement process of—

**KAREN WEBB:** We don't own the electronic monitoring system. That is Corrections.

**The Hon. SUSAN CARTER:** So Corrections—as it does with parole—will handle the electronic monitoring, and police will have no connection with it?

**KAREN WEBB:** Unless we're notified by Corrections that there's been a breach.

**The Hon. SUSAN CARTER:** So it will be the same people who currently operate the system for parole, and they will notify you if there is a breach. Is that what's going to happen?

**KAREN WEBB:** That's how I understand it. I don't know the full details around that.

**The Hon. SUSAN CARTER:** When will the full details be determined?

**KAREN WEBB:** It's not being led by us. We are a party to it. I can't give you that answer.

**The Hon. SUSAN CARTER:** Who is leading the process?

**KAREN WEBB:** DCJ and Corrections, as I understand the electronic monitoring part of that.

**The Hon. SUSAN CARTER:** So Corrections is leading that?

**KAREN WEBB:** Corrections and DCJ.

**The Hon. SUSAN CARTER:** So Corrections is involved even though these are people who have been given bail?

**KAREN WEBB:** As I understand it, Corrections has a system in place for electronic monitoring more generally. It is the only government agency that I am aware of that manages electronic monitoring. That is why it was selected to manage this because it already has capability in that way. There has already been a decision that the electronic monitoring for people who are on bail who have not yet been convicted will be managed by Corrections.

**DAVID HUDSON:** I think it's outsourced by Corrections to a private company. That's my recollection. They currently do it for people under their watch but they also do it for the high-risk terrorism offenders throughout the country as well. It's the same company.

**The Hon. SUSAN CARTER:** I'm just curious, because I was not expecting this answer, does Corrections manage any other process for people who haven't been convicted of a crime?

**KAREN WEBB:** You'd have to direct your questions to Corrections, I'm sorry.

**The Hon. SUSAN CARTER:** So this is actually quite new, where you've got Corrections managing a process for people who have not been convicted? Parole is post-conviction, isn't it? With this, the person may be convicted or they may be found innocent. They are still being managed as part of the Corrections system.

**DAVID HUDSON:** It's a service. It's filtered through Corrections to a private provider. That's my understanding.

**The Hon. RACHEL MERTON:** Deputy Commissioner Peter Thurtell, could I just direct this question to you—or the commissioner will redirect me. In relation to station upgrades, the Minister is on record at estimates in February and again today talking about how every police car is a police station, and they are actually out patrolling, which is what we want, and that visibility is excellent. Commissioner, is there a move away from police stations to policing in police cars and mobile police units?

**KAREN WEBB:** As long as I have been a police officer, we've been able to deploy either in a police car or people can walk into a station. It's not one or the other. It certainly means that when officers are mobile in a police car and they might be closer to the call for service, that's a better thing.

**The Hon. RACHEL MERTON:** Commissioner, is the shortage of police officers possibly driving this move in policing away from a station into a police car or a mobile unit?

**KAREN WEBB:** I wouldn't say that. There have been a couple of trials in the city that I'm aware of where we have done a trial and consulted with the community and local members on altered hours on the basis that people aren't walking in anymore. They're connecting with the police in different ways. We've got the community portal. We've got PoliceLink. We've got all sorts of ways that the community can contact police now. What we've found in a couple of locations where we've done that test is that people aren't walking in. It's as simple as that.

**The Hon. RACHEL MERTON:** Commissioner, in discussions with local police as to stations, they report it acting as a safe place for women in terms of domestic violence and reports. I'm just wondering if you had anything further to say on that?

**KAREN WEBB:** I am very pleased that since I have been commissioner, because domestic violence is one of my priorities, we have actually re-introduced—it's not new; we used to have it—a victim room that has been softened, particularly for victims of domestic violence or sexual abuse, in most locations. Victims have somewhere they can come to at a police station where they can feel they are not in the operations of the police station. It's somewhere for them to be safe.

**The Hon. RACHEL MERTON:** Which demonstrates the importance of a physical police station to the community in Sydney.

**KAREN WEBB:** I understand your point. Not every single police station has one of those rooms, nor are they big enough to have one of those rooms. But certainly where we can facilitate that in newer and bigger locations, they do exist.

**The Hon. RACHEL MERTON:** Commissioner, there have been community reports and concerns about how critical it is to keep police stations open, viable and manned in light of the reported crime in the

south-west. People are reading that perpetrators are going into police stations to turn themselves in. That is important to community safety. Do you have any reflection on that?

**KAREN WEBB:** I am not sure I understand your question.

**The Hon. RACHEL MERTON:** In terms of the value, role or purpose of a police station for crime when people are reporting that people are going to police stations to report criminal activity or turn themselves in or whatever the wording might be, do you have any thoughts on that?

**KAREN WEBB:** It doesn't happen very often. Normally we've got to go and find them. But most of the time they are located and escorted in a police car back to a police station where facilities exist. But, as I said, we try to operate the police stations to suit the needs of a particular community and reflect the community needs, based on demand. That is how resourcing is around that sort of demand.

**The Hon. SARAH MITCHELL:** I want to go back to regional issues and the Rural Crime Prevention Team and the rural crime investigators. I just wondered if there was any data you could provide as to how many rural crime investigators there are currently?

**PAUL PISANOS:** There are 66.

**The Hon. SARAH MITCHELL:** How does that figure compare to the same time last year?

**PAUL PISANOS:** There have been two vacancies that have been filled. We are roughly operating at full strength. If I'm incorrect, I will correct the record. But I think we have the full 66 filled.

**The Hon. SARAH MITCHELL:** Is there is a specific current budget allocation to that rural crime team that you can provide?

**PAUL PISANOS:** Not specifically. They are funded from within the region budget from which they are working from.

**The Hon. SARAH MITCHELL:** Deputy Commissioner, obviously you are answering the questions, but in terms of who is advocating for the role that they play in your executive team, does that fall in your remit?

**PAUL PISANOS:** Absolutely.

**The Hon. SARAH MITCHELL:** I apologise for my ignorance of your executive, but is there an assistant commissioner, or someone who is a step down from you, I guess, in that role?

**PAUL PISANOS:** Generally it would be the western region commander. A large bulk of our RCIs are in the western region.

**The Hon. SARAH MITCHELL:** Do you have any data in terms of the most recent statistics on the number of reported stock thefts in regional New South Wales?

**PAUL PISANOS:** I do, but it's going to require some shuffling.

**The Hon. SARAH MITCHELL:** I'm happy for you to provide it on notice.

**PAUL PISANOS:** I definitely will.

**The Hon. SARAH MITCHELL:** What I am after is—and I might just list them—reported stock thefts in regional New South Wales, reported firearm thefts from rural properties and reported fuel thefts from rural properties.

**PAUL PISANOS:** I can definitely provide you with some contemporary data. The firearm theft issue is captured under an operation called Operation Armour. That is managed by a committee. It is obviously taken very seriously.

**The Hon. SARAH MITCHELL:** Could you just provide whatever data you can on notice?

**PAUL PISANOS:** That is no problem.

**The Hon. SARAH MITCHELL:** And the same data for the previous year as well, if that's possible, just to make a comparison?

**PAUL PISANOS:** That is no problem.

**Dr AMANDA COHN:** I am interested in any progress that has been made following the Special Commission of Inquiry into LGBTIQ hate crimes. The Minister, six months ago, committed through a statement that Cabinet was coordinating its formal response and that the police taskforce would provide the Government with its response by the end of March. What progress has been made?

**KAREN WEBB:** I'll hand to Mr Thurtell shortly. However, very early on after the report was handed to the Government—I think 19 December, from memory—we met in early 2024 as an executive and established a taskforce to work through the recommendations of the SCOI. Mr Thurtell leads that. He has a number of sub-workgroups that are working on that issue. One of the things that is critical to us in that, based on the report—not just the black-and-white recommendations but some of the inferences drawn in the report—was the need to improve our relationship with the LGBTIQ+ community. We have established a consultative committee that has already met once. I attended that meeting, and I found it to be a very productive meeting. The meeting will reconvene. It is a co-chair arrangement with the deputy and a member of the community. I think that I can safely say that the meeting went for a certain amount of time and people stayed well past that time just to mingle. I think it was very productive. I am pleased with that and many other aspects of the work. I would like to ask Mr Thurtell to talk to the sub-projects within that taskforce.

**Dr AMANDA COHN:** Please do.

**PETER THURTELL:** As you mentioned, the report was handed down in late December. On 25 February this year, the commissioner issued a public apology. Shortly after that, Task Force Atlas was formed, of which I'm the lead. Task Force Atlas is broken down into a number of streams but, just to cut to the chase, the majority of the stream relates to those unsolved homicides that are yet to be reviewed, of which there are 213 that have been identified out of about 800 unsolved homicides on the books. We have formed Task Force Atlas unsolved homicide unit, which there are 25 people attached to. Fifty of those 213 have been allocated to the Task Force Atlas unsolved homicide unit for review. Seven of those have been closed. Two have been identified for further investigation. The others are remaining under review.

As we get closer to the more modern of the cases—these are probably the 50 oldest. As we get closer, the timeline for that will speed up, but there's a lot of work to be done in reviewing the 50 before we progress on et cetera. A lot of work is being done there. There is still a number of those 50—all of the ones that haven't been closed are still under review. Exhibits—we've conducted a statewide homicide exhibit via our forensics area. That has been concluded. As the commissioner mentioned, we are co-chairing a consultative committee with the LGBTIQ+ community and, as the commissioner has mentioned, that's a co-chair arrangement. The co-chair is yet to be formally announced, although we have identified the person that is keen to take up that role. It's just got to have a bit more consultation. We're very optimistic about the fact that that committee will aid us into the future in designing our training for our police officers and with anything else that we require from them, the committee, in terms of consultation with the community.

**Dr AMANDA COHN:** I have a couple of specific follow-up questions. The unsolved homicide unit—does that work include the recommendation that fresh inquests be initiated into the deaths of four people?

**PETER THURTELL:** That's still to be decided, in relation to the fresh inquest. That's the matter that goes to the Coroner with an application, and there's work being done on those.

**Dr AMANDA COHN:** You mentioned training. There was also a recommendation around training across the Police Force for indicators of hate crime bias towards LGBTQIA+ people, and when an officer should engage or report with the hate crime unit. What progress has been made on that?

**PETER THURTELL:** Our policy on that was before the SCOI—before the inquiry—and the inquiry didn't make any criticism of that. We actually have good groundwork on what is a hate crime. In terms of our broader training, as I've already indicated, we will consult through the consultative committee and design training from there with the assistance of some experts as well. Sorry, there was one other thing you mentioned.

**Dr AMANDA COHN:** That was specifically about when officers should engage with the hate crime unit, and training around the indicators of when a crime may be a hate crime.

**PETER THURTELL:** Often the hate crime unit pick that up through a review of our systems, but obviously our officers are able to engage with the hate crime unit any time they like. One other thing that I didn't mention that has been done is we have sent our head of the Task Force Atlas investigations area overseas. They've been to both the UK and Canada. And we believe collectively, with some amendments for us, we've got world's best practice that is being trialled in the current 213 reviews that we're doing. At the conclusion of that, those guidelines that Atlas are operating under will be either amended or adapted in whole as it is, and then will be utilised more broadly across the organisation in unsolved homicides or even in homicides.

**Dr AMANDA COHN:** Can I just ask about the picture statewide in terms of threats and violence against LGBTQIA+ people? It's certainly my impression that that's escalating. Just as one example, we had a Pride film night in my home town of Albury a couple of months ago that 30 Neo-Nazis turned up to in quite a threatening manner. That's certainly something that didn't happen 10 years ago in a community like Albury. Is that what you're seeing statewide, and what is being done about it?

**DAVID HUDSON:** We're obviously aware of that. We believe that the National Socialist Network were involved in that. They came from Wagga and from Melbourne. We're monitoring those groups. That's the same group that came up and intended to come into the city on Australia Day. We're aware of that activity and we are monitoring them. Following that activity, I sent the hate crime unit down to those areas to try to get to the bottom of the extent of the membership in those areas, and we're working through those issues still.

**Dr AMANDA COHN:** As you're aware, Commissioner, there's obviously a level of distrust between LGBTQIA+ communities and police. I appreciate that there is some work being done. With issues like this, there's obviously some distrust or reluctance sometimes to report. I heard in this specific instance in my home town that the first phone call that was made to the crime prevention unit wasn't responded to particularly helpfully. It took a few goes to get a really good response from police. Certainly on the night when this occurred, the response was excellent and I'll acknowledge that.

**DAVID HUDSON:** To give some comfort, ma'am, the Premier's Department, through their countering violent extremism program, provides some funding to the hate crime unit. Based on that, they asked for a review of the effectiveness of the hate crime unit. A consulting firm, Urbis consulting, were engaged by them to do that. The results were quite positive, I believe. There are some recommendations for improvement—mainly resourcing and capacity, but there are some recommendations. That report, I believe, will be released next month. But the hate crime unit, through the counter-terrorism command, has also developed, in partnership with the University of Technology, a 12-week short course, 3.5 hours a week, for police to better understand and police hate crime. That first cohort commenced on 5 August, and that training will be delivered to police in the area and to those that we identify as requiring education and better understanding of that in that space. They are proactive things that we are trying to do to make our police better at understanding the environment that we need to police, and that work will be ongoing.

**Dr AMANDA COHN:** I suppose this comes back to one of the questions that I asked Deputy Commissioner Thurtell as well. Obviously, the people working in the hate crimes unit as well as the GLLOs do have particular training or support around managing the sensitivity of these issues but also the sensitivity of that relationship. What kind of training and support has actually been given to the person on the front desk at the local station in a rural community? How are they supported to know to contact the hate crimes unit or the GLLOs?

**DAVID HUDSON:** There is a training package that has been delivered that is online through the education area—that has been online for the last nine or 10 months—that police are required to undertake to better understand the hate crime environment.

**The Hon. ROD ROBERTS:** Mr Pisanos, we'll go back to where we finished up when the bell rang, about the interview panel you sat on for Don Faulds's promotion to the rank of superintendent. I think you said you excused yourself from some sort of scoring system or whatever. Do you think—bearing in mind there are a number of deputy commissioners in the force nowadays—that it would be much more appropriate for you just to excuse yourself from that promotion panel altogether, bearing in mind he was groomsman at your first wedding?

**PAUL PISANOS:** I'll catch you up, Mr Roberts. Can I start at the beginning? I'll just go back. For that panel—that promotion round, was for 11 superintendent vacancies. Mr Thurtell and I culled—it was the first time that it had actually come under new rules for deputies to convene the panels. As I had Corporate Services, it fell to me to convene the first panel because I had the people capability under me. Mr Thurtell and I separately reviewed over 200 applications for the process and 28 people were interviewed for the process over three days. They were specialist corporate and field operations jobs. The entire process and outcomes were captured in a file, and I think we've alluded to that file. Within the process, I definitely made that disclosure and it was well known within the panel.

I think in that particular document there was a senior executive services manager from HR who actually sat on the panel as a fourth member to oversee—because it was the first time we'd managed the process—the independence of it at another layer, plus the general counsel for the Police Force on it. Effectively, I removed myself, and it's recorded in a note that I think says words to the effect of, "Any actual or perceived conflict was resolved that the panel member would not participate or influence the scoring for that officer". That's a reference to the declaration that I made in regards to—and that's captured in that document. Basically, the decision was made—rather than, as you say, to step out, I guess figuratively I stepped away. Then you still had Mr Thurtell and OGC in the panel.

**The Hon. ROD ROBERTS:** I'm not questioning anything about the integrity of Mr Thurtell or the general counsel at all. I'm suggesting, in terms of perception across the Police Force, I've had a number of people complain that you sat on an interview panel, which you agree, for a fellow who was groomsman at your first wedding. You say you excused yourself from the scoring, and I'm not disbelieving you. I'm not accusing you of

misleading this inquiry at all. But, from a perception viewpoint—and we've talked a lot about perception today, about what's gone wrong at the higher echelons of the NSW Police Force.

Wouldn't you think in hindsight, "Listen, this bloke was groomsman at my wedding. What I'll do is I'll ask Hudson or Smith to sub in for me as another deputy, and I'll just stand right away, so that, come budget estimates, people like Roberts can't ask these sorts of questions of me." Along with the other deputies, you are the second highest-ranking person in the New South Wales police. Don't you think it's incumbent upon you to set an example to the junior police below? And we wonder why there's a morale problem in the New South Wales police. Don't you think, "Listen, I'll just step back and nobody can say anything about me, then." Hindsight, again, as I say, is a wonderful tool. We've all got great hindsight, but don't you think in your position—and there are other deputies who could have subbed in for you—you should have done that?

**PAUL PISANOS:** I take on board what you're saying, but I can honestly say we managed the conflict internally within the panel. I'll leave it at that.

**The Hon. ROD ROBERTS:** I'll ask you about [redacted] but, before I do, I want it recorded, Chair, that I am making no disparaging remarks about [redacted]. I don't know her. I'm loath to use her name but I have to for context. I want this recorded that there is no character assassination on [redacted] whatsoever.

**The Hon. EMILY SUVAAL:** Point of order: If the Hon. Rod Roberts is going to name an individual who has not got a right of reply and isn't here in the room—I don't know—I'm just concerned about the adverse reflections and the impact in terms of procedural fairness for the witness, because this individual is not here.

**The Hon. ROD ROBERTS:** To the point of order: I have just taken upon myself to state categorically that there will be no criticism of [redacted] whatsoever. I said that. There is no need for [redacted] to defend herself because I'm not suggesting any impropriety on behalf of [redacted] and I thought I made that perfectly clear.

**The Hon. EMILY SUVAAL:** To the point of order: Witnesses shouldn't be unnecessarily named, particularly if they aren't here.

**The Hon. ROD ROBERTS:** Further to the point of order: It's for context.

**The CHAIR:** I understand your point about adverse mention. I don't think this is actually adverse mention, but it's out there already. I don't think it's worth pursuing and drawing more attention to it.

**The Hon. ROD ROBERTS:** May I say, Chair, if I overstep the mark, please call me to order, because I have just said there'll be no adverse mention of [redacted]. I've had to mention her name for context, and we'll see where this leads but, if I overstep it, please pull me back. How do you know [redacted] ?

**PAUL PISANOS:** When she worked for the Police Force, she worked in the commissioner's office back in, I think, 2018. She was working as an SES ED level in terms of policy as a policy adviser with a broad range of experience and, prior to that, in government as a policy person and an adviser. I met her first when she was working in the commissioner's office. She had worked at the Police Association. I think she worked for 12 months while my wife worked in the Police Association. I'd met her once there.

**The Hon. ROD ROBERTS:** Your wife and her are good friends, correct?

**PAUL PISANOS:** I don't think that's fair. They were definitely colleagues at the Police Association.

**The Hon. ROD ROBERTS:** At the Police Association.

**PAUL PISANOS:** They've maintained just an occasional contact since my wife finished work and I'll probably leave that at that.

**The Hon. ROD ROBERTS:** The position that she now holds, or that she held when she first came into the service—was that an advertised position?

**PAUL PISANOS:** When she worked for the Police Force? Or are you talking about—I'm not sure I follow. I didn't broadly recruit her when she came across to the Police Force. I certainly had her working as a temp at Professional Standards Command.

**The Hon. ROD ROBERTS:** That's it. You've nailed it. When she worked as a temp under your command at Professional Standards, was that an advertised position?

**PAUL PISANOS:** It was to backfill a vacancy.

**The Hon. ROD ROBERTS:** "Was it advertised?" is what I asked.

**PAUL PISANOS:** It went through a process through the business manager.



**The Hon. ROD ROBERTS:** Was it advertised in [iworkfor.nsw.gov.au](http://iworkfor.nsw.gov.au)?

**PAUL PISANOS:** Mr Roberts, I left it with the business manager of Professional Standards to manage the process.

**The Hon. ROD ROBERTS:** Was it an understrength position that needed funding allocated to it?

**PAUL PISANOS:** No, I don't think that was the case at all. I'd have to take it on notice, but I did leave it to the business manager to manage the recruitment process.

**The Hon. ROD ROBERTS:** How about you do take it on notice, because I've been told that you personally signed off on the allocation of funds for her position and that then you signed off later on for an extension of the time and, as we know, she's an associate of your wife. Again, we're coming back to this perception of "jobs for the boys"—in fact, in this case, "jobs for the girls". Take it on notice and come back to the Committee whether you signed off the allocation of funds to fund that position that was never filled before.

**PAUL PISANOS:** It was to backfill a Grade 7A position.

**The Hon. ROD ROBERTS:** Take it on notice.

**PAUL PISANOS:** I definitely signed off as the commander of PSE, but the process was managed by my business manager. It was managed transparently.

**The Hon. ROD ROBERTS:** You told your business manager that, "My wife and her used to work together at the Police Association"?

**PAUL PISANOS:** I absolutely disclosed that I knew [redacted] and she was available and she was available to work.

**The Hon. ROD ROBERTS:** And when you knew she [redacted] and she was available and she was available to work, did you say, "We better just put this out to the general public and advertise it to see if there is a better candidate at all?"

**PAUL PISANOS:** I left the process to the business manager.

**The Hon. ROD ROBERTS:** What happened? Was it advertised?

**PAUL PISANOS:** Mr Roberts, I can't answer that because I left the process—

**The Hon. ROD ROBERTS:** You can take it on notice and answer it, though—very similar to the commissioner, who is ultimately responsible for everything, you're responsible for what happened in the Professional Standards Command. How about you report back to us exactly the details, step by step, that led to getting that position, including who signed off on the funding?

**PAUL PISANOS:** What do you mean by "the funding"?

**The Hon. ROD ROBERTS:** Her position had to be funded is what I've been told. Wasn't it?

**PAUL PISANOS:** It was backfilled.

**The Hon. ROD ROBERTS:** Take it on notice, Mr Pisanos.

**PAUL PISANOS:** Will do.

**The Hon. ROD ROBERTS:** Be careful you don't say anything that you're going to regret.

**PAUL PISANOS:** Will do.

**The Hon. SUSAN CARTER:** I have questions in relation to police prosecutors in 93Z. Who would best handle those? Mr Hudson?

**DAVID HUDSON:** Apparently.

**The Hon. SUSAN CARTER:** Now that the obligation for approval from the Office of the Director of Public Prosecutions is no longer required, has there been any change in the criteria used by police prosecutors in determining whether to bring a prosecution under 93Z?

**DAVID HUDSON:** No, there hasn't. When that criteria changed, there were three matters that the DPP hadn't considered yet that they returned to us, which was nice. But, as you probably are aware, there's a review being undertaken of the legislation by the Law Reform Commission. We've responded to some suggestions in relation to that as an organisation. It's still problematic. Removing the criteria doesn't make inciting the public any

easier to prove, according to our legal advice. I'm waiting for the outcome of that Law Reform Commission review before we really consider, unless we think we've got a very strong case, any further prosecutions.

**The Hon. SUSAN CARTER:** Those three cases that were returned to you—they're just sitting with no decision made?

**DAVID HUDSON:** Our operational legal advice unit has considered them and don't think on the thresholds that have previously been applied by the DPP in their considerations that there is sufficient to proceed.

**The Hon. SUSAN CARTER:** Am I correct in thinking that even though the oversight of the ODPP is no longer required, you're using the same criteria that were used by them when you are making your own determinations as to whether to bring the matters or not.

**DAVID HUDSON:** If the elements of the offence are the same, that will be dependent upon the Law Reform Commission whether that's changed or the legislation has changed.

**The Hon. SUSAN CARTER:** But it's unlikely if the Law Reform Commission suggested changes that those changes would be backdated and would retrospectively affect the matters already under consideration.

**DAVID HUDSON:** Correct. In the majority of those considerations, the individuals were charged with other offences as well.

**The Hon. SUSAN CARTER:** And those other charges have proceeded?

**DAVID HUDSON:** In most circumstances, yes. They don't have the same requirement of difficulty to prove, but there are different violence offences or intimidation offences that we proceed with, just not the actual 93Z per se hate crime offences.

**The Hon. SUSAN CARTER:** There are no current prosecutions that you're bring in relation to 93Z.

**DAVID HUDSON:** As I said, if there is a very black-and-white case that we think is valid, we will put that to our legal people for consideration as to whether they consider there's sufficient, but at the moment it's easier to prefer more traditional charges.

**The Hon. SUSAN CARTER:** Are there any matters under investigation currently that may proceed to prosecution under 93Z?

**DAVID HUDSON:** I'll have to get back to you on that. These matters are investigated across the State. They're no centralised so any command can lay a charge. I'm unaware of individual investigations for hate crime.

**The Hon. SUSAN CARTER:** Would you have available any figures of the total number of prosecutions that the police have brought in relation to 93Z?

**DAVID HUDSON:** We referred 14 matters to the Department of Public Prosecutions. Three were returned to us. Two were proceeded with. Both were convicted at the Local Court and one was successful on appeal at the District Court earlier this year, so there is no conviction. The second person—similar matters. I think it was the Hindu-Sikh conflict they were charged under and the second one also appealed. However, his appeal was overturned and he remains convicted. Out of the 14, we have one conviction.

**The Hon. SUSAN CARTER:** Do you see a need for a broadening of 93Z to include other protected attributes, such as sex work?

**DAVID HUDSON:** Such as?

**The Hon. SUSAN CARTER:** Sex work.

**DAVID HUDSON:** I'm sure that's a matter being considered by Mr Bathurst and the Law Reform Commission, if that's an issue.

**The Hon. SUSAN CARTER:** But it's not an issue that's been raised operationally in any matters that you've considered?

**DAVID HUDSON:** No. As I said, in the majority, or all cases, there are alternate processes. In fact, police unknowingly, knowing the requirement for DPP approval under subsection (4) of section 93Z before that was removed, charged people with it. Magistrates, ignorant of that fact as well, convicted people of it. When we found out, we had to withdraw the charges and withdraw those convictions. Those matters were then put back to the DPP, who advised us that they didn't support prosecution, even though they had been convicted.

**The Hon. SUSAN CARTER:** How many matters were in that category, Mr Hudson?

**DAVID HUDSON:** Two or three. I'll have to get back to you.

**The Hon. SUSAN CARTER:** If you could get back to me—

**DAVID HUDSON:** They go back two, three or a couple of years now.

**The Hon. SUSAN CARTER:** I understand. If it's possible to provide the names of the cases, I'd just be fascinated to read them.

**DAVID HUDSON:** I can do that. I'll take that on notice. We have those records.

**The Hon. SARAH MITCHELL:** I have one question in the one minute we have left. Back to you, Commissioner, before we started talking about bottles of gin—it is after five o'clock now so maybe it's more appropriate. You made some public commentary about doing a comprehensive review of the Police Force's gift policies a couple of weeks ago. I'm just wondering if that has been completed, what changes we could expect to see, and if it will be made public once it's finalised.

**KAREN WEBB:** It's hasn't been completed yet, but I can update you in next estimates on that.

**The Hon. SARAH MITCHELL:** Is it your intention to make any public comments once it's finished about what might have changed?

**KAREN WEBB:** I haven't contemplated that yet. What the policies in the organisation don't account for is the giving of gifts at corporate level. They account for receiving gifts, et cetera, so we need to clarify some of that material.

**The Hon. SARAH MITCHELL:** Presumably, once it's finalised, that would then be communicated with members of the Police Force as well.

**KAREN WEBB:** Yes.

**The Hon. STEPHEN LAWRENCE:** A question for you, Deputy Commissioner Thurtell. I think you're aware that, in the last 12 months or so, I've raised issues about domestic violence complainants who retract their statements in domestic violence prosecutions often against a partner or former partner. When they retract those statements in a formal sense and provide a statement to the police saying that their original statement was false, there have been occasions, particularly in Western New South Wales, where those people have been charged with offences like make false accusation or public mischief. I think you're aware that I've raised that with the Minister, as well as in Parliament. I was wondering if you could enlighten us on what policy, processes and consultation have gone on inside the Police Force about the matter and where that matter is exactly.

**PETER THURTELL:** Yes, thank you, Mr Lawrence. That's a magic question for me because I've a great deal of passion about domestic violence, particularly the area of misidentification. In terms of internal work for the NSW Police Force, we are completing our domestic violence code of practice. That is nearly finished. Currently, for the withdrawal of charges against domestic violence accusers—where they've indicated—we have a process in place where a detective inspector has to approve the process, but I'm looking to provide further guidance on that in the code of practice. That is not yet finished. There's been extensive consultation with the stakeholders in the DV space. I expect that will be finished some time in late September for submission to the commissioner's executive team for consideration. But more broadly than internal in the NSW Police Force, there's also the issue of consultation.

This issue of misidentification, we are working with the Department of Communities and Justice. It's a really complicated area in terms of charging somebody with a domestic violence offence who may also be a long-term domestic violence victim. It's an area where police are going to need some ability to exercise their discretion. All I can say at the moment is there is extensive work going on on that with DCJ, and even interstate. A lot of research is being done interstate as well, and the NSW Police Force will cooperate and will lead that space as much as we can into the future.

**The Hon. STEPHEN LAWRENCE:** I think you're aware of a case that I referred to various people's attention where a woman had made an allegation of domestic violence against her partner. He was subsequently charged. She then withdrew that statement and then she was charged with an offence of making a false accusation, I think it was, or public mischief, and then she indeed became a victim, I think, in a grievous bodily harm offence, of him. Is that what you're talking about when you talk about misidentification? Are you talking about people that are somehow seen as perpetrators when actually, if you step back and look at it more broadly, they're actually victims sometimes, over a long period of time.

**PETER THURTELL:** Yes, in terms of misidentification, that's one of the areas. I don't know specifically the case that you're talking about; I know the name of the case but I don't know the circumstances so much. But, suffice to say, there's a lot of factors that influence a domestic violence victim, particularly a female domestic violence victim, to change their story and to want to withdraw a matter, and fear is not the least of them.

So, yes, that is the area that I'm talking about in terms of providing better and stronger guidance to our officers in the new code of practice.

**The Hon. STEPHEN LAWRENCE:** Is it your expectation that that code of practice is going to be a public document?

**PETER THURTELL:** We don't generally make all NSW Police Force documents public. I would have to say that we would have to examine the document in full to see if, firstly, there was an interest in it being made public and, if there was, what parts could be made public and what parts should be protected for methodology or whatever else it is that we look at.

**The Hon. STEPHEN LAWRENCE:** Is it your expectation that that code or perhaps standard operating procedures that relate to it are going to specifically draw police officers' attention to the need, when dealing with a retraction of a DV allegation, to actively look at the question of whether there is evidence to support a public mischief or false accusation charge apart from the retraction itself?

**PETER THURTELL:** To be honest, I haven't read that part of the document. I need to understand what the stakeholder engagement has been about it. I don't disagree with what you're suggesting there—that the pure retraction of the original allegation doesn't necessarily mean that the person should be then charged with public mischief or whatever it is. So it needs to be closely examined and be dealt with on a case-by-case matter. I'll be making sure that there's good guidance in there for our officers.

**The Hon. STEPHEN LAWRENCE:** Certainly, thank you. That's helpful.

**KAREN WEBB:** I want to add to a record that Ms Boyd had asked about. I was able to get some further information. In terms of the breakdown of the nine officers charged since our last estimates, one has been convicted, one non-conviction—not proved—and seven remain before the court. Of the nine, three are separated from the New South Wales police, three are suspended and three remain in the workplace at this point in time.

**The CHAIR:** Thank you very much, Commissioner. Commissioner, deputy commissioners, thank you very much for your attendance today. It's been a long day. I note there are a number of questions taken on notice. The secretariat will be in contact with you regarding a return of those questions on notice. Thank you very much for coming.

**(The witnesses withdrew.)**

**The Committee proceeded to deliberate.**