

# PORTFOLIO COMMITTEE NO. 1 – PREMIER AND FINANCE

Friday 6 September 2024

Examination of proposed expenditure for the portfolio areas

## ABORIGINAL AFFAIRS AND TREATY, GAMING AND RACING, VETERANS, THE CENTRAL COAST, AND MEDICAL RESEARCH

**UNCORRECTED**

The Committee met at 9:15.

### MEMBERS

The Hon. Jeremy Buckingham (Chair)  
The Hon. Robert Borsak (Deputy Chair)  
Ms Abigail Boyd  
The Hon. Mark Buttigieg  
The Hon. Greg Donnelly  
The Hon. Scott Farlow  
Ms Sue Higginson  
The Hon. Emma Hurst  
The Hon. Mark Latham  
The Hon. Jacqui Munro  
The Hon. Peter Primrose  
The Hon. Emily Suvaal

### PRESENT

**The Hon. David Harris**, *Minister for Aboriginal Affairs and Treaty, Minister for Gaming and Racing, Minister for Veterans, Minister for the Central Coast, and Minister for Medical Research*

## **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 fifth and penultimate hearing of Portfolio Committee No. 1 – Premier and Finance for the inquiry into budget estimates 2024-25. First, 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 respect to any Aboriginal and Torres Strait Islander people joining us today.

My name is Jeremy Buckingham. I am the Chair of the Committee. I welcome Minister Harris and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolios of Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast, and Medical Research. 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. To the witnesses, welcome again and thank you for making the time to give evidence. Witnesses will be sworn prior to giving evidence. Minister, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament. Mr Draper, I also remind you that you have already been sworn before this Committee during this inquiry and therefore do not need to be sworn.

**Ms ELIZABETH MILDWATER**, Secretary, Department of Creative Industries, Tourism, Hospitality and Sport, affirmed and examined

**Ms CAROLINE LAMB**, Chairperson, Independent Liquor and Gaming Authority, affirmed and examined

**Mr TAREK BARAKAT**, Deputy Secretary Hospitality and Racing, Department of Creative Industries, Tourism, Hospitality and Sport, affirmed and examined

**Mr STEVE GRIFFIN**, Chief Executive Officer, Greyhound Welfare and Integrity Commission, sworn and examined

**Ms LEA DRAKE**, Acting Commissioner, Greyhound Welfare and Integrity Commission, affirmed and examined

**Mr SHANE HAMILTON**, Deputy Secretary, Aboriginal Affairs NSW, Premier's Department, affirmed and examined

**Mr SIMON DRAPER**, PSM, Secretary, Premier's Department, on former affirmation

**Dr JEAN-FRÉDÉRIC LEVESQUE**, Deputy Secretary, Clinical Innovation and Research, NSW Health, affirmed and examined

**Ms CAROLINE MACKANESS**, Director, Office for Veterans Affairs, Department of Communities and Justice, sworn and examined

**Mr PHILIP CRAWFORD**, Chief Commissioner, NSW Independent Casino Commission, sworn 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 departmental witness from 2.00 p.m. to 3.30 p.m. We will then have a 15-minute break before resuming questioning from 3.45 p.m. to 5.30 p.m.. During these sessions there will be questions from the crossbench and Opposition members only, then 15 minutes is 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 crossbench and Mr Borsak.

**The Hon. ROBERT BORSAK:** Welcome, Minister.

**Mr DAVID HARRIS:** Good morning.

**The Hon. ROBERT BORSAK:** Good to see you sitting in the shade there. That's not our doing. We won't keep you in the dark for very long. Just a quick few questions in relation to that old chestnut in the greyhound racing industry. I'm sure you're looking forward to them. Did you ever have any conversations with the acting CEO Wayne Billett before the resignation of Rob Macaulay?

**Mr DAVID HARRIS:** No, I have met Mr Billett just in general, but I had no conversations at all. That's a matter for the Greyhound Racing NSW board. In fact, I don't think—other than general conversation with the chair at one point there, I had no conversations with any staff from Greyhound Racing NSW.

**The Hon. ROBERT BORSAK:** Did you ever have any conversations with any other members of staff before the exit of Macaulay?

**Mr DAVID HARRIS:** No.

**The Hon. ROBERT BORSAK:** Did you ever instruct the chair of GRNSW to remove Macaulay?

**Mr DAVID HARRIS:** No. In being full, frank and open, when we received the report on Wye, which was prosecuted through the media at first and then we saw the actual allegations there, I did suggest to the chair that he might stand the CEO aside whilst an investigation took place. The CEO told me that he didn't feel that was necessary, and that's a matter for the board. They chose to leave him in place.

**The Hon. ROBERT BORSAK:** Sorry, who did you say that to?

**Mr DAVID HARRIS:** To the chair of Greyhound Racing NSW.

**The Hon. ROBERT BORSAK:** To the chair but the CEO told you that he didn't think—you said CEO.

**Mr DAVID HARRIS:** Sorry, it was the chair.

**The Hon. ROBERT BORSAK:** You meant the chair?

**Mr DAVID HARRIS:** Yes, I meant the chair.

**The Hon. ROBERT BORSAK:** Did you tell the chair at GRNSW that you did not want the CEO, Macaulay, to remain?

**Mr DAVID HARRIS:** No. I think my exact words were that the board may need to consider taking some of the heat out of the situation and I thought that was prudent in terms of some of the allegations that had been raised. The board chose to do otherwise.

**The Hon. ROBERT BORSAK:** In your view, did the board handle it in the right way in the end—not so much in relation to him, but in terms of an investigation process?

**Mr DAVID HARRIS:** We determined that we would then do an independent investigation, and that's where we've appointed Ms Lamb to do. We felt that there was a growing body of evidence that needed more public scrutiny. I think there's no secret that—I think we discussed at last estimates the original investigation into allegations hadn't been released, other than a summary. It got to the point where I thought that it was prudent to have a more thorough investigation for transparency reasons, and that's currently underway.

**The Hon. ROBERT BORSAK:** But I think it's on the public record that the board itself did do its own investigations.

**Mr DAVID HARRIS:** They most certainly did, yes.

**The Hon. ROBERT BORSAK:** You never saw the outcome of those investigations, did you?

**Mr DAVID HARRIS:** I have now.

**The Hon. ROBERT BORSAK:** You have now.

**Mr DAVID HARRIS:** Yes. So just a bit of a timeline, after we wrote to the board asking them to show cause, because we felt that there was a breach of their licence, on resolution or on them replying to that show cause they also sent a redacted version of the report, which just redacted names. I then handed that to the legal people in the department, who have since done an analysis of that report. I think we made the right decision having an independent inquiry.

**The Hon. ROBERT BORSAK:** Ms Drake, have you actually commenced your process of inquiry yet? Can you tell us where you're up to in the process?

**LEA DRAKE:** I was appointed on 11 July. I have commenced various inquiries. Notices have been sent out to produce documents and to answer questions. We have two hearing blocks set down for hearing. We have obtained various statements and information from various people. Not all of the notices have been yet answered, but they're in the course of being answered and dealt with.

**The Hon. ROBERT BORSAK:** In terms of people wanting to make submissions, how do they find you?

**LEA DRAKE:** We have a website.

**The Hon. ROBERT BORSAK:** You have a website now.

**LEA DRAKE:** Yes.

**The Hon. ROBERT BORSAK:** Could you tell me what it is?

**LEA DRAKE:** No. I'd have to go back and look at the papers in my handbag, but it's a perfectly straightforward address.

**The CHAIR:** I assume you'll take that on notice.

**Mr DAVID HARRIS:** We'll take that on notice, yes.

**The Hon. ROBERT BORSAK:** The Minister will take that on notice and tell someone to do it.

**LEA DRAKE:** I'm not very good at remembering web addresses. We also put advertisements with that on it in *The Sunday Telegraph*, the Herald and some greyhound magazines.

**The Hon. ROBERT BORSAK:** I'm getting quite a few approaches from people in the industry who want to make submissions.

**LEA DRAKE:** Forward them on to me immediately.

**The Hon. ROBERT BORSAK:** I will.

**LEA DRAKE:** Thank you.

**The Hon. ROBERT BORSAK:** If I could get an email address, I'll do exactly that. Thanks very much.

**Mr DAVID HARRIS:** Mr Chair, it is [www.nsw.gov.au/drakeinquiry](http://www.nsw.gov.au/drakeinquiry). I do apologise. I said "Ms Lamb"; I meant "Ms Drake".

**The Hon. ROBERT BORSAK:** I heard you say that.

**LEA DRAKE:** I was a bit worried.

**The Hon. ROBERT BORSAK:** You'd replaced her already and she didn't even know it. Premier—there you go. I've got a slip of the tongue.

**Mr DAVID HARRIS:** Please don't do that to me.

**The Hon. SCOTT FARLOW:** You heard it here first.

**The CHAIR:** Everyone's moving up today. Order!

**Mr DAVID HARRIS:** That's career ending.

**The Hon. ROBERT BORSAK:** I'm sorry, Mr Minns, but you've been superseded. I beg your pardon. Has the department provided advice to you on the board's response to your show cause notice?

**Mr DAVID HARRIS:** They certainly have. We are now following through the process. I have to say from the outset that I've been a little bit frustrated. I wanted to have this all sorted out as quickly as possible but, with all the legal requirements, it's taking longer than I would've liked. The board has responded. The department has given me the necessary advice. I have now made a decision, but I have to take that to Cabinet—which I understand will be next week or the week after—for endorsement of that decision. Then, hopefully, we can move forward.

**The Hon. ROBERT BORSAK:** That probably chops out the second part of that question: Can we see the advice and the response? Is "not yet" the answer?

**Mr DAVID HARRIS:** Not yet. It may become Cabinet in confidence. I'd have to check on that.

**The Hon. ROBERT BORSAK:** The next question was, have you responded to the board's response? But, obviously—

**Mr DAVID HARRIS:** I have written to the board, yes.

**The Hon. ROBERT BORSAK:** Can we see that response?

**TAREK BARAKAT:** I'll take that on notice. I think probably yes, given it's a letter to the board. I'll take it on notice and they'll confirm.

**The Hon. ROBERT BORSAK:** Minister, you've put the board in limbo, the CEO is removed and the organisation is run by the acting CEO, with no future plan in place. Have you kneecapped the industry through your actions, and now you're standing over it with a government inquiry? Is that a correct characterisation?

**Mr DAVID HARRIS:** No. I think what has happened is there was a culmination of a number of events. As the Minister in charge of making sure that the industry can be the best that it can be, we needed to have an intervention. I think that has been entirely appropriate. Through Ms Drake's inquiry, people will be able to come forward and put their views on the record. Then the Government will consider those views in terms of making the industry more robust and having better outcomes for animal welfare, noting that it has already been put on the public record that the Government's starting point is that the industry will continue. My job is to make sure that it is as safe as it can be, and that's what I'm determined to do.

**The Hon. ROBERT BORSAK:** Can you remind us when Ms Drake is due to report back to the Government?

**Mr DAVID HARRIS:** It's towards the end of the year.

**TAREK BARAKAT:** It's 13 December this year.

**The Hon. ROBERT BORSAK:** Just as an aside to that question, how can you expect the industry to survive and adequately defend itself in this current period of hiatus?

**Mr DAVID HARRIS:** I don't necessarily see it as being in a period of hiatus. The board hasn't been restricted. It has still been able to operate. The acting CEO is still able to do what needs to be done. I think that we have to make sure that there is public confidence that, both from an organisational point of view and a safety point of view, we are putting in place appropriate interventions. One of my frustrations has been—and I've said this publicly—that we've had a fund set up by the previous Government, of which \$18 million is still sitting in the fund, and we weren't seeing that money rolled out, even though we knew that there were issues with different

tracks. The clubs were feeding it back to me that they were frustrated. We had to have that intervention to make sure that if the industry is to move forward, it does so in the best possible way that it can and that it does so with the Government supporting high track standards.

**The Hon. ROBERT BORSAK:** We might come back to some questioning around that \$18 million later on.

**The Hon. MARK LATHAM:** Minister, I thank you for the letter you sent on 9 August to the Chair of Racing NSW regarding what appears to be their failure to meet their statutory obligation concerning the racing industry consultation group. Are there other matters that you addressed in that letter, particularly the failure to produce a strategic plan, as according to their statutory obligation, and to do that every three years?

**Mr DAVID HARRIS:** I was paying attention to your comments in the inquiry.

**The Hon. MARK LATHAM:** And my very good question on the notice paper.

**Mr DAVID HARRIS:** Yes. I immediately asked the question to the department about whether those two statutory requirements were being fulfilled. We wrote to Racing. I was informed in a meeting with them that the consultative meetings had been occurring and there had been agreement within the group to reduce the number of meetings, but they were still meeting. In terms of the strategic plan, they told me that they'd probably been a bit tardy with it. It is now out for public consultation. The reasons, which I accepted, partly were because of the fact that we are reviewing wagering in New South Wales, and it's very difficult to come up with a strategic plan when you don't necessarily know what that environment looks like. That plan is out for consultation. I'm sure that, once the decisions on wagering are made over the next 12 months, they will then feed that information into their plan.

**The Hon. MARK LATHAM:** That was raised in your 9 August letter as well?

**Mr DAVID HARRIS:** No, it wasn't in the letter. It was consequently to the—

**The Hon. MARK LATHAM:** Just in consultation with them—that they hadn't produced a strategic plan for five years, which is outside their statutory obligation. In the meeting you had, did you also raise the problem of the lack of funds going out for Racing for the Regions—that \$67 million was received three years ago and the clubs are obviously complaining. They haven't received the funding. For some reason, all of the funding went to Racing NSW. They have adopted a peculiar strategy of saying, say, at Gosford racecourse, that they'd need to own the land. When do we get that money out? Have you raised that with the leadership of Racing NSW?

**Mr DAVID HARRIS:** I'd actually raised that with them previously. One of the things that I did on becoming Minister was make representations on behalf of provincial and country racing tracks in terms of how they're funded and also the capital works. I recently met with the CEO and the deputy chair, and they updated me on the Racing NSW funded projects. I'm not sure that you want me to read through all of them and where they're up to at the moment. By leave, I table the list of Racing NSW funded projects.

**Document tabled.**

**The Hon. MARK LATHAM:** That's Racing for the Regions, is it?

**Mr DAVID HARRIS:** Yes. I was at Gosford Race Club on Monday and was having a look at the cambering work that is currently underway there.

**The CHAIR:** Just to be clear, what has been tabled there?

**Mr DAVID HARRIS:** It's the funded projects.

**The Hon. MARK LATHAM:** This is money that has gone out?

**Mr DAVID HARRIS:** Yes, or it says where it's up to. There's two different lots of funding. Some of it is complete and some of it is being held up with development applications in council, which is probably not unusual. By leave, I table the second list of Racing NSW funded projects.

**Document tabled.**

**The Hon. MARK LATHAM:** You mentioned—and I assume this is an illusion to it—the representations you received from Wyong Race Club about a new funding formula, because the clubs are generally saying that they're being starved by Racing NSW. How did the leadership respond to the suggestion of a new funding formula for the industry?

**Mr DAVID HARRIS:** It's wrapped up a little bit in the current licence agreement that had a five-year period to run. However, the leadership at Racing NSW agreed that getting their funding yearly wasn't appropriate and made it very difficult for the clubs. The clubs are now being paid monthly.

**The Hon. MARK LATHAM:** Are they being paid any more? That's their main point.

**Mr DAVID HARRIS:** That's all wrapped up in the agreement. Once we get the RDA and everything sorted out, that will become part of that, including, maybe, the distribution of the point of consumption tax. But that's all involved in that negotiation, so that will take longer. But at least the clubs now are getting funded on a more regular basis, which has made their cashflow better.

**The Hon. MARK LATHAM:** Did you raise with the leadership the obvious problem at Scone TAFE, which Racing NSW purchased for just \$4 million three years ago? There is a lot of industry disquiet that there is not much training occurring there and the facilities are very much moribund.

**Mr DAVID HARRIS:** I've actually visited that site. There was a course for trainers and for jockeys, I think, going on when I was there. I know they're ramping that up. I'm happy to take that on notice and find out exactly when that was. I visited there last year.

**The Hon. EMMA HURST:** Good morning. Minister, what can you tell me about the greyhound who recently died as part of the Aussie Mates in the States program, who was left on the tarmac for six hours and boiled to death?

**Mr DAVID HARRIS:** I'd have to take that on notice. I'm not across the specifics of that.

**The Hon. EMMA HURST:** Are you aware of that incident?

**Mr DAVID HARRIS:** I was aware of a dog that had a mishap. I'm not sure I know exactly of that one.

**The Hon. EMMA HURST:** Obviously a dog boiling to death isn't a story someone would easily forget. Isn't there a requirement on Greyhound Racing NSW to tell you, as the Minister, when something like that occurs?

**Mr DAVID HARRIS:** The easy answer to that is that has been part of my discussions with the board about what the Minister should and should not be informed about. That was the contention and why the show cause notice was done. The department is currently working with Greyhound Racing NSW to develop a better communication strategy.

**The Hon. EMMA HURST:** This is a fairly recent incident where a greyhound—I don't know if he was forgotten about—was left in the sun for six hours and died. I, as a member of the Animal Justice Party, and my two staff have this information, but the racing Minister doesn't. That seems like a pretty big issue to me.

**Mr DAVID HARRIS:** What was the name of the dog, sorry?

**The Hon. EMMA HURST:** I don't have the name of the dog. I've only spoken to Qantas and somebody else who was involved and was aware that the dog had died.

**Mr DAVID HARRIS:** The only information I've got is that two greyhounds enrolled in the US program died prior to transport in New South Wales, including a greyhound, Carey, at the Hanrob Mascot kennel facility and another at a veterinary clinic.

**The Hon. EMMA HURST:** So this incident hasn't been reported? Qantas has confirmed with me the death of this dog.

**Mr DAVID HARRIS:** Steve, are you aware of anything?

**The Hon. EMMA HURST:** I am happy to speak to the officials this afternoon. What I'm concerned about is that Greyhound Racing NSW has a responsibility under their operating licence to immediately disclose any information capable of adversely affecting the reputation or integrity of Greyhound Racing NSW or the industry. A dog who is part of an overseas rehoming program who is left in the sun for six hours and who boils to death—I would think—would fit within that. I have an email from Qantas confirming the dog's death. But you, as the racing Minister, haven't been informed of this. What action are you going to be taking going forward, given that this information still doesn't seem to be making it to yourself as the Minister?

**Mr DAVID HARRIS:** I think I just described that there are current negotiations occurring between the department and Greyhound Racing NSW on improved communication and what needs to be reported to me under the terms of the licence and what doesn't.

**The Hon. EMMA HURST:** But is it working if you haven't been told about this incident?

**Mr DAVID HARRIS:** It's still under negotiation. That's why they've got the show cause notice. We're still working through all of this. One of the reasons that I was unhappy was that I didn't receive the chief veterinary report. The previous lines of communications—and I'm not being overly critical of Greyhound Racing NSW,



because that was the agreement they had with the previous Minister—I didn't find to be unacceptable, so we're changing them.

**The Hon. EMMA HURST:** Minister, you met with Adam Casselden on 18 June. Is he still the chair of Greyhound Racing NSW?

**Mr DAVID HARRIS:** He is.

**The Hon. EMMA HURST:** Why is his email now bouncing?

**Mr DAVID HARRIS:** I have no idea.

**The Hon. EMMA HURST:** You're not aware of that?

**Mr DAVID HARRIS:** No.

**The Hon. EMMA HURST:** What did you discuss at the meeting on 18 June in regard to industry issues?

**Mr DAVID HARRIS:** I would have to take that on notice specifically. The meetings I have had with the chair, broadly, were about the reports. There was the Wye report and, later on, the chief veterinary report. Previous to that there was a discussion around his role as chair and how we are going to work together.

**The Hon. EMMA HURST:** Do you have a timeline for working out with Greyhound Racing NSW what information they should be supplying to you as Minister? Obviously there are still incidents going on and that information still isn't making it to you as Minister. When will that be finalised so you'll be able to tell us whether or not something should have come to you as Minister?

**Mr DAVID HARRIS:** I don't think we've set a date for it.

**TAREK BARAKAT:** What I can say, Ms Hurst, if I may, is that will be done, from our perspective, as soon as possible. There probably will be an interim approach. One of the terms of reference of Ms Drake's inquiry is also looking at the reporting and accuracy of Greyhound Racing NSW. We will develop an interim response to try to cover the gap until 13 December. Then Ms Drake will likely make findings and recommendations in relation to that as well.

**The CHAIR:** We move now to questions from the Opposition.

**The Hon. JACQUI MUNRO:** Good morning, Minister. I am wondering if you have seen the Queensland Government probity report into The Star's operations?

**Mr DAVID HARRIS:** I haven't seen the actual report, but I have read media reports on it.

**The Hon. JACQUI MUNRO:** Would you like to see the report?

**Mr DAVID HARRIS:** Have you got a copy? I'm sure the NICC has seen it. No, the NICC hasn't seen it.

**The Hon. JACQUI MUNRO:** Have you asked for a copy, Minister?

**Mr DAVID HARRIS:** I haven't at this stage. It's only very new. I think I read about it yesterday or the day before. Obviously the NICC is the body that is in charge of looking at these integrity issues, et cetera. I would rely on a briefing from them if there is anything I need to act on or know about.

**The Hon. JACQUI MUNRO:** Will you be writing to the Queensland Government or your counterpart to request a copy of the report?

**Mr DAVID HARRIS:** I'm not sure if Mr Crawford has already done that?

**PHILIP CRAWFORD:** Is this their report into Chow Tai Fook?

**The Hon. JACQUI MUNRO:** Yes, but I'm actually asking, Minister, if it's something that you will do.

**Mr DAVID HARRIS:** I'm certainly interested in it. I can write to the Minister and ask for it directly, but the normal way things work is that the commission looks at those issues and then provides me with advice.

**PHILIP CRAWFORD:** I think it's still subject to a gag order from the Supreme Court of Queensland.

**The Hon. JACQUI MUNRO:** Yes, that was my understanding as well. Nevertheless, I think it's worth engaging with the Queensland Government, given the possible implications for New South Wales.

**Mr DAVID HARRIS:** Just on that, our departments are talking with their Queensland counterparts on all of these issues. Obviously the issues around Star go across the border. They are watching all of these things.

**The Hon. JACQUI MUNRO:** Will you be seeking additional probity advice given these media reports?

**Mr DAVID HARRIS:** My understanding—and Mr Crawford might correct me—is that the group up there includes this person. As far as I'm aware, they have no role in New South Wales. In that context we would have to decide whether it was actually causing issues in New South Wales.

**The Hon. JACQUI MUNRO:** So you haven't sought probity advice that relates specifically to that gentleman's relationship with CTFE?

**Mr DAVID HARRIS:** Not at this stage.

**The Hon. JACQUI MUNRO:** And I presume you've never met with him yourself?

**Mr DAVID HARRIS:** No.

**The Hon. JACQUI MUNRO:** Was there any prior knowledge that you had about the relationship between Chow and CTFE?

**Mr DAVID HARRIS:** No.

**The Hon. JACQUI MUNRO:** Has the NICC provided any briefings of that nature?

**PHILIP CRAWFORD:** Chow Tai Fook is about a 3 per cent shareholder in Star Sydney. To be a close associate and go through a full probity, they'd need to get to 10 per cent. They informed us several years ago they were looking at going to over 10 per cent. We opened a file, we sent a letter and some months later the chairman of Star rang up and said, "That's not going to happen; you can close your file," so no probity was undertaken in this State.

**The Hon. JACQUI MUNRO:** Minister, do you think that 10 per cent is too high a threshold if this is the case? We have a situation where an individual has possibly been involved in the operation of an organisation that is quite substantially contributing to the New South Wales economy, and maybe they were scared off by a 10 per cent threshold and a probity investigation. But is 3 per cent too low because it's not going to uncover these important discoveries?

**Mr DAVID HARRIS:** I'm happy to take advice on that. Obviously the system was set up under the previous Government. If that needs to be changed and we get that recommendation from the NICC, we would certainly look at it.

**The Hon. JACQUI MUNRO:** Would you be prepared to make that advice public?

**Mr DAVID HARRIS:** A lot of these things are very legal, so I can't make that commitment up-front. If that advice is supplied, we would make it public if we can.

**The CHAIR:** At this point, I'd just like to remind all members—we had an issue yesterday—that naming of particular individuals and adverse mention of particular individuals in this Committee is to be avoided. I'm just reminding all members of that.

**The Hon. SCOTT FARLOW:** To that point, this is fairly public in the media, the ventilation of these issues at the moment, so I don't think—

**The CHAIR:** Certainly, but it relates to the use of parliamentary privilege to adversely mention—I'm just reminding honourable members of that.

**The Hon. JACQUI MUNRO:** Thank you, Chair.

**The Hon. SCOTT FARLOW:** Minister, we currently have The Star that still is not fit to hold a casino licence. There are reports in the paper today that you're preparing for what will happen "if the company goes under". What's the future of The Star?

**Mr DAVID HARRIS:** You would expect that government would be looking at a range of contingencies, and we have been doing that for a period of time going back to last year. There is a whole range of things that we need to be prepared for. One is their financial viability, of course, but the other is if they're deemed not to be able to hold a licence. The Government is looking at all of those contingencies. I'm a little bit restricted on what I can say specifically because Star is in the show-cause period and I don't want to upset that in any way. They have a right to procedural fairness to respond to the Bell report. Of course, when we get that response, the NICC in its role will be making further recommendations.

**The Hon. SCOTT FARLOW:** When does that period come to an end? When are they required to respond?

**PHILIP CRAWFORD:** We'll be serving the notices; they're with our lawyers at the moment. I think they'll come back from counsel early next week, so you could assume that they'll be served on the company

Thursday or Friday next week when we've had a meeting and gone through them. They'll call for a response within 14 days, so that takes us to the last couple of days of September. Then we'll meet as a body in the early part of October and make a decision.

**The Hon. SCOTT FARLOW:** Minister, the company has outlined that they are seeking some form of deferral from the New South Wales Government when it comes to taxation requirements and the like. That is something that you will today rule out?

**Mr DAVID HARRIS:** I think the Treasurer answered that. It's a matter for the Treasurer. Certainly we had put forward the jobs guarantee previously, which had some tax deferrals. We're not currently considering any further assistance. Our worry is that the Queen's Wharf development has serious financial issues and we don't want New South Wales taxpayer money being deferred to that. At this particular stage the answer would be no, but that is a matter for the Treasurer.

**The Hon. SCOTT FARLOW:** With that former tax deferral and the jobs guarantee attached to it, what claims do the New South Wales Government have potentially if Star is to go under?

**Mr DAVID HARRIS:** That's a very, very complex matter, which is being looked at in very great detail. I'm not sure that we can outline that here today, but that's part of the contingency. Those matters are being looked at by a working group between my department, Treasury and the Cabinet Office.

**The Hon. JACQUI MUNRO:** What was the process of being told that The Star casino was considering an application for safe harbour provisions? When were you told about that?

**Mr DAVID HARRIS:** Mr Crawford?

**PHILIP CRAWFORD:** The directors are entitled to safe harbour protection at a time that they get advice they're entitled to it, so I've been aware of it for some time. They've kept us informed.

**Mr DAVID HARRIS:** And we were briefed about the safe harbour I think last year.

**PHILIP CRAWFORD:** Yes, it has been going for some time.

**The Hon. JACQUI MUNRO:** Minister, in terms of the 4,000 workers at The Star, how are they being accommodated at this point? Obviously it's a fairly troubling time for them and the Government has a jobs guarantee in place. What's the process you're going through to help those people?

**Mr DAVID HARRIS:** The Treasurer has been leading that process. His office is in constant contact with the union. Obviously I read reports in the paper today of the workers being a little bit unsettled about the current situation. As far as we're aware, and I think the Treasurer said this in his evidence, so far the jobs guarantee is holding fast and there have been no job losses, other than if, as agreed under the terms of the agreement, for disciplinary reasons and those sorts of things. At the moment the jobs guarantee is holding fast. This is pretty fluid, so the Government, as I said, has a working group and we're responding to each of the issues as quickly as we can.

**The Hon. SCOTT FARLOW:** Minister Harris, what recommendations have you made to the Treasurer in terms of support for workers at The Star?

**Mr DAVID HARRIS:** The Treasurer and I met with the union last year and that's where the jobs guarantee came from. Our priority is to protect those jobs if we can, but we also have to take into account that we're not responsible for Star's financial position and there's only so much the Government can do. Where we can, we will try to protect those jobs, and obviously there are penalties if Star is in breach of the agreement. But I think there are a lot of other issues that are out of our control.

**The Hon. JACQUI MUNRO:** Minister, with the vibrancy reforms that your Government has put through, the Night Time Industries Association analysis uncovered \$29,000 in hidden fees and charges for anyone looking to set up a new venue in Sydney. I'm wondering what you're doing to reduce that burden for potential owners.

**Mr DAVID HARRIS:** Minister Graham is the lead Minister in terms of the vibrancy reforms. My role is to support those reforms through changes to regulation and work that my department does. We're in constant discussion. We're about to bring tranche 2 to the Parliament, hopefully in the next few months, which will have further changes. We're constantly talking to the industry and we're looking for any way we can assist them to do business better.

**The Hon. JACQUI MUNRO:** What are some of those ways?

**Mr DAVID HARRIS:** You'll see that when the legislation is brought forward, but we're really determined to cut red tape. We've already done that in a number of ways through regulation changes, through discounts to

fees and charges for live music and also attacking the issue of sound, which is only a fairly new process. I don't think we have enough information yet to work out how that's transpiring.

**The Hon. JACQUI MUNRO:** The problem here is that there are already enormous amounts of fees being charged, and the industry associations are saying that they need help and that they need further cuts. Is that something that will be in the legislation that you bring forward?

**Mr DAVID HARRIS:** That's probably more of a question for Mr Graham next door because he's the lead Minister in terms of vibrancy.

**The Hon. JACQUI MUNRO:** But you're in charge of the licensing, as you've said.

**Mr DAVID HARRIS:** That's right, and we do it in terms of talking to industry about licence fees et cetera, and working out the detail once the policy has been determined.

**The Hon. JACQUI MUNRO:** So you're not advocating to the Minister to reduce fees?

**Mr DAVID HARRIS:** No, that's a misrepresentation. We're talking about all of these issues. We want the industry to be able to do business better. Those discussions are ongoing.

**The Hon. JACQUI MUNRO:** You haven't really told me how the Government is doing that—like we've got \$29,000 in licensing fees.

**Mr DAVID HARRIS:** No, because we're not going to do a media release today. This is in the pipeline. We are working really hard on the next tranche of reforms. As soon as they're ready, that will be announced.

**The Hon. JACQUI MUNRO:** When they're ready, are you confident that you will be reducing significantly the fees and charges that business owners have to pay to set up here in New South Wales?

**Mr DAVID HARRIS:** As I said, I'm not going to give that detail today. That's still under discussion.

**The Hon. JACQUI MUNRO:** So you can't give any guarantee that the new legislation is going to reduce fees?

**Mr DAVID HARRIS:** The guarantee I can give is that we are working with industry to make their ability to do business easier and that we grow the industry. That is our aim. That is why we have vibrancy.

**The Hon. JACQUI MUNRO:** But you can't tell me that it will respond to a key concern that people are raising.

**Mr DAVID HARRIS:** No, I'm not going to be making that announcement today. The Government will make that announcement when we're ready to bring forward tranche two.

**The Hon. JACQUI MUNRO:** So we don't know whether the announcement will include the reduction of fees and charges for businesses.

**Mr DAVID HARRIS:** As I said, I'm not announcing that today.

**The Hon. SCOTT FARLOW:** Minister, with respect to cashless gaming, concerning the Independent Panel on Gaming Reform, where are we up to with the trials on cashless gaming?

**Mr DAVID HARRIS:** The trials are ongoing. As you would expect with a trial, the number of machines et cetera is fluctuating. We had a number of expressions of interest. There's been a number of venues and machines that have taken up the actual trial. The researchers, interestingly, have reported back to us that the people who've signed up to the trial gives them information, but the people that haven't signed up to the trial also gives them information. So we're getting a really good picture of the environment out there, what would work going forward and what are the pitfalls. We're finding issues around things such as how technology works. This is really complex. If you can imagine that it's an app-based system, which is currently what's being trialled, there's a myriad of different phones and there's different software. They all have to be able to talk to the systems. So they're working through all of those issues. We're still on track for a November reporting from the panel, which will then obviously go to Cabinet for further decision-making.

**The Hon. SCOTT FARLOW:** How many venues are currently participating in the trial?

**Mr DAVID HARRIS:** Fourteen.

**The Hon. SCOTT FARLOW:** That's less than what was originally announced, isn't it? Wasn't it 27 venues in the March media release?

**Mr DAVID HARRIS:** Yes. As I said, what happened was, once people worked out the cost and the technology involved, age of machines and a whole lot of things, it wasn't appropriate. So some other venues came

on board; some others didn't take up the offer. As I said, it's a trial and it's dynamic. It's currently being observed by the researchers, the venues—we're getting that feedback. I've just been out to Crows Nest to have a look myself at how the technology works. There's three providers that have got different solutions, so we're going to be looking at all of that information before making a determination of what a model might look like going forward.

**The Hon. SCOTT FARLOW:** Minister, are you concerned at all by the delays in implementing cashless gaming at The Star?

**Mr DAVID HARRIS:** We were concerned, but we had to be pretty pragmatic about this. They tried to implement their system and it fell over. It didn't work. So we had to then give them time to meet the requirements. As I said, we want to work with industry to get solutions that actually work, and that meant that we've given them an extension to make sure that it will actually work in the real world.

**The Hon. SCOTT FARLOW:** Minister, how long is that extension for?

**TAREK BARAKAT:** For the implementation of mandatory carded play across the casino, they've got a short extension until 19 October this year. For the implementation of the \$1,000 cash limit, that's been extended by 12 months to 19 August next year, but we're going to be working with The Star to see if we can bring that forward, obviously.

**The Hon. SCOTT FARLOW:** Do you see the implementation of cashless gaming being a way potentially for The Star to be able to at least address some of the issues that were raised in the Bell inquiry?

**Mr DAVID HARRIS:** It's part of their requirements, so once that's up and running, that will be something that the NICC will consider in terms of their suitability moving forward.

**The Hon. SCOTT FARLOW:** Minister, do you have concerns around security and outages that are occurring at The Star?

**Mr DAVID HARRIS:** As said, there's a lot of technical issues that they're trying to deal with. Are we concerned? We're concerned with everything that's happening at The Star, but I don't think it's causing us any major issues.

**TAREK BARAKAT:** No, I think, as the Minister alluded to earlier, that was part of the reason for this extension that we've given The Star. The technical capability was not there to implement the mandatory carded and lower cash limit. That was one of the reasons for one of the outages you're referring to.

**The Hon. SCOTT FARLOW:** Minister, when was the last time you spoke to the CEO of The Star?

**Mr DAVID HARRIS:** I was in a meeting with the Treasurer earlier this year, but I haven't been speaking directly to them since then.

**The Hon. SCOTT FARLOW:** Considering all of the issues that are occurring at The Star at the moment, your last conversation with them was earlier this year. When was that meeting?

**Mr DAVID HARRIS:** I'd have to take that on notice. I can't recall.

**The Hon. SCOTT FARLOW:** You haven't had any further conversations with them about either their workforce or the implementation issues?

**Mr DAVID HARRIS:** No, because I think it's appropriate that their conversations are with the NICC, not with the Minister directly, because ultimately I, as Minister, will have to make the final decisions in terms of any recommendations from the regulator.

**The Hon. SCOTT FARLOW:** Has that been advice that's been given to you, to not engage with The Star at this stage because of that issue that you're going to have to determine?

**Mr DAVID HARRIS:** No, I think we've discussed here before—and I don't know, Mr Farlow, I don't think you were—

**The Hon. SCOTT FARLOW:** This is my first rodeo with you, Minister Harris.

**Mr DAVID HARRIS:** Yes, your first time here. I'm a very process-driven person and I am very cautious, particularly when it comes to legal obligations, so I prefer to make sure that the department or the statutory bodies are directly communicating, because it's important that there's no sort of insinuation that I might be influenced or something in terms of my decision-making.

**The Hon. JACQUI MUNRO:** Minister, how many times have you met with the Greyhound Racing board face-to-face since you've become Minister?

**Mr DAVID HARRIS:** The whole board? I think there was one occasion where there was an industry forum, but my meetings are mainly with the CEO, I think the chief operating officer, and I've met with the chair and the deputy chair.

**The Hon. ROBERT BORSAK:** Getting back to the line of questioning in relation to the greyhound industry and the GRNSW board, without a recruited CEO in place, who will put in place any of the recommendations from the inquiry?

**Mr DAVID HARRIS:** Our expectation is, as I said, the board's not restricted, so they can go out and begin the search for a new CEO after the former one resigned. We've placed no restrictions on them in terms of that.

**The Hon. ROBERT BORSAK:** So they could be doing it now if they wanted to. Is that what you're saying?

**Mr DAVID HARRIS:** That's my understanding.

**TAREK BARAKAT:** I don't think there's anything stopping them commencing a recruitment process.

**The Hon. ROBERT BORSAK:** Okay, thank you. Do you have your own CEO in mind that you would like to install?

**Mr DAVID HARRIS:** No.

**The Hon. ROBERT BORSAK:** Have you got any favourites?

**Mr DAVID HARRIS:** No. No.

**The Hon. ROBERT BORSAK:** All right. That's a straight answer.

**Mr DAVID HARRIS:** Yes.

**The Hon. ROBERT BORSAK:** Is the board currently a fully functioning board or does it have restrictions placed upon it?

**Mr DAVID HARRIS:** To my knowledge, there are no restrictions currently placed on the board in terms of their decision-making. We're going through the show cause process. As I said, we're getting towards the end of that. Obviously there'll be the Drake inquiry. We will be talking to them about any changes that are recommended through that inquiry.

**The Hon. ROBERT BORSAK:** Basically what you're saying is that the board is fully functioning.

**Mr DAVID HARRIS:** That's my understanding.

**The Hon. ROBERT BORSAK:** You mentioned about the \$18 million that's sitting there. What was the original amount put aside by the previous Government?

**Mr DAVID HARRIS:** Thirty million.

**The Hon. ROBERT BORSAK:** So there's \$12 million been spent.

**Mr DAVID HARRIS:** Yes.

**The Hon. ROBERT BORSAK:** Was there an issue with getting that \$18 million out of the door?

**Mr DAVID HARRIS:** Yes, there is. I think, from memory, the \$30 million was to be spent over five years. That time period ended and there was \$18 million still there. We then sat down with the former CEO and had a pretty robust discussion—I think I can characterise it—about the fact that we would have to go back to Treasury and argue for that money to be rolled over because they hadn't spent it.

**The Hon. ROBERT BORSAK:** Did the Treasury try to grab it?

**Mr DAVID HARRIS:** I think Treasury is always interested in finding money if it can. But thankfully we won the argument and the \$18 million is still available in three tranches.

**TAREK BARAKAT:** There is \$11.9 million this financial year and six for 2025-26.

**The Hon. ROBERT BORSAK:** What was the difficulty in spending this money? You met with the CEO, and you've said that you've had clubs talking to you as well. What was the issue?

**Mr DAVID HARRIS:** Basically, former Minister Anderson had written a letter to the board and told them that they had to put in a business case to access the money, which required endorsement from GWIC. There was some disagreement, if you like, about the definition of "endorsement". So we basically said that we're a new

government, and we have an expectation that grants will be given out in a particular way. I think I shook the grants document in the air and said, "This is the process now", and that they had to put in a business case for each of the upgrades to GWIC and, if GWIC endorsed it, then we would then allow the money to be released. But, given there had been some issues or allegations around some tendering processes, which will be subject to Ms Drake's inquiry—

**The Hon. ROBERT BORSAK:** We don't need to mention any names.

**Mr DAVID HARRIS:** It was very prudent for us to ensure that any government money released was being spent appropriately and we were very robust in putting that position forward.

**The Hon. ROBERT BORSAK:** Mr Griffin, what's your view of how all this was proceeding? You've been there a long time. You interacted with the board and also with the previous CEO quite a bit and the current CEO. What's your take on all of this?

**STEVE GRIFFIN:** The business cases just haven't come forward, Mr Borsak. That's the issue. We've been waiting for GRNSW to come forward with business cases. They just haven't come forward in the proper format, particularly the format the new Government now requires in terms of how they meet the checks and balances required for giving out of taxpayers' funds to these projects. That's simply the case—that these things haven't come forward.

**The Hon. ROBERT BORSAK:** So you haven't had anything to actively consider? Is that what you're saying?

**STEVE GRIFFIN:** That's right. There has been no actual business case per se in the format required by the Government that's been put forward by the Government come forward for us to assess.

**The Hon. ROBERT BORSAK:** How did it work in the old Government? Did they have a process similar to this or was it different?

**STEVE GRIFFIN:** There certainly was a process. Before the letter that the Minister is referring to, GWIC had no role to play in terms of overseeing some of the business cases or the requests for funding under the capital grants program. That was more towards the end of the former Government and GWIC had a role in oversighting, signing off and endorsing business cases. That was the process that was put in by the former Government towards the end of the former Government's term but, certainly, as I said earlier, the business cases just haven't come forward over that five-year period in the speed and in the form that would've been expected.

**The Hon. ROBERT BORSAK:** I had a question, Minister, in relation to The Star and its participation in the cashless gaming trial. I think maybe that was answered, but where are they up to in relation to that?

**TAREK BARAKAT:** As part of the jobs guarantee that the Treasurer entered into with The Star, there was a requirement for them to trial cashless gaming on a number of machines—the number escapes me at the moment—within the venue. My understanding is that they have met that requirement under the jobs guarantee.

**The Hon. ROBERT BORSAK:** They have met it?

**TAREK BARAKAT:** That's my understanding.

**The Hon. ROBERT BORSAK:** Can you tell me how many machines have been involved in that?

**TAREK BARAKAT:** I can take it on notice and come back to you.

**The Hon. ROBERT BORSAK:** You've pretty much answered the question already, but where is the process up to in terms of the consideration of the cashless gaming proposals?

**Mr DAVID HARRIS:** As I've said, the panel is due to report to the Government in November—not just on cashless gaming but on a range of issues that will direct our gambling harm minimisation road map. That will then be considered by the Government, and Cabinet will make a decision on things such as what the actual strategies will be, what is the period that any rollout would occur, how it would be paid for et cetera. We haven't just been waiting for that, though. There's a whole lot of election commitments that we made which we're undertaking already.

We've completed the cash input limit on new machines from \$5,000 down to \$500. We've reduced the gaming machine entitlement cap. We've banned the external gaming-related signage. We've banned political donations from clubs with gaming machines. We've provided an extra \$10 million a year into the Responsible Gambling Fund as part of a larger \$100 million harm minimisation package. We've established, obviously, the panel and we've got the cashless gaming trial underway. It involves 14 venues but more than 1,800 machines.

**TAREK BARAKAT:** Sorry, Minister, that figure has now been updated quite recently. It is 2,388 machines as of today.

**The Hon. ROBERT BORSAK:** Are involved in the trial?

**TAREK BARAKAT:** Yes.

**Mr DAVID HARRIS:** We've also introduced responsible gambling officers into hotels and clubs with machines over 20 entitlements and we're working now very hard—the department is—on introducing a statewide exclusion register and looking at a third-party exclusion scheme as well as introducing facial recognition technologies. I think there's a draft code of conduct for using facial recognition. There wasn't one previously—so we're putting that out there. Once the actual standards et cetera for facial recognition and any legislation involved with that—we've committed to Ms Faehrmann at a previous hearing that that will go out for public consultation.

**The Hon. MARK LATHAM:** Thank you, Minister, and thank you in particular for following the evidence of the Rosehill inquiry about some of the problems that have been raised—serious issues concerning Racing NSW. Are you familiar with the submission of the former Auditor-General Tony Harris and also the evidence of former AJC chair David Hall that Racing NSW is holding too much money in unspent provisions—\$600 million, including \$300 million in cash—that should be going out to the clubs to help with the infrastructure problems?

**Mr DAVID HARRIS:** I am generally aware of those submissions. I've had discussions at a strategic level with Racing NSW in terms of the different amounts of money they're holding. They have explained to me in great detail their strategy behind these funds and why they've got them in place and why they're operating. One particularly was almost, if you like, a rainy day fund, which is going to ensure that, whilst wagering is currently down and the other codes are having to reduce prize money or make cuts, Racing NSW can continue for five years using those funds and keep everything exactly where it is, so I'd say that's quite prudent. They learnt very carefully from the equine influenza and also COVID that you have to make provisions for when things change. I congratulate them for that. I think they've thought very carefully about these issues and they're able to continue even though in some of the other States—I think Racing Victoria has got a new CEO and they've had to tighten their belts down there. Racing NSW has been able to continue with prize money et cetera because they've made these provisions.

**Ms SUE HIGGINSON:** I wanted to ask you about the treaty process. Can you update on the treaty commissioners? Have they been appointed, and how has that appointment happened?

**Mr DAVID HARRIS:** I think I described at the last hearing that we've gone through the process of selecting a panel that made recommendations of suitable candidates. That has occurred. We then had to go through those recommendations and do probity checks. That, I understand, has just been completed. We had some technical issues, in that one of the people was interstate and, to get a New South Wales Working with Children Check, you actually have to be in New South Wales. That held the process up. Some of these things hit you from left field and you sort of go, "Oh, didn't know that was a thing." But, anyway, apparently you have to turn up to a Service NSW office. There is a brief to Cabinet that will go imminently, and then Cabinet will sign off on the three commissioners. As well as that, there's been a tender process undertaken to undertake the consultation on prior, informed consent, and that tender has now been granted, I'm pretty sure, Mr Hamilton.

**SHANE HAMILTON:** It has. But that work won't start till the commissioners have started.

**Ms SUE HIGGINSON:** Are you in a position to say who has that tender for the FPIC work?

**Mr DAVID HARRIS:** I'm not sure if you've got the details.

**SHANE HAMILTON:** I'd have to take that on notice.

**Ms SUE HIGGINSON:** You want to take that on notice? That's fine. Thank you. In that regard, has there been any FPIC training that has taken place to date, within the department and any other participants within the—

**Mr DAVID HARRIS:** Mr Hamilton's probably best to—but I understand there has been some workshops.

**SHANE HAMILTON:** I wouldn't say "training" as such, but our people are aware of the principles around free, prior and informed consent. Our work to date, in terms of getting ready for treaty, has certainly been using those principles as a way of—which is why we've gone out to tender to say that the beginning of treaty, in fact, all the way through, would have those principles in place.

**Ms SUE HIGGINSON:** Do you think that those principles have been applied in the commissioner selection process? Or has that been outside of the principles of FPIC and self-determination? And I realise the difficulty here.



**Mr DAVID HARRIS:** I think the terms of reference that were given to the panel are—but we did make it clear to them that in New South Wales we operate Cabinet government and that any final decision would be a decision of Cabinet. We can't get away from that. That's the way these appointments are made. And, obviously, that's why we asked for a suitability list. And Cabinet is responsible for making the final decision.

**Ms SUE HIGGINSON:** Minister, what are your plans in terms of making sure that everything we do, from the time we started and the announcement of the commissioners coming soon—what are you doing to safeguard the bipartisanship and the success of the treaty process going forward?

**Mr DAVID HARRIS:** The same as with cultural heritage. We've made sure that we've met with members of Parliament and also other groups and briefed them on where we're up to and what our expectation is. These are difficult issues. Even within community, there won't be agreement on everything. Our role is to ensure that people have the right to have their say and that, in the end, government comes to a decision about what they will and won't do down the track, using all the information. I think, in terms of keeping bipartisan support, I'm making it very clear that this is part of Closing the Gap. It's priority reform number one, which actually talks about local agreements and decision-making.

**Ms SUE HIGGINSON:** Just on that, Minister, does it concern you that we learnt in budget estimates this week that the gap has been widened, in terms of your Government's dreadful criminal laws, in terms of bail laws? Does that concern you, that the gap has been widened and that the increase of young people and children held in custody right now has increased 43 per cent since your Government came into power?

**Mr DAVID HARRIS:** I think the best way to answer that is that every single member of the Government is concerned when people have to be sent to prison or, even worse, are placed in remand and have to wait periods to get their day in court. That concerns all of us. The Government has two responsibilities. One is to ensure the safety of the community, and the other one is to make sure that we are, in the longer term, meeting our obligations under Closing the Gap. What generally happens is—and I was involved, in my previous career. My specialty was particularly boys' education.

When you bring in changes, behaviours sometimes get worse before it gets better. What we've done is not just introduce those bail laws; we've introduced a whole lot of other programs that are more long term. We're making reform in the child protection system. We're making reforms right across the board, which is part of the longer term, ensuring that we get that gap closed. Doing one thing won't change that in the short term. But when we're getting phone calls, as I was, from aunts, particularly, who were fearing for their lives, then government had to act. And I think the community should be—I know you totally disagree with this. But, when you've got young people who have been let out on bail, not once but twice—not three times—but continue to go out and undertake this risky behaviour, then what do we as a community do? Do we wait till they kill themselves, wrap themselves around a tree? Do we wait till they kill an elder, before we act?

**Ms ABIGAIL BOYD:** No. You do systemic reform and not play Whac-A-Mole.

**Mr DAVID HARRIS:** The main programs we're bringing in place will take longer to take effect. You can look at the figures now. The figures in the short term, as, I think, the Attorney General has admitted, will go up. But in the longer term the strategy should drive them down.

**Ms SUE HIGGINSON:** Forty-three per cent.

**The CHAIR:** Order!

**Mr DAVID HARRIS:** Can I just say, Chair, those figures, if they're based on the BOCSAR figures, were actually prior to the bail reforms.

**Ms SUE HIGGINSON:** Forty-three per cent.

**Mr DAVID HARRIS:** Prior to the bail reform. The bail reforms didn't come in until the 22nd.

**Ms ABIGAIL BOYD:** Going back to greyhounds, you ordered an inquiry into the concerning allegations coming out of the Wyee rehoming facility. Did you receive that inquiry report back on time?

**Mr DAVID HARRIS:** I did.

**Ms ABIGAIL BOYD:** It's pretty shocking reading, wasn't it, Minister?

**Mr DAVID HARRIS:** GWIC carried out the report. They made some recommendations. We've now referred that to Ms Drake to take into her investigations.

**Ms ABIGAIL BOYD:** Did it concern you that there are only a handful—I think maybe as few as three—staff members willing to talk to GWIC as part of that inquiry?

**Mr DAVID HARRIS:** We certainly were. My memory is that there was about 27 staff—I may be one or two out there—and that seven agreed to talk to the investigator, but only four did.

**Ms ABIGAIL BOYD:** And they said they were scared, didn't they, Minister, scared of repercussions from Greyhound Racing NSW, for speaking out about what they'd seen?

**Mr DAVID HARRIS:** I'm not sure what their reasons were.

**Ms ABIGAIL BOYD:** Will you be making that report public?

**Mr DAVID HARRIS:** We've given it to Ms Drake. We'll wait for her to have a look at the recommendations that GWIC made and then respond fully to that inquiry.

**Ms ABIGAIL BOYD:** Why won't you make that report public? And why were you so reticent to make the Brittan report public?

**Mr DAVID HARRIS:** Who? Which report?

**Ms ABIGAIL BOYD:** The Alex Brittan report—the chief vet.

**Mr DAVID HARRIS:** The Brittan report—there were some legal issues around who owned the report. I have found, in this job, I speak to lawyers a lot, and we have to act on advice with these different things. We read the report. It's been referred to Ms Drake. That's why we called the inquiry: so that there would be an independent review into these things.

**Ms ABIGAIL BOYD:** The Wye report backed up a lot of what the chief vet was saying, particularly in relation to the export program, this Aussie Mates in the States program, and how dangerous this was for greyhounds, didn't it, Minister?

**Mr DAVID HARRIS:** I'm not sure that it did, actually.

**Ms ABIGAIL BOYD:** Are you concerned about the Aussie Mates in the States program, given the revelations in the Brittan report, about the dogs dying, particularly that one that was not emotionally fit to fly and had actually gulped so much air into itself that it died, in a most horrific way, on a 15-hour flight to the US? Does that concern you, Minister?

**Mr DAVID HARRIS:** The death of any animal concerns me, but I think we have to be a little bit realistic. Animals are transported by plane all the time. I would imagine, across the board, there would be adverse things happen—

**Ms ABIGAIL BOYD:** But not normally had a traumatic life in racing beforehand.

**Mr DAVID HARRIS:** We don't know what sort of life they had before, so I can't comment on that.

**Ms ABIGAIL BOYD:** Are you aware that the so-called audit that was done by GWIC in relation to that program involved two people from GWIC going across to the US and it was paid for Greyhound Racing NSW, flights and accommodation? Do you think that's appropriate?

**Mr DAVID HARRIS:** I'm not right across that. Did you want to talk about how that was agreed?

**Ms ABIGAIL BOYD:** I'll come back to Mr Griffin this afternoon.

**Mr DAVID HARRIS:** I think it was before.

**Ms ABIGAIL BOYD:** Do you think it's appropriate that a vet wasn't sent for that audit?

**Mr DAVID HARRIS:** I wasn't involved with it, so I can't comment on how the decision-making took place.

**Ms ABIGAIL BOYD:** Does it concern you that one of people who had their flights and accommodation paid for by Greyhound Racing NSW to do that audit of whether or not the program was acceptable then took a job with Greyhound Racing NSW just a couple of weeks later?

**Mr DAVID HARRIS:** Ms Drake is doing an inquiry.

**Ms ABIGAIL BOYD:** I bet she is. When we look at that inquiry, it says the purpose is:

... to ensure a viable and sustainable greyhound racing industry in NSW with the highest standards of integrity and animal welfare.

Isn't that an oxymoron?

**Mr DAVID HARRIS:** No, not at all. There are a lot of activities undertaken in society that have an element of danger to them.

**Ms ABIGAIL BOYD:** Normally for people, not innocent animals.

**Mr DAVID HARRIS:** It doesn't mean you can't properly regulate them. The Government's made a clear policy decision that greyhound racing will continue. My job is to make it as safe as I possibly can and have high levels of integrity, and that's what we're doing.

**Ms ABIGAIL BOYD:** Is there a reason why GWIC was left out of the terms of reference—specifically, whether or not GWIC needed different or stronger enforcement powers in order to bring this industry under control? Or is that seen to be something that would damage the viability and sustainably, economically, of the industry?

**Mr DAVID HARRIS:** No, I know the decision was made because in the chief vet's report there were allegations relating to GWIC, so it was inappropriate that they be part of that inquiry.

**Ms ABIGAIL BOYD:** It's probably inappropriate for GWIC to be inquiring into itself, then.

**Mr DAVID HARRIS:** So the department is undertaking that investigation. I just want to be clear about this, because there's been some statements made that aren't 100 per cent right and may mislead people. We used the vacant GWIC commissioner position to appoint Ms Drake. She is independent. She's had no relationship with GWIC prior to this, but we thought it important that the person doing the investigation had the powers of GWIC.

**Ms ABIGAIL BOYD:** But be a public official—

**Mr DAVID HARRIS:** That's why we've taken this course.

**Ms ABIGAIL BOYD:** —and have a public servant's duty to the Government.

**The Hon. JACQUI MUNRO:** Minister, the *Aboriginal Procurement Policy Review 2023* was delivered a year ago, in September last year. It had 17 recommendations. I'm wondering if the Government has responded to those.

**Mr DAVID HARRIS:** That's probably a better question for Minister Houssos. We have been having discussions and I have spoken to the Minister in regard to Aboriginal procurement. We are also undertaking Aboriginal business round tables around the State, and we've been feeding back the data that we've got from those different gatherings to the process as well. I understand that they're working through that and that will be released soon. I am not across the actual timeline, but we absolutely have been having discussions with Minister Houssos and her office.

**The Hon. JACQUI MUNRO:** Are you concerned that it's taken so long? Some of these recommendations are, I would have thought, pretty easy to implement, like publicly communicating the procurement results beyond the buy.nsw webpage.

**Mr DAVID HARRIS:** Some of these things seem easy, but often there are technical reasons why they take longer. The longer I'm in this job, the more the easy things seem to become hard. That's just the reality. We will do this as quickly as possible. We need to do it right. People have raised other issues with us about some of the recommendations and how they might be improved, whatever. It's better that what we do, our final product, is the right product rather than just rushing out something.

**The Hon. JACQUI MUNRO:** I wouldn't have thought a 12-month delay is rushing it out. Are you advocating for this to be done quickly? You say you're not aware of a timeline, but it's a fairly important part, I would have thought, of advocating for the stakeholders in your portfolio.

**Mr DAVID HARRIS:** As I said, we've been having discussions; we've been giving feedback. As you'd imagine, with my load, I spend a lot of time focusing on my issues specifically. But I know that I'm due to have a meeting—I think, is it next week?—with Minister Houssos' office. I'm hoping I'll get an update there.

**The Hon. JACQUI MUNRO:** Will you be raising it? Will you be asking for an update?

**Mr DAVID HARRIS:** We raise it all the time.

**The Hon. JACQUI MUNRO:** Have you asked for a deadline?

**Mr DAVID HARRIS:** No, I haven't asked for a deadline because I know how hard it is with some of these things. Minister Houssos' office will get it done when they've got it right.

**The Hon. JACQUI MUNRO:** Minister, what is the Government doing to ensure that Aboriginal and Torres Strait Islander women and children who are experiencing domestic and family violence can access specialist and culturally safe services and support?

**Mr DAVID HARRIS:** Minister Harrison and I recently travelled to western New South Wales, to Bre, Walgett and Dubbo, to announce some of those services that will actually support Aboriginal women experiencing domestic and sexual violence. I'm part of the discussions within Cabinet on all of these issues. They're very complex. Minister Harrison, in particular, but also the Attorney General, the police Minister, the communities Minister—we're all involved in discussions around these issues, and Minister Jackson as well. The Government has been rolling out programs and funding to address these issues.

**The Hon. JACQUI MUNRO:** Is there an intention to fund primary violence prevention initiatives which align with the "Changing the picture", a national resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their children?

**Mr DAVID HARRIS:** I understand that's part of the process.

**The Hon. JACQUI MUNRO:** Is this related to the fact that the Government hasn't been able to find support workers that will go out to communities across New South Wales? We've got potentially hundreds of staff that were supposed to be rolled out and supporting communities like Walgett, and we really haven't heard anything related to Aboriginal and Torres Strait Islander specific workers. Where is that up to?

**Mr DAVID HARRIS:** We were actually out making that announcement the week before.

**The Hon. JACQUI MUNRO:** So that is related to that specific funding promise that was made in relation to the Federal Government funding?

**Mr DAVID HARRIS:** That's my understanding. Yes, there have been difficulties. In my discussions with Minister Harrison, there have been difficulties. But they're working on that. Building capacity is obviously a really important part of this whole program, and she's working through those issues.

**The Hon. JACQUI MUNRO:** Are you aware that there have been concerns in regional and remote communities that the requirement to have Aboriginal and Torres Strait Islander specific services might mean that there's no-one who has that capacity already to deliver those services, therefore people aren't getting any services?

**Mr DAVID HARRIS:** We met with one of those organisations in Dubbo and heard firsthand from the community in Bourke. I'm sure Minister Harrison will be taking their reflections into account in terms of program design in the future.

**The Hon. JACQUI MUNRO:** Do you know when those programs are going to be rolled out?

**Mr DAVID HARRIS:** No.

**The Hon. JACQUI MUNRO:** Because that's really the problem, the immediacy.

**Mr DAVID HARRIS:** No, I don't know.

**The Hon. JACQUI MUNRO:** What's your sense of how these issues should be managed, given you are the Aboriginal affairs Minister?

**Mr DAVID HARRIS:** My role is to work with Minister Harrison, to make connections. As I said, we went out ourselves and spoke to people to get that feedback. We arranged that through our department and—

**The Hon. JACQUI MUNRO:** Did you initiate that or did Minister Harrison?

**Mr DAVID HARRIS:** That was jointly. We made the decision that we should go out there on the ground and talk to groups.

**The Hon. JACQUI MUNRO:** The Aboriginal Women's Advisory Network was established in 2022. They're an integral initiative to support the Closing the Gap target 13. The Government, however, has only provided short-term funding. I'm wondering why the Government hasn't provided ongoing recurrent funding for the network, which would indicate a genuine commitment to their cause.

**Mr DAVID HARRIS:** You'd have to ask the appropriate Minister for that. It doesn't fall within my portfolio.

**The Hon. JACQUI MUNRO:** So you're not aware of the fact that they only got short-term funding?

**Mr DAVID HARRIS:** It doesn't fall within my portfolio.

**The Hon. JACQUI MUNRO:** Now that you know the Aboriginal Women's Advisory Network have only received short-term funding, will you advocate to the Minister that programs like this need to be given solid, committed funding over time?

**Mr DAVID HARRIS:** Under Closing the Gap, we're looking at all of the different advisory groups et cetera and making sure that they're actually meeting their requirements and what they need to do. I don't have the specifics on that one, but I know, generally, it's important that we get the right settings with these advisory groups and that they're actually from the community and that they're actually giving us information off the ground.

**The Hon. SCOTT FARLOW:** Minister, that's the segue there to Closing the Gap. The Productivity Commission found that a persistent barrier to progressing the Priority Reforms is the lack of power sharing that's needed for joint decision-making and that addressing this "requires more than consultation and partnerships". What's your understanding of shared decision-making in the context of Closing the Gap?

**Mr DAVID HARRIS:** There's a whole-of-government approach to this. We obviously, with the Premier and the Local Government Association, signed the new agreement earlier this year. Ministers meet on a fairly regular basis—it will be twice yearly now—with the Aboriginal peaks to talk about these issues. Some of them are quite complex. In some of the discussions, on both sides of the table, there needs to be more education about what partnership actually is and what that looks like because we're making a massive change in the way that government does business and the way that community interacts with government, and that's a difficult process.

We have some pretty robust discussions. I have torn up the rule book a little bit. When we go into those meetings, I encourage people to say what they think, and I say the same. So we don't dance around each other anymore. We're actually starting to address some of the roadblocks—some of the departments, some of the way that Aboriginal community organisations are doing business—so that we actually do get better outcomes and we actually do get change. We're not just saying that we're doing change; we actually do start to recalibrate that relationship.

**The Hon. SCOTT FARLOW:** Minister, in those meetings where you've torn up the rule book, who else is in those meetings with you?

**Mr DAVID HARRIS:** I meet on a regular basis with CAPO; I'm joint chair. We also have the national Closing the Gap council as well. My concern—and I think a lot of people's concern—is that at the end of the day no-one will thank us for having lovely-looking structures or having beautiful PowerPoints. They'll thank us for making a difference on the ground. Our focus needs to be on actually getting programs in place, supporting services, building capacity and actually changing what happens, not on administrative systems.

**The Hon. SCOTT FARLOW:** Minister, as you've highlighted in some of the previous answers, many of these responsibilities fall outside of your portfolio. Are you inviting any other Ministers to those meetings?

**Mr DAVID HARRIS:** Yes. As I said, when we have the joint meetings, I co-chair those meetings, and every Minister and the Premier come into the room, with all the secretaries and all the department people, and we have those conversations. When I first came in, everyone had a script and they read the scripts to each other. I'm encouraging people not to do that anymore—"This is your chance. You've got the Minister or the secretary of the department in the room. Ask what you want to ask."

**The Hon. SCOTT FARLOW:** Minister, one of the other findings in the Productivity Commission's report on Closing the Gap was that there was no strategy for driving and delivering transitional changes. How have you and your agency fully grasped the scale of change required to your systems, operations and ways of working to deliver the shift that you've committed to under Closing the Gap?

**Mr DAVID HARRIS:** Do you want to talk about that more broadly?

**SHANE HAMILTON:** We're in the process of actually changing the—so the meetings that the Minister talks about where we have responsible departments and Ministers and secretaries there, we've divided that in a way that we can get much more direct, related to each of the Priority Reforms, and have those departments responsible for that co-chairing and leading that work directly with CAPO, and then reporting back at both a ministerial and a national level.

**The Hon. SCOTT FARLOW:** Thank you, Mr Hamilton. Minister, what have you put in place to support real innovation from government agencies and the disruption of business-as-usual approaches to Closing the Gap, apart from just tearing the rule book up when it comes to the meetings?

**Mr DAVID HARRIS:** Sorry, can you repeat that?

**The Hon. SCOTT FARLOW:** I was just asking what you have put in place to support real innovation from government agencies and the disruption of business-as-usual approaches to Closing the Gap, apart from just tearing the rule book up when it comes to the meetings.

**Mr DAVID HARRIS:** That's what Closing the Gap is. It's the whole process. It's everything that government does. There are working groups within government, across different departments, with CAPO

representatives, working on all of these issues across all of the Closing the Gap targets. This is a really active, fluid process that is evolving all of the time. I'm the driver of that, on behalf of the Premier, to make sure that that continues at the rate that it needs to and that we are getting that change. As I said, there are difficulties because there are always going to be sticking points or disagreement around what partnership is. I think that's healthy as long as we can talk about what those differences are.

**The Hon. SCOTT FARLOW:** Minister, you noted in your budget media release that the 2024-25 New South Wales budget includes \$3½ million to continue work with the New South Wales coalition of peak organisations in the design of an accountability mechanism and for the continuation of the data connector program. Can a breakdown be provided regarding the allocation of funds to the government accountability mechanism?

**Mr DAVID HARRIS:** Yes, we can take that on notice. Can I just say about that that we don't yet have agreement on what that mechanism should look like and we're still negotiating that, but I'm happy to get a breakdown of how that money might be being spent.

**The Hon. SCOTT FARLOW:** And for the data connector program as well.

**Mr DAVID HARRIS:** The data connector one is actually moving forward really well. In fact, New South Wales leads the country in terms of what's happening in that space, and the other States are looking to us for guidance on that.

**The Hon. SCOTT FARLOW:** The National Agreement on Closing the Gap and clause 33 of the NSW Partnership Agreement on Closing the Gap notes that:

The Parties recognise the substantial work required of NSW CAPO organisations to engage in this Partnership and acknowledge NSW CAPO need to be provided with adequate and ongoing financial support to enable their engagement as equal partners ...

What funding has been allocated in 2024-25 specifically to resource the shared decision-making partnership with the NSW CAPO?

**Mr DAVID HARRIS:** We fully funded all of the areas under Closing the Gap. We're currently in negotiations. Schedule 1 ran out, I think, at the end of June.

**SHANE HAMILTON:** May.

**Mr DAVID HARRIS:** End of May. The department is currently in negotiations with CAPO, or NSWALC on behalf of CAPO, to have a look at that funding, moving forward. I don't know if you want Mr Draper to talk about where that process is up to.

**The Hon. SCOTT FARLOW:** I can have Mr Draper now, yes. Thank you.

**SIMON DRAPER:** In the agreement that was signed in 2022, there was \$33 million allocated to that under the overall \$221 million of funding package at that time. About just over \$9 million of that was for what's called schedule 1, which is supporting, in effect, just the operations of NSWALC and CAPO to participate in that program. It ran out a couple of months ago. That money was allocated up until the end of June. The last payment was scheduled to be paid in May. That has been fully paid and fully spent, as I understand it, by CAPO. But the agreement that was entered into at that time also required that there are a number of evaluation reports and final reports that are required to be produced. We need to get that documentation in order to consider what the next stage of funding will be. We're working with the CAPO partners and NSWALC to complete that process.

**The Hon. JACQUI MUNRO:** Minister, in the budget last year you had your \$5 million for treaty, which was specifically called out in the Premier's Department. This year there aren't any specific measures listed in the budget that relate to your portfolio under the Premier's Department. Could you please explain what kind of initiatives are new or material, as the budget calls it, in your portfolio?

**Mr DAVID HARRIS:** We might take that on notice and give you a full list. There are a whole lot of initiatives, such as our business round tables, that are undertaken by the department. We're happy to give you a fulsome list of the different projects.

**The Hon. JACQUI MUNRO:** Could you also please provide the funding allocated to each program?

**Mr DAVID HARRIS:** I assume that's possible?

**SHANE HAMILTON:** Each program under Closing the Gap?

**Mr DAVID HARRIS:** No, under just the—

**The Hon. JACQUI MUNRO:** That the Minister has just referred to.

**Mr DAVID HARRIS:** Like the business round tables and all those strategies.

**SHANE HAMILTON:** Yes.

**The Hon. SCOTT FARLOW:** Minister, the Aboriginal Affairs team is made up of four directorates, each led by a director, as I understand it. Who are those directors?

**Mr DAVID HARRIS:** There has just been a new appointment, hasn't there?

**SHANE HAMILTON:** Executive directors?

**The Hon. SCOTT FARLOW:** Yes.

**SHANE HAMILTON:** Jennifer Mar Young, Trish Oxford and Lisa Madden.

**The Hon. SCOTT FARLOW:** What's the role of Trish Oxford? Director of truth and healing? Is that correct?

**SHANE HAMILTON:** Yes. At the moment, we've had a vacancy, so she's covering the Closing the Gap program.

**The Hon. SCOTT FARLOW:** She's covering Closing the Gap as well as truth and healing?

**SHANE HAMILTON:** No, Lisa Madden is covering her role there.

**The Hon. JACQUI MUNRO:** Going back to racing, Minister, have you met with former Premier Morris Iemma in relation to Greyhound Racing NSW?

**Mr DAVID HARRIS:** No.

**The Hon. JACQUI MUNRO:** Never?

**Mr DAVID HARRIS:** No.

**The Hon. JACQUI MUNRO:** You have never spoken to him more informally at an event, for example, about racing in New South Wales?

**Mr DAVID HARRIS:** Not that I can recall. The last time I saw Morris I was walking down Clarence Street and I bumped into him. I said, "You're looking really well", because he'd been unwell.

**The Hon. JACQUI MUNRO:** Did anyone get a photo of that?

**Mr DAVID HARRIS:** No.

**The Hon. JACQUI MUNRO:** I'm just curious.

**Mr DAVID HARRIS:** I wasn't formally dressed.

**The Hon. JACQUI MUNRO:** In terms of the resignation of Mr Macaulay, have you met with the new CEO?

**Mr DAVID HARRIS:** I haven't formally. I believe there's a meeting with my staff that is scheduled. We took the view that I shouldn't meet until I'd resolved the matter with the board of Greyhound Racing NSW. And this was internal. We didn't get advice. This was my decision.

**The Hon. JACQUI MUNRO:** What's the difference between him meeting with your staff as opposed to you?

**Mr DAVID HARRIS:** His role is to talk about operational issues with Greyhound Racing NSW. As I said, our expectation is that they continue to operate. It's appropriate that they raise and talk to issues that concern government and pass those on, give advice or deal with it.

**The Hon. JACQUI MUNRO:** You'll have enough distance from him via a briefing from your staff?

**Mr DAVID HARRIS:** Yes.

**The Hon. SCOTT FARLOW:** Minister, with respect to treaty, are you still committed to a consultation process commencing next year?

**Mr DAVID HARRIS:** Yes. I think we said that we're working through the process. The commissioners will be appointed, and then that process will begin. One of the roles of the commissioners will be actually to design the process.

**The Hon. SCOTT FARLOW:** Is the Government still committed to not proceeding with a treaty before an election?

**Mr DAVID HARRIS:** I think what we've said is that our commitment was to have a consultation on what a treaty process might look like. I don't think we've ever said that we were going to commit to "a" treaty. In fact, my personal view is there won't be "a" treaty; it will be lots of different agreements. Modern treaty-making is very different from the 1800s, when they all sat down with a quill pen and signed off on an agreement. We would expect that treaty-making in New South Wales is fluid, changeable and reactive to changes in the community. I think that's what the community would expect as well. But you have to have an agreed process for those negotiations to take place. We're focused on developing that process, and then different groups can come with their things.

In saying that, across New South Wales at the moment, I have counted more than 50 different types of negotiations that already occur, but they all have different rules. Our aim is to codify the rules so that everyone is equal at the table. Those discussions can be part of that. That's what the aim of setting this up was. We may get different feedback through the treaty consultation. It would be pretty poor of us to pre-empt what community mob might say before they've had a chance to say it. That's the premise we've set up to have that discussion. That's what we've committed to. We'll be having that discussion, and then anything else coming from that will be a decision of government in the future.

**The CHAIR:** Are there any questions or comments from the Government?

**The Hon. PETER PRIMROSE:** I just have one. I was wondering if there were any matters that you'd like to provide additional information on.

**Mr DAVID HARRIS:** I would, strangely enough. I just want to clarify two points. Earlier, I said that I make the decision regarding The Star. For clarity, suitability is a matter and decision for the NICC. The decision may require further considerations and/or decisions by myself and the Government. So I don't decide whether they get their licence or not; that's the job of the NICC. Once they make their decision, what happens then becomes a decision for government. Regarding TAB and the Racing Distribution Agreement, I want to be clear that the State is not a party to the Racing Distribution Agreement, and we are not pre-empting any discussions that might be had between the parties. That is a commercial agreement between them. The Government does not have a role in that.

**The CHAIR:** Thank you, Minister, for providing that clarity. In the absence of any further questions from the Government, we will now have a short recess and reconvene at 11.15 a.m.

**(Short adjournment)**

**The CHAIR:** Welcome back, everyone. We will reconvene the hearing and recommence. Mr Barakat, you have an answer or some clarification?

**TAREK BARAKAT:** I do, Chair. Mr Borsak, you asked about the number of machines in The Star's cashless trial. I can confirm that, under the jobs guarantee, there's a requirement to have 51 machines and eight table games. They have met that.

**The CHAIR:** We will go to crossbench questions.

**The Hon. MARK LATHAM:** Minister, I take you back to those criticisms of the Racing NSW accounts from former Auditor-General Tony Harris and other witnesses at the Rosehill inquiry. This is widespread in the industry. The one thing that I think would clear up issues about Racing NSW is the Auditor-General doing an independent review of the finances. There's the question of the horse welfare account. Could the hollow logs there be spent instead of selling Rosehill? There's the funding model and the money going out to country clubs. Why can't we have the Auditor-General have a look at the finances and give people an information flow that would settle the industry down and be quite productive?

**Mr DAVID HARRIS:** Racing NSW has to have their books audited under the companies Act, so they do that. The issue—and this happened when the amendment was moved previously—is that Racing NSW operates in a very competitive environment. It has to make commercial decisions. Some of those decisions that they would make are based on the best information, but they're not necessarily sure of what the outcome might be. Unlike a government department, which they're absolutely not, the Auditor-General saying how they should or should not be spending funds would actually constrain their ability to be able to operate in that competitive world.

When they first put forward the Everest, there were a lot of people who were a little bit dubious about its success or otherwise. An Auditor-General—and I don't want to put words in the Auditor-General's mouth—might look at that and say, "That's too big a risk. You shouldn't do that." It has actually turned out to be amazing in terms of crowds, wagering and an event for New South Wales. I just think they're two different beasts. They're not a government department; they're a competitive company in a very competitive industry.



**The Hon. MARK LATHAM:** I don't think we can second-guess what the Auditor-General would say, but they do have new powers, approved by your Government and party, to "follow the dollar". The Auditor-General has said that he might follow the dollar in the grants to Racing NSW. In the document that you tabled earlier on, there are 19 projects. This is regions money of three years standing, and only one of them is completed. Isn't this ideal for the Auditor-General to have a look at the seeming inefficiency of having money desperately needed in regional, provincial and country tracks and 19 projects to be funded, but in three years only one of them is completed? Isn't this just the sort of thing the Auditor-General should look at?

**Mr DAVID HARRIS:** You've correctly stated that the Auditor-General can have a look at government grant programs, and that's appropriate. If they decide to do that, that's a decision for them. But to, in theory, open the books of Racing NSW and have all of their decision-making looked at, that's the job of the board. They operate under the legislation.

**The Hon. MARK LATHAM:** We'll come to the board now that you've mentioned them. What was your reaction to the evidence of Director Garry Charny about the extraordinary number of big policy decisions where the board is not doing its job in terms of governance? There was the 17 November meeting with the Cabinet Office where the chair and the CEO, without a board decision or approval, said that Racing NSW supports the sale of Rosehill—a most important asset for racing in New South Wales—the proceeds should go to all of the industry, they weren't keen on Warwick Farm, there should be a training centre at Horsley Park, and they wanted improvements to ATC governance and for you to legislate them. These are things that the board gave no approval to, yet they said to the Government that it's official policy. There's the legal case with Tabcorp, the ridiculous case with Victoria, and warning off decisions—"Don't go to the board." More recently, submissions to the Rosehill inquiry themselves weren't board approved. Isn't this evidence that the board is failing in its governance and is some sort of weak rubber stamp to the CEO?

**Mr DAVID HARRIS:** I wouldn't characterise it that way. What I can do is take that whole question on notice. I know there are delegations to the CEO. They have been decisions of the board. It may have been previous boards. But the CEO has those delegations, and it's a matter for the board whether they want to bring back in house those delegations or continue to let the CEO make decisions in some areas. I don't know the specifics for all of those cases, so I can't comment. But certainly in principle the board is responsible for operating Racing NSW. My job is just to make sure that they are adhering to the legislation. When things are raised with me or the department, we do make those inquiries.

**The Hon. MARK LATHAM:** Under the legislation, shouldn't big policy decisions affecting the racing industry be made by the board?

**Mr DAVID HARRIS:** As I said, I'm not sure what the delegations are and I don't know specifically what different—

**The Hon. MARK LATHAM:** Delegations aside, in principle, shouldn't the board govern Racing NSW, as it's required to under the statute?

**Mr DAVID HARRIS:** Given that I haven't been part of any deliberations of the board, I don't know and have no understanding of how those delegations were arrived at. It would be unfair of me to comment.

**The Hon. MARK LATHAM:** Will you take it up with Racing NSW? There are seven or eight massive decisions there that should have been board decisions, clearly.

**Mr DAVID HARRIS:** We have a whole range of discussions all the time. I'm happy to raise that with them. I have spoken previously about delegations and I was happy with the response I got in terms of those delegations. But, as I said, I don't know the specifics of every case and how those delegations apply.

**The Hon. MARK LATHAM:** Coming back to the funding of provincial and country tracks, you listed in the second item of your table, "Goulburn, new stabling and training facilities, \$9.5 million". Do you support the way in which those funds are allocated? Instead of allocating support for the club for the right reasons, Racing NSW said, "You'll only get that money if you hand over your freehold title."

**Mr DAVID HARRIS:** The discussion I've had with Racing NSW is that it has a duty to make sure that the assets for racing are maintained for racing. They have loans that won't be called in unless the club tries to sell that land for other purposes. They believe they have a responsibility to make sure that racetracks are for racing. That has been their policy for a very long time. In fact—and I'll take this on notice—they did tell me that they actually took it from another racing code and adopted it themselves.

**The Hon. MARK LATHAM:** They might have, but the clubs themselves see it as extortion. I don't think that's too strong a word in that they only get the \$9.5 million if they hand over their freehold title, and other

funding is conditional on Racing NSW appointing three directors to the club. The common criticism is that there is a "control freak" element here that is unfair and corrosive to the industry.

**Mr DAVID HARRIS:** There are two ways of looking at all of those things. If you're one of the clubs you might see it that way. But from a racing perspective, it was explained to me that that land only becomes valuable if you're selling it for non-racing purposes. Therefore—and I think Moruya was the example that was given to me—there was an attempt to sell all the track there and Racing NSW bought the track to make sure that racing remained in Moruya.

**The Hon. MARK LATHAM:** How are they going at Rosehill with that?

**Mr DAVID HARRIS:** I can't comment specifically on that.

**The Hon. MARK LATHAM:** No? You can comment on Moruya. It's banned for anyone to suggest selling Moruya, but they're selling the biggest industry-owned asset at Rosehill. Apparently that's fine for the absurdity of the brick pits. I put it to you that it doesn't stack up if that is the attitude of Racing NSW. If I can take you to other "control freak" problems, I'll show you a letter away from the hearing. Last year Racing NSW wrote to a country and picnic racing club for the heinous crime that the officials there published some criticism of the fact that the chief regional steward had called off the race meet. There was some controversy about how wet it was and how safe the track was, in the August journal on the NSW Country and Picnic Racing website. As a consequence of people speaking up their minds and sticking up for their track, patrons, owners and trainers, the letter finishes up, "I will be taking account of these comments in determining whether to recommend your club's registration to be accepted for 2024." How can we operate this way in a free society and democracy? If you make any mild criticism on the country and picnic racing website, you are threatened to be deregistered for next year.

**Mr DAVID HARRIS:** I'm aware of that particular case because the member for Barwon made representations to me. I made representations to Racing NSW. They went back and put forward an agreement to how they would deal with those sorts of things again. It's up to Racing NSW to decide whether that criticism is fair or otherwise.

**The Hon. MARK LATHAM:** Is that agreement public?

**Mr DAVID HARRIS:** My understanding is that the situation was that the steward was going out three days in advance and then closing the track because it wasn't up to standard for safety reasons. Sorry, it was the day before they went out there. The club thought if they'd gone a few days earlier they would have been able to correct whatever the issue was. That was just because of the fact that the steward was having to travel a particular distance. I raised that with Racing NSW and said to them, "Look, that seems unfair." My understanding is that there was an agreement put forward for how they can treat those things moving forward.

**The Hon. MARK LATHAM:** What, people making public comment?

**Mr DAVID HARRIS:** No, in terms of whether a track is closed or if there is any chance for a mediation.

**The Hon. MARK LATHAM:** No, the issue is that they are being threatened with deregistration because they made public comments that Racing NSW disagreed with. This happens across the industry for little, trivial things.

**Mr DAVID HARRIS:** I can't comment on what standard they use in terms of criticism. All I know is that the issue was raised with me, I passed it on and, as far as I'm aware, it was dealt with.

**The Hon. EMMA HURST:** Minister, earlier I asked you about a dog who had boiled to death on the tarmac. You told me that you weren't aware of that incident. Since then I have been sent a range of emails that were sent to you by the then CEO Rob Macaulay. He sent them to you and your staff on Wednesday 19 June, informing you of the death of not one dog but two dogs as part of the Aussie Mates in the States program. Why did you tell us that the only information you had was about the deaths of Carey and Barcia Jazz when you had actually been informed of the deaths of Alby and Katana as well?

**Mr DAVID HARRIS:** I had a discussion about that during the break. What happened was that we raised our serious concerns about communication, which I alluded to earlier. Apparently, after that the former CEO decided to send a mass of emails on everything. You can judge whether they were taking our concerns seriously or not. Apparently it was contained in that. I wasn't made aware of that. I've since clarified that it may have been one of the incidents that was in that email.

**The Hon. EMMA HURST:** Minister, these are really extreme cases of deaths, and you've continued to report that there have only been two deaths. Clearly a dog was left on the tarmac for six hours. Why didn't your staff go through those emails? Even if there was a backlog, why wasn't this gone through and why weren't you informed of some of these really extreme cases of dogs dying as part of this US rehoming program?

**Mr DAVID HARRIS:** It is about whether it is necessary. Apparently that happened months ago.

**The Hon. EMMA HURST:** It doesn't matter when it happened. You've been reporting—and you reported to us a moment ago—that you're only aware of two deaths.

**Mr DAVID HARRIS:** GWIC and Greyhound Racing NSW are ultimately responsible for those things. I wasn't told at the time.

**The Hon. EMMA HURST:** But you sign off on these industries being able to continue to run their licence.

**Mr DAVID HARRIS:** That is why we're having the inquiry. I have explained that we are taking action. We're not happy with the communication and we're not happy with the way the information is being relayed. We're having an inquiry to improve the processes. I can't go back and change what happened before other than to say that we had raised it with them that we weren't getting the information that we needed.

**The Hon. EMMA HURST:** Minister, the day before you received those emails on 19 June, you met with Adam Casselden. At that meeting, did he raise that there had been more deaths in that program?

**Mr DAVID HARRIS:** No.

**The Hon. EMMA HURST:** He failed to mention that?

**Mr DAVID HARRIS:** I don't know if he failed to mention it. It wasn't mentioned.

**The Hon. EMMA HURST:** Was it mentioned that Qantas had suspended their involvement in this program?

**Mr DAVID HARRIS:** I can't recall whether we spoke about that and if that was the cause. We did—from memory—discuss that Qantas had stopped travel in the meantime.

**The Hon. EMMA HURST:** He didn't give you an explanation as to why?

**Mr DAVID HARRIS:** No.

**The Hon. EMMA HURST:** Did you ask for one?

**Mr DAVID HARRIS:** We assumed that it was because of the issues that were raised by the chief vet.

**The Hon. EMMA HURST:** Minister, back in March I asked you about the death of Carey the greyhound as part of the program and what led to his death. The information that you provided to the House was that he died during free play. This conflicts with what is stated around the cause of Carey's death in the Alex Brittan report and it also conflicts with an email that I've received from Hanrob that says that Carey did not die during free play. It appears then that you have misled the House by information that you have received from Greyhound Racing NSW. Have you looked into this and do you believe that Greyhound Racing NSW provided you with misleading information?

**Mr DAVID HARRIS:** I've been advised by the CEO at Hanrob that in September Carey injured his neck in a yard after colliding with a fence during a comfort stop at its Mascot facility and was immediately transported to a vet for treatment who recommended euthanasia.

**The Hon. EMMA HURST:** Minister, sorry to stop you. I only have a few seconds left. I do understand how Carey died. My question though specifically—the information that you provided to the House on my question was that Carey died during free play. That was a red flag to me because dogs don't accidentally kill themselves while playing. However, that was the information that you provided to the House. The information from Hanrob said that the dog did not die during free play; it was during a pit stop, and that is also what was stated in the Alex Brittan report. Have you provided false information to the House around the cause of death of Carey the greyhound?

**Mr DAVID HARRIS:** No. At the time, that's what I was advised.

**The Hon. EMMA HURST:** But that is clearly not correct.

**The CHAIR:** Order! Allow the Minister to answer, Ms Hurst.

**Mr DAVID HARRIS:** Basically, comfort stops are designed to provide dogs with individual secure outdoor spaces for light exercise, hydration and relaxation before and after travel, so it may be a definitional issue about whether that's free play or not, but this is why we're having the inquiry. My concern was that I wasn't getting the quality of information, and I've said that to everyone, and so we're having an inquiry. Let's let Commissioner Drake look into the issues, explore all of the allegations and all of the different factors, and wait to see her report.

If I had sat back and done nothing and just accepted that the information I was getting was poor and, oh well, shrug my shoulders, then criticise away, but I have not done that.

**Ms ABIGAIL BOYD:** To all the world it looks like there were some very inconvenient allegations made and the media were finally paying attention again to the dangers of greyhound racing, and this inquiry just sweeps things under the carpet. Do you take responsibility for the terms of reference of that inquiry?

**Mr DAVID HARRIS:** Yes, I was involved in approving the terms of reference. They were put together by the department.

**Ms ABIGAIL BOYD:** By putting the sole purpose of being to keep a sustainable, whatever it was, viable industry, why did you preclude an inquiry that would come back saying, "This industry is incapable of reform"?

**Mr DAVID HARRIS:** Because the Government had made a decision that greyhound racing would continue in New South Wales.

**Ms ABIGAIL BOYD:** Exactly, and that's where your responsibility comes in, Minister, because you're sitting there—

**Mr DAVID HARRIS:** To make it as safe as I possibly can.

**Ms ABIGAIL BOYD:** You are sitting there as the Minister responsible for all of these greyhounds dying.

**Mr DAVID HARRIS:** That's outrageous.

**Ms ABIGAIL BOYD:** No, it's not.

**Mr DAVID HARRIS:** Seriously, if I was doing nothing at all, then I would accept that, but we're doing a whole range of things. We're not accepting the status quo; we're working to improve things. That's what we're doing. That's the truth.

**Ms ABIGAIL BOYD:** By not actually changing the regulations.

**Mr DAVID HARRIS:** You can misrepresent that any way you like.

**Ms ABIGAIL BOYD:** I wish I was misrepresenting it.

**Mr DAVID HARRIS:** But this is an industry that's not illegal in New South Wales and my job is to make it as safe as possible.

**The Hon. ROBERT BORSAK:** It's a great industry.

**The CHAIR:** Order!

**Ms ABIGAIL BOYD:** But your job could be to reform the industry.

**Mr DAVID HARRIS:** Your agenda is to shut it down; our agenda is to make it as safe as possible.

**Ms ABIGAIL BOYD:** I see that.

**The Hon. ROBERT BORSAK:** Our agenda is to keep it going—

**The CHAIR:** Order! Mr Borsak, order!

**The Hon. ROBERT BORSAK:** —and growing it.

**The CHAIR:** Order!

**Ms ABIGAIL BOYD:** On that basis, given these horrible, horrible circumstances in which these dogs have died, given all of the allegations around the inappropriate going and doing audits that aren't audits and all the rest of it, will you put a pause on the Aussie Mates in the States program until that review comes back?

**Mr DAVID HARRIS:** My understanding is it is paused. It hasn't started up again, has it?

**TAREK BARAKAT:** It has recommenced.

**Mr DAVID HARRIS:** It has recommenced.

**Ms ABIGAIL BOYD:** Because of Qantas, not because of you, Minister.

**Mr DAVID HARRIS:** It must have been just recent.

**Ms ABIGAIL BOYD:** Oh, it has recommenced?

**Mr DAVID HARRIS:** Yes, it has recommenced.

**Ms ABIGAIL BOYD:** Why hasn't it stopped, Minister?

**Mr DAVID HARRIS:** The transport of animals is the responsibility of the carrier and the company that is employed, which is Hanrob, to do it, so as long as they're meeting safety standards—

**Ms ABIGAIL BOYD:** But this is within your power.

**Mr DAVID HARRIS:** Are you saying we should stop transport of all animals on aircrafts?

**The Hon. ROBERT BORSAK:** Actually, that's what they'd say, yes. That's exactly what they'd say.

**Ms ABIGAIL BOYD:** No, I'm talking about the transport of greyhounds—traumatised greyhounds that have been found by vets not to be fit to fly.

**Mr DAVID HARRIS:** I'm not a greyhound psychologist.

**The Hon. PETER PRIMROSE:** Point of order—

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

**The Hon. PETER PRIMROSE:** They're appropriate questions; the Minister should be allowed to answer them, that's all. I can't hear either side. I simply urge that the Minister be allowed to answer the question.

**The CHAIR:** I uphold the point of order. It has been operating well this morning. Let's keep some decorum and civility and a robust to-and-fro, but let's not talk over the top of each other.

**Mr DAVID HARRIS:** There are standards for the transport of animals on aircraft, and as long as that's adhered to, then that's the rules. That is what happened.

**Ms ABIGAIL BOYD:** There seems to be a misunderstanding, Minister. When I first came to see you about greyhounds last year, there was a lot of talk about why greyhounds should be treated differently to different dogs. I think I was at pains to explain to you then that these are different animals because of the experiences they have had in an industry that has used them for profit, and that puts them at a higher risk. When we're talking about greyhounds being transported overseas, there are different factors at play, aren't there? I hope that you understand that now. If you say that you are here to try and keep this a safe industry, what will you do to stop these greyhounds dying by being sent overseas?

**Mr DAVID HARRIS:** We are having an inquiry and we will react to the recommendations of the inquiry.

**Ms ABIGAIL BOYD:** But right now. If another dog dies tomorrow, you have no responsibility?

**Mr DAVID HARRIS:** If they're adhering to the current standards, that's the current standards.

**Ms ABIGAIL BOYD:** The standards that you put in place.

**Mr DAVID HARRIS:** If we need to change those standards, that will be the recommendation that we get.

**Ms ABIGAIL BOYD:** Right, but in the meantime—

**Mr DAVID HARRIS:** You want me to go out before the inquiry and make a whole lot of changes.

**Ms ABIGAIL BOYD:** On the basis of this, of course I do.

**Mr DAVID HARRIS:** Well, we're not doing that. We've called an inquiry to get recommendations and we will follow the recommendations.

**Ms ABIGAIL BOYD:** Right. We lock kids up at the drop of a hat. We do all sorts of reforms at the drop of a hat if we get told to by Ray Hadley, but when it comes to dogs dying, we're just fine. It's alright because we want this industry to continue.

**The Hon. GREG DONNELLY:** Is that a question or a lecture?

**The Hon. ROBERT BORSAK:** It's a lecture.

**The CHAIR:** Order!

**The Hon. ROBERT BORSAK:** It's a do-gooder's lecture.

**The CHAIR:** Order!

**Mr DAVID HARRIS:** We follow process. My understanding is these dogs undergo retraining before they're transported.

**Ms ABIGAIL BOYD:** That's not what the Wyee report said, did it?

**Mr DAVID HARRIS:** Your accusation that they're not ready for travel, they're not approved for travel until they're ticked off—

**Ms ABIGAIL BOYD:** Did you read the Wyee report?

**The Hon. GREG DONNELLY:** Point of order—

**Mr DAVID HARRIS:** Yes, but the Wyee—

**The CHAIR:** Order! Mr Donnelly on a point of order.

**The Hon. GREG DONNELLY:** The point of order is the member can't help herself. She keeps talking over the honourable Minister.

**Ms ABIGAIL BOYD:** To the point of order—

**The Hon. GREG DONNELLY:** I'm not finished yet.

**The CHAIR:** The honourable member has not concluded making his point of order.

**The Hon. GREG DONNELLY:** It's a follow-up to the point of order taken by my honourable colleague. Talking over the Minister providing an answer is completely out of order. We know how this goes and I think we should be more respectful of the Minister to be able to answer the question. You might not like the answer, but we should allow the Minister to answer the question.

**Ms ABIGAIL BOYD:** To the point of order: I'm quite happy for that point of order to be raised in a respectful manner. That was raised in a very offensive manner, and I would ask the member to reflect on that, but I don't object to the point of order.

**The Hon. GREG DONNELLY:** To the point of order: There was no offence at all in my point of order.

**The CHAIR:** I think there was, to be fair, Mr Donnelly. There was a reflection on the honourable member. You did say that "she cannot help herself". I think we should desist from reflections on each other or anyone in this hearing generally. But I do have sympathy with the point of order, which was that it was very difficult with the to-and-fro in that line of questioning. As the resolution of the House requires, let's treat each other with civility at all times. It's now time for questions from the Hon. Scott Farlow.

**The Hon. SCOTT FARLOW:** Minister, why has it taken over a year for the Government to announce expressions of interest for new ambulance stations in Berkeley Vale and Kincumber, which were initially announced by the former Liberal Government in 2022?

**Mr DAVID HARRIS:** I understand there were issues finding land, and now that that land has been located, the process can continue.

**The Hon. SCOTT FARLOW:** Minister, can you outline why Lisarow, which was announced as a site for a new ambulance station in 2022 under the former Liberal Government, was not included in the recent list of sites for expressions of interest?

**Mr DAVID HARRIS:** I can take that on notice. I'm not sure of the specifics for that particular one, but it may be related to that issue of not having land identified.

**The Hon. SCOTT FARLOW:** So to this point you haven't sought any explanation at all as to why Lisarow was left off that list?

**Mr DAVID HARRIS:** No. I know with these things that there's a process that's followed through—that they have to identify land and when they identify land then they can go out for tender to build, once those funds have been approved in the budget. This was an election commitment from the Government, so we've got four years to deliver on those commitments and we're only 18 months in yet—about that amount in—and we've delivered a whole range of things already and we continually work every day to deliver on our election commitments.

**The Hon. SCOTT FARLOW:** Minister, will you commit today that Lisarow will be getting a new ambulance station?

**Mr DAVID HARRIS:** It's not my portfolio area.

**The Hon. SCOTT FARLOW:** So no commitment for the people of Lisarow, Minister?

**Mr DAVID HARRIS:** I can't make a commitment on behalf of the Minister for Health.

**The Hon. SCOTT FARLOW:** What will you be doing now, as a result of this being raised with you, to seek to ensure that Lisarow gets a new ambulance station?

**Mr DAVID HARRIS:** I can find out where it's up to and what the issues are. We've gone back to a regional model, so we now have a team that focuses on Central Coast issues, which is good, and I will correspond with them and get them to look into where things are up to.

**The Hon. JACQUI MUNRO:** Minister, could you please confirm how many of the 100 new public preschools announced by the Government are allocated to the Central Coast?

**Mr DAVID HARRIS:** Two, I think.

**The Hon. JACQUI MUNRO:** Just two?

**Mr DAVID HARRIS:** Well, there's two.

**The Hon. JACQUI MUNRO:** What are the dollar figures for these new public preschools and what are the projected time frames for delivery?

**Mr DAVID HARRIS:** My understanding is that there's been a total budget allocation to these preschools. It would be impossible to give an actual dollar figure for the two on the Central Coast until the design and tendering takes place.

**The Hon. JACQUI MUNRO:** So what is the timeline for the design and tendering?

**Mr DAVID HARRIS:** I understand there was an announcement just recently, but I'll take that on notice and find out exactly where it's up to.

**The Hon. JACQUI MUNRO:** Thank you and when you are able to will you make those figures public—those funding figures?

**Mr DAVID HARRIS:** If it's appropriate from the department.

**The Hon. JACQUI MUNRO:** You don't think the people of Central Coast deserve to know?

**Mr DAVID HARRIS:** It's not that. When you're going out to tender, sometimes you can't actually tell people the price before you start because it actually undermines the tender process. Unless you've been involved in a tender, you might not know that.

**The Hon. JACQUI MUNRO:** No, I think that's perfectly fair, but obviously that tender process concludes and there is an amount of funding that is allocated.

**Mr DAVID HARRIS:** Correct, which I said hasn't happened yet—

**The Hon. JACQUI MUNRO:** That's right, but I'm asking about what happens in the future.

**Mr DAVID HARRIS:** I'm sure we'll be there putting out a press release and making an announcement, like I did with Wyong TAFE, Tuggerah railway station and all those things. We'll be doing that for sure.

**The Hon. JACQUI MUNRO:** And that will include the funding amount?

**Mr DAVID HARRIS:** Usually it does.

**The Hon. JACQUI MUNRO:** Why has the Central Coast only been allocated two public preschools compared to Illawarra-Shoalhaven, which has been allocated 10?

**Mr DAVID HARRIS:** My understanding of the process, there was an independent panel that was set up to look at need across the whole of New South Wales. They made that decision. It was not like the previous Government did where the Government chose the spots; it was actually done through an independent process.

**The Hon. JACQUI MUNRO:** It sounds like the people of the Central Coast are missing out because of that process.

**Mr DAVID HARRIS:** No. When you do something based on need, it takes into account all of the offerings that are already on the Central Coast, and that may or may not—I wasn't part of the panel because they were independent. The Illawarra may have less facilities than the Central Coast already has.

**The Hon. JACQUI MUNRO:** If you were involved in the process, do you think there would've been more allocated?

**Mr DAVID HARRIS:** It's inappropriate, and that's why we've changed the process—because the pork-barrelling that went on before, the public rejected—

**The Hon. JACQUI MUNRO:** But what's the point of being the Minister for the Central Coast if you're not advocating?

**Mr DAVID HARRIS:** —and that's why we're in government now.

**The Hon. JACQUI MUNRO:** You're in minority government.

**The CHAIR:** Order!

**Mr DAVID HARRIS:** We've changed the process. We've changed the process to try and make grants fair for everyone in New South Wales.

**The Hon. JACQUI MUNRO:** What is the point of being the Minister for the Central Coast if you can't advocate for projects in the area?

**Mr DAVID HARRIS:** It doesn't stop you from advocating.

**The Hon. JACQUI MUNRO:** It's obviously not working.

**Mr DAVID HARRIS:** It is, because we got two. We've got a whole lot of other funding. You have to look at the total allocation, the fact that we've got a lot of projects underway—we've got two massive road projects that are finally being funded.

**The Hon. JACQUI MUNRO:** You would've thought that, with more people coming into the area—the population is expected to grow by 64,000—

**Mr DAVID HARRIS:** Yes, and there are four new preschools opening in my suburb at the moment.

**The Hon. ROBERT BORSAK:** That's pretty good.

**The CHAIR:** Order!

**Mr DAVID HARRIS:** In the new area. I live in the new area.

**The Hon. JACQUI MUNRO:** We've got 10 in the Illawarra-Shoalhaven, so I'm not sure how that's going to add up.

**Mr DAVID HARRIS:** It's based on need. Need means need.

**The Hon. PETER PRIMROSE:** Not whiteboards.

**Mr DAVID HARRIS:** No.

**The Hon. JACQUI MUNRO:** Could you please advise what their expected capacity will be?

**Mr DAVID HARRIS:** I don't know. The tender hasn't happened and the design work hasn't happened as far as I'm aware.

**The Hon. JACQUI MUNRO:** The preschools have been allocated according to need, but you're not aware of what that need actually is?

**Mr DAVID HARRIS:** No. First, it's not my portfolio and, second, that will be determined based on need.

**The Hon. JACQUI MUNRO:** Could you please undertake to take on notice the expected capacity of those preschools?

**Mr DAVID HARRIS:** Maybe you should ask the Minister for Education and Early Learning.

**The Hon. JACQUI MUNRO:** I certainly will.

**The Hon. SCOTT FARLOW:** Minister, when you got the list and you saw that the Central Coast got two and Illawarra got 10—

**Mr DAVID HARRIS:** My electorate got one of those two—Tuggerawong.

**The Hon. SCOTT FARLOW:** Congratulations. You didn't go, "Well, hang on a second, can I have a look at the parameters to see why there's this disparity?" You just took it that there was an independent process and that's enough?

**Mr DAVID HARRIS:** You guys must be kidding. I remember with the bushfire funding where we were one of the most affected places in New South Wales and the only project we got out of that was a company at St Ives—and I've got the emails from the then Minister for the Central Coast that said, "Oh, don't talk to the ABC. We don't like them because they're asking hard questions." Like, seriously, we've got independent processes now.



We want to do things fairly. Of course, we're out every day advocating for the Central Coast, but we accept that taxpayers assume that when you allocate taxpayers' money it goes to the places that need it.

**The Hon. SCOTT FARLOW:** So you were just happy with the assumptions; you didn't seek to interrogate them yourselves at all?

**Mr DAVID HARRIS:** Because it was an independent process. What am I going to say—"I disagree with you"?

**The Hon. JACQUI MUNRO:** We've been speaking a lot about independent processes today in a range of your portfolio areas that definitely require oversight and ministerial responsibility, so I think the questions are pretty fair.

**The CHAIR:** Order! Let's desist from commentary.

**The Hon. SCOTT FARLOW:** Minister, one thing that isn't an independent process—in your last budget \$2½ billion was to be invested into TAFE. Can you confirm the exact amount that's been allocated specifically for the Gosford TAFE in this year's budget?

**Mr DAVID HARRIS:** Where that's up to is—unsurprisingly, you guys signed a memorandum of understanding, but allocated no money.

**The Hon. SCOTT FARLOW:** So how much have you allocated?

**Mr DAVID HARRIS:** We're going through a budget process now to put forward the project. It's actually undergoing analysis to make sure that it's value for money. When that process is put forward and Treasury makes a decision, then there will be an announcement about that amount.

**The Hon. SCOTT FARLOW:** At this stage no money has been allocated?

**Mr DAVID HARRIS:** There's currently \$5 million allocated and the building is underway at Wyong TAFE, for example.

**The Hon. SCOTT FARLOW:** Again, in your electorate.

**Mr DAVID HARRIS:** Yes, made independent of me.

**The Hon. SCOTT FARLOW:** But, Minister, when it comes to Gosford, Liesl Tesch's electorate, there's zero dollars in the budget.

**Mr DAVID HARRIS:** No, what we've done is we've extended the EOI or the memorandum with council to give further time to make sure that the project stacks up because, when we got into government, not very much had been done other than that it had a memorandum of understanding. There was no money allocated in TAFE. So, given all the problems we had trying to fix the budget—the biggest debt ever handed to an incoming government—all these projects that were unfunded, we're working through those to make sure now that, as a responsible government, we do that right.

**The Hon. SCOTT FARLOW:** Why haven't you prioritised Gosford TAFE?

**Mr DAVID HARRIS:** That's a silly question. Of course we're prioritising it and we're going through the process.

**The Hon. SCOTT FARLOW:** It's got zero dollars.

**Mr DAVID HARRIS:** We're going through the process.

**The Hon. SCOTT FARLOW:** It's not being prioritised if it's got zero dollars.

**Mr DAVID HARRIS:** You were a Minister, you know how—

**The Hon. SCOTT FARLOW:** I wasn't actually—

**Mr DAVID HARRIS:** Maybe you should've been.

**The Hon. SCOTT FARLOW:** —but thanks for the promotion, in hindsight.

**Mr DAVID HARRIS:** The process is that a business case is developed. The business case then goes through the gateway process and then it goes to ERC and then ERC allocates the money. It's going through that process. It's been prioritised as one of the main projects for the Central Coast, but that process hasn't finished. Given that, they had to go back and have a look at what were the relative values of the current TAFE site and what is actually possible on the old Gosford council building? So that's what you call due diligence, and we're doing that so that we don't allocate money and find out you can't do it.

**The Hon. SCOTT FARLOW:** Nothing much is happening at the moment, is it, Minister?

**Mr DAVID HARRIS:** Behind the scenes there is.

**The Hon. SCOTT FARLOW:** How many meetings have you had with the skills Minister about this project?

**Mr DAVID HARRIS:** I sit next to the skills Minister in the House and we talk about it often. We've also met with his department. It's also been on the agenda of multiple regional meetings, and the member for Gosford and myself have also spoken to the Premier about it.

**The Hon. SCOTT FARLOW:** Are there any other projects that were prioritised instead of this vital project for the people of Gosford—higher on the priority list?

**Mr DAVID HARRIS:** TAFE has done a whole review of their operations statewide. We're currently in the throes of working out who will be responsible for the Ourimbah campus, which is a partnership between the University of Newcastle and TAFE. I think a community college is there as well. They're working through how that will look going forward, and part of that is feeding back information into how TAFE will operate on the Central Coast. We are progressing capital works, as I said, at the Wyong campus—animal behaviour studies, actually. We were out there the other day with the Premier and met the first student there, who is studying to be a veterinary nurse. We're doing that in the context of that whole statewide review, which I think is sensible and the right way to do it, to make sure, going forward, we can actually offer the right courses to young people on the Central Coast.

**The Hon. JACQUI MUNRO:** Minister, you were previously the president of Soldiers Beach Surf Life Saving Club.

**Mr DAVID HARRIS:** I was.

**The Hon. JACQUI MUNRO:** How important are surf lifesaving clubs to water safety on the Central Coast?

**Mr DAVID HARRIS:** If you've ever been to one of the beaches—Soldiers is particularly a beach that can be quite dangerous.

**The Hon. JACQUI MUNRO:** Would you agree that surf lifesaving clubs require sufficient up-to-date facilities to meet growing operational demand on the Central Coast?

**Mr DAVID HARRIS:** Yes, and they do that through a variety of ways, including grants, and funding from council. They do it through philanthropic grants as well.

**The Hon. JACQUI MUNRO:** Obviously, you're supportive of the surf lifesaving community. Are you aware of the complexities facing Copacabana Surf Life Saving Club with their surf club facility fund grant?

**Mr DAVID HARRIS:** Is that because it's on Crown land or council owns the building?

**The Hon. JACQUI MUNRO:** It sounds like there are many complexities. I'm asking if you're aware of them.

**Mr DAVID HARRIS:** No-one has written to me or made me aware of that particular issue.

**The Hon. JACQUI MUNRO:** So at this point you haven't done anything to ensure that funding is not withdrawn for the club?

**Mr DAVID HARRIS:** Well, I don't know about it. I really get upset when you try to characterise an answer as not doing something when you don't actually know about it.

**The Hon. JACQUI MUNRO:** We're asking to see whether something is being done. That's the point of budget estimates. Given there is a problem with the club and their funding, will you commit to engaging with—

**Mr DAVID HARRIS:** I am happy to look into it. But it has never been raised with me. I don't know the—

**The Hon. JACQUI MUNRO:** They've never come to your office and asked for assistance?

**Mr DAVID HARRIS:** No.

**The Hon. JACQUI MUNRO:** Basically, they're worried that their funding is going to be withdrawn.

**Mr DAVID HARRIS:** Do you know the reason?

**The Hon. JACQUI MUNRO:** Complexities that they're facing.

**Mr DAVID HARRIS:** That's a bit general. It's very hard to give an answer when—

**The Hon. JACQUI MUNRO:** Minister, it is about making sure that the club president can come and meet with you.

**Mr DAVID HARRIS:** Everyone can come and meet with me if they request a meeting.

**The Hon. JACQUI MUNRO:** Excellent. Will you commit to supporting the club's variation request and raising the issue with Minister Kamper?

**Mr DAVID HARRIS:** If that is necessary. It does sound like it's a Crown Lands grant. That's what I asked at the start. I'm more than happy to talk to Minister Kamper's office and find out what the issue may or may not be. Of course, if funding has been granted, we want them to be able to build what they need to build.

**The Hon. JACQUI MUNRO:** Will you ensure that your role as the Minister for the Central Coast is not superseded by another Minister who has other competing demands and that you're advocating for the surf lifesaving club that is under your purview?

**Mr DAVID HARRIS:** My role is to advocate on behalf of the Central Coast, but decision-making is up to individual Ministers. I won't quote his name but a former Minister in your Government rang me on the day that I was appointed as the regional Minister and said, "Be very careful that you don't cross boundaries and make commitments outside of your actual portfolio, because you will come unstuck very quickly." So, yes, advocate, and, no, I won't supersede a decision another Minister may or may not make.

**The Hon. SCOTT FARLOW:** But you will undertake to fight for Copacabana and make sure they get their fair share?

**Mr DAVID HARRIS:** Sure, now that I know about it. I don't think the member for Terrigal has written to me about it. If he has, it's gotten lost. We talk all the time and I can't recall him ever raising it.

**The Hon. SCOTT FARLOW:** I think he might have potentially raised it with Minister Kamper as well. Minister, with respect to Wyong and Gosford hospitals, are you aware that waiting times at both these hospitals remain some of the worst in New South Wales?

**Mr DAVID HARRIS:** Yes, we inherited a terrible problem in terms of staffing on the Central Coast. There were a lot of vacant positions. That puts extreme pressure particularly on the emergency department. I have, and I had before we came into government, representations from the Nurses and Midwives' Association to this problem. It's not a new problem. It's a growing area. They're both some of the busiest—I think it might be the third or fifth busiest in the State in terms of some of the stats. The good news is we met recently with the CEO of Central Coast Local Health District and he told us their recruitment program has been fruitful and that they are growing the number of nurses. Gosford has now been approved to be part of the safer staffing trial, which is a fantastic election commitment from the New South Wales Minns Government, which will go a long way to addressing some of these problems.

We have Newcastle university turning out a lot of new graduates. We have the research centre, which was set up by the former Government, and the training facility that Newcastle university has there. Hopefully—as long as, you know, you get some, you lose some—we can actually start to address these problems. Well aware of it—Central Coast Local Health District is working as hard as they can to resolve it. The nurses, I can tell you, are still calling me constantly. Kelly, who is the delegate there, has my phone number and uses it, which is why we had the meeting with the Central Coast Local Health District to get an update.

**The Hon. SCOTT FARLOW:** The Government announced \$480 million in emergency department relief for New South Wales. How much of that will be going to Wyong and Gosford hospitals?

**Mr DAVID HARRIS:** I'll take that on notice, but I know that we did get some of those positions. I think it was four, but I will take it on notice and get you the exact information.

**The Hon. SCOTT FARLOW:** If you'd also be able to take on notice how these funds will be used to alleviate waiting times at both Gosford and Wyong hospitals.

**Mr DAVID HARRIS:** I believe it's to assist in triage. The other thing I should say too is that the Federal Government set up two urgent care centres, one at Lake Haven and one at Umina, but the New South Wales Government also set up an urgent care centre at Long Jetty, which hadn't been there previously, to help alleviate pressure on our emergency departments.

**The Hon. JACQUI MUNRO:** Minister, are you able to advise of any safety improvements that have been undertaken at Rawson Road following the collision of a train and car in April this year?

**Mr DAVID HARRIS:** That's a problem that has gone back a long time. I think actually Mr Holstein, who was the member for Gosford back at that particular stage, raised that. There were some safety improvements undertaken, I understand. We have met with the member for Gosford and Transport to look at other things that could be put in place. I believe one of those is making darker some of the line markings and that sort of thing. It's a really difficult one. There's a left-hand turn straight over the crossing so, when people are watching their GPS, it tells them to turn. Unfortunately, on a couple of occasions they've turned onto the tracks. Luckily, in the last collision, which we've had advice on and spoken about at depth, the person was able to get out of the car and was actually in the process of ringing and warning that the car was on the tracks when the train hit it. But we are looking at that. We're looking at what other things can be put in place and, if there are further safety things, then we will certainly be pursuing them.

**The Hon. JACQUI MUNRO:** Is there any funding associated with those?

**Mr DAVID HARRIS:** Not at this stage because they're still looking at it. They're analysing it. We met with senior department people. We'd also spoken to the union, the RTBU, and the signalling people before that. They raised some concerns about communication issues—like technical communication issues—and delays, and that's all being looked at. But there is no funding allocated yet until we get a comprehensive response.

**The Hon. SCOTT FARLOW:** Even for planning?

**Mr DAVID HARRIS:** We haven't had the response. We've had the discussions but haven't had a response yet.

**The Hon. ROBERT BORSAK:** Maybe through the Minister, to Mr Hamilton: What donations, if any, were made by Aboriginal Affairs in 2023-24?

**Mr DAVID HARRIS:** What sort of donations?

**The Hon. ROBERT BORSAK:** What donations were made by Aboriginal Affairs?

**SIMON DRAPER:** Do you mean grants?

**The Hon. ROBERT BORSAK:** Donations, grants, sponsorships.

**Mr DAVID HARRIS:** There's a lot. Do you want us to get that on notice? We have quite large grant programs under Closing the Gap and under Aboriginal Languages Trust and—

**The Hon. ROBERT BORSAK:** You could take that on notice. I'd be quite keen on understanding the breadth of how much was paid.

**Mr DAVID HARRIS:** We contribute to things like the Koori Knockout and events like that as well. There's a very large number.

**SHANE HAMILTON:** There's a different number of grants that are offered across different portfolios.

**The Hon. ROBERT BORSAK:** If I could get something on that, that would be good.

**SHANE HAMILTON:** Yes.

**Mr DAVID HARRIS:** What was the time period?

**The Hon. ROBERT BORSAK:** Just the last financial year. That's all. Mr Hamilton, how many consultants are engaged by Aboriginal Affairs in that same financial year?

**SHANE HAMILTON:** I'd have to take that on notice, in terms of the numbers and the dollars spent. I don't have that in front of me.

**The Hon. ROBERT BORSAK:** If you're going to do that, can you also tell me at the same time how much the total expenditure on consultants was for that year and what the projected cost for consultants will be for this financial year, 2024-25?

**SHANE HAMILTON:** Yes.

**The Hon. ROBERT BORSAK:** Thank you. In amongst those sponsorships and donations, did Aboriginal Affairs NSW sponsor or donate an event of the Westerman Jilya Institute for mental health, in Perth, Western Australia?

**SHANE HAMILTON:** Yes.

**The Hon. ROBERT BORSAK:** Are you on the board of that organisation?

**SHANE HAMILTON:** I am now.

**The Hon. ROBERT BORSAK:** What was the total amount of the sponsorship funding provided by AANSW to a Western Australian organisation?

**SHANE HAMILTON:** I'd have to take that on notice to get the exact number for you. I don't have that in front of me.

**The Hon. ROBERT BORSAK:** Is it \$250,000?

**SHANE HAMILTON:** I don't have it in front of me. I can't confirm.

**The Hon. ROBERT BORSAK:** Thank you. Important as their work might be, particularly relating to mental health, noting that the Westerman Jilya Institute is based in Western Australia and does not appear to do any work in New South Wales, what benefit is derived by New South Wales communities and the New South Wales taxpayers in sponsoring a Western Australian organisation?

**SHANE HAMILTON:** It actually does do work in New South Wales.

**The Hon. ROBERT BORSAK:** Can you tell us what work it does, please?

**SHANE HAMILTON:** It recruits young people to—the whole idea is to have more Aboriginal psychologists, and they run a scholarship program, and that scholarship program's run Australia-wide, and New South Wales is included in that. They also run mental health programs, training for Aboriginal community-controlled organisations, and they do that across the country.

**The Hon. ROBERT BORSAK:** That's where the funding would've gone?

**SHANE HAMILTON:** I'd have to get the details on exactly what that funding was for. As I understand it, I think it for was a sponsorship, not necessarily specifically for those programs, but they do do work in New South Wales.

**The Hon. ROBERT BORSAK:** Thank you. Who would've approved that sponsorship?

**SHANE HAMILTON:** I approved the sponsorship.

**The Hon. ROBERT BORSAK:** Just turning now to an organisation called Mackerel Sky, leadership and wellbeing consultants. Are you aware of that organisation?

**SHANE HAMILTON:** Yes.

**The Hon. ROBERT BORSAK:** Over \$300,000 seems to have been contributed to that organisation. Do they have a continuing engagement with Aboriginal Affairs?

**SHANE HAMILTON:** Yes.

**The Hon. ROBERT BORSAK:** What's the nature of that engagement?

**SHANE HAMILTON:** It's leadership training and wellbeing training for our staff.

**The Hon. ROBERT BORSAK:** What was the actual amount paid in 2023-24?

**SHANE HAMILTON:** I haven't got the exact figure of that in front of me. I can take that on notice and provide that. It's actually over a couple of years, the next two years, so I can give you the figure for 2023-24.

**The Hon. ROBERT BORSAK:** Thank you. What's the exact nature of the services that they provide? What tangible product has been produced?

**SHANE HAMILTON:** It's part of our leadership training for our senior leaders in the organisation, as well as the wellbeing of our staff contingent, and it's part of our training budget that we use each year. That's a component of it in those two areas.

**The Hon. ROBERT BORSAK:** Can you perhaps take on notice how much the projected costs for this current financial will be, please?

**SHANE HAMILTON:** Yes.

**The Hon. MARK LATHAM:** Minister, I'm not critical of these things. But, in your time as Minister, you've threatened to sack the board of Greyhound Racing NSW, and you've made some interventions with the thoroughbred code, which we've discussed today. Are you frustrated that, for the three racing codes for which you're responsible, there's no direct ministerial oversight?

**Mr DAVID HARRIS:** Not frustrated per se. I think that, coming in as a new government, following a government that had been in for 12 years, there are different expectations, and there's a period of settling and

getting to understand each other, if you like. I made very clear that track standards and welfare were of a particular interest in the greyhound area, that provincial and country racetracks and their funding was a personal issue for me, coming from that area and knowing a lot of the tracks and participants in that area. And so I think those organisations have to adjust to that different leadership. So it's not frustration; it's just a change in relationship, if you like.

**The Hon. MARK LATHAM:** There's a trainer, in your electorate, who has had communications with you. I think I've raised him in the past, at one stage—your promise of helping him. He said, "Great news. There is a god upstairs." That was very encouraging for him. Then he sent a message very critical of the chief executive of Racing NSW, to which you responded as follows: "I understand your frustration. I have no legal avenue to intervene. The legislation makes the board independent, and the board—Racing NSW—employs the CEO. I cannot direct them on any operational issue. My department has no investigative powers. Any complaints we receive must be referred to ICAC, police or the Ombudsman's office for investigation." You sound very frustrated and would like, at least, your department to have some investigative powers into the litany of things that go wrong in racing.

**Mr DAVID HARRIS:** I have a lot of independent statutory authorities that I look after. And, as a human being, I have opinions, and sometimes you wish you could intervene, but sometimes it's appropriate that you can't. I think that these organisations, as long as—my influence, if you like, is appointing board members, and I hope that those board members will make good decisions. That's the influence that I have. In terms of individual issues, the good news there—it took longer than, probably, I would've liked, but I understand the individual's now met with the chair and deputy chair and their legal people and that's progressing. That comes from a lot of years.

When we were in opposition—this goes right back to an incident that occurred in 2014, 2012. The board at the time did take action in terms of some compensation and sacking the board at Wyong Race Club and making some other changes in the board make-up. But we had reached out to the previous Minister on multiple occasions and couldn't get a meeting. And, when I first pushed it forward, the feedback I got was that it'd been dealt with, but there's a new chair, a new deputy chair, and they've now met with the individual. I see that as being progress, part of that relationship, and I'm really thankful that they've listened to the concerns of the individual.

**The Hon. MARK LATHAM:** Is it right, as you've indicated here, that Racing NSW can be referred to ICAC?

**Mr DAVID HARRIS:** I may need to take advice on this, because it's different. I understand that we sought a determination in terms of Greyhound Racing NSW. The CEO can't be investigated, but the actions of the board may be able to be investigated. But that's a matter for ICAC.

**The Hon. MARK LATHAM:** Racing NSW, the thoroughbreds?

**Mr DAVID HARRIS:** Yes. But, because they're statutory independent bodies, it's really up to ICAC to decide if it fits inside their jurisdiction. We make referrals—

**The Hon. MARK LATHAM:** Your legal advice is it's up to ICAC to decide whether or not they can—

**Mr DAVID HARRIS:** ICAC decides what ICAC looks into it. I can't influence that.

**The Hon. MARK LATHAM:** But they've got a statute that places restrictions on what they can look into.

**Mr DAVID HARRIS:** Yes. I can only talk because we've had direct involvement with the greyhound racing issue. If we get allegations, we refer to the Ombudsman, ICAC, police—whoever. It's then up to that individual agency—

**The Hon. MARK LATHAM:** What has ICAC said to you about Racing NSW?

**Mr DAVID HARRIS:** Nothing. We haven't discussed Racing NSW.

**The Hon. MARK LATHAM:** Have they said that the complaints you've lodged are valid, to be investigated or they have the power to investigate them?

**Mr DAVID HARRIS:** They don't necessarily give feedback. I don't know if you've worked with ICAC before, but they don't necessarily get back to you and tell you anything they're doing.

**The Hon. MARK LATHAM:** On one matter we did.

**The Hon. EMMA HURST:** Minister, I'd like to read you a quote from your contribution in the debate on the Coalition's bill to ban greyhound racing in 2016. You said:

Labor's approach would allow the New South Wales greyhound industry to reform and continue to exist—it would allow the industry a second chance, but it would also be a last chance.

If that was the last chance, why are you now giving this industry yet another chance?

**Mr DAVID HARRIS:** The easy answer to that is that if they had made no progress whatsoever, then there might be a case. But they have been undertaking reform. They have been changing the way they do business. They are testing, for example, new track surfaces, dual-arm lures and looking at straight tracks. If they had sat back and said, "We survive. We're good. We're not going to do anything," then there may be an argument. But they have actually been putting things in place.

**The Hon. EMMA HURST:** Minister, as we've discussed previously, a lot of these things that have been put in have increased the deaths on many tracks, like Wentworth Park. In 2016 the report said that this was an industry that was incapable of reform. If it's shown again that this is an industry incapable of reform, what will you then do as Minister?

**Mr DAVID HARRIS:** The Premier has stated that greyhound racing in New South Wales will continue, and my job is to make it as safe as possible.

**The Hon. EMMA HURST:** Minister, are you telling me that if this is shown to be an industry incapable of reform, your commitment is to keep it going despite it being incapable of reform?

**Mr DAVID HARRIS:** All I can tell you is what the Premier has said—he has stated publicly—and what my role is. My role is to make sure that we make it as safer as we can possibly make it.

**The Hon. EMMA HURST:** Was that a captain's call from the Premier to say that this will stay open, regardless?

**Mr DAVID HARRIS:** It's Labor Party policy. It's the policy we've had since the initial decision to shut it down. We have never changed that policy.

**The Hon. EMMA HURST:** The policy back in 2016, or certainly what was said by multiple Labor MPs—including Chris Minns, including yourself, including Luke Foley—was that if the industry has shown not to have reformed in two years, were many of the quotes, that it would be shut down.

**Mr DAVID HARRIS:** Yes, but we think it has reformed. If it had done nothing—

**The Hon. EMMA HURST:** So baby steps are enough?

**Mr DAVID HARRIS:** No, I think they've done some major things. Euthanasia is now down. They are making progress. Is it at the pace that we would all like? In some areas, yes; in other areas, no. But that's why we're asking Commissioner Drake to look at these issues and give us further advice about what we need to do going forward.

**The Hon. EMMA HURST:** Minister, in 2016 the report showed that this is an industry incapable of reform. If it's shown again that this is an industry incapable of reform, will you revise the policy or advocate for some level of change?

**Mr DAVID HARRIS:** That's the same question that I've already answered.

**The Hon. EMMA HURST:** I didn't feel like I did get an answer.

**Mr DAVID HARRIS:** Well, I did. I told you that we would look at—

**The Hon. EMMA HURST:** That your policy was—

**Mr DAVID HARRIS:** —putting in place reforms to make the industry as safe as we possibly can.

**The Hon. EMMA HURST:** But if it was incapable of reforms—

**Mr DAVID HARRIS:** That's your interpretation of it. What we've said is we want to know how they can do things better.

**The Hon. EMMA HURST:** No, that's what the report showed back in 2016.

**Mr DAVID HARRIS:** So you're saying that any industry won't change over time?

**The Hon. EMMA HURST:** I'm talking about the report in 2016, that said this is an industry incapable of reform.

**Mr DAVID HARRIS:** But they haven't done nothing.

**The Hon. EMMA HURST:** So you're happy with what has been shown to come out of the Alex Brittan report or what has come out of the Wyee facility? You think that, despite all of that coming forward, you feel that that's enough for this industry, despite all of the cruelty that's shown?

**Mr DAVID HARRIS:** Let's be clear that the things in those reports are allegations; they're yet to be proven. I don't want to pre-empt the commissioner's inquiry. I think it's wrong to say everything that was in those reports is fact. Some of it is opinion. In life, lots of people have different opinions. It doesn't make them right or wrong; it's just their opinion. What our job is, and the task that I've been given, is to look at how the industry operates and make sure that we make it as safe as we can.

**The Hon. EMMA HURST:** Minister, are you aware of a man by the name of Shayne Stiff, who's the head of Greyhound Clubs NSW and the president of Dubbo racetrack?

**Mr DAVID HARRIS:** I am.

**The Hon. EMMA HURST:** And you've met with him a few times?

**Mr DAVID HARRIS:** At least twice, I think.

**The Hon. EMMA HURST:** Are you aware that he has been found guilty of drugging and that he was also suspended for racism?

**The Hon. ROBERT BORSAK:** Point of order—

**Mr DAVID HARRIS:** No, I wasn't aware of the second one.

**The CHAIR:** Order!

**The Hon. ROBERT BORSAK:** The point of order is we've got a clear-cut case of adverse mention, talking about someone that's not here to defend themselves.

**The Hon. EMMA HURST:** This is all in the media. It's all public.

**The Hon. ROBERT BORSAK:** This should not be done. The honourable member knows that.

**The Hon. EMMA HURST:** To the point of order—

**The Hon. ROBERT BORSAK:** Mr Stiff is not the person that you're accusing him of being.

**The CHAIR:** Order!

**The Hon. EMMA HURST:** —this has all been reported publicly. He has been found guilty of these things. It's not something I'm making up.

**The CHAIR:** Order!

**The Hon. ROBERT BORSAK:** It doesn't matter.

**The CHAIR:** Order! Mr Borsak has taken a point of order. Are you responding to the point of order, Ms Hurst?

**The Hon. EMMA HURST:** Yes. This information is public. I think we've got a really dangerous precedent here if we start to silence people from being able to talk about things that are already very much in the public domain. It severely restricts what's being able to be discussed inside committees and inside inquiries. We need to be really careful to say that we can't mention anything that's already in the public domain. My understanding, from evidence that I received yesterday in another inquiry, is that we shouldn't be restricted on further discussion of these things, particularly with consideration to the fact that much of this information is already in the public domain.

**The Hon. ROBERT BORSAK:** Further to the point of order: The attempt by the honourable member to blacken the name of Mr Stiff in this inquiry, having got some information yesterday that we don't know anything about, and I'm sure the Minister has no idea—

**The Hon. EMMA HURST:** It's in the public domain.

**The CHAIR:** Order!

**The Hon. ROBERT BORSAK:** Mr Stiff is currently still the CEO of Dubbo Greyhound Racing. He's well known in the community. He's of good standing. To sit here and impugn him, without him having an opportunity to answer in real time, is a real problem, as far as I'm concerned, and goes against the ruling we should be dealing with.

**The Hon. EMILY SUVAAL:** Further to the point of order: I reference your previous ruling in this Committee today about the naming of individuals and to treat that with care, particularly as they are not in a position here to defend themselves.



**The Hon. EMMA HURST:** Further to the point of order: Could I suggest that maybe you reserve your ruling and get advice from the Clerk, just because what's being discussed today is quite different to advice that I have previously received from the Clerk, particularly when information is in the public domain. I'm happy to provide that information and the evidence of what I have said is fact.

**The CHAIR:** I reserve my ruling, but I make this point: I am relying on the rules that are set out to administer the Committee. They definitely suggest that we should be very cautious and avoid naming individuals and mentioning them adversely. If you have documentation that might assist the Committee, it would be helpful to forewarn us and to table documents and the like beforehand. I'm not casting any aspersions, Ms Hurst, but I'm not in a position to know whether or not what you are saying is right or wrong. My job is to make sure that parliamentary privilege is not used to adversely mention and name individuals. I remind you of that. I will reserve my ruling and get some more advice from the Clerks and get back to the Committee on that.

**Ms SUE HIGGINSON:** Minister, can we briefly go back to the appointment of the treaties commissioners? Am I correct—and sorry if I'm asking you to repeat—that there is an advice report prepared that's going to Cabinet, and then there will be an announcement, pending the Cabinet decision?

**Mr DAVID HARRIS:** Yes.

**Ms SUE HIGGINSON:** For absolute clarity, is this prepared and going to the next Cabinet meeting? If so, what is the timing of that, if that's possible? I understand there is—

**Mr DAVID HARRIS:** I shouldn't talk about Cabinet processes here.

**Ms SUE HIGGINSON:** I understand that Cabinet is Cabinet, so perhaps we could say is it likely that we will have some kind of outcome in the next month?

**Mr DAVID HARRIS:** We will try and have an outcome as soon as we possibly can.

**Ms SUE HIGGINSON:** I've played this game with so many Ministers in budget estimates over the short period I've been in Parliament. "As soon as we possibly can", could we say that that will be within a month—likely, probable, possible?

**Mr DAVID HARRIS:** I'm subject to Cabinet processes. It's imminent, is the best I could say.

**Ms SUE HIGGINSON:** If you had your way, would that be the month of September, the month of October or the month of November?

**Mr DAVID HARRIS:** I hate getting tied down to months because you come unstuck. But we'll be trying to get it done as quickly as we possibly can.

**Ms SUE HIGGINSON:** Is your version of "as quickly as possible" in September?

**Mr DAVID HARRIS:** It's a major announcement, so I think the Premier may want to be part of it. Therefore, I think, there's a whole lot of things—when the actual announcement will happen.

**Ms SUE HIGGINSON:** But it's fair to say, based on what you're saying, that we are definitely looking at this year?

**Mr DAVID HARRIS:** Yes, I can say that.

**Ms SUE HIGGINSON:** Excellent, thank you. Can I ask about the cultural heritage reforms. Since you became Minister, you and I have sat and talked about this. Where are we up to? Are we going to see some proposals this year?

**Mr DAVID HARRIS:** Where it's up to is that we've held the stakeholder and community consultations. That information is now being analysed. A brief will come up to both Minister Sharpe and I in the near future.

**Ms SUE HIGGINSON:** Should we play the game again? I'm not being funny. I'm just trying to get something as accurate as possible in terms of timing.

**Mr DAVID HARRIS:** Mr Hamilton might be able to tell you where the process is. Cultural heritage, as you would expect, is an incredibly complex issue. Some of the issues raised will take some sort of consideration.

**Ms SUE HIGGINSON:** Are you concerned it's just going to be like the last Minister and the one before and the one before?

**Mr DAVID HARRIS:** No. We've committed to standalone legislation, and that's what we're working towards.

**Ms SUE HIGGINSON:** At this point, in your mind's eye, will we see a proposal, on the table, which is a full standalone suite of laws?

**Mr DAVID HARRIS:** I think there may have to be a transitional period and then the standalone legislation, so the structure may begin. Mr Hamilton might like to comment.

**SHANE HAMILTON:** The consultation that we undertook, we sought advice, or we talked with different stakeholders about what the options were to work towards standalone legislation. That's contained within a report which is contained within a Cabinet submission that's being considered by the Ministers at the moment. There are a number of different options in there. Those options are to be considered by both Minister Sharpe and Minister Harris, then a decision made on what option is taken, then the next steps on that.

**Ms SUE HIGGINSON:** Will there be some kind of thing before the end of this year on cultural heritage, or are you concerned it might not be this year?

**Mr DAVID HARRIS:** We're working really carefully with all the different groups to get it right. As I said, that's complex. I'm not trying to dodge the answer, but we can't afford to put something out again that goes down. So we're being, probably, overly careful.

**Ms SUE HIGGINSON:** The 43 per cent increase of young people and children in incarceration since you came to government—it's literally from June last year to June this year. Are you considering reporting that to the Australian Human Rights Commission? Are you concerned that it is such a damning position that we are in, that this is beyond worsening the gap and not closing the gap and that we are in serious human rights breach territory?

**Mr DAVID HARRIS:** No, I'm not considering doing that. But within Cabinet, with colleagues, we are examining all of these particular issues. The stats go up and down.

**Ms SUE HIGGINSON:** They're really up.

**Mr DAVID HARRIS:** The June figures—because I went back. I personally monitor it every time it comes out. I look at it, I do analysis on it and then I talk to colleagues.

**Ms SUE HIGGINSON:** But you acknowledge that it's from June to June; it's since you've been Minister?

**Mr DAVID HARRIS:** Yes, but there's been a whole lot of things the Government is doing, and those things won't start to make a difference on day one. It takes time. This is families, this is out-of-home care, this is education—it's a whole range of things.

**Ms SUE HIGGINSON:** It's incarceration.

**Mr DAVID HARRIS:** If anyone thought that we would come to government and overnight things would get better straightaway—

**Ms SUE HIGGINSON:** But they got 43 per cent worse.

**Mr DAVID HARRIS:** But a lot of that's carryover. We've been changing things during the 12 months. We didn't change everything on day one.

**Ms SUE HIGGINSON:** It's enormous.

**Mr DAVID HARRIS:** You have to look at this over a period of time. A lot of this is a carryover from the previous Government's time. We didn't change all the laws; the laws were already there. We're putting changes in that will take time to make a difference.

**The Hon. JACQUI MUNRO:** Minister, we have spoken about the cashless gaming trials, and we've spoken about the machines. How many registered users of the scheme are currently in the system?

**Mr DAVID HARRIS:** We can get you an up-to-date figure on that.

**TAREK BARAKAT:** There are 207 people who have signed up, and there's 32 actively using.

**The Hon. JACQUI MUNRO:** There are 32 active users. Are they regular users?

**TAREK BARAKAT:** As to the frequency, I'd have to take that on notice. I'm not sure we could get that data.

**The Hon. JACQUI MUNRO:** That would be helpful. Of those 32 active users, how many are engaged in providing feedback on their experience?

**TAREK BARAKAT:** There have been a number of interviews conducted and some surveys as well. I'd have to take on notice the exact number of participants.

**The Hon. JACQUI MUNRO:** It would be good to know how many interviews and how many respondents to the surveys. Given there are 32 active users, I can't imagine it's very high.

**TAREK BARAKAT:** I think we'll also be able to provide—if it's useful, Ms Munro—not just the participants that have been interviewed. It's people who are deciding not to participate. It's staff members. It's people at the venue as well. So it's more holistic than just the users.

**The Hon. JACQUI MUNRO:** Minister, are you concerned that there are only 32 active users?

**Mr DAVID HARRIS:** I think it gives us some really useful information, to be frank. This is going to be a huge behavioural change. The feedback I've been getting is that people don't trust technology. They're worried about their bank accounts. They're worried about their personal details. They're worried about all of those things. Part of the road map will be how we undertake behavioural change to demonstrate to people that this is useful and helpful, and that it's necessary. To be honest, it's a trial. If you don't have to sign up, unless you're really motivated and there are a lot of early adopters—I'm an early adopter. I love buying the latest TV and whatever. Inevitably, what happens is they have problems, and you get burnt sometimes. A lot of people aren't like that. So, no, I'm not concerned. It's giving us useful data, talking to the people about why they don't want to sign up. Because you can imagine what would have happened if we had just rolled it out, like some people had suggested. It probably would have been a disaster for everyone, including the industry.

**The Hon. JACQUI MUNRO:** How much money has been spent so far on this process for 32 people to actively register?

**TAREK BARAKAT:** There was \$3.4 million allocated in last year's budget to the panel to conduct the trial. I probably have it here. I'll take it only notice, but \$634,000, I think, has been spent to date. That's largely for the independent researcher. People aren't being paid to participate in the trial; manufacturers and venues aren't being paid to participate in the trial. The funding is really for the panel to run the trial and oversee the implementation of the cashless technology—sorry, and research, evaluation and implementation of that technology.

**The Hon. JACQUI MUNRO:** Finally, do you have any goals around how many people you would like to sign up to this trial and actively engage?

**Mr DAVID HARRIS:** No, I don't. The panel may have set goals. I'm not involved with that. They're independent, so they're doing all of the parameters for the trial and all those sorts of things. That's discussed internally with them. We will wait and see what their recommendations are.

**The Hon. SCOTT FARLOW:** As the Minister for Veterans, you no doubt would be aware from data that the Independent Review of Past Defence and Veteran Suicides in 2021 showed an alarming percentage of veteran suicides of ADF members were in New South Wales. How do you propose to reduce the number of suicides in the State amongst our veterans community?

**Mr DAVID HARRIS:** I actually went to the final hearing of the royal commission last week, and it was very sobering. We heard from the three commissioners, and we understand the responsibility jointly with the Commonwealth, which has the major role in the Department of Veterans' Affairs. In New South Wales, we're developing our next four-year plan, and we will use the information from the recommendations to help us understand what, as a State, we can do better.

My comments in the royal commission—I appeared before the royal commission on behalf of the Government—were that States can have a larger role to play because we deliver services and that the interface between the Commonwealth and the States is absolutely vital to making sure that those services are directed to the right place. Ms Mackaness is here. She can talk in fulsome detail around some of those issues, or you might want to ask her this afternoon. It's a responsibility that we take really seriously. To be fair, the role of Veterans Affairs in New South Wales was commemorations and memorials. That has been expanded to include the Veterans Employment Program. If we can help in a coordinating way—we've been involved, for example, with service providers and RSL LifeCare to try to get sites for veterans hubs, which is funded by the Commonwealth. We'll look to any role that we can have in helping in this really important area.

**The Hon. SCOTT FARLOW:** You mentioned the royal commission. One of the issues that was highlighted in the interim report was the data which was quite sparse on suicide ideation, self-harm and attempted suicides within the veterans community. Are there any plans, as part of the Veterans Strategy or action plans, to try to address some of those gaps?

**Mr DAVID HARRIS:** As I said, we haven't actually seen the recommendations yet. When we do, we can then look at that. Our Office for Veterans Affairs is 13 people. They mainly have a coordinating role. Across Government, there may be some things we can do in that space about how we collect data et cetera. I know there

has already been some discussion around data collection—for example, putting a box on the school enrolment form so that we can identify children of currently serving soldiers and veterans. We're happy to look at all of those sorts of things. I can't tell you exactly today because the strategy is still under development, but we will be looking at that holistically once we see the recommendations.

**The Hon. SCOTT FARLOW:** As you mentioned before, there's the Veterans Employment Program. I note that was something under the former Government as well. I'm sure my good friend former Minister Elliott would have trouble if that wasn't noted. The *NSW Veterans Action Plan 2023-2024* states that veterans are having trouble accessing entitlements and other State government agencies. What efforts are being made to streamline those processes for veterans and their loved ones in a timely and efficient manner?

**Mr DAVID HARRIS:** We've had a series of round tables where some of these issues have been looked at. I think the Department of Customer Service has been part of that. Those issues are being looked at in terms of how Service NSW can assist in streamlining those services. One of the issues is whether people identify as a veteran or not. Statistically, until the last census, we didn't actually know how many veterans there were in New South Wales. We're getting that data. We're using the data to inform this four-year plan and looking at other ways that we can expand the services we give for veterans.

**The Hon. SCOTT FARLOW:** One of the other highlighted areas of challenge for the veterans community in New South Wales, and more broadly across Australia, is when it comes to veteran homelessness. That, of course, in the veterans action plan is one of the target areas that you have. Is the Government on track to achieve the outcome targets under that plan in supporting veterans at risk of and experiencing homelessness?

**Mr DAVID HARRIS:** Caroline, did you want to talk on that specifically? Do you want to hear from Caroline this afternoon?

**The Hon. SCOTT FARLOW:** I'm happy to return to Caroline this afternoon.

**Mr DAVID HARRIS:** She's more across that.

**The Hon. SCOTT FARLOW:** What efforts are being made to obtain current data on veteran homelessness? Is that something that you can answer or would you prefer that I ask Caroline this afternoon?

**Mr DAVID HARRIS:** It's probably better to ask the department. As I said, the efficacy of collecting data is really important and it does need to be improved. It relies on the individual.

**The Hon. SCOTT FARLOW:** What update can you provide us on the status of the upcoming State action plan that is due to be implemented in 2025?

**Mr DAVID HARRIS:** There has been some consultation with the sector. There has also been discussion across different departments to get feedback. As I said, now we'll wait for the recommendations from the royal commission before finalising that and launching it.

**The Hon. SCOTT FARLOW:** On notice, could you provide us with a list of the stakeholders that you've consulted with to date?

**Mr DAVID HARRIS:** I think that'd be all right.

**The Hon. SCOTT FARLOW:** Or this afternoon, potentially.

**Mr DAVID HARRIS:** Yes.

**The Hon. JACQUI MUNRO:** Minister, at the budget estimates hearing at the beginning of the year, there was talk about a proposed update for the New South Wales medical research strategy. I'm wondering what the status of that document is.

**Mr DAVID HARRIS:** I know that's underway. Did you want to talk about that? There's pretty exciting stuff happening in medical research in New South Wales.

**JEAN-FRÉDÉRIC LEVESQUE:** With regards to the research and innovation strategy, the consultation with all of the various sectors and stakeholders has been completed. We have completed a gap analysis to compare New South Wales internationally and identify our areas of strength and where we need to do further investments to inform the strategy with evidence. We're now at the stage of drafting the documents ahead of final consultation, with a clear strategy map in front of us.

**The Hon. JACQUI MUNRO:** How long is the strategy intended to last?

**JEAN-FRÉDÉRIC LEVESQUE:** There are a lot of different views at the moment about what is best practice in terms of strategies. We're aiming for a 10-year strategy in terms of overarching directions, but also a

more focused three-year action plan to make sure that we can revise it, combining a long-term view of things—given the fact that medical research does have a long trend in many areas—but also being able to have short-term decisions and directions, because there are things that we need to do right now to reap the benefit in future years.

**The Hon. JACQUI MUNRO:** When are you hoping to have a public document available?

**JEAN-FRÉDÉRIC LEVESQUE:** We committed to this calendar year. We're still on track for that, but we will publish it when we also have had the final endorsement of the various sectors. Medical research is a complex area, as you know. Government has got its role and contribution into this, but we need to work with academic institutions and our service providers as well.

**The Hon. JACQUI MUNRO:** Minister, Sydney Health Partners is a collaboration between five major health services, a world-leading university and 11 affiliated medical research institutes. There was a forum that Sydney Health Partners held in June this year, and issues of translational research and workforce retention were flagged as significant concerns for New South Wales. Are you aware of that? What are you doing about it?

**Mr DAVID HARRIS:** Sector-wide, like in most sectors, there are workforce issues. One of the things we're doing in New South Wales is making sure that we grow collaboration, which then attracts very high-quality staff from not just New South Wales but around the world. Many of them are making their home here in New South Wales and contributing to our research. There is also a role for our local health districts in training up staff et cetera for clinical trials. We were out in Dubbo recently, launching the Central West clinical trial project, which is going to be a great thing for people in that area. It was interesting to know that the workforce there was moving from city areas out to work in the regions. It's actually one of the areas, when you offer research, that can attract staff who can then assist in the health field more broadly.

**The Hon. JACQUI MUNRO:** You spoke about growing collaboration. Could you give some more detail about what that looks like?

**Mr DAVID HARRIS:** There are a number of projects. I think the sector has understood, and the strategy will reflect this, that by working together, you're able to achieve more. Using the expertise across different organisations means that there is less duplication. A good example of that is the new network to do non-animal technologies. That's a collaboration in which different universities choose to be working together. We've funded \$4.5 million to look at using those different technologies, which can include things like growing organoids et cetera, which means that testing can take place on non-animals—on human cells and that type of thing. I think those are really important. The Angliss institute out there has a collaboration going. There is a lot happening in Westmead—different collaborations. It's actually really exciting. We were out at Sydney uni recently, looking at their new bio-accelerator. It's a big hole in the ground at the moment, but the plans look really exciting. That will be another collaboration. New South Wales is well placed to be at the forefront of this area. There is great optimism in the industry.

**The Hon. JACQUI MUNRO:** Minister, you were invited to tour the St George and Sutherland Medical Research Foundation but were unable to attend and sent senior representatives from your office. Unfortunately for them, they were informed that the Government was unable to provide any funding for their continuation. Will you consider taking the time to actually go and visit them, given that you have said they can't receive any government funding without being there personally?

**Mr DAVID HARRIS:** I've met with them directly in my office. Yes, unfortunately I was unable to attend the visit. It's very difficult. Every institute wants more money. We've got set programs that we use to fund different projects et cetera. Sometimes it's as simple as having to make sure new projects fit into that. If it's something outside of that, we have to go through a whole-of-government process in order to get those funds, which is not an easy thing to do. We'd love to say yes to everybody but that's unfortunately not something that we can do. I know the department looked at it very carefully. If there is an opportunity that comes up in the future, I'm sure we can provide support.

**The Hon. JACQUI MUNRO:** We've been told that the Microbiome Research Centre is in danger of closing because of a lack of continued operational funding—around \$1.2 million. Were you aware of that when you made that decision?

**Mr DAVID HARRIS:** We didn't make a decision. There was actually no funding proposal put in. It was just a conversation and an ask.

**The Hon. JACQUI MUNRO:** But you were aware that they were in danger of closing down without additional funding?

**Mr DAVID HARRIS:** Yes, I think that was relayed to us.

**JEAN-FRÉDÉRIC LEVESQUE:** There are different pathways for specific research centres to obtain funding. Some of the funding at times comes from local health districts, hospitals or specific medical research institutes. In New South Wales we've got a significant investment in medical research institutes through our Medical Research Support Program. It's a \$40 million investment every year. But there are criteria that need to be met to be part of that program. Given the fact that it's a significant investment, it's highly competitive. We do have explicit, peer-reviewed criteria to assess different centres. That doesn't preclude, at times, having specific funding provided through various collaborations and different sources. Again, we've got internal processes to assess those.

**The Hon. JACQUI MUNRO:** Going back to the cashless gaming trial and the limited number of users that are active at the moment, are there plans to increase that number? I'm curious about how you make that trial more useful.

**Mr DAVID HARRIS:** That's in the purview of the panel.

**The Hon. JACQUI MUNRO:** But is that something you're asking the panel to do? If you're getting advice from the panel and they're saying, "We've got 32 people", wouldn't you ask if they'd tried to increase that number?

**TAREK BARAKAT:** The panel has considered it and the way that the trial has been marketed and messaged and the terminology that has been used has been amended. That has actually seen—notwithstanding it's not a huge uptick—some uptick in participation. That was fairly recently, though, so we're hoping to see that continue to move in the right direction. But they have actively thought about it.

**The Hon. JACQUI MUNRO:** When you are in those meetings and you've got a range of stakeholders around the table who obviously have very different perspectives as to how this should work, is there an agreement around why there hasn't been a huge uptake that you can pinpoint and rectify?

**TAREK BARAKAT:** Some of the feedback coming through the research company—just to be clear, I don't sit on the panel but I do attend some meetings as an observer—indicates that people have concerns about data, privacy, security and things like that. There is a reluctance—

**The Hon. JACQUI MUNRO:** I understand that a cybersecurity project around the cashless gaming trial had to be abandoned because it was considered too difficult in the time frame that was required to develop it. Is that correct?

**TAREK BARAKAT:** No, not to my knowledge. Cyber Security NSW is a member of the panel, as is a deputy commissioner of the NSW Police Force. The department cybersecurity team has been involved.

**The Hon. JACQUI MUNRO:** And are they happy with the cybersecurity that has been implemented as part of the trial?

**TAREK BARAKAT:** Absolutely. The panel signed off based on advice from the relevant cybersecurity experts on the technology and the venues' implementation of that technology. They made it clear, too, that this is an ongoing thing. There is ongoing testing of the cybersecurity requirements.

**The CHAIR:** Are there any questions from the Government?

**The Hon. PETER PRIMROSE:** No, we're very satisfied with what the Minister has said.

**The CHAIR:** Before we conclude, I would just like to rule on the point of order taken previously by Mr Borsak. I won't uphold the point of order because it's clear, despite my attempts to remain abreast of everything that is happening in the world, that those matters were a matter of public record and were reported on [www.australianracinggreyhound.com](http://www.australianracinggreyhound.com). I try to keep abreast of everything essential, but those matters were raised in the journal. But I would suggest that if members are going to raise matters that may include the naming of an individual and an adverse mention, they should refer to the public record that they are relying on, as or before they do so, by tabling the document. That would certainly assist the chairs of committees, I believe. I'm not upholding the point of order.

**The Hon. JACQUI MUNRO:** In relation to that, I will just table the news articles about the person I referred to earlier.

**The CHAIR:** That would be appreciated.

**The Hon. JACQUI MUNRO:** By leave, I table those news articles.

**Documents tabled.**

**The CHAIR:** That concludes this morning's session of questioning. Minister, thank you very much for your attendance. We very much appreciate it. There were some matters taken on notice. The secretariat will be in contact with your office or the officials in due course to receive that information.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**Ms KATE MEAGHER**, Deputy Secretary, Community Engagement Group, Premier's Department, on former affirmation

**Mr TERRY O'BRIEN**, Director, Policy and Racing, Hospitality and Racing, Department of Creative Industries, Tourism, Hospitality and Sport, affirmed and examined

**The CHAIR:** Welcome back, everyone. Thank you for returning to Portfolio Committee No. 1's hearing into budget estimates 2024-25.

**The Hon. MARK LATHAM:** Thank you, Mr O'Brien, for your attendance. Have you had an opportunity to look at the list of Racing NSW funded projects for provincial and country tracks that the Minister tabled earlier today?

**TERRY O'BRIEN:** I haven't seen the exact document that he tabled, Mr Latham.

**The Hon. MARK LATHAM:** Would you have a list of the Racing for the Regions projects that were to be funded out of the allocation of the \$67 million three years ago?

**TERRY O'BRIEN:** Yes, I do.

**The CHAIR:** Mr Latham, do you want to get Mr O'Brien—

**The Hon. MARK LATHAM:** Yes, if the witness can have a look at the list that the Minister tabled. The Minister's list has 19 projects adding up to \$77.6 million. I don't know if it's the \$67 million for Racing for the Regions plus the Goulburn new stabling and training facilities we've heard about, which are \$10 million. If you can just have a look at that, is it the list of Racing for the Regions plus one other?

**TERRY O'BRIEN:** I think that's right. I think it includes Racing for the Regions projects. The funding was announced for those in 2021, I think it was, and then the second sheet looks to be the projects that have been funded by Racing NSW that were announced earlier this year.

**The Hon. MARK LATHAM:** Right, so the first sheet, which adds up to the order of \$19 million, is the Racing for the Regions projects. Is that what you're saying?

**TERRY O'BRIEN:** Yes, that's right.

**The Hon. MARK LATHAM:** Where has the other \$48 million gone? That doesn't add up to \$67 million there, does it?

**TERRY O'BRIEN:** I can see that there is about \$57 million worth of projects listed on that first sheet that's titled "Racing for the Regions—

**The Hon. MARK LATHAM:** Have you got the right sheet? It's headed "Racing NSW funded projects".

**TERRY O'BRIEN:** Yes, so that's the second lot that were announced by Racing NSW earlier this year.

**The Hon. MARK LATHAM:** Oh, that's the second lot, okay. Can you provide the Committee with the first lot? How many are there in total? This is \$19 million here. There must be a fair whack elsewhere.

**TERRY O'BRIEN:** There are about eight projects listed on this sheet under Racing for the Regions.

**The Hon. MARK LATHAM:** On the second one?

**TERRY O'BRIEN:** Yes.

**The Hon. MARK LATHAM:** Right, okay. Didn't you say these were separate to Racing for the Regions? Didn't you say that earlier on? You're now saying these are all Racing for the Regions projects.

**TERRY O'BRIEN:** There are two sheets of paper. One says, "Racing for the Regions funded projects". There are about eight projects there. Just from my quick calculation, there is about \$57 million worth of projects. The second sheet says, "Racing NSW funded projects". These were the ones that were announced by Racing NSW earlier this year.

**The Hon. MARK LATHAM:** Right, okay, so they're not part of Racing for the Regions?

**TERRY O'BRIEN:** That's right.

**The Hon. MARK LATHAM:** Racing for the Regions has just eight projects. Is that right?

**TERRY O'BRIEN:** That's what's listed on here. From memory, I think there are actually a few more projects than that, but it might be that—

**The Hon. MARK LATHAM:** Can you provide those to the Committee? It seems strange that there are eight and they add up to \$57 million. It was a \$67 million—

**TERRY O'BRIEN:** It may be that they've been combined by track, and so there are some tracks that have multiple projects.

**The Hon. MARK LATHAM:** Perhaps on notice you can undertake to do an assessment of what the Minister has given us and then provide us with the full list of the Racing for the Regions funded projects as you know them.

**TERRY O'BRIEN:** Yes. I'm happy to provide that on notice.

**The Hon. MARK LATHAM:** Can you describe the administrative means by which these projects and the funding amounts were arrived at? Was there an open tender? Did the clubs have a chance to put their submission in for part of the \$67 million?

**TERRY O'BRIEN:** My understanding is that Racing NSW went through a process with its clubs where it invited them to nominate projects. It then assessed those projects against its criteria, provided a list to the Government—there was a business case that went with it—and that list was then subject to Expenditure Review Committee consideration.

**The Hon. MARK LATHAM:** Why was it done that way? Why couldn't each club put in a submission for funding directly to it? Why did Racing NSW have to do the whole lot? These are clubs constituted legally in their own right. The Gosford Race Club is a legal entity in its own right. Why wasn't it able, along with the other clubs around New South Wales, to make a direct funding application in a competitive process?

**TERRY O'BRIEN:** I can't comment on the process that Racing NSW went through and how it decided on those.

**The Hon. MARK LATHAM:** I'm not asking about their process. I'm asking about yours, you see? I'm asking about the New South Wales Government means by which this program was administered and arrived at. I'm not asking what Racing NSW did. I'm asking why weren't each of these clubs able to apply directly for a grant.

**TERRY O'BRIEN:** That was a policy decision by the government of the day as to how it would look to fund projects.

**The Hon. MARK LATHAM:** This is Minister Anderson at the time?

**TERRY O'BRIEN:** It was Minister Anderson at the time, yes.

**The Hon. MARK LATHAM:** Minister Anderson said that the Racing for the Regions money would go in globo to Racing NSW who would then decide the breakdown of funds?

**TERRY O'BRIEN:** That was a decision of the Expenditure Review Committee of Cabinet.

**The Hon. MARK LATHAM:** Since then, say at the second item there, Gosford stables, I understand Racing NSW is saying that it would want to own the land on which the stables are built. Has that been part of the process as well?

**TERRY O'BRIEN:** It's not part of our process.

**The Hon. MARK LATHAM:** So Racing NSW would say, "We've got all this money given to us by the Expenditure Review Committee", and they're saying to Gosford—are there any funding guidelines for this scheme that would respect the integrity and legal status of the clubs so that they don't have to hand over land to Racing NSW before they can receive the funding?

**TERRY O'BRIEN:** We don't have any guidelines in respect of that. There is a funding deed between the department and Racing NSW for the delivery of the projects and the delivery of the funding for those.

**The Hon. MARK LATHAM:** Can you provide us a copy of that deed on notice please?

**TERRY O'BRIEN:** I'd have to take advice on whether that's something we can provide but, yes, certainly we can look into that.

**The Hon. MARK LATHAM:** Is there anything in that deed that respects the integrity and legal status of each of these clubs or are they entirely in the hands of what Racing NSW does to them?



**TERRY O'BRIEN:** I think relationships and matters between Racing NSW and its clubs are matters for those organisations.

**The Hon. MARK LATHAM:** Seeing Racing NSW doesn't own these clubs or control them, other than by these means of extortion, would the deed have any recognition of the independent legal status of the clubs?

**TERRY O'BRIEN:** The deed doesn't go into that level of detail. It's about the delivery of the projects and the delivery of the funding to Racing NSW once those projects are delivered.

**The Hon. MARK LATHAM:** What does the deed say in general terms in that regard?

**TERRY O'BRIEN:** I'd have to take that on notice and then look through the details of the deed, but I don't believe it goes into the details of the relationship between Racing NSW and its clubs.

**The Hon. MARK LATHAM:** So your understanding of the deed arrived at by the former Government is along the lines of "Here's some public money for Racing NSW. It's meant to go out to provincial and country tracks, but how you distribute that fund basically is up to you, Racing NSW."

**TERRY O'BRIEN:** No, it's for specific projects which are listed on that sheet—to deliver those projects.

**The Hon. MARK LATHAM:** Are there any instructions in the deed as to how Racing NSW would select the projects?

**TERRY O'BRIEN:** The projects had already been selected at the time the deed was put in place. That was the decision of the Expenditure Review Committee.

**The Hon. MARK LATHAM:** You're saying that now. How was that arrived at? What was the process for selecting these projects?

**TERRY O'BRIEN:** I think I set that out earlier where Racing NSW worked with its clubs to identify suitable projects. There was a business case put together. It then went to Expenditure Review Committee for consideration.

**The Hon. MARK LATHAM:** But it was all still centralised through Racing NSW. They selected the projects in discussion with the clubs. Do you know if Racing NSW did a competitive process?

**TERRY O'BRIEN:** I think you'd have to ask Racing NSW.

**The Hon. MARK LATHAM:** Can we get a copy of the business case for this as well? Can you take that on notice pending legal advice as to how this was done?

**TERRY O'BRIEN:** Yes, happy to provide that on notice, if that's possible.

**The Hon. MARK LATHAM:** It just seems a very unusual way of funding organisations that need these funds, particularly when elements of extortion are then arrived at where, for Gosford, they can't get their money, build their stables, unless they hand land over to Racing NSW. There is nothing in the deed or the business case guarding against that eventuality?

**TERRY O'BRIEN:** As I think I said earlier, the deed controls or sets out the delivery of funding on proviso that the projects are delivered.

**The Hon. MARK LATHAM:** How do you explain the delay in each of these projects—and, I assume, the other ones that are part of this scheme? It's three years and it doesn't look like much has been completed.

**TERRY O'BRIEN:** I think two of the projects have been completed. I think, as the Minister said earlier, the rest of the projects are at various stages through the development application process.

**The Hon. MARK LATHAM:** But how do you explain those delays? For instance, at Gosford, it's a simple matter to build stables, \$12 million allocated, and it's still with the council pending development approval. So that really hasn't got anywhere.

**TERRY O'BRIEN:** I think that might be an explanation for the delay, in that it's still with council waiting for approval.

**The Hon. MARK LATHAM:** But in controlling this public money, the Office of Racing, what was done to monitor the delays and find ways of speeding up the delivery of the infrastructure?

**TERRY O'BRIEN:** We meet with Racing NSW and they've engaged a project management contractor. We meet with them on a regular basis to—

**The Hon. MARK LATHAM:** What explanation do they give for all of these delays?

**TERRY O'BRIEN:** In terms of Gosford, the explanation is that it's still with council awaiting development application approval.

**The Hon. MARK LATHAM:** And that's fine with the Office of Racing, just to accept that? You'd never really disagree with Racing NSW.

**TERRY O'BRIEN:** I think it's just a statement of fact, isn't it, if it's still with council waiting for approval?

**The CHAIR:** Mr Latham, your time has expired. You will get another round very soon.

**Ms ABIGAIL BOYD:** Mr Griffin, going back a step to the "Mates in the States" program—was the approval of GWIC required in order for Greyhound Racing NSW to go ahead with that program?

**STEVE GRIFFIN:** No.

**Ms ABIGAIL BOYD:** Why were people sent to the US from GWIC to do a so-called audit of that program before Greyhound Racing NSW signed up to it?

**STEVE GRIFFIN:** The commission suggested to government and to GRNSW that it would be good for GWIC, as an independent body, to have a look at their US rehoming program to make sure the community had confidence in the program itself.

**Ms ABIGAIL BOYD:** What went into working out who to send, then? Why were the two people sent who were sent?

**STEVE GRIFFIN:** One was the associate director of investigations—so someone who's got investigation skills as background—and the other one was our corporate counsel, our most senior legal person.

**Ms ABIGAIL BOYD:** Was consideration given to sending anyone with a veterinary background?

**STEVE GRIFFIN:** No. I heard your comments and I think that would be a good idea if we do a follow-up audit. But, at the time, looking at the processes of the whole program from how they were going through the process here in Australia, plus whilst there in the US and how that was being managed, and the governance arrangements in place, it was more an investigation sort of audit style, more of a legal process review.

**Ms ABIGAIL BOYD:** Is it true that the investigator that you sent over then became an employee of Greyhound Racing NSW?

**STEVE GRIFFIN:** That's true.

**Ms ABIGAIL BOYD:** Are there no rules in place at GWIC to prevent people going directly from the regulator to the commercial arm of the industry?

**STEVE GRIFFIN:** There's nothing in the legislation to prevent that from occurring.

**Ms ABIGAIL BOYD:** Do you think there should be?

**STEVE GRIFFIN:** That's a matter for Government policy.

**Ms ABIGAIL BOYD:** Given that the reason for the audit was—and I will summarise what I think I just heard from you—basically to give some sort of confidence to the community that the program was appropriate, do you think that the impression of somebody going over who then goes and joins Greyhound Racing NSW somewhat throws the results of that audit into doubt?

**STEVE GRIFFIN:** Not really, because the report itself was written by our chief corporate counsel. I agree with the proposition that it's probably not a good look if the person then left our employ shortly thereon. Had I been aware that that person was seeking employment with Greyhound Racing NSW, that person would not have been sent to that audit but, nevertheless, that wasn't disclosed to me or anyone else in the organisation prior to that audit being undertaken. But the audit itself, and the audit report, was written by our chief counsel.

**Ms ABIGAIL BOYD:** Do you think it was appropriate that Greyhound Racing NSW paid for the GWIC representatives to attend on that trip?

**STEVE GRIFFIN:** From memory, GRNSW paid for the flights and we paid for the accommodation.

**Ms ABIGAIL BOYD:** I put a question in on this and the answer I got back was that Greyhound Racing NSW paid for both the flights and the accommodation.

**STEVE GRIFFIN:** If that was our previous answer—from memory, I thought—

**Ms ABIGAIL BOYD:** Could you maybe just double-check?

**STEVE GRIFFIN:** I'll double-check and take that on notice, but I thought we did pay for some accommodation. I'll come back to you and take that on notice, but that was my recollection of it.

**Ms ABIGAIL BOYD:** That would be useful because what I got back was, I think, \$1,470 spent by GWIC on incidentals, but the rest was covered by Greyhound Racing NSW.

**STEVE GRIFFIN:** That might be it, so let me check on that and come back to you, just to make sure it's clear.

**Ms ABIGAIL BOYD:** Do you think that's appropriate, again in terms of the perception that creates for the public, that we have a regulator going with the commercial arm of the industry to the US, on what looks like a bit of a jolly, to investigate a program that has now, as we've seen, resulted in deaths and injuries to dogs?

**STEVE GRIFFIN:** It was an audit done for a very specific reason and I don't agree with the proposition that it was a jolly. It did come up with some very firm recommendations in terms of how it could be improved, particularly in terms of being able to track and monitor the whole process through a digital means. So it was worthwhile, in doing the audit, and came up with some very valuable recommendations.

**Ms ABIGAIL BOYD:** You didn't say, but you were nodding behind the Minister before when I was asking questions about Qantas and whether the program was still continuing. I understand Qantas pulled out of the program and that's why it stopped for a period. I understand from the nods that it has restarted again. Has it restarted with Qantas or with someone else?

**STEVE GRIFFIN:** I don't know. You'd have to ask Greyhound Racing NSW. I just know that it's about to recommence or it has recommenced. I don't have any further details. Again, there's no requirement for Greyhound Racing NSW to report these things to GWIC because we're not the regulator of rehoming.

**Ms ABIGAIL BOYD:** The role of Hanrob in all of this—are they just a holding facility? Is that your understanding?

**STEVE GRIFFIN:** My understanding is that they manage the process of getting the greyhounds ready for rehoming.

**Ms ABIGAIL BOYD:** So they do some behavioural work with them as well, do they?

**STEVE GRIFFIN:** That's my understanding. They do the training, get them familiar with the containers in which they're put on board, and I think they also do the rabies vaccinations that are required to enter the US. I think they fulfil that entire role on behalf of Greyhound Racing NSW.

**Ms ABIGAIL BOYD:** I understand that they are experienced in dog behaviour classes. I know you can send your dogs there, basically, for a little boot camp to teach them things.

**STEVE GRIFFIN:** That's right.

**Ms ABIGAIL BOYD:** Do they have any particular expertise when it comes to greyhounds, though?

**STEVE GRIFFIN:** I understand that they've been involved with the greyhound industry for a number of years. More than any other dog-handling organisation, I think they've got the familiarity and background over a number of years, so I assume—again, that's a question you'd have to ask Greyhound Racing NSW directly as to why they have been selected to do that work for them.

**Ms ABIGAIL BOYD:** When you say you're not the regulator for rehoming, once the dog has been rehomed, as we've spoken about before, that dog's registration moves onto the Companion Animals Register or, in this case, to a different country. But before that happens you're still the regulator responsible for the welfare of that dog, are you not?

**STEVE GRIFFIN:** We are in terms of the greyhound until it gets on the CAR; or, once it becomes entered into Greyhounds As Pets, Greyhound Racing NSW—that is, it's no longer with a participant—then we're not.

**Ms ABIGAIL BOYD:** When we're looking, then, at something like the Wyee GAP facility, I know that there was a report that GWIC undertook, but that was at the direction of the Minister then as opposed to something that's a standard part of what you do.

**STEVE GRIFFIN:** That's correct.

**Ms ABIGAIL BOYD:** Do you think that we should be updating those rules, then, to ensure that you have oversight of that program?

**STEVE GRIFFIN:** That's a matter for Government policy.

**Ms ABIGAIL BOYD:** I understand that when the greyhounds were being flown to the USA, they had basically not sufficient room for a greyhound to move around. Have you inspected the cages or seen the cages that they fly in?

**STEVE GRIFFIN:** I haven't personally, but the staff that conducted the audit would have. I understand that there is further work being done on improving those and looking at what's being done in either jurisdiction in the way that the greyhounds are being handled. But, again, that would be a matter you'd have to ask Greyhound Racing NSW directly about.

**Ms ABIGAIL BOYD:** From what you know of greyhounds, which I would assume is a lot, are you aware of greyhounds being able to sleep in a prone position for a 15-hour-straight journey? Or do they like to lie on their side and stretch out?

**STEVE GRIFFIN:** I've got no expertise in that area at all.

**Ms ABIGAIL BOYD:** Have you ever owned a greyhound and seen the way that they behave?

**STEVE GRIFFIN:** I own dogs—no, but I've seen how they behave. But I don't own a greyhound at the moment, no.

**Ms ABIGAIL BOYD:** In relation to that review of the Wyee facility, where I understand not very many people participated, was anyone else trying to participate that was unable to participate? Are you aware?

**STEVE GRIFFIN:** Sorry, that question again—is it attempting to participate and couldn't?

**Ms ABIGAIL BOYD:** Yes. The person who was actually investigating, who was running that investigation, presumably they had a means of being contacted for people who wanted to speak with them. Are you aware of anyone trying to contact them and never getting a response?

**STEVE GRIFFIN:** No, I was aware that there was—we wrote to all the employees directly and sent them an email based upon the email that was provided to us and asked them to come forward and give us information if they chose to. But I have no understanding that someone wasn't allowed to provide information.

**Ms ABIGAIL BOYD:** Maybe you could ask that question.

**STEVE GRIFFIN:** Yes.

**The Hon. SCOTT FARLOW:** Mr Hamilton, I think these ones might be for you. The announcement in the budget papers for the 2024-25 budget referenced a carry forward that appears to be related to the shared decision-making partnership. Did Aboriginal Affairs submit a carry forward request for 2024-25 for a \$4.587 million package to support the shared decision-making partnership?

**SHANE HAMILTON:** Yes.

**The Hon. SCOTT FARLOW:** Were these funds available to be rolled over for this purpose or were they allocated to different projects under Closing the Gap?

**SHANE HAMILTON:** No, they were allocated through Closing the Gap.

**The Hon. SCOTT FARLOW:** All through Closing the Gap?

**SHANE HAMILTON:** Yes.

**The Hon. SCOTT FARLOW:** What was the nature of this carry forward, then?

**SHANE HAMILTON:** Under the agreement there are a number of different schedules. It's in relation to those schedules that are within the agreement.

**SIMON DRAPER:** Can I just ask you to clarify? When you say a "carry forward"—that's a term we use in government for budgetary purposes—are you talking about the NSW Aboriginal Land Council seeking a variation to carry forward some of the funds under their agreement in accordance with their agreement, not with the budget?

**The Hon. SCOTT FARLOW:** Is this the department of Aboriginal Affairs, though, rather than the Aboriginal land councils?

**SHANE HAMILTON:** You're asking me about Aboriginal Affairs as a department and if we have carry forwards? Yes.

**The Hon. SCOTT FARLOW:** That's why I'm making the distinction to Mr Draper. What actions have been undertaken to rectify any mistakes that may have been made relating to the incorrect carry forward request of \$4.587 million, which resulted in no budget allocation in 2024-25 for the shared decision-making partnership?

**SIMON DRAPER:** That's why I've made that comment. You're referring to the partnership, which is money for the NSWALC. That's money for NSWALC, not for the department of Aboriginal Affairs.

**The Hon. SCOTT FARLOW:** Sorry, Mr Draper, could you state that again into the microphone? I couldn't hear properly.

**SIMON DRAPER:** The money you're referring to, I think, is money that is a grant to NSWALC. It's not money that's for the operation of—

**The Hon. SCOTT FARLOW:** To NSWALC?

**SIMON DRAPER:** Yes.

**The Hon. SCOTT FARLOW:** Is that your understanding, Mr Hamilton?

**SHANE HAMILTON:** Yes, no mistake has been made.

**The Hon. SCOTT FARLOW:** Mr Hamilton, has a million dollars been allocated in 2024-25 to enabling Aboriginal community controlled organisations to be adequately funded to participate in shared decisions under priority reform number one?

**SHANE HAMILTON:** I would have to look at the details. There are a number of different programs that it was part of, that particular funding in Closing the Gap.

**The Hon. SCOTT FARLOW:** If it isn't a million dollars, could you please outline to us on notice how much has been allocated to establish the partnership funding model?

**SHANE HAMILTON:** Yes.

**The Hon. JACQUI MUNRO:** On to cashless gaming, I raised security issues earlier around cybersecurity. The CEO of The Star said that there were concerns surrounding security and outages. Is that your understanding of—

**TAREK BARAKAT:** That's separate to the cashless gaming trial. But yes, The Star—I think you're probably aware there was a software issue that they had recently. I think that resulted in the casino having to close its doors for about three days in July. That, to the conversation we were having earlier, is one of the reasons that we've given them an extended period of time to comply with some of the requirements under the legislation.

**The Hon. JACQUI MUNRO:** Is the Independent Panel on Gaming Reform looking at solving those security issues?

**TAREK BARAKAT:** They've got a cybersecurity approach to pubs and clubs, but they will certainly be learning from any issues that arise in the casino. The casinos obviously will be moving first in relation to cashless gaming and carded play. We will be able to learn from that in relation to many things, including cybersecurity, and implement that should this be rolled out across pubs and clubs.

**The Hon. JACQUI MUNRO:** At Wests Newcastle I understand that there was a hack, which was related to cashless gaming. Is that correct?

**TAREK BARAKAT:** I'd have to take the detail on notice but, yes, there was an incident at the trial we were holding at Wests Newcastle, not with the cashless gaming itself but with, I think, one of the banking suppliers that was the financial provider to the cashless technology provider. I'm happy to provide more details of exactly what occurred on notice if that's helpful.

**The Hon. JACQUI MUNRO:** That would be helpful—and also how the panel is engaging with organisations like banks to ensure that there's an understanding of requirements for security and, obviously, what the problem was here and how we can avoid those issues happening again.

**TAREK BARAKAT:** Absolutely. The panel is engaging with the banks. The independent report or evaluation of the Wests Newcastle trial, which spoke about some of those issues, has been provided to the panel, so they'll take that on board. Plus, as I said, they do have some pretty serious expertise on the panel, in terms of the head of Cyber Security NSW, that is providing advice as well.

**The Hon. JACQUI MUNRO:** Is that evaluation report going to be made public?

**TAREK BARAKAT:** I thought it was. But, if it's not, I'll take it on notice and come back to you. It's on our website, the secretary has just informed me.

**The Hon. JACQUI MUNRO:** Fabulous. Thank you. Are those issues that were experienced in Newcastle Wests happening anywhere else that you're aware of?

**TAREK BARAKAT:** Not that I'm aware of, and that was specific to the cashless gaming trial that was being held in that club at the time. I don't know that that issue has occurred elsewhere.

**The Hon. SCOTT FARLOW:** You or the Minister, I think, mentioned before that there were three different operators you were trialling. Of course, that would be one. Have you looked at any of the other areas where that operator is trialling in any of those—what was it?—13 locations?

**TAREK BARAKAT:** The operator in question, Wests Newcastle, is not actually one of the operators participating in the cashless gaming trial itself.

**The Hon. JACQUI MUNRO:** There is concern in the local community that they're not really sure what's going on with the trial and how that process or how the program will continue in that area. Is there any update on how Newcastle Wests will be looking up their future programs on cashless gaming?

**TAREK BARAKAT:** In terms of the cashless gaming trial the Government's committed to running, I think, as the Minister explained this morning, the panel is going to provide its report to government in November. That's the date that was committed to a while ago, and that remains the date. Once the Government gets that report, it'll obviously need a period of time to consider that, but then decisions will be made about implementation of cashless gaming across the State.

**The Hon. JACQUI MUNRO:** But is there any communication with that particular local area about how that incident is going to impact the club and their use of pokies there?

**TAREK BARAKAT:** There hasn't been to this. That incident occurred in an isolated trial that is finished and is no longer occurring. So that club is now operating as it normally would have pre that trial being in place.

**The Hon. SCOTT FARLOW:** With respect to the point of consumption tax, at the Rosehill inquiry, Racing NSW confirmed that their funding was down 17 per cent due to downturn in wagering. Is this something that you're concerned about, in terms of the declining funding to racing codes?

**TAREK BARAKAT:** If that question is directed to me, the funding arrangements for the—

**The Hon. SCOTT FARLOW:** I think it was probably more likely to be directed to either you or Mr Griffin, I suspect.

**TAREK BARAKAT:** Mr Griffin's really the regulator of the greyhound racing industry. The funding for the racing industry is something the Government is looking at. I think you're probably aware that the Minister and the Treasurer have announced that Tabcorp has put a proposal on the table. They've committed to establishing a process to consider that proposal. That's underway. But there's probably not much more I can say about it at this point, other than to confirm that what's in that media release is accurate, that the Government is looking at that proposal.

**The Hon. SCOTT FARLOW:** With respect to the Federal Government's consideration of banning gambling advertising, have you been having any discussions with the Federal Government about their intention in that regard?

**TAREK BARAKAT:** We and members of my team participate on what's called a senior officers' working group, which is senior officers from each State, with the Federal representative as well. I understand the Ministers met recently, as well, to discuss the report. But, at this point, nothing has been made public. The Federal Government has not responded to that report. So we await that, as I'm sure you do.

**The Hon. SCOTT FARLOW:** Have you undertaken any modelling with respect to any financial impact that this might have on the three racing codes in New South Wales?

**TAREK BARAKAT:** We haven't, no.

**The Hon. SCOTT FARLOW:** Given wagering is already down—being the main funding mechanism for racing—and we heard evidence from the Minister earlier in terms of Racing NSW's reserves in this regard, and given also that the Federal Government is looking at banning advertising, is the Government still considering a point of consumption tax increase at this time?

**TAREK BARAKAT:** That's a question for the Treasurer.

**The Hon. SCOTT FARLOW:** In June the Treasurer and the Minister for Gaming and Racing announced the point of consumption tax increase was being actively considered. Is this still the case?

**TAREK BARAKAT:** That's a question for the Minister and the Treasurer.

**The Hon. JACQUI MUNRO:** Back to Mr Barakat, on vibrancy reforms this time. Are there any increases in licensing fees that have been imposed in the last 12 months, for liquor licences?

**TAREK BARAKAT:** Yes. Off the back of the vibrancy reforms being shepherded through Parliament at the end of last year and passed, there was an increase in licence fees across the board. It was a minimal increase. Licence fees hadn't increased for many years, other than by CPI, and it was a small increase to assist with the implementation of some of those reforms. Chiefly among them was that Liquor and Gaming NSW, which sits within Hospitality and Racing, took on responsibility for noise regulation where that noise is associated with a licensed premises. Historically, there were six or seven different agencies that had a role in that. It's now just Liquor and Gaming. Part of that licence fee increase was to help resource that team to be able to do that effectively and deliver on the Government's commitment.

**The Hon. JACQUI MUNRO:** Have you been receiving feedback from the industry that it has become a problem for them to pay those increases?

**TAREK BARAKAT:** Certainly it wasn't a popular decision to increase licence fees, but I think most in the industry understand. The peak bodies were certainly brought along on the journey the whole way. I can provide, on notice, detail about how to do this, but there are hardship provisions in place. If venues are genuinely struggling, for good reason, to actually meet that increased cost, then they can apply for an exemption.

**The Hon. JACQUI MUNRO:** Is there a schedule of fees in one list, one document?

**TAREK BARAKAT:** I think there is on our website, but we can provide that on notice.

**The Hon. JACQUI MUNRO:** Could you also please provide the difference in fees or at least—

**TAREK BARAKAT:** What they were, compared to what they are now?

**The Hon. JACQUI MUNRO:** Yes. Just the original table and the updated table, if that's the easiest way to do it.

**TAREK BARAKAT:** Assuming there's no issue with doing that, I'm happy to provide that on notice.

**The CHAIR:** Mr Barakat, how did you describe those vibrancy reforms passing through Parliament? Did you say "shepherded through"?

**TAREK BARAKAT:** I can't remember. Possibly.

**The Hon. JACQUI MUNRO:** Are we the flock?

**The CHAIR:** Maybe we're the wolves.

**The Hon. JACQUI MUNRO:** I've heard from the industry that there's concern around insurance fees. While there might be less restriction on operating hours, for example, the increase in insurance from an increased risk, essentially, or a perceived increased risk, means that there are higher costs for businesses that are not accommodated for, I suppose, with the additional increase in licensing fees. Have you been made aware of those concerns?

**TAREK BARAKAT:** Not specifically about insurance. Not that we have any oversight of the insurance regime, but we're broadly aware, obviously, that the industry has a lot of costs. And, to your point earlier, I think that article that you referenced, with those 29,000 in different fees—and, just on that, I think a lot of those fees are not related to liquor licensing; it's development applications and policing costs and things like that. But we're aware broadly there is a lot being put on industry. But the purpose of the vibrancy reforms is genuinely to make things easier and allow venues to diversify and do more things. That's really what they're focused on. To the extent that they can also be reducing costs, we're, obviously, looking at that too.

**The Hon. JACQUI MUNRO:** Is there a place that businesses—particularly, small businesses—can come to and provide that feedback effectively? Obviously, they've got many different regulatory regimes that they have to abide by. Is it your area that is, basically, funnelling the feedback that they're providing, that quantifies all of those costs?

**TAREK BARAKAT:** I think it's probably through the Office of the 24-Hour Economy Commissioner, which is really driving the vibrancy reforms. And their focus is not just about liquor and gaming, which sits within our space. It's much more broad than that. I think Commissioner Rodrigues is very well aware of some of the

issues that are facing the industry, and we speak regularly about those. In terms of what people can provide and the feedback people can provide to us, we're happy to take feedback at any time, about anything. Certainly, me and my executive team have monthly meetings with AHA, ClubsNSW and those sorts of peak bodies. We would expect that, if their members are feeling the pinch and have concerns, through those forums they would raise them with us, and we would take action as appropriate.

**The Hon. JACQUI MUNRO:** What are the major issues that they're raising with you?

**TAREK BARAKAT:** I think some of the licence fee increases was, obviously, one. There's a range of different things that are raised with us. I think broadly speaking, though, the industry is very well aware that the Government is doing a lot, as are we, as is the Office of the 24-Hour Economy Commissioner, to make things easier in this space. So they are happy, I think, in the direction that we are moving. We've certainly tried to make things easier. We've done a lot in our licensing space to try and streamline the application process—for example, automate things where we can—and that work's not finished, but it's certainly something we're focused on. And I think it's not going to be an immediate thing. We are looking at ways we can—there's a planning system, a liquor licensing system. How can those two things talk to each other better? We are really moving in a direction to make things easier for these businesses.

**The Hon. JACQUI MUNRO:** There has been some high-profile media around the conduct of companies like Swillhouse and Merivale.

**TAREK BARAKAT:** Absolutely.

**The Hon. JACQUI MUNRO:** We don't have to go through the details of them, but it is obviously some pretty unsavoury behaviour. Are they risking their licences? Is there behaviour that has been demonstrated by those organisations as employers that could impact their liquor licences?

**TAREK BARAKAT:** I'll talk generally, because I know there are police and SafeWork investigations underway, so that is the appropriate mechanism for some of these allegations to be dealt with and investigated. Yes, if allegations are proven, the police can, of their volition or through us, make a disciplinary complaint to the Independent Liquor and Gaming Authority, for example, about a particular licensee or operator. The authority may determine, based on that advice, that that individual is not a fit and proper person to be associated with a liquor licence in New South Wales and they can ban them for a period of time or for life from operating in the industry. The police could also come to us and seek that we impose conditions on particular licences to do or not do certain things. All of that could play out, yes.

**The Hon. JACQUI MUNRO:** Does that only occur if police proactively engage your department?

**TAREK BARAKAT:** No, we can do things off our own bat, but I guess we wouldn't do things while there is an ongoing police—and, in this case, SafeWork—investigation underway. We obviously wouldn't want to get in the way of that. They need to take precedence, and then we can make some decisions, either based on that evidence or based on other things that we know, whether we should move forward.

**The Hon. JACQUI MUNRO:** What are the general mechanisms that don't involve a police investigation that could trigger your departmental—

**TAREK BARAKAT:** We have investigators and inspectors that do similar things. We're out at venues, making sure they're complying with their obligations under the law. We do covert operations, overt inspections, all sorts of things were we to identify things. We also get complaints, obviously, from a range of people. We would investigate those complaints and come to a decision. If we had evidence to suggest that something was happening, we could either impose conditions off our own or, again, we could take something through to Ms Lamb and the Independent Liquor and Gaming Authority to take action.

**The Hon. JACQUI MUNRO:** Have you conducted any investigations around these companies and their venues? If you have, was there anything that was revealed?

**TAREK BARAKAT:** Not to my knowledge. Nothing recently.

**The Hon. JACQUI MUNRO:** So no investigations?

**TAREK BARAKAT:** I mean, there are some historical complaints that are unrelated to this.

**The Hon. JACQUI MUNRO:** That's because you haven't received complaints or because it didn't fit within, I don't know, some regimented calendar that you undertake?

**TAREK BARAKAT:** We would have been. I can take on notice when the last time we may have been in one of these venues was, but it would be that we hadn't identified anything on that inspection that warranted any further action, I assume.



**The Hon. JACQUI MUNRO:** Yes, that would be helpful. To clarify, you say you're waiting until the police investigations are complete before taking action.

**TAREK BARAKAT:** I wouldn't say we're waiting. It wouldn't be appropriate for us to take action before a police investigation has been completed.

**The Hon. JACQUI MUNRO:** Can I ask why that is?

**TAREK BARAKAT:** We wouldn't want to impede the ability of the police to do their job, essentially. If they came to us wanting our assistance or advice, we're obviously going to provide that, but we wouldn't run a parallel investigation while the police were running their own. It wouldn't be appropriate.

**The Hon. SCOTT FARLOW:** Mr Crawford, with respect to the latest Bell inquiry, what has been the total cost to the Government of that inquiry?

**PHILIP CRAWFORD:** The total cost of the inquiry is around \$3.2 million.

**The Hon. SCOTT FARLOW:** Is that compensated in any way by The Star themselves?

**PHILIP CRAWFORD:** The Star have agreed to pay that, so we're waiting for a cheque. They've got the invoice. We're waiting for the cheque.

**The Hon. SCOTT FARLOW:** With respect to the cost of Mr Weeks in his appointment and his extension, is that paid by the taxpayers or is that paid by The Star?

**PHILIP CRAWFORD:** Paid by The Star.

**The Hon. SCOTT FARLOW:** What's the total cost of that so far and with the extension as well?

**PHILIP CRAWFORD:** Since when? I'll take that on advisement. I'll come back to you. What period are you looking at, since he was appointed or—

**The Hon. SCOTT FARLOW:** Since he was appointed on 17 October 2022.

**PHILIP CRAWFORD:** Okay. I'll come back to you on that, if that's okay.

**TAREK BARAKAT:** Chair, if I could have one second. In relation to one of those one of those groups, I won't say names in here, but we did receive a complaint recently, which we then referred onto the police. I probably can't say much more than that at this time.

**The Hon. MARK LATHAM:** Mr O'Brien, if you could come forward again just to get a bit more information about the Racing for the Regions project. You said earlier that you have a regular meeting with the project manager from Racing NSW. Are you able to say when the money was transferred to each of these clubs to build their infrastructure? When did it land in the bank accounts of the clubs?

**TERRY O'BRIEN:** The funding date is with Racing NSW. Any funding that's provided would go directly to Racing NSW to pay.

**The Hon. MARK LATHAM:** I know, but in your regular meetings with the project manager for Racing NSW, can you tell the Committee when the money landed in the bank accounts of these clubs so they can get on with the job of building the infrastructure?

**TERRY O'BRIEN:** Racing NSW is responsible for undertaking the projects and delivering the projects in accordance with the deed that we have with them.

**The Hon. MARK LATHAM:** I understand that perfectly, but earlier you said you have regular meetings with their project manager. In those meetings, wouldn't you ask, "Has Gosford Race Club now got the money they need to build the stables? Has it landed in their bank accounts so they can actually do the job?"

**TERRY O'BRIEN:** The money is delivered to Racing NSW in accordance with the obligations of the funding deed.

**The Hon. MARK LATHAM:** No, that's not what I'm asking.

**TERRY O'BRIEN:** It's not going directly to the clubs to manage the projects. The projects are being—

**The Hon. MARK LATHAM:** It has never gone—the money has always been kept in Racing NSW accounts; it has never been distributed by Racing NSW to any of the clubs. So what has been the role of the clubs?

**TERRY O'BRIEN:** Most of the money is actually sitting with the department until Racing NSW actually delivers or incurs costs for specific projects and can demonstrate that it has met the requirements of the deed, and then the money can be paid once they can demonstrate that.

**The Hon. MARK LATHAM:** None of the eight projects listed here in the Minister's document has been fully completed. Will there be an audit or an evaluation report on how this scheme has unfolded?

**TERRY O'BRIEN:** I think the document that the Minister provided does show that the Tamworth sandtrack, for example, has been completed, so that money has been paid. I think there was another one in Sapphire Coast, where the amenities upgrade has been completed as well.

**The Hon. MARK LATHAM:** None of them has been fully completed. Like, at Tamworth, the stables development is not yet complete. I mean, the whole projects as listed haven't been fully completed. But will there be an audit or an evaluation report of how this taxpayer-funded program has unfolded?

**TERRY O'BRIEN:** In terms of an audit, I think that will be a matter for the Audit Office to consider.

**The Hon. MARK LATHAM:** The Auditor-General doesn't normally look at Racing NSW, as we know. You're suggesting they could look at what you've done in the department or the Office of Racing?

**TERRY O'BRIEN:** My understanding is that because this is the delivery of public funds through the department, that would be something that could be subject to an Audit Office—

**The Hon. MARK LATHAM:** But you're not organising your own evaluation report at this time?

**TERRY O'BRIEN:** At this stage, we're involved in actually delivering—the oversight and the delivery of the projects and delivering the funding to recoup that.

**The Hon. MARK LATHAM:** On a separate matter, can you explain to the Committee the process for organising the selection panel for replacing the chair of Racing NSW or a vacancy on the board?

**TERRY O'BRIEN:** Do you mean earlier this year?

**The Hon. MARK LATHAM:** Just the process that you go through in putting forward the names for the selection panel that the Minister adopts.

**TERRY O'BRIEN:** For any selection process, we'll provide a brief to the Minister at the start of a process to get approval for that to be undertaken and set out a range of matters that the Minister may need to make a decision on. Under the Thoroughbred Racing Act, the Minister is responsible for establishing a selection panel and also appointing a probity adviser. We provide advice on potential selection panellists as well as probity. We also advise on things like timing for public advertising of the vacancies, timing for the process to be run through a selection panel to interview candidates, make reports to the Minister and then go through Cabinet and so forth.

**The Hon. MARK LATHAM:** Where do you get the names from to put recommendations forward for a selection panel? How do you select the selectors?

**TERRY O'BRIEN:** There are people that have appeared on panels before that we know are appropriate to provide that role or undertake that role. We have regard to the Public Service Commission's appointment standards, which provide guidelines around ensuring that at least one person on the panel has relevant subject matter experience. That guides some of the names that we might provide to the Minister and we can provide some advice around that.

**The Hon. MARK LATHAM:** Do you receive representations from politicians or racing industry participants who contact you and say, "We think so-and-so would be good for this selection panel"?

**TERRY O'BRIEN:** No, not usually.

**The Hon. MARK LATHAM:** Did you receive any representations concerning the panel selected for the replacement of Russell Balding?

**TERRY O'BRIEN:** No.

**The Hon. MARK LATHAM:** No-one from Racing NSW at all contacted you?

**TERRY O'BRIEN:** No.

**The Hon. MARK LATHAM:** Why did you think Mr Dumesny was a suitable person to go forward on the selection panel?

**TERRY O'BRIEN:** He's been a longstanding administrator in racing in New South Wales.

**The Hon. MARK LATHAM:** What's been his experience with thoroughbred racing?

**TERRY O'BRIEN:** He was in harness racing, but he's obviously a very experienced racing administrator.

**The Hon. MARK LATHAM:** While at Harness Racing he established a working and what turned out to be a longstanding friendship with Mr Peter V'landys, so didn't he have a conflict of interest to then be part of the process to select Mr V'landys' boss?

**TERRY O'BRIEN:** As part of the selection process, all panellists made declarations as to any conflicts. The probity adviser oversighted that as well and reported back to the Minister that all conflicts were appropriately declared and managed through the process.

**The Hon. MARK LATHAM:** Did Mr Dumesny declare that conflict?

**TERRY O'BRIEN:** I can't divulge what might've been declared in those documents.

**The Hon. MARK LATHAM:** Did you know of that conflict when you put his name forward?

**TERRY O'BRIEN:** I'm aware that Mr Dumesny and Mr V'landys previously worked together at Harness Racing, yes.

**The Hon. MARK LATHAM:** And have had a long-time association and friendship ever since—you're aware of that?

**TERRY O'BRIEN:** I can't comment on—

**The Hon. MARK LATHAM:** You're aware that they worked together at Harness Racing?

**TERRY O'BRIEN:** I'm aware that they worked together. I can't comment on the nature of their friendship.

**The Hon. MARK LATHAM:** You didn't consider that to be a conflict of interest—that Mr Dumesny could help select Mr V'landys' boss?

**TERRY O'BRIEN:** No, because Mr V'landys wasn't associated with the selection process.

**The Hon. MARK LATHAM:** I think most people—the CEO of an organisation would like to have their best friend picking the chair of the board. So that was your recommendation, Mr O'Brien? You take responsibility for putting Mr Dumesny forward, knowing the relationship with V'landys?

**TAREK BARAKAT:** If I might just say, Mr Latham, the list that goes to the Minister is a long list. The Minister selects from the list. Mr O'Brien did not recommend Mr Dumesny to be on the selection panel. He was just on a list that the Minister could choose from.

**The Hon. MARK LATHAM:** He put him on the list. How many were on the list, Mr O'Brien?

**TERRY O'BRIEN:** I'd have to take that on notice. There's probably about 20 names altogether. We generally put up quite a long list of people.

**The Hon. MARK LATHAM:** Who was the probity adviser? Let me guess, O'Connor Marsden.

**TERRY O'BRIEN:** No, it wasn't.

**The Hon. MARK LATHAM:** No? What a shock. Who was it?

**TERRY O'BRIEN:** APAC Probity.

**The Hon. MARK LATHAM:** Could I go to you, Mr Barakat. In your work as deputy secretary with responsibility for racing, is there a government policy about media access to racing facilities, given all the public money and ownership of land that goes into these particular facilities?

**TAREK BARAKAT:** Media access, as in access of the media to—

**The Hon. MARK LATHAM:** Public and free speech access—that we understand that racing bodies shouldn't be telling certain organisations, "You no longer have accreditation to have a media pass for accessing a racecourse because of your views."

**TAREK BARAKAT:** There's not a policy of that nature that I'm aware of, no.

**The Hon. MARK LATHAM:** Are you aware that The Thoroughbred Report has been kicked off ATC racecourses because of their views about the sale of Rosehill?

**TAREK BARAKAT:** I'm not aware of that.

**The Hon. MARK LATHAM:** Does that concern you and do you think we need a policy which enshrines some principles of media access and free speech—that an organisation like that shouldn't be denied access to a media pass for ATC racecourses just because they have a contrary view on Rosehill?

**TAREK BARAKAT:** I'm happy to answer factual questions, Mr Latham, but I'm not really here to offer my opinion about whether or not something should be in place.

**The Hon. MARK LATHAM:** What policies have you got about racing?

**TAREK BARAKAT:** Can you be more specific about the policies you're looking—

**The Hon. MARK LATHAM:** A government department normally has a policy for its responsibilities. Do you have policy statements in any of the areas of racing administration in New South Wales?

**TAREK BARAKAT:** We have a different role in relation to racing than we do in relation to liquor, gaming and wagering. The racing controlling bodies are the commercial and regulatory bodies, aside from Greyhound Racing NSW, with oversight of their respective racing codes. I would expect that they would have policies and procedures in place to address some of the things that you've spoken about today.

**The Hon. MARK LATHAM:** As a general principle, is there any government policy about the best way of administering integrity responsibilities in the three codes?

**TAREK BARAKAT:** Not specific to the three codes, but there are many government policies in relation to integrity and accountability that would be applicable to government departments. But, again, Racing NSW, Harness Racing NSW and Greyhound Racing NSW are not government departments. They're constituted separately and are independent from the Crown.

**The Hon. MARK LATHAM:** So, from your perspective, they look after the integrity matters and that's their responsibility without a general policy of government as to how they should do it structurally?

**TAREK BARAKAT:** That's my understanding.

**The Hon. EMMA HURST:** I have questions for Acting Commissioner Lea Drake, as well as Steve Griffin if I have time to ask him a couple of questions.

**PHILIP CRAWFORD:** Could I just respond to Mr Farlow. Mr Weeks was paid, between 2022 and 2024 July, \$1.5 million.

**The Hon. SCOTT FARLOW:** Thank you, Mr Crawford.

**The Hon. EMMA HURST:** Acting Commissioner Drake, thank you so much for coming today. I really appreciate your time. I've spoken with multiple former employees of Greyhound Racing NSW and GWIC who are concerned. They'd like to give evidence at one of your inquiries or put in a submission, but they're very nervous about the effect of non-disclosure agreements that they have signed. Can I get a confirmation from you that if they make a submission or if they give evidence as part of your inquiry they will be protected from any legal proceedings from those NDAs?

**LEA DRAKE:** No, I can't give you that undertaking. I intend to examine the application for confidential evidence on a case-by-case basis, as each person applies. And as each person applies, if there's a ground for having their evidence to be private, then I will keep the evidence private. But I can't give you a blanket undertaking about any such outcome. As to what is or is not the binding nature of any confidentiality clause in the agreements, it's a matter about which each person needs to get some advice. It doesn't seem to me to be something that would inhibit their ability to give evidence, from a quick look. But that's not my legal advice, and I can't give a blanket undertaking. Applications for privacy and confidential evidence will be considered case by case.

**The Hon. EMMA HURST:** If somebody does apply to give confidential evidence, then that should help ensure that they aren't getting any legal proceedings under an NDA? Because I note there's a lot of nervousness.

**LEA DRAKE:** Under a what?

**The Hon. EMMA HURST:** Sorry, under the NDAs, the non-disclosure agreements.

**LEA DRAKE:** I couldn't hear you, sorry.

**The CHAIR:** You will have to repeat the question, Ms Hurst.

**The Hon. EMMA HURST:** My question was that if somebody was to give that confidential evidence, could they then be protected from legal proceedings within the non-disclosure agreements?

**LEA DRAKE:** I've got no idea about that. They'd have to get independent legal advice.

**The Hon. EMMA HURST:** It's just that a lot of these people don't have the funding to be able to get their own legal advice, and there are many people. My concern is that if they're too worried to come forward because

they're worried about the effects of non-disclosure agreements, then a lot of these people won't give evidence at the inquiry. Do you see that as a hurdle as well?

**LEA DRAKE:** I see it as a reason why I would consider each application on its merits and consider a private hearing. I'm aware of the concern. It's been expressed to me as well.

**The Hon. EMMA HURST:** Will the hearing on 16 September be open to the public?

**LEA DRAKE:** The opening will be.

**The Hon. EMMA HURST:** The opening will be?

**LEA DRAKE:** Yes, but not the evidence of each person. That person-by-person evidence will be confidential. But there will be an opening and a statement made by either me or counsel assisting, so far as I'm aware at the moment.

**The Hon. EMMA HURST:** Mr Griffin, this morning I was asking about the deaths of Alby and Katana. I know that GWIC was also cc'ed on those emails. Could I find out what GWIC did in response when they received those emails in June?

**STEVE GRIFFIN:** I think the emails contained a necropsy report—it was attached to those emails in relation to each of those greyhounds—that had been conducted. I passed them on to our chief veterinary officer just for some advice. GWIC does not have any remit in relation to those US rehoming programs, so there was no action for us to take.

**The Hon. EMMA HURST:** Going back to Commissioner Drake, if I've got some time left, can I get an understanding around the timeline of the inquiry and, if you have any understanding at this point in time, how many hearings you plan to hold?

**LEA DRAKE:** The hearings commence on 16 September. I have set aside two weeks—two hearing blocks of one week. I have made provision tentatively in case there is need for further dates. I'm due to deliver my report on 13 December. The time for submissions has been extended by one fortnight. That was in response to somebody who wasn't represented by lawyers and was having difficulty with getting it done in time. I thought it reasonable to extend the time for submissions by an additional fortnight.

**Ms ABIGAIL BOYD:** Mr Griffin, looking at the Brittan report, which I'm sure you have read and digested, one of the bits that stuck out for me was the statement, "It could appear that GWIC are being weak and not prosecuting known veterinary offenders." We have had a discussion in a previous estimates hearing about a particular vet who was performing pin firing on greyhounds. I understand that in that case there was no prosecution undertaken by GWIC. Is that correct? Are there any vets that GWIC has actually prosecuted?

**STEVE GRIFFIN:** We don't regulate vets; the Veterinary Practitioners Board of NSW does. We made a referral of that matter to the VPB.

**Ms ABIGAIL BOYD:** I understand that in some of those cases the veterinary board comes back and says, "We can't do anything because there's no known offence." If you have referred something like that to the VPB, are you following it up to check something has been done?

**STEVE GRIFFIN:** Yes, we are. We're attempting to enter into an MOU with the VPB for exchange of information and passing on information about various things that we see and observe from vets operating within the industry. We always continually check up. I don't think they've progressed that matter—that I'm aware of—in terms of any disciplinary or other action.

**Ms ABIGAIL BOYD:** I understand that they can't because there has been no prosecution. There seems to be a bit of a gap there if GWIC isn't prosecuting these vets for offences. This is not necessarily a breach of the veterinary code; this is a breach of the greyhound welfare code. Why aren't you prosecuting vets?

**STEVE GRIFFIN:** We can't because veterinary surgeons are not participants. GWIC can only take action against industry participants.

**Ms ABIGAIL BOYD:** Is that similar for the vet that was mentioned in the Brittan report? I understand GWIC performed search and seizure in relation to that particular vet.

**STEVE GRIFFIN:** That particular vet was a former racing participant. There is some action that I can't talk about any further.

**Ms ABIGAIL BOYD:** I understand. There is an MOU being progressed in relation to the other issues?

**STEVE GRIFFIN:** Being sought with the VPB so that we can exchange information in relation to information we receive in relation to vets and their activities within the greyhound racing industry that we may think are an issue professionally.

**Ms ABIGAIL BOYD:** Would it help if there were some other powers given to you under regulation to help you prosecute these vets directly, even if they're not participants but are involved in the greyhound industry?

**STEVE GRIFFIN:** That's a matter of Government policy.

**Ms ABIGAIL BOYD:** I asked a question on notice about how many times GWIC had commenced prosecutions under POCTAA. I understand the response was on four occasions. Is that ever?

**STEVE GRIFFIN:** Yes, ever. No, it was actually three occasions. Two were withdrawn and one went through the court system to finality.

**Ms ABIGAIL BOYD:** So every other breach of the rules has been through a disciplinary procedure through GWIC?

**STEVE GRIFFIN:** They have.

**Ms ABIGAIL BOYD:** Even where an offence could be made out under the Act?

**STEVE GRIFFIN:** An assessment is made whether there's sufficient evidence to proceed under POCTAA. Obviously, we take the disciplinary process, which can be dealt with very quickly, and that can be dealt with under the racing rules. Then a decision is made, based upon legal advice, of the success or otherwise of a brief of evidence if there is a breach of POCTAA to determine whether it should be pursued in the local courts.

**Ms ABIGAIL BOYD:** We're getting a bit of a weird situation, though, where cruelty and neglect to greyhounds is dealt with as a lesser offence than if it was to another dog outside of the industry, particularly when it comes to offences that now might carry with them exclusion of being able to have other animals. Do you think it's appropriate that GWIC isn't prosecuting those extreme offences through the courts?

**STEVE GRIFFIN:** We are. We have a couple of cases on at the moment in relation to both pursuing under POCTAA and section 39 of the Greyhound Racing Act, which also has a two-year term of imprisonment. We are pursuing matters where we believe we have a strong case to proceed in the local court. The rules of evidence for a proceeding in a criminal court are a higher standard—the burden of proof—than it is to deal with things in the disciplinary space. Sorry, Chair, I want to correct the public record. In response to the earlier question about who paid for the trip to the US, it was Greyhound Racing NSW that paid for accommodation and flights, but we paid for the staff incidentals.

**The CHAIR:** Thank you for that.

**The Hon. SCOTT FARLOW:** Could I ask Ms Mackaness to come up, please? You've got a bit of forewarning of what these questions are from the Minister's earlier session.

**CAROLINE MACKANESS:** Yes, I've got one answer on my phone.

**The Hon. SCOTT FARLOW:** Ms Mackaness, is the Government on track to achieve outcome targets in supporting veterans at risk of and experiencing homelessness?

**CAROLINE MACKANESS:** Homelessness is a really tricky issue generally, because it's very hard to collect homelessness data by the nature of homelessness. There have been a number of national studies, and there is an indication that veterans are at high risk of homelessness. That is known, but there is no hard data for New South Wales as such. I'll look up my very helpful answer. We have some indications through different sources—street counts and so forth. Sydney is very good at doing street counts, and they do identify veterans. I can say that the best thing we're doing is working with Homes NSW to try to increase services and provisions that can cater for veterans.

We also work very closely with the ex-service organisation landscape. You'd be familiar with RSL LifeCare. They have the Homes for Heroes program. They're ramping up their services because veterans are most likely to reach out to veterans or to veterans services to couch surf with other veterans. To provide supports that they can access through those existing networks is the best thing we can do. We're working very closely with the New South Wales Government and also with ex-service organisations. The other thing that we're doing is working very closely with the hub network that is being rolled out across the State through Commonwealth funding. We're connecting New South Wales government services into those hubs very actively so that if veterans and their families go to those hubs for supports, they can be directed to the appropriate New South Wales government services from there.

**The Hon. SCOTT FARLOW:** Who within your office is undertaking this work? Have you got a team? I know your office is 13 people.

**CAROLINE MACKANESS:** We've actually currently got 15. We've got one extra staff member helping with the forward work on the new Veterans Strategy. We work very much by leveraging, coordinating and collaborating. We work with the Commonwealth Government, with our own colleagues in the State Government and with the broader landscape. We've met with Homes NSW on a number of occasions now. There is Commonwealth funding being rolled out that some of the ex-service organisations are applying for. In the HAF Fund, the Housing Australia Future Fund, there are some opportunities for homelessness as well.

**The Hon. SCOTT FARLOW:** You mentioned the upcoming Veterans Strategy. What are some of the timelines and milestones that you've got in place for its preparation?

**CAROLINE MACKANESS:** We're on track. We are obviously leveraging the existing strategy, which had a lot of work put into it and also benefitted from a lot of the Commonwealth research. We have been working over the last couple of years to respond to the royal commission. We have been working with all of our colleagues in State. We're very aware of the propositions and the issues that are being raised through the royal commission. We're waiting for the report to land on Monday. We'll look at their recommendations. That will inform it as well. We've recently written to all secretaries, from our secretary to all agencies that might have an interest in veterans, including Homes NSW, Corrections, emergency services et cetera. Everyone is aware of the new strategy. We're reminding them of things they have already committed to and reporting on the existing strategy and then whether they continue or offer to do new things into the next strategy.

In parallel to that, at an officer level we work very closely, of course, across the whole of government with colleagues in areas that are particularly relevant to veterans. We've been doing officer-level follow up to develop some programs. We've also taken a number of opportunities at forums. We had a forum on the Central Coast. We had a forum down in Nowra where we actively asked the veteran community the sorts of things they'd like to see in the strategy. We meet regularly with the key ex-service organisations—RSL NSW, LifeCare, Families of Veterans Guild and Legacy. We're talking to them about the forward strategy. Effectively we use whatever opportunities we can to network. We had a forum online with our own colleagues in the department and veterans, and asked them for their inputs as well. Hopefully it'll be really robust, with slim resources, but leveraging the whole State as best we can.

**The Hon. SCOTT FARLOW:** With respect to those resources and the funding, you outlined that you've got one additional staff member who is working on this project. What is your entire funding envelope for being able to prepare this strategy?

**CAROLINE MACKANESS:** We've been fortunate. The department does support us very well. It isn't a large budget. I'll just check my papers to give you the exact figure. Our whole budget for this financial year is \$8.95 million. An extra million has gone to the Anzac Memorial this year for some really critical maintenance works. It's the ninetieth anniversary, so \$5.075 million of the \$8.95 million is going to the Anzac memorial this year.

**The Hon. JACQUI MUNRO:** Dr Levesque, I am interested in the New South Wales Medical Research Support Program and the ongoing funding. Earlier in the year there were questions about how much money would be allocated to the program. Is there money in the budget and over the forward estimates for that program?

**JEAN-FRÉDÉRIC LEVESQUE:** Yes, the money for the Medical Research Support Program comes from the New South Wales base budget in the budget that is allocated to my division. We have a provision for the next four years as part of the announcement. That has been the case for eight years.

**The Hon. JACQUI MUNRO:** How much is it?

**JEAN-FRÉDÉRIC LEVESQUE:** The way the program works is that there are criteria that we use to determine the allocation that is provided to the different centres, depending on their scientific productivity. Before we have the full proposals, assess them and then allocate the resourcing, we're not sure of the full amount. We've got \$40 million available for the next financial year to allocate to the program.

**The Hon. JACQUI MUNRO:** How many applications are you receiving every year, generally?

**JEAN-FRÉDÉRIC LEVESQUE:** The way the program works is that it's a four-year allocation. The process started in the last financial year to get into the next four-year round. We're currently assessing the applications that we received using the usual peer-review committees. It's usually research institutes that are known that apply for this program, given the fact that the eligibility criteria are very clear. As I said earlier, not all research centres or units are eligible for that program.

**The Hon. JACQUI MUNRO:** How many have applied and, in the past, how many have received funding under the program?

**JEAN-FRÉDÉRIC LEVESQUE:** Just give me one minute so I can tell you about the previous recipients. In the previous round of the program 13 institutes received funding over the past four years.

**The Hon. JACQUI MUNRO:** And how many applied for this new four-year period?

**JEAN-FRÉDÉRIC LEVESQUE:** I don't have that information. The review committee has received various proposals. We'll receive the report and the recommendations from the committee. But at the moment I don't have the information about the number of applicants.

**The Hon. JACQUI MUNRO:** I assume that report is kept private. Is that right?

**JEAN-FRÉDÉRIC LEVESQUE:** Yes, it's the proceedings of a peer-review committee. What will be announced are the selected institutes.

**The Hon. JACQUI MUNRO:** Do you get feedback from the organisations that receive money through this program that indicates that any changes are needed to the criteria, for example, or that the process for applications needs to be amended or updated?

**JEAN-FRÉDÉRIC LEVESQUE:** We do receive feedback on our various programs on a regular basis. With regards to the amount of the allocation, we also follow the guidelines from the National Health and Medical Research Centre and we're well within the proposals or guidelines with regard to the funding of indirect costs for research, which is the aim of the MRSP.

**The Hon. JACQUI MUNRO:** The terms of the program haven't changed from the last round to this round? Is that right?

**JEAN-FRÉDÉRIC LEVESQUE:** There was a slight adjustment in the cap for the program. That was due to financial constraints and the fact that we have other priority programs that also need to receive funding and where we had commitments before. But those adjustments keep the program within the recommendations from the NHMRC towards the higher level in the brackets.

**The Hon. JACQUI MUNRO:** What was that adjustment—from what and to what?

**JEAN-FRÉDÉRIC LEVESQUE:** The program was adjusted from \$44.5 million to \$40 million. We reallocated \$4.5 million for a priority program on viral vector manufacturing.

**The Hon. JACQUI MUNRO:** Does the Government have any programs that link medical research programs to the aerotropolis development?

**JEAN-FRÉDÉRIC LEVESQUE:** Not that I'm aware of. We don't have specific programs from health and medical research that link with that.

**The Hon. JACQUI MUNRO:** Are there any Western Sydney programs—Westmead, I guess, is the primary example.

**JEAN-FRÉDÉRIC LEVESQUE:** Yes, of course. We have various programs that relate to health research and innovation precincts, including programs at the Westmead precinct, including the viral vector manufacturing facility and some programs that we've also supported in bacterial phage therapies.

**The Hon. JACQUI MUNRO:** Which innovation precincts do you have programs operating in?

**JEAN-FRÉDÉRIC LEVESQUE:** We've got various levels of collaborations and funding through different streams to most of the precincts. We've got dedicated precinct funding allocated to the Westmead precinct more specifically for some of the commercialisation and training.

**The Hon. JACQUI MUNRO:** Are you involved in any projects in the Macquarie Park innovation district?

**JEAN-FRÉDÉRIC LEVESQUE:** Yes, we are collaborating with the office of the chief scientist on the RNA pilot manufacturing facility.

**The Hon. JACQUI MUNRO:** The space that you're using there, where is that? Is that guaranteed in some way? How is that provided?

**JEAN-FRÉDÉRIC LEVESQUE:** That's a question that I think would be better answered by the chief scientist given the fact that they're leading the program of work. But there's a space and a build project going on in Macquarie Park for the RNA manufacturing facility.



**The Hon. JACQUI MUNRO:** I definitely will ask him that, thank you.

**The Hon. SCOTT FARLOW:** Mr Crawford, the Bergin inquiry many years ago found that Crown wasn't at the time fit to be able to take its casino licence. Subsequent to that, Crown's licence has of course been issued under Blackstone as its new owner. Does the licence still remain conditional?

**PHILIP CRAWFORD:** No, no, no, we found them suitable to hold an unconditional licence and announced that a couple of months ago.

**The Hon. SCOTT FARLOW:** With respect to that, are there any further reporting obligations that they have?

**PHILIP CRAWFORD:** Significant.

**The Hon. SCOTT FARLOW:** What would they be?

**PHILIP CRAWFORD:** We're keeping a close eye on them, and we imposed a number of conditions and directions on them at the time we found them suitable, particularly to keep in place, if you like, the regulatory structure we put in place around key areas of concern like AML. It's a big company. People will come and go, but we want to make sure the integrity of the regulatory structure within the company remains consistent.

**The Hon. SCOTT FARLOW:** With respect to the delivery that your agency is undertaking, when it comes to the development and publication of key governance documents, are they all undertaken now?

**PHILIP CRAWFORD:** Is this at Crown?

**The Hon. SCOTT FARLOW:** No, this is with respect to the NICC.

**PHILIP CRAWFORD:** Absolutely.

**The Hon. SCOTT FARLOW:** In terms of the Bergin recommendations, are they now all implemented?

**PHILIP CRAWFORD:** Yes, I think they are. I'm sorry, I haven't checked. I'll come back to you, but, no, I think they are.

**The Hon. SCOTT FARLOW:** That's fine. You can take that on notice.

**PHILIP CRAWFORD:** Yes.

**The Hon. SCOTT FARLOW:** Has there been an updated internal control manual that has been developed for The Star on the basis of both the Bergin inquiry and the Bell report?

**PHILIP CRAWFORD:** Absolutely, yes, there has been.

**The Hon. SCOTT FARLOW:** So that has all been undertaken?

**PHILIP CRAWFORD:** Yes.

**The Hon. SCOTT FARLOW:** Has there yet been the implementation of a new casino operator disciplinary and complaints process and breach reporting guide?

**PHILIP CRAWFORD:** Yes, that has been implemented.

**The Hon. SCOTT FARLOW:** I note that with respect to the NICC you also invite public comment when it comes to any allegations or concerns in terms of casinos. How many public reports have you received in the last financial year?

**PHILIP CRAWFORD:** I get the odd letter directed to me. I would have thought three, maybe four in the past 12 or 18 months. Not many.

**The Hon. SCOTT FARLOW:** So you're not being inundated?

**PHILIP CRAWFORD:** I'm not being inundated, no.

**The Hon. SCOTT FARLOW:** What's the process that you undertake after you receive these items of correspondence?

**PHILIP CRAWFORD:** We obviously have a good look at the nature of the complaint, and if we need to take it any further, we talk to our colleagues at Liquor and Gaming and we decide any course of action, but that seldom happens. Normally I write back in response to any specific query. Sometimes it's just complaints without any follow up.

**The Hon. SCOTT FARLOW:** Is the Gambling Harm Minimisation Advisory Committee constituted now?

**PHILIP CRAWFORD:** It is. We had a full meeting last week and it was terrific, really good.

**The Hon. SCOTT FARLOW:** How many members does that committee have?

**PHILIP CRAWFORD:** Five.

**The Hon. SCOTT FARLOW:** How often will that committee be meeting?

**PHILIP CRAWFORD:** We're meeting again in two months time. We had thought of quarterly but we'll do it a bit more often. We had quite an active meeting last week, came up with some really good ideas and we agreed that in eight weeks time we'll get together again. We have some action items in the meantime.

**The Hon. SCOTT FARLOW:** Is the Minister invited to attend those meetings?

**PHILIP CRAWFORD:** Not at the moment. I haven't thought of that to be honest. We're just getting together a process and we'd like to get a bit of a roll along before—but happy to invite him along if he has time. He is a busy man.

**The Hon. SCOTT FARLOW:** Indeed. He has a lot of portfolios to look after as we see today and a lot of independent agencies to deal with as well. Has the Australian Council of Gaming Regulators been established now?

**PHILIP CRAWFORD:** Yes, it has been.

**The Hon. SCOTT FARLOW:** How many meetings has that had to date?

**PHILIP CRAWFORD:** I'll have to come back to you on that, but we're pretty active in terms of our interaction with our interstate colleagues. It's quite active and we talk to them quite frequently.

**The Hon. SCOTT FARLOW:** I take it, Mr Crawford, that you attend meetings of that council?

**PHILIP CRAWFORD:** I do, yes.

**The Hon. JACQUI MUNRO:** Mr Hamilton, the Minister noted that with Aboriginal procurement it may be better directed towards the Minister for Finance. But I just wanted to understand, are you assisting their response in any way or are you able to provide stakeholder feedback into that process to assist with the Government response? Have you been doing that?

**SHANE HAMILTON:** We're not assisting them, but they've consulted with a number of different agencies and we've been one of them and provided feedback.

**The Hon. JACQUI MUNRO:** Are you going to see the report before it gets made public, the response?

**SHANE HAMILTON:** I would imagine so. I haven't heard when, but I'd imagine we'd get that.

**Ms ABIGAIL BOYD:** Mr Griffin, I just wanted to talk to you about the rates of serious injury versus deaths of greyhounds on tracks. My understanding is that injury rates are increasing but on-track deaths are decreasing. Is that correct?

**STEVE GRIFFIN:** That's correct. On our website, we just released yesterday the most recent racing injuries and life cycle report, so you're welcome to have a look at those, which gave a picture of how things went in 2023-24. There were 22 on-track deaths last financial year, which is a 68 per cent reduction on the previous year—from 68 down to 22. Seventeen of the 22 were actual euthanasias; the other five were sudden deaths that occurred after the greyhound had raced. There has been a substantial reduction of obviously deaths from racing itself. From when the commission was first established, it was 97 in 2018. Serious injury rates have started to come down as well.

**Ms ABIGAIL BOYD:** With those injuries that happen on the track but then the dog is taken off track and a number of things can then happen to the dog, has GWIC done a longitudinal study of seeing if those dogs are then euthanised off track? What's happening with those dogs?

**STEVE GRIFFIN:** Our Chief Veterinary Officer always follows up with the triaging veterinary surgeon that the greyhound is sent to under the Greyhound Care Scheme. We report on if there's a subsequent euthanasia in our injury report. You'll see a separate table within that report that will set out the number of greyhounds. The number's very small. I think for the last quarter it was three. We also obviously monitor what the outcomes are in terms of treatment. We've been asking Greyhound Racing NSW to consider making that public. It would be very transparent in the fact that greyhounds that go through the Greyhound Care Scheme—it would be interesting and

people should know how those greyhounds fair in terms of their treatment post those programs. We're encouraging them to do that.

**Ms ABIGAIL BOYD:** That would be very useful.

**The Hon. JACQUI MUNRO:** Mr Barakat, with the Wentworth Park contract, I understand that it's coming up for expiry in 2027. Is your department engaging with Greyhound Racing NSW to lock something in? What is your department up to in that process?

**TAREK BARAKAT:** I think the licence expires in 2027 and it's really a matter for Greyhound Racing NSW and the Greyhound Breeders, Owners and Trainers Association—GBOTA—to put forward a business case for consideration of use of that site. Ultimately, the decision on the future of Wentworth Park is one for Government. I think Minister Kamper, as the Minister for Lands and Property, would be responsible for determining the business case.

**The Hon. JACQUI MUNRO:** Have you received any sort of business case yet from Greyhound Racing NSW?

**TAREK BARAKAT:** We haven't, no.

**The Hon. JACQUI MUNRO:** Are you expecting to? Do you have a timeline that you're locked into? What's the latest date that they can get a business case to you?

**TAREK BARAKAT:** Really this is solely a matter for Greyhound Racing NSW and GBOTA. It's not something the department has a role in. The timing of the business case is really a matter for them. One would expect that they'd want to get something in sooner rather than later. That would be my view.

**The Hon. JACQUI MUNRO:** Fair enough. What is your department's role in getting that business case? Are you going to evaluate it and then present it to the Minister?

**TAREK BARAKAT:** We'd have to figure that out, I think. There might be a role for Infrastructure NSW, for example, in assessing the business case and providing a cost-benefit analysis. Treasury may have a role to play as well. But, as I said, obviously Crown Lands would need to be involved as Minister Kamper is the responsible Minister for determining the outcome.

**The Hon. JACQUI MUNRO:** Ms Mildwater, did you want to say something?

**ELIZABETH MILDWATER:** I was just going to say what Mr Barakat said at the end: It isn't actually our department. It's not Liquor and Gaming or Hospitality and Racing's function to assess the business case; it is owned by another department.

**The Hon. JACQUI MUNRO:** So there is really no role for this department?

**ELIZABETH MILDWATER:** We might be asked to have input because of the expertise, but it would be owned by the other department.

**The Hon. JACQUI MUNRO:** Just to clarify, what expertise would you be using to provide information: on the validity of claims made, for example, about profitability?

**ELIZABETH MILDWATER:** No, I think the expertise I was talking about was the racing expertise, if they had particular questions about the racing aspect. But the business case aspect—it wouldn't be our role to assess that.

**The CHAIR:** Thank you, Ms Mildwater. It is now time for a break. We will reconvene at 3.45 p.m. Thank you all.

**The Hon. SCOTT FARLOW:** Before we do so, I suspect there are some witnesses we might be able to release.

**The CHAIR:** If we can, we will release them.

**(Philip Crawford, Elizabeth Mildwater, Shane Hamilton, Caroline Lamb, Caroline Mackaness, Jean-Frédéric Levesque, Terry O'Brien and Kate Meagher withdrew.)**

**(Short adjournment)**

**The CHAIR:** Thank you for returning, and commiserations that you didn't get an early mark. We now return to questions from the crossbench and the last person standing is Ms Boyd.

**Ms ABIGAIL BOYD:** Thank you, and I will try to go as quickly as I can so that people can get an early mark. Mr Griffin, I just want to capture a couple of the final questions in relation to the Aussie Mates in the States program. The death of Jazzie, who is the one that most likely died in transit through that sort of rapid ingestion of air—has there been a vet review of the post-mortem?

**STEVE GRIFFIN:** I believe so, but I'm not aware of the outcome of that.

**Ms ABIGAIL BOYD:** Is that something you can take on notice to provide?

**STEVE GRIFFIN:** Sure.

**Ms ABIGAIL BOYD:** Thank you. Is it true that there had been a direction, as far as you know, to GAP staff that they work to meet quotas on the number of greyhounds that were being sent to the US? Are you aware if there is a quota scheme for numbers of greyhounds being sent or any other kind of financial incentives?

**STEVE GRIFFIN:** I was not aware of that, no.

**Ms ABIGAIL BOYD:** I understand that the GAP manager expressed concerns at Wyee that she was having to send greyhounds inadequately prepared for rehoming to meet those quotas. Is that something that you know about?

**STEVE GRIFFIN:** That issue is subject to the Wyee investigation and that report has been referred to Commissioner Drake for further inquiries as part of the terms of reference. It wouldn't be appropriate for me to comment any further in relation to that.

**Ms ABIGAIL BOYD:** Understood. Can I confirm, because of what you were saying before, that once these greyhounds are going into the GAP program and then eventually some of them are taken to the US, GWIC has no oversight then of those greyhounds? Do we have any idea what happens to them once they're there from a regulatory perspective, or is that the end of the story from your perspective?

**STEVE GRIFFIN:** Correct. Jurisdictionally, we have no remit because once a greyhound has gone away from a participant, we no longer have regulatory remit.

**Ms ABIGAIL BOYD:** Do you know if people who are surrendering their greyhounds into the GAP program know if those greyhounds are going to go overseas?

**STEVE GRIFFIN:** I couldn't tell you.

**Ms ABIGAIL BOYD:** One of the things that was suggested in the Brittan report was that we have what it called lethality indices of different tracks that should be published by Greyhound Racing NSW so we can see then the comparative information on the track-specific injury rates. Is that something that you think would be a good idea? Would that need to come as a ministerial direction or is that something that GWIC could suggest?

**STEVE GRIFFIN:** I think that will be something that Commissioner Drake will examine as part of her terms of reference and report back to Government on.

**Ms ABIGAIL BOYD:** I understand at the moment that, under the rules, New South Wales dogs can't run on consecutive days, but in the UK, for instance, they have a rule that you can't run more than once in a four-day period. Has that been considered in New South Wales as something that we might change or look into?

**STEVE GRIFFIN:** Yes, we are continuing to look at the evidence in relation to those aspects to see whether there is any evidence to suggest whether the current rules that relate to racing frequency are inadequate. Generally, our analysis has shown that the majority of greyhounds are raced—I think it's 9.2 races per three-month period, so there are not very many greyhounds that are racing very frequently at all. Really, we need to have a look at the evidence that relates to injuries and racing frequency, and there is not a lot of research that's been done in this space.

**Ms ABIGAIL BOYD:** I've had a number of people tell my office, and I also saw in the Brittan report, this suggestion that although there are socialisation rules for greyhounds in the industry, that's very rarely checked up upon. Is it something that GWIC looks at in terms of the socialisation of greyhounds, particularly in those early years?

**STEVE GRIFFIN:** We check that the owners and trainers have got a socialisation and enrichment plan as required under the code of practice. I think the true test of that is picked up as greyhounds are seeking to become rehomed. We're starting to get information back from Greyhound Racing NSW, particularly at that GAP program, in relation to some participants where the greyhounds really aren't well socialised. I understand one of the biggest barriers to rehoming greyhounds quickly is the fact that some of them just simply aren't being socialised—put with a family and around other animals so they don't attack and become aggressive. That's the reason why within

the code of practice there is a requirement to have a socialisation and enrichment plan and then follow that. We will check that there's a plan. Now we're getting information back about those participants where, clearly, their greyhounds haven't been socialised.

**Ms ABIGAIL BOYD:** That's really handy to know. So you're getting that information back from Greyhound Racing NSW?

**STEVE GRIFFIN:** Correct.

**Ms ABIGAIL BOYD:** So far, has any greyhound industry participant been penalised for a lack of socialisation by GWIC?

**STEVE GRIFFIN:** No. It's still in early days so it's a matter of watching that. We're also watching with great interest and taking more compliance action in relation to trainers that are attending race meetings with injured greyhounds.

**Ms ABIGAIL BOYD:** The 50 dogs that were mentioned in the Brittan report that were killed, supposedly for behavioural reasons—is that something that GWIC has looked into?

**STEVE GRIFFIN:** That's something that—again, Commissioner Drake will examine the contents of the Brittan report. I won't be able to comment any further in relation to that.

**Ms ABIGAIL BOYD:** In the Brittan report, the former chief vet talks about two vets who are apparently well known for euthanising dogs—someone to whom is easy to go to get them to euthanise. Has any action been taken by GWIC in relation to investigating if that allegation is true?

**STEVE GRIFFIN:** We closely monitor euthanasia rates, as you can tell by our quarterly reports, and monitor veterinarians who are involved in euthanasia of greyhounds within industry.

**Ms ABIGAIL BOYD:** I remember during the GWIC inquiry that we had a couple of years back there were a lot of trainers talking about snake bites being the reason for the death of their dogs. Is that something that GWIC ever looks to do a post-mortem on or to validate?

**STEVE GRIFFIN:** Absolutely. We monitor the death reports and the causes of death. Again, you'll be able to see in our quarterly report that we monitor those and report on those. We also keep an eye out for trainers that have an inordinate number of deaths in that regard. Then we will place a condition on their registration that if there is any subsequent death, they have to go and get their greyhound, if it dies, to get an autopsy done and provide it to the commission.

**Ms ABIGAIL BOYD:** Have there ever been any prosecutions against anyone for—

**STEVE GRIFFIN:** No prosecutions, but we have asked for autopsies.

**Ms ABIGAIL BOYD:** As part of the eTrac upgrade to the register, a large number of greyhounds were removed from the register because we had lost track of them over time. To start the eTrac register fresh, we've lost those dogs, but there has never been any public explanation of why we couldn't locate those dogs. Is there anything forthcoming around—

**STEVE GRIFFIN:** Yes, we're just about to announce the results of the first wave of eTracking, which finished at the end of last year. I can report that over 98 per cent of greyhounds were accounted for. Only 346 greyhounds weren't accounted for as part of the first tranche of eTracking. That involves 73 participants and former participants. Of that 346, about just under half are greyhounds that are attached to former participants that have left the industry over the last couple of years. We're still chasing those up, but we believe that they probably took the greyhounds with them when they left the sport or had them rehomed without telling us. Nevertheless, we're chasing up each one of those participants and former participants and will hold them to account if they can't give us a very good reason to explain where those greyhounds are. We'll issue some more media in relation to that very shortly.

I'm also pleased to report that people are really starting to get used to—that was the first year of doing that. They're now getting used to doing it. Even at this stage, we're at 87 per cent for this calendar year, because they're run by calendar year. It's pleasing that they're starting to pick that up. We're introducing nose print recognition next month. That will make it simpler and easier for industry participants to check in and verify their greyhounds because they'll be able to use their own mobile device to do it.

**Ms ABIGAIL BOYD:** There was another mention in the Brittan report around the greyhounds that were being labelled as "rehomed to sell". I've heard from people in the industry who have talked to me about people who are taking money to rehome a huge number of dogs but can't really look after them. They haven't been sold yet; they're being stored. I think in the Brittan report there was a reference to the Coonabarabran case, where a

person had a huge number of dogs that they couldn't really look after. That's still being labelled as rehomed. Is there anything being done in relation to tidying up what we think of as being a rehoming versus a dog that's not quite got to its final home yet?

**STEVE GRIFFIN:** Just a couple of things. Again, I can't go into the Brittan report, because that's part of Commissioner Drake's inquiry. In terms of the data you're referring to—and I believe it was Ms Hurst's Standing Order 52 that sought information relating to the Brittan report—I draw your attention to reports from our doctor of statistics at GWIC, in relation to those aspects of analysis or insights that are contained within the Brittan report and what her views were in relation to that. I think it clarifies the situation for you, in terms of the numbers and rehoming and those sort of things. That aside, in terms of the matter you spoke about at Coonabarabran, there were 37 greyhounds. That was a matter that we did pursue under POCTAA, and we're also finalising disciplinary action in relation to that matter. We didn't proceed with disciplinary action initially because the person was disqualified in another jurisdiction, so we didn't believe we had to do that at that stage. But that disqualification has now ceased, so we're moving to do our own disqualification process.

**Ms ABIGAIL BOYD:** As well as a prosecution?

**STEVE GRIFFIN:** Prosecution is finalised. It was finalised in the Dubbo court back in December. It was a three-year good behaviour bond issued in relation to that, and I think a \$2,500 fine.

**Ms ABIGAIL BOYD:** Mr Griffin, the Wagga six that was mentioned in the Brittan communiqué, where there was a reference made to them being located at a vet and then forgotten about by GWIC. That was the allegation. Are you aware of the status of those six dogs now?

**STEVE GRIFFIN:** I'd have to take that on notice. I don't know. But, again, everything in the Brittan report is subject to Commissioner Drake's inquiry.

**Ms ABIGAIL BOYD:** I understand. But there are people very concerned about the welfare of those dogs right now, and it would be very useful—

**STEVE GRIFFIN:** Sure. I'll take that on notice and come back to you.

**Ms ABIGAIL BOYD:** That is all I have for you. Mr Barakat, just to switch things up slightly, I was asking in the other estimates inquiry, just very briefly before, about these recent allegations around a systemic culture of sexual assault and gendered abuse in the nightclub space. I think previously we talked about—now I've forgotten the name of the program—Where is Angela, is it?

**TAREK BARAKAT:** Ask for Angela.

**Ms ABIGAIL BOYD:** I should know what that is. And also training around being trauma informed and being able to recognise drink spiking et cetera. Is there a role for you to play in terms of the response to those allegations that have been made, or the revelations that have been made in the paper, around that more systemic culture in the hospitality industry?

**TAREK BARAKAT:** There are probably a few things. There are those two campaigns you've mentioned, Ask for Angela and Think Safe to Drink Safe. We've also been working with What Were You Wearing. We engaged with them on Think Safe to Drink Safe, and they've again reached out to us, prior to these allegations being aired, to look into the RSA course—the Responsible Service of Alcohol course—that all people who work in licensed establishments have to complete, whether we can embed a component around sexual violence prevention training, to try and upskill staff in those industries. We're working with them on doing that and upgrading that training. We're also working closely—I think Commissioner Michael Rodrigues has convened a group and has met with the AHA and others to discuss this issue. We'll obviously assist that as well. I'm not sure if you were here when I spoke earlier about the action that we could take against operators, licensees, should the police and SafeWork investigations prove these allegations to be true. There's a range of different things that we can do in this space.

**Ms ABIGAIL BOYD:** It's all happening in the background.

**TAREK BARAKAT:** Yes.

**The CHAIR:** I don't think there's anything more from the Opposition or the Government. Thank you very much to all the officials for your attendance and your evidence today. We very much appreciate it and the work you do for the people of New South Wales. The secretariat will be in contact, in due course, with any questions or matters taken on notice. Thank you all again very much, and good afternoon.

(The witnesses withdrew.)

The Committee proceeded to deliberate.