

# The Hon. Michael John DALEY, MP- Attorney General

Budget Estimates Hearing  
28 February 2025

Supplementary Questions

Question Number	Member	Supplementary Question	Answer
1	Hon Tania Mihailuk	(1) Did Sally Dowling SC follow the NSW Government's Procurement Policy Framework when engaging the services of Sir Max Hill KC and Professor Julia Quilter to review a draft version of the sexual assault review report? (a) If yes, how many respondents were there for the RFT /RFP /RFQ/EOI? (b) If not, then why not?	I am advised:  The ODPP complied with the NSW Government's Procurement Policy Framework (the Framework). Services were procured with one written quote from each expert, as was required under the Framework for services of the contract value referred to in the answer to QON 64.
2	Hon Tania Mihailuk	(2) Has the Office of the Director of Public Prosecutions requested additional funding from the NSW Government for FY 23/24, FY 24/25, or FY25/26? (a) the request approved? (b) If not, then why not?	I am advised:  The ODPP operates on a demand-based funding (DFM) model.  This information is Cabinet information and therefore not available for public release.
3	Hon Tania Mihailuk	(3) Will the NSW Government provide the Office of the Director of Public Prosecutions the funding gap highlighted during budget estimates? ("SALLY DOWLING: Currently, no. We would need more funding for that. Currently there is not sufficient funding." (a) What is the value of the funding gap? (b) If not, then why not?	I am advised:  The ODPP has not yet modelled the fourth-tier review process referred to at p31 of the Sexual Assault Review (SAR) Report to determine what level of funding would be required.

Question Number	Member	Supplementary Question	Answer
4	Hon Tania Mihailuk	<p>(4) Has you, the Attorney General's Office, or the DCJ procured the services of any reportable political donors in each of the past three financial years?</p> <p>(a) If yes, please advise:</p> <ul style="list-style-type: none"> <li>i. The value of each contract;</li> <li>ii. The date each contracted service began;</li> <li>iii. The name of the political party or candidate who received the political donation;</li> <li>iv. The nature of the contracted services.</li> </ul> <p>(b) the DCJ require reportable political donors to disclose their status as a reportable political donor prior to the procurement of their services?</p> <p>i. If not, then why not?</p>	<p>I am advised:</p> <p>With respect to relevant policies, there are Whole of Government (WofG) guidelines that govern the ethics and probity of procurement activities, including suppliers' disclosure of any conflict of interests. However, the 'NSW Procurement Policy Framework' and 'NSW Government Supplier Code of Conduct' does not explicitly prohibit suppliers from making political donations. However, it can be asserted that such matters would require suppliers to self-disclose and agencies would be required to act accordingly to maintain the integrity of the activity</p>
5	Hon Tania Mihailuk	<p>(5) How many hours did Sir Max Hill KC bill for when reviewing the draft sexual assault report?</p> <p>(a) What was his hourly rate?</p>	<p>I am advised:</p> <p>See the answer to QON 64.</p>
6	Hon Tania Mihailuk	<p>(6) How many hours did Professor Julia Quilter bill for when reviewing the draft sexual assault report?</p> <p>(a) What was her hourly rate?</p>	<p>I am advised:</p> <p>See the answer to QON 64.</p>
7	Hon Tania Mihailuk	<p>(7) What was the full cost of the Sexual Assault Review Report?</p>	<p>I am advised:</p> <p>Other than the invoices in relation to the external reviewers (see the answer to QON 64), the cost of the SAR Report was absorbed by the ODPP.</p>
8	Hon Tania Mihailuk	<p>(8) How many FTE staff within the Office of the Director of Public Prosecutions contributed to the development and release of the Sexual Assault Review Report?</p>	<p>I am advised:</p> <p>More than 70 ODPP staff and statutory office holders (including the reviewers, as outlined at p24 of the SAR Report) contributed to the development and release of the SAR Report.</p>

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9	Hon Tania Mihailuk	(9) How many contractors were engaged by the Office of the Director of Public Prosecutions to develop and release the Sexual Assault Review Report?	I am advised:  There were two external reviewers, Sir Max Hill and Professor Julia Quilter.
10	Hon Tania Mihailuk	(10) On page 64 of the uncorrected hearing transcript you stated: "The Hon. TANIA MIHAILUK: Okay. In total there were 17; would any of the other 16 be for similar reasons? SALLY DOWLING: I can't answer that without going back to look at them. The Hon. TANIA MIHAILUK: Will you commit to actually providing some more detail as to the other 16 cases? SALLY DOWLING: I'm not planning to at this moment." (a) How many casefiles of the 17 discontinued matters did Sir Max Hill KC have access to when reviewing your draft report? (b)How many casefiles of the 17 discontinued matters did Professor Julia Quilter have access to when reviewing your draft report?	I am advised:  The ODPP provided both external reviewers with four sample matters which reflected a range of issues and outcomes and included matters that were discontinued as part of the review as well as matters which were to proceed. The reviewers received de-identified copies of the documents used by the ODPP reviewers in their decision-making, totalling 500 pages, as well as a draft copy of the SAR Report. They were not retained to conduct the review, or to approve the decisions made.
11	Hon Tania Mihailuk	(11) Did Sir Max Hill KC and Professor Julia Quilter review only the substance and accuracy of the text that you had written in the draft report provided to them?	I am advised:  No – see the answer to supplementary question 10.
12	Hon Chris Rath MLC (on behalf of the Opposition)	(12) What is the cost of CJsCs?	I am advised:  Refer to transcript of the hearing.
13	Hon Chris Rath MLC (on behalf of the Opposition)	(13) Was the cost of private mediation considered in the decision to close Community Justice Centres?	I am advised:  Yes.

Question Number	Member	Supplementary Question	Answer
14	Hon Chris Rath MLC (on behalf of the Opposition)	(14) What proportion of Community Justice Centre clients are able to afford private mediation? a) Was this factored in to the decision to close Community Justice Centres?	I am advised: The Department of Communities and Justice does not hold this information.
15	Hon Chris Rath MLC (on behalf of the Opposition)	(15) What impact will the closure of Community Justice Centres have on Local Court waiting lists?	I am advised: The impact is expected to be minimal.
16	Hon Chris Rath MLC (on behalf of the Opposition)	(16) Who will Local Court counter staff refer parties to once Community Justice Centres are closed?	I am advised: The appropriate referral point will depend on the issue in dispute.
17	Hon Chris Rath MLC (on behalf of the Opposition)	(17) When will the details of the new in-house mediation service be announced? (a) Where will these in-house services operate? (b) What will be the operating hours of these in-house mediation services?	I am advised: The details of the new service will be made available before 1 July 2025.
18	Hon Chris Rath MLC (on behalf of the Opposition)	(18) When was the decision made to closure the CJsCs?	I am advised: See response to question on notice 15.
19	Hon Chris Rath MLC (on behalf of the Opposition)	(19) What communications were made to organisations and councils about the CJsCs closures?	I am advised: See response to question on notice 46.

Question Number	Member	Supplementary Question	Answer
20	Hon Chris Rath MLC (on behalf of the Opposition)	<p>(20) Last estimates (Budget Estimates pg.49) you answered a question on notice about the outcomes of your consultation and review of the break and enter offences in regard to BA v The King, and said that the consultation raised many complex issues and you could not determine what the outcomes of that process were (pg 15 &amp; 49). Can you now determine what the outcomes of the consultation process were?</p> <p>(a) What stakeholders have you met with in regard to BA v The King?</p> <p>(b) When will legislation be introduced to Parliament to address BA v The King</p>	<p>I am advised:</p> <p>In January 2024, the Department of Communities and Justice provided a targeted discussion paper to the following stakeholders, with consultation closing in March 2024:</p> <ul style="list-style-type: none"> <li>• NSW Police Force</li> <li>• Office of the Director of Public Prosecutions</li> <li>• Judicial Commission of NSW</li> <li>• Legal Aid NSW</li> <li>• Public Defenders NSW</li> <li>• Law Society of NSW</li> <li>• NSW Bar Association</li> <li>• Local Court</li> <li>• District Court</li> <li>• Children's Court</li> <li>• Aboriginal Legal Service</li> <li>• Domestic Violence NSW</li> <li>• Domestic Violence Service Management</li> <li>• Women's Community Shelters</li> <li>• Women's Domestic Violence Court Advocacy Program</li> <li>• Women's Legal Services NSW</li> <li>• Wirringa Baiya Aboriginal Women's Legal Centre</li> <li>• Aboriginal Women's Advisory Network</li> <li>• Women and Girls Emergency Centre</li> <li>• Full Stop Australia.</li> </ul> <p>The Department of Communities and Justice is undertaking further consultation with representatives from the domestic and family violence sector and key legal stakeholders in March 2025.</p>

Question Number	Member	Supplementary Question	Answer
21	Hon Chris Rath MLC (on behalf of the Opposition)	(21) What work has been undertaken by Legal Aid NSW to develop a needs-based funding methodology for CLCs? (a) If the work has been undertaken, why is it not publicly available?	I am advised: Refer to the transcript.
22	Hon Chris Rath MLC (on behalf of the Opposition)	(22) Does the new National Access to Justice Partnership, which begins this July, provide an opportunity to revise the current funding methodology and implement needs-based funding?	I am advised: Refer to the transcript.
23	Hon Chris Rath MLC (on behalf of the Opposition)	(23) What is the current process to determine individual funding allocations to CLCs?	The NSW Attorney General is the decision maker for allocating funding to CLCs.  For information about the funding allocation process for CLCS from 1 July 2025 onwards, refer to the transcript.  All funding to NSW CLCs has been allocated to 30 June 2025. Allocations were determined by the previous State government through procurement processes and to address legal need.
24	Hon Chris Rath MLC (on behalf of the Opposition)	(24) Does funding correspond with areas of need? (a) If so, how is this measured?	I am advised:  Refer to the transcript.  Also refer to response to question 23 above.
25	Hon Chris Rath MLC (on behalf of the Opposition)	(25) How is funding adjusted to reflect population changes?	I am advised: Refer to the transcript.

Question Number	Member	Supplementary Question	Answer
26	Hon Chris Rath MLC (on behalf of the Opposition)	(26) How much was provided to each CLC for its General Legal Services in the last financial year? (a) Where can this information be obtained?	I am advised: This information is set in the Legal Aid NSW Annual Report 2023/24.
27	Hon Chris Rath MLC (on behalf of the Opposition)	(27) Has there been any change in the approach to funding in the last five years?	I am advised:  No, except for the provision of dedicated one-off funding for natural disasters and migration services determined by the Commonwealth.
28	Hon Chris Rath MLC (on behalf of the Opposition)	(28) Is there an intention to allocate funding according to areas of need, and to well-performing CLCs which demonstrate an ability to meet that need?	I am advised: Refer to response to in the transcript.
29	Hon Chris Rath MLC (on behalf of the Opposition)	(29) How do you measure the productivity of each CLC? (a) Is this information published? If not, why not?	I am advised:  Refer to the transcript.  Legal Aid NSW publishes statistics about the type and number of services delivered by CLCs in its Annual Report.
30	Hon Chris Rath MLC (on behalf of the Opposition)	(30) When will the latest funding be announced for CLCs under the National Access to Justice Partnership 2025-30? (a) Who is being consulted? (b) Is data and evidence on performance and outcomes being considered in determining this five-year funding arrangement?	I am advised: Refer to the transcript.



Question Number	Member	Supplementary Question	Answer
31	Hon Chris Rath MLC (on be behalf of the Opposition)	(31) Criminal matters have increased almost 40 per cent since 2012 -what additional support is being provided for judicial officers in the Local Court?	I am advised: As part of the Government's response to Domestic Violence an additional six magistrates were sworn in at the end of January 2025. The Chief Magistrate is exploring a range of initiatives in the jurisdiction to increase the capacity of the Local Court, through the centralisation of bail decisions to Magistrates, the creation of coordinating magistrate roles in regional locations and creating efficiencies through case management to manage delays. The Department of Communities and Justice is supporting the Chief Magistrate in implementing these initiatives.
32	Hon Chris Rath MLC (on be behalf of the Opposition)	(32) Are the new acting magistrates who are employed for the weekend new magistrates, or are they former magistrates who have returned to work in an acting capacity? (a) If they're new magistrates, what training have they received prior to making bail decisions?	I am advised: Weekend bail matters are heard by Acting Magistrates. The pool of Acting Magistrates is from both retired Magistrates and from recently retired members of the legal profession with at least five years' experience, who have undertaken specialist pre-bench training. All Magistrates undertake continual education. Those Acting Magistrates who joined the Local Court after retiring from the legal profession are trained by existing Magistrates and Acting Magistrates in a program developed by the Local Court and the Judicial Commission of NSW. This training program is provided under the supervision of the Local Court Bail Coordinating Magistrate.
33	Hon Chris Rath MLC (on be behalf of the Opposition)	(33) What's the estimated cost of the Parramatta centralised bail court?	I am advised: It is not possible to provide a complete estimate of cost of the Bail Court. There are six courts operate on weekends and up to eight courts during surge periods. Acting Magistrates are rostered on weekends, public holidays, Christmas Shutdown and the Annual Magistrates Conference.
34	Hon Chris Rath MLC (on be	(34) Did every victim whose matters were discontinued by the ODPP receive a statement of facts from the ODPP explaining why their matter was discontinued?	I am advised:  See the answer to QON 69.

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	behalf of the Opposition)		
35	Hon Chris Rath MLC (on behalf of the Opposition)	(35) What data was consulted in the decision to extend the section 22C amendment of the Bail Act 2013 by three years?	I am advised: The decision to extend section 22C of the Bail Act was informed by the most up-to-date information available, including relevant BOCSAR data.

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36	Hon Chris Rath MLC (on be behalf of the Opposition)	(36) How many homeless young people were detained under section 28 of the Bail Act in: (a) 2022-23?  (b) 2023-24? (c) For the above include by region?	I am advised:  This data is not available.
37	Hon Chris Rath MLC (on be behalf of the Opposition)	(37) Will the government reverse its decision to cut the Crime Prevention Fund and the Graffiti Initiatives Fund?	I am advised:  There is little evidence that interventions of this nature represent value for money or were effective in the prevention of crime and graffiti. Other interventions are seen as more effective and cost-effective.
38	Hon Chris Rath MLC (on be behalf of the Opposition)	(38) How many people have received a jail term in excess of two years for custody of a knife either under section 93IB or 93IC of the Crimes Act?	I am advised:  This data is available from BOCSAR.

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39	Hon Chris Rath MLC (on behalf of the Opposition)	(39) Statistically, what impact has 93IB and 93IC on the number of arrests that have been made?	I am advised: This data is available from BOCSAR.
40	Hon Chris Rath MLC (on behalf of the Opposition)	(40) What are the terms of reference of the inquiry?	I am advised: The Minister for Climate Change, Minister for Energy, Minister for the Environment and Minister for Heritage, the Hon. Penny Sharpe MLC, noted during parliamentary debate on the Equality Legislation Amendment (LGBTIQA+) Bill 2023 that concerns have been expressed about the need to retain the offences in Part 3 of the Summary Offences Act 1988 in modern New South Wales.  The purpose of the review is to understand whether the offences remain relevant and appropriate, or whether the provisions of Part 3 should be amended or repealed. It does not extend to considering whether, for example, sex work should be re-criminalised and/or whether a different model of regulating sex work should be implemented.
41	Hon Chris Rath MLC (on behalf of the Opposition)	(41) Where can the public find the terms of reference?	I am advised: Refer to response to supplementary question 40.

Question Number	Member	Supplementary Question	Answer
42	Hon Chris Rath MLC (on be behalf of the Opposition)	(42) When was the inquiry established?	The Attorney General announced the review of Part 3 of the Summary Offences Act 1988 on 16 October 2024, during parliamentary debate on the Equality Legislation Amendment (LGBTIQA+) Bill 2023. The Department of Communities and Justice released a targeted discussion paper to targeted stakeholders to inform the review in January 2025.
43	Hon Chris Rath MLC (on be behalf of the Opposition)	(43) Is the consultation open to the public, or is it by invitation to selected stakeholders?	I am advised: Refer to response to supplementary question 42.

Question Number	Member	Supplementary Question	Answer
44	Hon Chris Rath MLC (on be behalf of the Opposition)	(44) Which provision in the Surrogacy Act prohibits a grant of a parentage order if a woman is a slave?	I am advised: See response to question taken on notice 17
45	Hon Chris Rath MLC (on be behalf of the Opposition)	(45) Have you met with the Anti-slavery Commissioner to discuss appropriate safeguards?	I am advised: The Anti-slavery Commissioner has made a submission to the review of the Surrogacy Act 2010, which is ongoing.
46	Hon Chris Rath MLC (on be behalf of the Opposition)	(46) With respect to the appropriate safeguards, will these include appropriate safeguards for the child who is to be born as a result of the commercial surrogacy arrangement?	I am advised: See response to question taken on notice 18.
47	Hon Chris Rath MLC (on be behalf of the Opposition)	(47) What safeguards, if they exist, ensure that New South Wales commissioning parents are not convicted sex offenders?	I am advised: See response to question taken on notice 19.
48	Hon Chris Rath MLC (on be behalf of the Opposition)	(48) What safeguards are there for spare embryos of New South Wales couples that they will not be sold to the highest bidder?	I am advised: See response to question taken on notice 20.
49	Hon Chris Rath MLC (on be behalf of the Opposition)	(49) How will these laws be enforced in overseas jurisdictions?	I am advised: See response to question taken on notice 21.
50	Hon Chris Rath MLC (on be	(50) Are these protections already in place?	I am advised: See response to question taken on notice 21.

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51	Hon Chris Rath MLC (on behalf of the Opposition)	(51) Section 17 of the Surrogacy Act requires "an application for a parentage order must be supported by a report prepared by an independent counsellor." The report must address matters including whether any consent given by the birth parent "is informed consent, freely and voluntarily given". When an overseas commercial surrogate is the birth parent, how is an Australian counsellor to assess the consent of the birth mother?	I am advised:  See response to question taken on notice 22.
52	Hon Chris Rath MLC (on behalf of the Opposition)	(52) If an overseas counsellor is to be used, what's the mechanism in place to ensure that the counsellor is independent as required by the Surrogacy Act?	I am advised:  See response to question taken on notice 23.
53	Hon Chris Rath MLC (on behalf of the Opposition)	(53) Clause 7 of the Surrogacy Regulation sets out the requirements for a qualified counsellor under the Act: Only those registered in Australia or New Zealand are recognised. Are you proposing to change that regulation?	I am advised:  See response to question taken on notice 24.
54	Hon Chris Rath MLC (on behalf of the Opposition)	(54) Have you been in discussions with AHPRA, RANZCP, or the Australian Association of Social Workers about potential changes to that regulation?	I am advised:  See response to question taken on notice 25.
55	Hon Chris Rath MLC (on behalf of the Opposition)	(55) For example, if the birth mother has not given consent freely and voluntarily-because she's been trafficked into surrogacy slavery-what happens to the child who is born as a result of that commercial and exploitative relationship?	I am advised:  See response to question taken on notice 26.

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56	Hon Chris Rath MLC (on behalf of the Opposition)	(56) Of the 195 first bail appearances under section 22 C between April and December 2024 that were bail refused (Hansard page 3): (a) How many of the 195 were the subject of a review by a higher court? (b) As a consequence of that review, how many of the cases in (a) were granted bail? (c) Of the 195 cases cited, when taking into account the grant of bail upon review, what was the bail refusal rate percentage compared to the nearly 80% that was the evidence to the committee?	I am advised:  This information is not available.
57	Hon Chris Rath MLC (on behalf of the Opposition)	(57) From 28 March 2023 to the present, how many cost certificates were granted against the Crown as was the case in R v Hallak (Hansard p 4)?	I am advised:  The ODPP is not aware of any costs certificates being granted in circumstances similar to R v Hallak.
58	Hon Chris Rath MLC (on behalf of the Opposition)	(58) Of the cases in answer to the previous questions, please provide in respect of each case in which there has been a cost certificate granted against the DPP: (a) The name of each case including the citation if there is one; (b) The Judge involved; (c) A copy of each judgement or note of judgment; (d) The amount of costs ultimately assessed as payable by the Crown to the defendant pursuant to the cost certificate; (e) A copy of the certificate upon which the costs were payable.	I am advised:  N/A – see the answer to supplementary question 57.
59	Hon Chris Rath MLC (on behalf of the Opposition)	(59) It was taken on notice (Hansard p 6) about the weekend acting magistrates dealing with bail matters: (a) whether they are employed for the weekend only; (b) whether they are new magistrates; (c) whether they are people who were formally magistrates; (d) what training they have received;	I am advised:  See response to supplementary question 32.



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60	Hon Chris Rath MLC (on behalf of the Opposition)	(60) It was taken on notice (Hansard p 7) what is the estimated cost of the bail court.	I am advised:  It is not possible to provide a complete estimate of cost of the Bail Court.
61	Hon Chris Rath MLC (on behalf of the Opposition)	(61) It was taken on notice whether the AG organise a briefing on the inciting hatred legislation for the faith council and who else was briefed (Hansard p 8).	I am advised:  Refer to response to question taken on notice 3.
62	Hon Chris Rath MLC (on behalf of the Opposition)	(62) It was taken on notice who attended the briefing by the AGO, DCJ and the faith council, what kind of briefing it was, whether there were lawyers present (Hansard p 8-9).	I am advised:  Refer to response to question taken on notice 3.
63	Hon Chris Rath MLC (on behalf of the Opposition)	(63) It was taken on notice whether the meetings with the faith council had minutes taken (Hansard p 10).	I am advised:  Refer to response to question taken on notice 5.
64	Hon Chris Rath MLC (on behalf of the Opposition)	(64) After gaining advice on the matter are there any black holes in the coverage of the electronic monitoring equipment in NSW (Hansard p 39).	I am advised:  This question should be directed to the Hon. Anoulack Chanthivong MP in his capacity as the Minister for Corrections.
65	Hon Chris Rath MLC (on behalf of the Opposition)	(65) In DPP's sexual Assault Audit Report released just prior to the Budget Estimates hearing last week, at page 27, states that 327 matters were examined, and 17 matters were discontinued. Is there any reason for the discrepancy in numbers between the DPP's evidence to budget estimates on the last occasion that of the 330 matters set down for trial between April and December last year that had been audited 15 matters had been discontinued but the final audit report reports numbers of 327 matters and 17 cases discontinued respectively?	I am advised:  The SAR was still ongoing at the time of the Budget Estimates hearing on 4 September 2024 (see p58 of the transcript from 4 September 2024). By the time the SAR was completed, an additional two matters had been discontinued. The reference to 330 matters was based on a miscalculation, which was corrected in the final SAR Report.

Question Number	Member	Supplementary Question	Answer
66	Hon Chris Rath MLC (on behalf of the Opposition)	(66) The report breaks the 17 discontinued cases down to be 9 on evidentiary grounds and 8 on discretionary and/ or evidentiary grounds.	I am advised:  There is no question to respond to.
67	Hon Chris Rath MLC (on behalf of the Opposition)	(67) At the time of the newspaper articles becoming public that gave rise to the audit of sexual assault matters and the completion of the audit, were any sexual assault matters no billed in addition to the 17 discontinued matters?	I am advised:  See footnote 52 of the SAR Report concerning adult sexual assault matters discontinued in the 2024 calendar year, which were in addition to the 17 matters discontinued as part of the SAR.
68	Hon Chris Rath MLC (on behalf of the Opposition)	(68) How many sex assault cases were no billed in the 12 months prior to the commencement of the audit? How many of those were no billed in the 6 months prior to the commencement of the audit?	I am advised:  The ODPP does not maintain the specific data sought in an accessible form, and is only in a position to provide data by calendar year. Fifty-one adult sexual assault matters were discontinued in the 2023 calendar year.
69	Hon Chris Rath MLC (on behalf of the Opposition)	(69) With regard to the matters that were all no billed prior to the completion of the audit were they therefore in addition to the 17 discontinued matters referred to in your Audit?	I am advised:  Yes, see the answer to supplementary question 67.
70	Hon Chris Rath MLC (on behalf of the Opposition)	(70) How many sex assault cases were no billed between the commencement of the audit and its completion?	I am advised:  See the answer to supplementary question 67.
71	Hon Chris Rath MLC (on behalf of the Opposition)	(71) How many of the matters that were no billed at the request of defendants?	I am advised:  See the answer to QON 67.
72	Hon Chris Rath MLC (on behalf of the Opposition)	(72) Were any matters that were no billed as a result of the exercise of the ODPP's discretion and without the request of the defendants? If so, how many?	I am advised:  See the answer to QON 67.

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73	Hon Chris Rath MLC (on behalf of the Opposition)	(73) Of the 5 matters referred to on page 28 of the Audit that did not comply with the prosecution guidelines that proceeded to trial, were any of them the subject of costs orders against the DPP?	I am advised:  No.
74	Hon Chris Rath MLC (on behalf of the Opposition)	(74) If so, what were the names of the cases, the Judge that awarded costs and please provide a copy of the judgment awarding costs against the DPP.	I am advised:  N/A
75	Hon Chris Rath MLC (on behalf of the Opposition)	(75) Do you believe that the DPP guidelines are capable of being followed?	I am advised:  Yes.
76	Hon Chris Rath MLC (on behalf of the Opposition)	(76) In respect of each of the 5 matters referred on page 28 of the Audit, what was the reason that the DPP Guidelines were not followed?	I am advised:  See footnote 53 of the SAR Report, which refers to two of the five matters. In relation to the other three matters, two involve the application of the wrong test by the certifier, and one matter involved insufficient analysis by the certifier.
77	Hon Chris Rath MLC (on behalf of the Opposition)	(77) What systems has the DPP put in place to ensure that the guidelines are always followed in the future?	I am advised:  The decision-making process as outlined at pp 9-11 of the SAR Report guards against non-compliance with the Prosecution Guidelines. The SAR Report identifies further opportunities for improvement at pp 29-32.
78	Hon Chris Rath MLC (on behalf of the Opposition)	(78) What ongoing system of audit and review will continue to take place to ensure that the DPP Guidelines are followed by the ODPP and Crown Prosecutors?	I am advised:  See the answer to supplementary question 77.

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79	Hon Chris Rath MLC (on behalf of the Opposition)	(79) Are you satisfied that every one of the victims whose matters were discontinued has received a statement of facts from the ODPP explaining why the matter was discontinued?	I am advised:  See the answer to QON 64.
80	Hon Chris Rath MLC (on behalf of the Opposition)	(80) On how many occasions in the calendar year 2024 (excluding social interactions) did the Director of Public Prosecutions corresponded directly, by any means, with: (a) a Judge of the District Court? (b) A justice of the Supreme Court? (c) On how many of these occasions did this correspondence make a complaint or raise any issue with the conduct of a matter by a judge or justice? (d) On how many of these occasions was this correspondence an ex parte communication?	I am advised:  (a)-(b) The Director does not maintain a record of the frequency or content of communications with individual judges.  (c) On one occasion the Director wrote to the Chief Judge of the District Court to raise an issue concerning Wass DCJ.  (d) The Director does not engage in ex parte communications.
81	Hon Chris Rath MLC (on behalf of the Opposition)	Given ministerial diary disclosures do not include all meetings and provide exceptions to disclosures, since 28 March 2023, have you met with the CFMEU?	I am advised;  In accordance with the Premier's Memorandum M2015-05 Publication of Ministerial Diaries and Release of Overseas Travel Information, all Ministers publish extracts from their diaries, summarising details of scheduled meetings held with stakeholders, external organisations, third-party lobbyists and individuals. Ministers are not required to disclose details of the following meetings:  <ul style="list-style-type: none"> <li>• meetings involving Ministers, ministerial staff, parliamentarians or government officials (whether from NSW or other jurisdictions)</li> <li>• meetings that are strictly personal, electorate or party political</li> <li>• social or public functions or events</li> </ul>

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			<ul style="list-style-type: none"> <li>meetings held overseas (which must be disclosed in accordance with regulation 6(1)(b) of the Government Information (Public Access) Regulation 2018 and Attachment B to the Premier's Memorandum), and;</li> <li>matters for which there is an overriding public interest against disclosure. Ministers' diary disclosures are published quarterly on The Cabinet Office's website (<a href="https://www.nsw.gov.au/departments-and-agencies/the-cabinet-office/accessto-information/ministers-diary-disclosures">https://www.nsw.gov.au/departments-and-agencies/the-cabinet-office/accessto-information/ministers-diary-disclosures</a>)</li> </ul>
82	Hon Chris Rath MLC (on behalf of the Opposition)	(82) Given ministerial diary disclosures do not include all meetings and provide exceptions to disclosures, since 28 March 2023, have you met with the ETU?	<p>I am advised:</p> <p>Refer to SQ 81.</p>
83	Hon Chris Rath MLC (on behalf of the Opposition)	(83) On what date did you last update/make a ministerial disclosure to The Cabinet Office?	<p>I am advised:</p> <p>The Ministerial Code of Conduct (Ministerial Code) requires Ministers to make certain disclosures to the Premier and the Secretary of The Cabinet Office. I comply with my obligations under the Ministerial Code.</p>
84	Hon Chris Rath MLC (on behalf of the Opposition)	<p>(84) How many redundancies were processed by each Department(s)/agency(s) within your portfolio responsibilities since 28 March 2023?</p> <p>(a) Of these redundancies, how many were:</p> <ol style="list-style-type: none"> <li>Voluntary?</li> <li>Forced?</li> </ol> <p>(b) What was the total cost of all redundancies in each Department/ agency within your portfolio responsibilities?</p> <p>(c) On what page are redundancies published in the respective Department(s)/ Agency(s) Annual Reports?</p>	<p>I am advised:</p> <p>Redundancy information is included in the department(s)/agency(s) annual reports (DCJ 2023-24).</p> <p>Agencies that exit DCJ are no longer included in this dataset from the date of their exit.</p>

Question Number	Member	Supplementary Question	Answer
85	Hon Chris Rath MLC (on be behalf of the Opposition)	(85) On what date were the annual report(s) from 2023-24 for each department/ agency in your portfolio published?	I am advised:  The Department of Communities and Justice 2023/24 Annual Report was tabled in NSW Parliament and published on 21 November 2024, and available at: <a href="https://dcj.nsw.gov.au/resources/annual-reports.html">https://dcj.nsw.gov.au/resources/annual-reports.html</a>
86	Hon Chris Rath MLC (on be behalf of the Opposition)	(86) Were the annual report(s) from 2023-24 for each department / agency in your portfolio printed? (a) If yes, what was the printing cost(s) for each department/ agency?	I am advised:  The Department of Communities and Justice 2023/24 Annual Report is digitally published and available at: <a href="https://dcj.nsw.gov.au/resources/annual-reports.html">https://dcj.nsw.gov.au/resources/annual-reports.html</a>
87	Hon Chris Rath MLC (on be behalf of the Opposition)	(87) Did the annual report(s) from 2023-24 for each department / agency in your portfolio use in part or full an external production / body / consultant to draft? (a) If yes, what was the cost(s) for each department/ agency?	I am advised:  The total production cost of the Department of Communities and Justice Annual Report 2023/24 was \$8,040 (refer to the Annual Report, Volume 1, page 306).
88	Hon Chris Rath MLC (on be behalf of the Opposition)	(88) In what month will the 2024-25 annual report(s) for each department / agency in your portfolio be published?	I am advised:  The Annual Report of a reporting GSF agency is to be prepared, submitted and tabled in accordance with requirements under the Government Sector Finance Act 2018 and Treasurer's Direction 23-11. Hence, the completed Annual Report will be submitted to relevant Ministers by 31 October 2025. The published document will be available once Ministers have tabled this in NSW Parliament.
89	Hon Chris Rath MLC (on be behalf of the Opposition)	(89) Will the 2024-25 annual report(s) for the department / agency in your portfolio include a printed copy? (a) If yes, how much is budgeted for printing in 2024-25 for each department / agency?	I am advised: The Department of Communities and Justice 2024/25 Annual Report will be digitally published and available at: <a href="https://dcj.nsw.gov.au/resources/annual-reports.html">https://dcj.nsw.gov.au/resources/annual-reports.html</a>

Question Number	Member	Supplementary Question	Answer
90	Hon Chris Rath MLC (on behalf of the Opposition)	(90) Have you and your ministerial office had training and/or a briefing about the State Records Act from State Records NSW and/or The Cabinet Office and/or Premier's Department?  (a) If yes, when?	I am advised:  The Ministers' Office Handbook provides guidance in relation to recordkeeping obligations under the State Records Act 1998. The Cabinet Office also provide guidance, advice, training and support on these obligations for Ministers' offices. Further information is available on State Records NSW's website ( <a href="http://www.nsw.gov.au/departments-and-agencies/dciths/state-records-nsw">www.nsw.gov.au/departments-and-agencies/dciths/state-records-nsw</a> ) I expect my office to comply with their obligations under the State Records Act 1998.
91	Hon Chris Rath MLC (on behalf of the Opposition)	(91) On what page is advertising published in the respective Department(s)/ Agency(s) annual report(s)?	I am advised:  The Department of Communities and Justice Annual report is published on the website.  Department and agency expenditure is also published at <a href="http://data.nsw.gov.au">data.nsw.gov.au</a> Agency expenditure must be reported in accordance with TD23-11 Annual reporting requirements and TPG23-10 Annual Reporting Requirements
92	Hon Chris Rath MLC (on behalf of the Opposition)	(92) Does your portfolio department(s)/ agency(s) have a gifts and/ or hospitality register? (a) If yes, is it available online? 1. If yes, what is the website URL?	I am advised: The Department of Communities and Justice has a Gifts, Benefits and Bequests maintains a gift register available online: <a href="https://dcj.nsw.gov.au/resources/policies/gifts-benefits-and-bequests.html">https://dcj.nsw.gov.au/resources/policies/gifts-benefits-and-bequests.html</a>
93	Hon Chris Rath MLC (on behalf of the Opposition)	Does your ministerial office keep a register of gifts and/or hospitality for staff to make disclosures? (a) If yes, what is the website URL?	I am advised:  All Ministerial staff are required to comply with the Gifts, Hospitality and Benefits Policy for Office Holder Staff attached to the Ministers' Office Handbook and available on the NSW Government website
94	Hon Chris Rath MLC (on behalf of the Opposition)	Have any staff members in your office been the recipient of any free hospitality? (a) What was the total value of the hospitality received? (b) Are these gifts of hospitality declared?	I am advised:  All Ministerial staff are required to comply with their disclosure obligations under the Gifts, Hospitality and Benefits Policy for Office Holder Staff and I expect them to do so. A breach of the Policy may be a breach of the Office Holder's Staff Code of Conduct. The Policy includes disclosure obligations for Ministerial staff in respect of gifts, hospitality and benefits over \$150. If a Ministerial staff member is required by their role to accompany their Office Holder at an event that the Office Holder is attending

Question Number	Member	Supplementary Question	Answer
			as the State's representative, or where the Office Holder has asked the staff member to attend, then attendance at that event would not constitute a gift or benefit for the purposes of the Policy.
95	Hon Chris Rath MLC (on be behalf of the Opposition)	Since 28 March 2023, have you breached the Ministerial Code of Conduct? (a) If yes, what was the breach?	<p>I am advised:</p> <p>All Ministers are expected to comply with their obligations under the NSW Ministerial Code of Conduct (Ministerial Code) at all times. The Ministerial Code sets the ethical standards of behaviour required of Ministers and establishes practices and procedures to assist with compliance. Among other matters, the Ministerial Code requires Ministers to:</p> <ul style="list-style-type: none"> <li>• disclose their pecuniary interests and those of their immediate family members to the Premier</li> <li>• seek rulings from the Premier if they wish to hold shares, directorships, other business interests or engage in secondary employment (known as 'prohibited interests')</li> <li>• identify, avoid, disclose and manage conflicts of interest</li> <li>• disclose gifts and hospitality with a market value over \$500. A substantial breach of the Ministerial Code (including a knowing breach of any provision of the Schedule) may constitute corrupt conduct for the purposes of the <i>Independent Commission Against Corruption Act 1988</i>.</li> </ul>
96	Hon Chris Rath MLC (on be behalf of the Opposition)	Have you ever been issued with a credit card by a NSW Government department(s) and/or agency(s) since 28 March 2023? (a) If yes, under what circumstance? (b) If yes, what items and expenditure was undertaken?	<p>I am advised:</p> <p>Ministers and Ministerial Staff are not eligible to receive Departmental credit cards except in the case of overseas travel. In cases of overseas travel short-term cards will be issued and returned at the completion of official travel together with a travel diary for fringe benefit tax purposes. Where a NSW Government-issued credit card is provided the credit card must only be used for official overseas business trips and official business purposes, this includes for transport to/from the airport when departing/returning from the trip. NSW Government-issued credit cards for official business trips overseas will be held with government contract bankers and used within credit limits imposed. Credit cards are a useful means of expenditure control, but their use should never be for personal purposes. Costs associated with overseas travel are published on the NSW Government website in line with M2015-05.</p>



Question Number	Member	Supplementary Question	Answer
97	Hon Chris Rath MLC (on be behalf of the Opposition)	Do public servants in your portfolio department(s)/agency(s) been issued with department/agency credit cards?	I am advised:  The use and management of purchasing (credit) cards for official purposes is in accordance with standard procurement arrangements of the NSW Government.
98	Hon Chris Rath MLC (on be behalf of the Opposition)	If yes, what is the website URL of the credit card policy?	I am advised:  The policy is available at: <a href="https://arp.nsw.gov.au/assets/ars/attachments/TPP21-02-Use-and-Management-of-NSW-Govt-Purchasing-Cards.pdf">https://arp.nsw.gov.au/assets/ars/attachments/TPP21-02-Use-and-Management-of-NSW-Govt-Purchasing-Cards.pdf</a>
99	Hon Chris Rath MLC (on be behalf of the Opposition)	Do you have a desk or office in your portfolio department(s)/agency(s) building(s)?	I am advised:  I make use of an office in 52 Martin Place, NSW Parliament and my Electorate office.  When travelling, Ministers may make ad hoc arrangements to work for periods in Departmental offices.
100	Hon Chris Rath MLC (on be behalf of the Opposition)	(100) As of 1 February 2025, how many senior executives in your portfolio department(s) /agency( s) have a driver?	I am advised: No senior executives in my portfolio department(s)/agency(s) have a driver.
101	Hon Chris Rath MLC (on be behalf of the Opposition)	Has your Ministerial Office received a GIPA Application(s) since 28 March 2023? (a) If yes, how many? (b) If yes, what is the website URL of the disclosure log?	I am advised:  GIPA statistics for Ministers' offices are published in the annual reports of the Department of Communities and Justice.
102	Hon Chris Rath MLC (on be behalf of the Opposition)	Since 28 March 2023, have you and/or your ministerial office given instructions to your portfolio department(s)/agency(s) in relation to Government Information (Public Access) Act application(s)?	I am advised:  Under the <i>Government Information (Public Access) Act 2009</i> :  An agency is not subject to the direction or control of any Minister in the exercise of the agency's functions in dealing with a particular access application. The office of the Attorney General complies with the <i>Government Information (Public Access) Act 2009</i> .

Question Number	Member	Supplementary Question	Answer
103	Hon Chris Rath MLC (on behalf of the Opposition)	(103) What is the website URL for the GIPA Act disclosure log each of your portfolio department(s) / agency(s)?	I am advised: The Department of Communities and Justice GIPA disclosure log is available at <a href="https://dcj.nsw.gov.au/about-us/gipa/disclosure-log.html">https://dcj.nsw.gov.au/about-us/gipa/disclosure-log.html</a>
104	Hon Chris Rath MLC (on behalf of the Opposition)	Are you on TikTok? (a) If yes, do you access TikTok from a NSW Government device?	I am advised:  No.
105	Hon Chris Rath MLC (on behalf of the Opposition)	Are you and/or your ministerial staff on Signal? (a) If yes, do you and/or your ministerial staff access Signal from a NSW Government device? (b) If yes, does Signal comply with the State Records Act?	I am advised:  Like the former Coalition Government, a range of communications are used by the NSW Government. I comply with the <i>State Records Act 1998</i> and I expect all staff members to comply with their obligations under the <i>State Records Act 1998</i> .
106	Hon Chris Rath MLC (on behalf of the Opposition)	Since 28 March 2023, have you had training from an external stakeholder that included an invoice and payment paid for using your ministerial budget?  (a) If yes, what is the description of training? (b) If yes, how much?	I am advised:  Ministers have undertaken a program of Ministerial induction training. Ministers have undertaken training on the Respectful Workplace Policy. Members of Parliament are provided with a Skills Development Allowance that may be used in a manner consistent with the Parliamentary Remuneration Tribunal Annual Determination. Ministerial Office Budgets are managed in accordance with the Ministers' Office Handbook.
107	Hon Chris Rath MLC (on behalf of the Opposition)	Since 28 March 2023, have you shared Cabinet documents with your Parliamentary Secretary?	I am advised:  The conventions and practice for access to Cabinet documents are outlined in Premier's Memorandum M2006-08 - Maintaining Confidentiality of Cabinet Documents and Other Cabinet Conventions. The Premier's Memorandum M2006-08 provides that the unauthorised and/or premature disclosure of Cabinet documents undermines collective ministerial responsibility and the convention of Cabinet confidentiality. It is essential that the confidentiality of Cabinet documents is maintained to enable full and frank discussions to be had prior to Cabinet making decisions.

Question Number	Member	Supplementary Question	Answer
108	Hon Chris Rath MLC (on be behalf of the Opposition)	Does your Parliamentary Secretary have pass access to your ministerial office?	I am advised:  Security passes for the parliamentary precinct and 52 Martin Place are required to be issued in accordance with the Parliament House Security Pass Policy and 52 Martin Place security procedures and the associated Privacy and Surveillance Statement.
109	Hon Chris Rath MLC (on be behalf of the Opposition)	Does your Parliamentary Secretary have a desk in your ministerial office?	I am advised:  No
110	Hon Chris Rath MLC (on be behalf of the Opposition)	Has your Parliamentary Secretary ever used your Ministerial Vehicle?	I am advised:  The Ministers' Office Handbook provides that:  <ul style="list-style-type: none"> <li>• the Premier's Department will provide each Minister with a designated vehicle, which may be used by other drivers nominated by the Minister from time to time.</li> <li>• the Premier's Department transport services may be used by Parliamentary Secretaries for official business trips in connection with their duties as Parliamentary Secretaries, with costs paid from the Ministers' office budget.</li> </ul>
111	Hon Chris Rath MLC (on be behalf of the Opposition)	Are all the ministerial media releases and statements issued by you publicly available at <a href="https://www.nsw.gov.au/media-releases">https://www.nsw.gov.au/media-releases</a> ?  (a) If no, why?	I am advised:  The Department of Customer Service (DCS) is responsible for managing <a href="https://www.nsw.gov.au/media-releases">www.nsw.gov.au/media-releases</a> and the publication of media releases.
112	Hon Chris Rath MLC (on be behalf of the Opposition)	(112) As Minister, do you approve overseas travel for public servants from your portfolio department(s)/ agency(s)?	I am advised: All international travel undertaken by the Department of Communities and Justice staff requires Ministerial approval as set out in the NSW Government Travel and Transport Policy which is available at: <a href="https://www.info.buy.nsw.gov.au/policy-library/policies/travel-and-transport-policy#2totalinternational">https://www.info.buy.nsw.gov.au/policy-library/policies/travel-and-transport-policy#2totalinternational</a>

Question Number	Member	Supplementary Question	Answer
113	Hon Chris Rath MLC (on behalf of the Opposition)	(113) Does your portfolio department(s)/ agency(s) keep a register of data breaches in accordance with the Privacy and Personal Information Protection (PPIP) Act?	I am advised: Yes.
114	Hon Chris Rath MLC (on behalf of the Opposition)	(114) If yes to 38, what is the website?	I am advised: The Department of Communities and Justice maintains a Public Notification Register which is available at <a href="https://dcj.nsw.gov.au/about-us/gipa/mandatory-notification-of-data-breach-scheme/public-notification-register.html">https://dcj.nsw.gov.au/about-us/gipa/mandatory-notification-of-data-breach-scheme/public-notification-register.html</a>
115	Hon Chris Rath MLC (on behalf of the Opposition)	(115) As Minister, do you have a discretionary fund? (a) If yes, what department(s) / agency(s) administer it? (b) If yes, what is the website URL detailing expenditure?	No.
116	Hon Chris Rath MLC (on behalf of the Opposition)	Are you a member of the Qantas Chairmans Lounge?	I am advised:  The <i>Constitution (Disclosures by Members) Regulation 1983 (Regulation)</i> sets out Members' obligations to disclose relevant pecuniary and other interests in periodic returns to Parliament. The Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics Report on Review of the Code of Conduct, Aspects of Disclosure of Interests, and Related Issues (December 2010) notes that:  "Advice has been received from the Crown Solicitor that use of the Chairman's Lounge by invitation is not a "gift" for the purposes of clause 10 of the Regulation, as it does not involve disposition of property. However, when the membership leads to an upgrade valued at more than \$250, it becomes disclosable as a contribution to travel, and should be reported under clause 11 of the Regulation."  Clause 16 of the Regulation allows a Member to, at their discretion, disclose any direct or indirect benefit, advantage or liability, whether pecuniary or not. Relevant disclosures are made to The Cabinet Office and to the NSW Parliament.

Question Number	Member	Supplementary Question	Answer
117	Hon Chris Rath MLC (on behalf of the Opposition)	How many of your Ministerial staff is a local government councillor(s)?	<p>I am advised:</p> <p>Ministerial staff are employed by Ministers, on behalf of the State, in their capacity as "political office holders" under Part 2 of the <i>Members of Parliament Staff Act 2013</i>. All Ministerial staff are required to comply with the NSW Office Holder's Staff Code of Conduct, including obligations to seek approval for secondary employment, and to take reasonable steps to avoid, and in all cases disclose, any actual or potential conflicts of interest (real or apparent).</p>
118	Hon Abigail Boyd MLC	<p>(118) How many courts and police stations have well-functioning and reliable audio-visual link technology allowing victim-survivors to provide feedback safely without being intimidated by the alleged perpetrator?</p> <p>(a) How many courts and police stations require an upgrade?</p>	<p>I am advised:</p> <p>As at 11 March 2025, there are 165 Remote Witness AVL rooms across Court Services locations statewide.</p> <p>Regarding AVL in police stations, this is the responsibility of the NSW Police Force and should be directed to the Hon. Yasmin Catley MP, as the Minister for Police and Counter-Terrorism.</p>
119	Hon Abigail Boyd MLC	<p>(119) Six million dollars was allocated in the 2024 domestic and family violence emergency funding package to upgrade audio-visual link technology and provide up to six more magistrates. How many sites have been upgraded?</p> <p>(a) Is the allocated funding sufficient for the number of upgrades to audio-visual link technology that are required across NSW?</p>	<p>I am advised:</p> <p>Under the Domestic Violence funding package a number of AVL upgrades have been undertaken in courthouses, police stations and corrections facilities.</p> <p>Seven upgrades have been undertaken in courthouses. An additional 5 courthouses will have AVL installed in them prior to the end of 2024/25 financial year.</p>
120	Hon Abigail Boyd MLC	(120) What are you doing to ensure accountability for magistrates who are making poor court bail or sentencing decisions that lead to the harm or death of victims of domestic and family violence?	<p>I am advised:</p> <p>Neither I as Attorney General, nor the Department of Communities and Justice have the power to investigate the conduct of Judicial Officers, such as Magistrates.</p> <p>Complaints about the ability or behaviour of a magistrate should be referred to the Judicial Commission of NSW which deals with complaints about Judicial Officers.</p>

Question Number	Member	Supplementary Question	Answer
121	Hon Abigail Boyd MLC	<p>(121) In July 2022, the Department of Communities and Justice undertook a statutory review of the Victims Rights and Support Act 2013. When can victims and the specialist domestic and family violence sector expect an outcome from the review?</p> <p>(a) What are the main concerns raised in the statutory review regarding how Victims Services is operating?</p> <p>(b) What improvements do you anticipate will be made as a result of the statutory review?</p>	<p>I am advised:</p> <p>Under section 119 of the <i>Victims Rights and Support Act 2013</i>, a report on the outcome of the review is to be tabled in each House of Parliament within 12 months after the end of the review. The statutory review remains ongoing.</p> <p>(a) Under s119 of the <i>Victims Rights and Support Act 2013</i>, the purpose of the review is to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives. Operational matters relating to Victims Services are not considered as part of the review.</p> <p>Stakeholder submissions largely focus on improving access to the Victims Support Scheme, including by removing certain evidentiary requirements, and increasing or expanding the support available.</p> <p>(b) On 13 January 2025, the Attorney General wrote to stakeholders to advise that the growth in demand has placed significant upward pressure on the Victim Support Scheme's budget. In light of this, the statutory review of the Act must be progressed with a focus on reforms that can be implemented within the Scheme's existing financial parameters. This means that reforms which would significantly increase the cost of the Scheme are unable to be pursued at this time. The objectives of the Act can only be met through the continued operation of a financially sustainable Scheme.</p>
122	Hon Abigail Boyd MLC	<p>(122) What is the NSW Government doing to ensure the Domestic Violence Death Review Team is appropriately funded to undertake their critical work of examining domestic and family violence homicide and identifying where systemic improvements are required to prevent the deaths of women and children?</p>	<p>I am advised:</p> <p>The NSW Government has allocated \$2 million over four years to allow the Domestic Violence Death Review Team, in partnership with the NSW Women's Safety Commissioner, to complete more robust research around risk factors and other trends.</p>

Question Number	Member	Supplementary Question	Answer
123	Hon Abigail Boyd MLC	<p>(123) Can you provide a copy of the DCJ discussion paper regarding the role of the independent victim services commissioner?</p> <p>(a) Which stakeholders were invited to provide feedback on the discussion paper?</p> <p>(b) Can you provide any more details about the consultation process, including its timeline and whether any of it will be publicly available?</p>	<p>I am advised:</p> <p>On 13 January 2025, the Department of Communities and Justice distributed a discussion paper to a wide range of legal, government and non-government stakeholders. It is not proposed to conduct public consultation or to publish the discussion paper. The NSW Government intends to introduce legislation to parliament to establish an Independent Victims Commissioner in the first half of 2025.</p> <p>Consultation in regard to the discussion paper closed on 21 February 2025 and submissions were sought from:</p> <ul style="list-style-type: none"> <li>• ACON</li> <li>• Australian Red Cross</li> <li>• Bonnie Support Services</li> <li>• Carers NSW</li> <li>• DVNSW / WDVCS (women's DV court assistance service) representative</li> <li>• Enough is Enough</li> <li>• Fighters Against Child Abuse Australia</li> <li>• Full Stop Australia</li> <li>• Homicide Victims Support Group</li> <li>• Justice Advocacy Service, Intellectual Disability Rights Service</li> <li>• Justice Support Centre</li> <li>• Mid North Coast Legal Centre</li> <li>• Mission Australia Court Support Service</li> <li>• National Child Protection Alliance</li> <li>• Nepean Blue Mountains WDVCS/ Staying Home Leaving Violence</li> <li>• Penrith Women's Health Centre</li> <li>• People With Disability Australia</li> <li>• Justice and Equity Centre</li> <li>• Southern Sydney Women's DV Court Advocacy Services</li> <li>• Survivors and Mates Support Network</li> <li>• The Survivor Hub</li> <li>• Victims and Witnesses of Crime Court Support</li> <li>• Victims of Crime Assistance League (VOCAL)</li> <li>• Relationships Australia</li> </ul>

Question Number	Member	Supplementary Question	Answer
			<ul style="list-style-type: none"> <li>• Women's Domestic Violence Court Advocacy Service Sydney</li> <li>• Women's Legal Service NSW</li> <li>• Aboriginal Legal Service</li> <li>• Anti-Slavery Australia</li> <li>• Australian Association of Psychologists Inc</li> <li>• Australian Association of Social Workers</li> <li>• Carroll &amp; O'Dea</li> <li>• Central Coast CLC</li> <li>• Central Tablelands and Blue Mountains CLC</li> <li>• Clayton Utz</li> <li>• CLCs NSW</li> <li>• Economic Abuse Reference Group NSW</li> <li>• HIV/AIDS Legal Centre</li> <li>• Hosking &amp; Gosling Legal</li> <li>• Hunter CLC</li> <li>• Kingsford CLC (part of UNSW Sydney Law Faculty)</li> <li>• Knowmore</li> <li>• Law Society of NSW</li> <li>• Linking Communities Network</li> <li>• LK Legal</li> <li>• Macarthur Legal Centre</li> <li>• Muslim Women Australia</li> <li>• No to Violence</li> <li>• North and North West CLS</li> <li>• Northern Rivers CLC</li> <li>• Occupational Therapy Australia</li> <li>• Older Women's Network NSW</li> <li>• Redfern CLC</li> <li>• Road Trauma Support Group NSW</li> <li>• Seniors Rights Service</li> <li>• Shoalcoast CLC</li> <li>• Shopfront Youth Legal Centre</li> <li>• South West Sydney CLC</li> </ul>



Question Number	Member	Supplementary Question	Answer
			<ul style="list-style-type: none"><li>• Sora Community Services</li><li>• Transforming Justice Australia</li><li>• Violet Co Legal &amp; Consulting</li><li>• Welfare Rights Centre</li><li>• Western NSW CLC and Western Women's Legal Support</li><li>• Western Sydney CLC</li><li>• Western Sydney University Justice Clinic</li><li>• Wirringa Baiya Aboriginal Women's Legal Centre</li><li>• Women’s Health NSW</li><li>• Youth Law Australia</li><li>• Legal Aid NSW</li><li>• NSW Police Force</li><li>• Victims Services NSW</li><li>• Multicultural NSW</li><li>• NSW Ministry of Health</li><li>• Office of Director of Public Prosecution</li><li>• Ageing and Disability Commission</li><li>• Corrective Services NSW</li></ul>

Question Number	Member	Supplementary Question	Answer
124	Hon Abigail Boyd MLC	<p>(124) When will the NSW Government amend its legislative definitions of family and domestic violence to include all relationships in which people with disability experience family and domestic violence, in all domestic settings, in line with Recommendation 8.24 of the Disability Royal Commission?</p> <p>(a) Will the NSW Government commit to undertaking a detailed analysis in relation to this, similar to what the Victorian Government has indicated it will do?</p>	<p>I am advised:</p> <p>NSW is supportive of disability-inclusive definitions of family and domestic violence. The NSW definition of domestic abuse, which commenced on 1 February 2024, is aligned to the recommendations of the Royal Commission in relation to both the relationships and conduct covered.</p> <ul style="list-style-type: none"> <li>• The current definition of ‘domestic relationship’ in section 5 of the <i>Crimes (Domestic and Personal Violence) Act 2007 (NSW)</i> includes both paid and unpaid carer relationships and relationships between co-residents in same residential setting.</li> <li>• Since February 2024, the Act includes a new definition of domestic abuse supported by a non-exhaustive list of examples, including physical abuse, sexual abuse, economic abuse, intimidation and stalking. This captures specific forms of violence experienced by people with disability, such as withholding necessary medical or other care, support, aids, equipment or essential support services from a person, or compelling the person to take medication or undertake medical procedures.</li> </ul>
125	Hon Abigail Boyd MLC	(125) How many times has the Guardianship Working Group met since its establishment?	<p>I am advised:</p> <p>See response to last Budget Estimates 2024 supplementary question 9 - <a href="https://www.parliament.nsw.gov.au/lcdocs/other/20379/2a.%20ASQ-%20Hon%20Michael%20Daley%20MP%20-%20Budget%20Estimates%202024-2025%20-%20Received%20%20October%202024.pdf">https://www.parliament.nsw.gov.au/lcdocs/other/20379/2a.%20ASQ-%20Hon%20Michael%20Daley%20MP%20-%20Budget%20Estimates%202024-2025%20-%20Received%20%20October%202024.pdf</a></p>

Question Number	Member	Supplementary Question	Answer
126	Hon Abigail Boyd MLC	(126) Which stakeholders were part of each of these meetings?	I am advised: See response to last Budget Estimates 2024 supplementary question 9 - <a href="https://www.parliament.nsw.gov.au/lcdocs/other/20379/2a.%20ASQ-%20Hon%20Michael%20Daley%20MP%20-%20Budget%20Estimates%202024-2025%20-%20Received%202%20October%202024.pdf">https://www.parliament.nsw.gov.au/lcdocs/other/20379/2a.%20ASQ-%20Hon%20Michael%20Daley%20MP%20-%20Budget%20Estimates%202024-2025%20-%20Received%202%20October%202024.pdf</a>
127	Hon Abigail Boyd MLC	(127) Following the Disability Royal Commission, is any work underway regarding reviewing disability deaths, given the disproportionate rate of preventable deaths for people with disability?	I am advised: The Department of Communities and Justice has commenced work to evaluate the Disability Royal Commission recommendations to establish a disability death review scheme in NSW. The NSW Government has committed to carefully consider the recommendations for a Disability Death Review scheme to provide for systemic death reviews in collaboration with other governments, the disability community and other stakeholders.
128	Hon Abigail Boyd MLC	(128) When will the NSW government establish a disability death review scheme?	I am advised: The NSW Government is still considering the Disability Royal Commission recommendations to establish a disability death review scheme in NSW.

Question Number	Member	Supplementary Question	Answer
129	Hon Abigail Boyd MLC	<p>(129) In relation to the court diversion service Justice Advocacy Service operated by the Intellectual Disability Rights Service, how much funding did the NSW Government provide in each financial year from 2017-18 to 2024-25?</p> <p>(a) Can you break this down to indicate how much funding has been provided to each local court in which the service operates?</p> <p>(b) Given the service's success, will the NSW Government commit to providing additional funding to expand the project across the state?</p>	<p>I am advised:</p> <p>The Justice Advocacy Service (JAS) supports people with a cognitive impairment in contact with the NSW criminal justice system.</p> <p>JAS has two service components, 'JAS Advocacy' and 'JAS Diversion'. JAS Advocacy commenced on 1 July 2019 and operates statewide. JAS Diversion commenced on 1 July 2022 and is available at six local courts:</p> <ul style="list-style-type: none"> <li>• Downing Centre</li> <li>• Parramatta</li> <li>• Blacktown</li> <li>• Penrith</li> <li>• Gosford</li> <li>• Lismore</li> </ul> <p>NSW Government funding for JAS is:</p> <ul style="list-style-type: none"> <li>• 2017-19: nil</li> <li>• 2019-21: \$10 million</li> <li>• 2021-25: \$28 million</li> </ul> <p>(a) The Department of Communities and Justice is unable to provide a funding breakdown per local court for JAS Advocacy and JAS Diversion.</p> <p>(b) JAS Advocacy operates statewide. The NSW Government is undertaking an evaluation of JAS Diversion and subject to the outcomes of the evaluation, will consider future funding options.</p>

Question Number	Member	Supplementary Question	Answer
130	Hon Abigail Boyd MLC	<p>(130) In regards to the government's commitment to roll out specialist domestic and family violence training for magistrates and court staff, what is the timeline for this being rolled out?</p> <p>(a) Has any training been developed yet?</p> <p>(b) What consultation is being undertaken for this?</p> <p>(c) How much funding is allocated to developing and rolling out training?</p>	<p>I am advised that:</p> <p>The NSW Government is not currently funding a specific program of specialist domestic and family violence training for magistrates and court staff.</p> <p>The NSW Government provided funding for training in regards to the coercive control reforms. The details of this training are set out in the Coercive Control Implementation and Evaluation Taskforce reports tabled in Parliament in June and December 2023 and June 2024.</p> <p>The reports are publicly available on the Department of Communities and Justice website:  <a href="https://dcj.nsw.gov.au/children-and-families/family-domestic-and-sexual-violence/police--legal-help-and-the-law/criminalising-coercive-control-in-nsw/coercive-control-implementation-and-evaluation-taskforce.html">https://dcj.nsw.gov.au/children-and-families/family-domestic-and-sexual-violence/police--legal-help-and-the-law/criminalising-coercive-control-in-nsw/coercive-control-implementation-and-evaluation-taskforce.html</a></p>
131	Hon Abigail Boyd MLC	<p>(131) Are you aware of the 2 year pilot program proposed by FullStop in their 2025-26 Pre-Budget Submission for a "justice navigator pilot", which would provide support for victims of sexual violence to move through the justice system?</p> <p>(a) Is this something you'd consider funding?</p> <p>(b) Will you commit to meet with FullStop to discuss this important initiative?</p>	<p>I am advised:</p> <p>The NSW Government is currently engaged in budget processes and cannot make any commitments or comments on future budgets at this time. Pre-budget considerations are Cabinet-in-confidence.</p>
132	Hon Abigail Boyd MLC	<p>(132) I wrote to you last year about the Inner City Legal Centre's funding request to establish a dedicated, specialist legal service for LGBTIQ+ communities and sex workers, similar to Victoria's service Q+ Law which receives funding from the Victorian government. ICLC is asking for \$2 million annually, similar to what the NSW government provides to Redfern Legal Centre to run the Financial Abuse Legal Service. Is this something the NSW Government is considering providing funding for?</p> <p>(a) If not, why not?</p>	<p>I am advised:</p> <p>Refer to response to questions from the Hon. Susan Carter on page 33 and Dr Amanda Cohn on pages 44-45 of the transcript.</p>