

**QUESTION:**

The Hon. MARK LATHAM: I have no doubt that your intentions are very fine indeed but moving it to a different bureaucracy and having a commissioner might not necessarily change the cultural deficiency at SafeWork. I had a bad experience with them with the asbestos problem at Castle Hill High School. I saw the documents and had the feedback showing the culture of SafeWork. Talking to other MPs over the past six years, there is agreement about this. They have zero belief in accountability. It seems if a matter is too hard, it is easier for SafeWork not to pursue it. What are you going to do to change culture so it lives up to your promise of being a tough cop on the beat?

Ms SOPHIE COTSIS: Mr Latham, I, like you, formed that criticism. I was the shadow Minister for two years and I held that portfolio. Unfortunately, the former Government had a different view with respect to safety at work—I am not saying that their commitment to keeping workers safe was not altruistic, but in terms of the way they believed that having one regulation unit and shoving all of the regulatory bodies in one unit was going to fulfil their statutory obligations. We have—and I can pass on to Mr Curtin and he can provide you—the work that currently has been done over the last 18 months in terms of culture, in terms of the structures, particularly with the two reviews that have been undertaken: Justice McDougall's and also the Audit Office, which I had written to in opposition. I had written to them in opposition, asking them to conduct an investigation into SafeWork because, like you and like many others—and like injured workers—we were very concerned. I would sit at estimates time and again with respect to the questions that they were answering, with respect to a number of matters. I can put forward—and Mrs Cassaniti has talked about this a lot. She was very critical of SafeWork at the time. But, if I can hand over to Mr Curtin—

The Hon. MARK LATHAM: Perhaps Mr Curtin can take that on notice or we can deal with that this afternoon, because, Minister, your time is valuable to us as well as yourself.

**ANSWER:**

Refer to page 61 of the transcript.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: I know that's a long answer, and I thank you for it. Can I just move on to another question? The protected industrial action, you sought an injunction in the Federal Court. Do you recall that?

Ms SOPHIE COTSIS: Yes. We got an interim—

The Hon. DAMIEN TUDEHOPE: It was a failed application. Do you recall that? The Government failed in its application.

Ms SOPHIE COTSIS: Yes, that's right. We weren't successful.

The Hon. DAMIEN TUDEHOPE: How much did those proceedings cost?

Ms SOPHIE COTSIS: I don't have a response for you. I'm happy to take that on notice. Just back to with respect to the Federal Court, we were successful in getting an interim—

The Hon. DAMIEN TUDEHOPE: And in the final application, it was dismissed. You got an interim order, but the final order was dismissed. Is that right?

Ms SOPHIE COTSIS: Right. What are you seeking? You're seeking the costs?

The Hon. DAMIEN TUDEHOPE: In relation to the protected industrial action.

Ms SOPHIE COTSIS: We'll take that on notice.

**ANSWER:**

I am advised:

This question should be directed to the Minister for Transport.

**QUESTION:**

The Hon. CHRIS RATH: The Premier said that any protected industrial action would ensure that the workers wouldn't be paid, if they engaged in it. If they don't wear their uniform, which is a type of protected industrial action, will that rail worker be paid or not paid?

Ms SOPHIE COTSIS: I haven't seen that comment in terms of the uniforms, but if you've got an instance where—you're saying their rail uniforms? They haven't been wearing their work uniforms?

The Hon. CHRIS RATH: Which is a type of PIA.

Ms SOPHIE COTSIS: I'll take that on notice. But with respect to the matter that you raised earlier,

Mr Tudehope and Mr Rath, drivers were driving the train slowly, and that was the main reason for the 471. Also, in terms of the whole litigation process, that will be put before the Fair Work Commission. Again, I'm not going to prejudice these matters that are before the Fair Work Commission.

**ANSWER:**

I am advised:

The s 471 notice issued to Sydney Trains and NSW TrainLink employees on 7 February 2025 related to a specific type of Protected Industrial Action (**PIA**) involving a reduction in the maximum speed that train crew will operate trains. The s 471 notices did not contemplate non-payment for other forms of PIA, including campaign actions.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: Let me ask you this: Has the Government, in relation to that claim, which is now before the Industrial Relations Commission, offered any evidence pursuant to section 146 (2) (c) of the Act as to the fiscal position and outlook of the Government?

Ms SOPHIE COTSIS: Has the Government provided information to the commission with respect to the fiscal considerations and outlook?

The Hon. DAMIEN TUDEHOPE: That's the question.

Ms SOPHIE COTSIS: The Government has a responsibility to put forward its case.

The Hon. DAMIEN TUDEHOPE: So have they actually put a position on the fiscal position of the Government as part of its case?

Ms SOPHIE COTSIS: The hearings are currently underway.

The Hon. DAMIEN TUDEHOPE: I will go to you, Ms Dobbins. Has a statement been prepared on behalf of the Government in relation to its fiscal position?

SAMARA DOBBINS: Yes, Mr Tudehope.

The Hon. DAMIEN TUDEHOPE: Thank you. Will you table that submission, Minister?

Ms SOPHIE COTSIS: I have to seek legal advice. We're in the middle of proceedings. I'm not going to have this re-run because I do something that prejudiced the case. I'm going to get legal advice.

**ANSWER:**

I am advised:

NSW Treasury reports "*Fiscal Evidence – Fire and Rescue NSW Award proceedings*" and "*Expert Report: Economic Evidence – Fire and Rescue NSW Award Proceedings*" were filed on behalf of FRNSW in the firefighter award proceedings dated 29 November 2024. An independent expert economic report "*Expert Report of Greg Houston*" dated 29 November 2024 was also filed in these proceedings on behalf of the FRNSW.

The evidence has been read and tested under cross-examination. The proceedings have not yet concluded. An application to access this evidence can be made to the Industrial Relations Commission.

**QUESTION:**

The Hon. MARK LATHAM: Mr Curtin, New South Wales police are investigation a program at Nine Entertainment called Married at First Sight. What is SafeWork doing?

TRENT CURTIN: I understand we have had a request for service to also look into it. We've allocated that to an inspector. The inspector will make inquiries, probably with New South Wales police and the PCBU.

The Hon. MARK LATHAM: Is it pending to make those inquiries, or has something already happened?

TRENT CURTIN: I have only been made aware that we have received a request for service. I am getting an update. I can come back to you this afternoon.

The Hon. MARK LATHAM: If you could take that on notice and inform the Committee, that would be very helpful.

**ANSWER:**

I am advised:

SafeWork NSW has received four Requests for Service (RFS) alleging work health and safety issues relating to the television show, Married at First Sight Australia. The RFS' have been allocated to a SafeWork NSW Inspector within the specialist Psychological Health and Safety team, and inquiries have commenced. As inquiries into these matters are ongoing, no further information can be provided at this time.

**QUESTION:**

Ms ABIGAIL BOYD: We welcome the body-worn cameras for the inspectors, but it just seems a bit incongruous when you have safety officials going in from the unions that aren't allowed to even take a photo of a clearly defective piece of equipment or whatever it happens to be, because they've been told by the PCBU they're not allowed.

Ms SOPHIE COTSIS: No, union officials have to abide by specific rules and those employers have to abide by those rules as well. Where union officials are collecting evidence, particularly around safety, their work should not be hindered by employers and should be allowed to put up. I know Mr Curtin has had a number of occasions where—and I have heard this as well by inspectors whose work has been hindered, but also union officials who had their work hindered, and HSRs as well. The other thing, in terms of the health and safety representatives on the ground, is you've got to remember that these people are employed by the company. There is a power imbalance between the HSR and the bosses. That's why you have the delegate and the next point of call is the official. I know that in certain circumstances the official will work with SafeWork to get an outcome, because we want to make sure we're protecting the HSRs, but we shouldn't have to come to that point.

Ms ABIGAIL BOYD: Would you maybe take on notice the consideration around whether or not there could be a bolstering of the Act or something to make it explicit?

Ms SOPHIE COTSIS: I can't give you a yes or no. In part of our discussions with the unions—I'm happy to consider it, but I can't give you a definitive answer.

**ANSWER:**

I am advised:

The matter is under consideration.

**QUESTION:**

Ms ABIGAIL BOYD: I understand that the widow of one of the US pilots is suing the RFS for negligence in the Supreme Court and that public money is being spent on that RFS defence through icare. There seems to be a bit of a gap in terms of providing any sort of benefits to those widows.

Ms SOPHIE COTSIS: In terms of the death benefits?

Ms ABIGAIL BOYD: I just wanted to check you're aware.

Ms SOPHIE COTSIS: I'm happy for us to have a look at this to provide you with that information after, so you're not wasting your time. We'll take that on notice and if we've got that information for you—after lunch.

Otherwise, we will speak, because I want to find out the whole issue so we can try to help.

**ANSWER:**

I am advised:

The claims are still at a relatively early stage. As with all claims, icare will manage the claim in line with the Model Litigant Policy.

The claims are brought in relation to a fatal large air tanker crash, which occurred on 23 January 2020 during the 2019 – 2020 bushfires. US firefighters, Paul Hudson and Ian McBeth, were killed in the crash. Their surviving relatives brought nervous shock and compensation to relatives claims. The claimants allege that Rural Fire Service breached duties of care owed to them by failing to take reasonable precautions to prevent the crash from occurring.

As the litigation is ongoing, we cannot provide any further details on liability. Any advice we have received is also subject to legal professional privilege.

We understand there are separate insurance arrangements with their US based employer, which is in line with respective obligations set out in the *Operating Plan for the Exchange of Wildfire*

*Management Resources between United States of America and Australian Participants. We are not privy to the details of that insurance.*

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: The 25 per cent emergency physician's allowance is proposed to be abolished by your Government. It was introduced in 2015. It was specifically to address a crisis in the provision of emergency medicine in the New South Wales public health system. Have you been consulted about the removal of that allowance?

Ms SOPHIE COTSIS: I'm happy to take that on notice.

The Hon. DAMIEN TUDEHOPE: Good, thank you. How do you respond to the recent communication from ASMOF to its members in relation to the staff specialists award that the Minns Government is leaving them with no option but to strike—strike or accept an appalling award? This is staff specialists in public hospitals going on strike. Does that concern you, Minister?

Ms SOPHIE COTSIS: What concerns me is that we were left with a big mess under your Government, and we've got a lot of work to do. With respect to the communiqué that you've stated, I haven't seen that. I'm happy to take that on notice. The Government has put forward our offer. They are currently in discussions with Health, and I'm happy to take that on notice.

**ANSWER:**

I am advised:

The Emergency Physician's allowance is not an award entitlement and never has been. As such, it does not appear in the Staff Specialists (State) Award in its current form or in the amended application as filed by NSW Health on 17 February 2025.

The Emergency Physician's allowance is paid by a policy directive that sets out the allowance in addition to the terms of the award and the Staff Specialists Determination 2015. The policy directive is reviewed on an annual basis.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: Weren't you? Perhaps I'll help you. The PSA described the failure by the EPA to consult in these terms:

EPA have treated their staff and the PSA with the utmost contempt in their lack of engagement regarding this distressing announcement to affected staff. [They] have [shown] a complete lack of humanity and compassion in informing staff that their contracts would be terminating prior to Christmas. One affected member commented, "This is a brutal approach by the EPA and feels like the EPA's Hunger Games." Does that accord with any recollection you may have in relation to staff redundancies?

Ms SOPHIE COTSIS: Can I just refer to our IR officials?

SAMARA DOBBINS: I'm sorry, Mr Tudehope. I'm not aware of those matters either. I'll need to take the details on notice.

**ANSWER:**

I am advised

The PSA filed a dispute regarding a lack of consultation about the termination of a number of temporary employment contracts in the Industrial Relations Commission (the Commission) in November 2024.

With the assistance of the Commission, agreement was reached that impacted employees would have their contracts extended to January 2025. The Commission agreed that the EPA are within their rights to terminate temporary contracts early but advised they need to ensure there is adequate consultation when roles are being removed that are no longer funded.

The issue was resolved, and a notice of discontinuance was filed in the Commission by the PSA on 10 December 2024.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: You were supposed to receive six-monthly reports from the administrator pursuant to section 16A of schedule 6 to the Industrial Relations Act. You're aware of that?



Ms SOPHIE COTSIS: Yes.

The Hon. DAMIEN TUDEHOPE: Have you received the first report?

Ms SOPHIE COTSIS: Mr Tudehope, there has been a report that's been provided to the workplace relations Minister, Mr Murray Watt. I have gone through that report. I know that you supported this bill about— the Government is very clear about no tolerance for criminal or corrupt behaviour in the building industry. There were a number of allegations that were aired against the CFMEU, and we took immediate steps. As you know, the Government appointed an administrator. We supported the Federal Government in appointing Mr Irving. Mr Irving has made an interim report to the Commonwealth Minister, Mr Watt, and outlined key investigation findings and strategies to reduce corruption implemented since the administrator was appointed. As you know as well, Mr Geoffrey Watson was also commissioned to conduct an investigation. He also, as part of this report, has made a number of recommendations. Throughout this process, throughout the six months, there have been a number of initiatives that have been undertaken, such as establishing a whistleblower hotline, looking at a number of officials and dealing with them. To let you know, Mr Tudehope, the report submitted to the Commonwealth Minister outlines the progress of the administration. We all know this at the moment. It notes that, despite the leadership changes, union services, workplace safety initiatives and EBA agreements have continued. The work of the union that represents the workforce continues on. However, shortly after the administration was imposed, a High Court challenge was filed questioning its legality. If you read deep into this report, work is continuing on. I acknowledge all of those people who are doing important work and, of course, the officials who—

The Hon. DAMIEN TUDEHOPE: I understand. There is an obligation for the administrator to report to you.

Ms SOPHIE COTSIS: Yes.

The Hon. DAMIEN TUDEHOPE: Has a report been provided to you?

Ms SOPHIE COTSIS: I have the report that was submitted by Mr Irving. I've got that report.

The Hon. DAMIEN TUDEHOPE: Is that specifically addressed to you?

Ms SOPHIE COTSIS: The report that Mr Irving has provided also is specific to the New South Wales branch of the CFMEU.

The Hon. DAMIEN TUDEHOPE: When did you receive that report?

Ms SOPHIE COTSIS: I'm saying to you that a report was provided to the Federal Minister.

The Hon. DAMIEN TUDEHOPE: When did you receive it?

Ms SOPHIE COTSIS: I've read the summary of the report.

The Hon. DAMIEN TUDEHOPE: When did you receive it?

Ms SOPHIE COTSIS: I've read a summary of the report.

The Hon. DAMIEN TUDEHOPE: Minister, you have an obligation to table this report in both Houses of Parliament. When did you receive the report?

Ms SOPHIE COTSIS: I will fulfil my statutory—

The Hon. DAMIEN TUDEHOPE: Within 15 days of receiving it.

Ms SOPHIE COTSIS: I will fulfil my statutory obligation.

The Hon. DAMIEN TUDEHOPE: When did you receive it?

Ms SOPHIE COTSIS: I will get that for you, but I will fulfil my statutory obligation. This is a very serious report, and I'm sure that you've read it or you're going through it. It was recently handed to the Federal Minister, and can I just say to this Committee, just to give you an update, that the administrator has taken steps to remove corrupt officials. Several dismissals and resignations have already occurred—enhancing the governance arrangements, including improved financial oversight and accountability measures.

**ANSWER:**

I am advised:

The report has been tabled.

**QUESTION:**

Ms ABIGAIL BOYD: In January I asked a question of SafeWork in relation to how many inspectors have a history of, particularly—I was interested in sexual violence offences and domestic and family violence offences. The answer came back saying that there's only a 12-month record in relation to employees and whether or not they've got a claim against them during that time, which didn't really answer my question. I'm aware there is at least one inspector who has quite a serious public allegation on record and was dismissed from the Police Force for a quite horrific incident of

sexual assault. Does it concern you that SafeWork don't seem to know how many people within its inspectorate have that kind of a past?

Ms SOPHIE COTSIS: It's concerning to me, but I know that we're making changes in terms of probity and background checks with respect to people who are employed, and there's a government protocol about making sure that people who have particular matters with respect to their past dealings are looked at. We have to go through those checks. I'm happy to refer that to you, Mr Curtin or Mr Head.

GRAEME HEAD: I might make a brief comment before Mr Curtin speaks. The arrangements, I think, for workplace clearances across the public service, which includes SafeWork, are referred to in section 54 of the Government Sector Employment Act. That doesn't limit the clearances that can be imposed but, generally, I think DCS does what's called a fit2work check, which includes criminal history checks, health clearances et cetera. If you were required to have something like a Working with Children Check, then the various things that calls up would also apply. Equally, that's true for people who require, in their function, an NDIS worker clearance, which goes beyond national criminal checks.

Ms ABIGAIL BOYD: How did this person get employed?

GRAEME HEAD: What I can undertake is two things. I can have a look at the specifics that applied in this situation but also undertake to have a discussion with Ms Dobbins about clearances generally for regulators and the extent to which they pick up the range of things that might be more pertinent for people exercising powers. There will be people in regulators who, because of what they're doing, will require more than the clearances we have, and some of those other clearance mechanisms alert things beyond criminal history. Those things can be taken into account.

**ANSWER:**

I am advised:

To ensure the privacy of those impacted by this matter, the Department can provide limited information in this response. Based on the information provided regarding this matter, the Department has identified two (2) recruitments to which this question potentially relates. In both of these cases, a GSE compliant employment process was undertaken, noting that one of the matters involved a staff member who was recruited more than 5 years ago.

The Department is always seeking to improve our processes to ensure we have the best available vetting process in place. To support this, work has commenced on an internal audit to review pre-employment screening processes at DCS. This will examine our current processes, identify any potential risks or gaps in those process, and make recommendations on improvements that can be made.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: I just wanted to ask you whether you would give me this undertaking, Minister: You have the report. Will you need the whole 15 days to deliver that report, or can you table it next week?

Ms SOPHIE COTSIS: Let me find out what my legal obligation is, but I don't think that there's any issue in tabling it prior to the 15 days.

**ANSWER:**

I am advised:

The report has been tabled.

**QUESTION:**

Ms ABIGAIL BOYD: Tell me who this one goes to—whether it's you, Mr Head, or Mr Draper. Can I ask about the portable long service leave reforms that were passed last year? I remember them being passed in June, with a start date of July this year. There was talk about the regulations and things that would need to be put in place before that came into effect. What's the update on those?

GRAEME HEAD: I can help you with that, Ms Boyd. I don't have anyone else from the Long Service Corporation here—they weren't on the witness list—but we're on track for the 1 July commencement. That includes all of the component parts of what's required to flick it on 1 July: consultation with stakeholders, any reg development—the raft of things that are required for that new scheme to commence. We can provide some extra detail on notice if there are particular matters that you would like information on.

Ms ABIGAIL BOYD: Yes, I'm keen to know that it's still on track and to see whether there has been any consultation on the regulations—if they've been drafted or what the process is there.

GRAEME HEAD: I'll need to take that on notice just to make sure I give you an accurate update.

Ms ABIGAIL BOYD: In the second half of last year, there were amendments to the portable long service leave legislation because of that strange circumstance where workers who were working on Commonwealth sites weren't able to have their leave added in. Amendments were passed as a temporary solution to that. Have there been discussions with the Commonwealth since then in relation to fixing this more permanently?

GRAEME HEAD: Yes, and there has been some consultation between the Commonwealth and other jurisdictions, but the matter is still pending. There's a need for the Commonwealth to modify schedules to the mirror tax Act, I think, to deal with these things. But there is a process underway where the Commonwealth is talking to States and Territories, and New South Wales is participating in that process.

Ms ABIGAIL BOYD: When was the last time it was raised?

GRAEME HEAD: Quite recently, I think. But I'd need to get back to you with a specific date.

**ANSWER:**

I am advised:

The Community Services Sector (Portable Long Service Leave) Regulation 2025 has been drafted and is expected to be finalised in March 2025. Public consultation on the draft regulation and an accompanying Regulatory Impact Statement was open from 8 November to 9 December 2024. Key stakeholders and the public were invited to have their say via the NSW Governments Have Your Say website. Two targeted workshops were also held with key peak bodies and providers. The issue of Commonwealth places was raised at the Workplace Relations Senior Officials meeting in late February 2025.

**QUESTION:**

Ms ABIGAIL BOYD: On the issue I raised earlier in relation to the crash of the RFS large air tanker, I understand—maybe this is a question for Mr Farquharson—the icare money is being spent on the RFS defence on that. How much are we expecting those legal claims to cost?

STUART FARQUHARSON: Ms Boyd, I'll need to get back to you on that because I'm not aware of the details of that particular claim. But we absolutely will be able to share with you what we're able to share on notice, if that's okay.

Ms ABIGAIL BOYD: That would be good. I'm also concerned about—there has been a suggestion that there's doubt over whether that particular company involved actually has any workers compensation, and what happens for the widows in that particular circumstance.

STUART FARQUHARSON: It sounds like there are two parts to that question: The one is the liability claim issue and activity around that, and then the second one is more—I think what you're getting at is what's happened from a workers compensation perspective. So the two—we'll need to get back to you on both of those— is what you're asking for.

**ANSWER:**

I am advised:

The claims are still at a relatively early stage. As with all claims, icare will manage the claim in line with the Model Litigant Policy.

The claims are brought in relation to a fatal large air tanker crash, which occurred on 23 January 2020 during the 2019 – 2020 bushfires. US firefighters, Paul Hudson and Ian McBeth, were killed in the crash. Their surviving relatives brought nervous shock and compensation to relatives claims. The claimants allege that Rural Fire Service breached duties of care owed to them by failing to take reasonable precautions to prevent the crash from occurring.

As the litigation is ongoing, we cannot provide any further details on liability. Any advice we have received is also subject to legal professional privilege.

We understand there are separate insurance arrangements with their US based employer, which is in line with respective obligations set out in the *Operating Plan for the Exchange of Wildfire Management Resources between United States of America and Australian Participants*. We are not privy to the details of that insurance.

**QUESTION:**

Ms ABIGAIL BOYD: Are there certain agencies that incur greater costs, perhaps even disproportionate to their size?

STUART FARQUHARSON: Yes, there are, absolutely.

Ms ABIGAIL BOYD: Are you able to tell me them now?

STUART FARQUHARSON: I would have to provide that on notice, if that's okay.

**ANSWER:**

I am advised:

Agency size is not the best measure for proportionate defence costs, as there are several unique legal exposures faced by different agencies given their duties. Overall defence costs across the scheme have increased by approximately 22.5% in the last three years, though this has remained broadly steady as a proportion of overall claims costs. Determinations as to claims strategies and legal expense are made by icare as operator of the steward of the TMF, rather than by individual agencies, and allowing for specific requirements of agency duties, icare seeks a consistent model litigant approach to managing those expenses.

**QUESTION:**

Ms ABIGAIL BOYD: That would be really useful. I am going to move on. Are the associated claims costs publicly available under that TMF general lines—how much information do you provide publicly in the annual report, in terms of the agencies?

STUART FARQUHARSON: I would say that typically it's not. You will see the results of the various schemes, which are in our financial statement. On an annual basis, you could see how much premiums have been collected, what claims have been paid and what the operating expenses are. In terms of drilling down to individual claims, you wouldn't pick that up from the financial statements.

Ms ABIGAIL BOYD: When you come back on notice with that, could you please tell me what sort of percentage of—I am interested in how the agency costs are impacting on the overall viability of icare and whether or not, when we are talking about the escalating costs of icare, any of that is coming out of agency legal liabilities and where those pressures are coming from. I am interested

in knowing the percentages of icare's outflows or any other data you can give me to show whether the agency amount is getting more or less over time.

STUART FARQUHARSON: I absolutely will be able to provide more detail to you on notice. But each of the schemes that icare manages has different dynamics around it. If you look at the two workers comp schemes, the increase in psychological injury claims is having an impact on the sustainability of those two schemes. Within the Treasury Managed Fund, obviously there is the workers compensation component, which falls under that, but then the general lines piece, which is really what we are talking about now. Over time, the significant factors or claims costs that have impacted the sustainability of that scheme have been the catastrophic events—floods and some of those activities. The abuse claims that have come through—there's a big legal component to that, of course.

**ANSWER:**

I am advised:

The TMF responds to the overwhelming majority of litigation against the NSW Government, including general, cyber, employment and environmental liabilities, and cover for directors and officers.

Accordingly, the TMF legal expenditure is the largest concentration of legal expenditure in government and provided through a negotiated Legal Service Panel arrangement. As at 30 June 2024 (i.e. after 3 years of operation of the Panel), expenditure on the General Lines Panel (being all matters except Workers Compensation) totaled \$466.19m. This is higher than historical legal expenditure.

The increase is driven by increased claim volume rather than cost per claim. Claim volumes across the TMF have increased by 67% in the past five years.

**QUESTION:**

Ms ABIGAIL BOYD: How many workers have had their benefits terminated under section 39?

STUART FARQUHARSON: I can't answer that, but potentially Tony can. I don't know. We'll take that on notice, if that's okay.



Ms ABIGAIL BOYD: Thank you. Similarly, I'm interested in how many workers have had their medical entitlements terminated under section 59A. Does icare still report all suicides or self-harm of injured workers that it's responsible for to SIRA? I know it used to report that to SIRA. Is that still the case?

STUART FARQUHARSON: I believe so. Tony, can you confirm it?

TONY WESSLING: I believe so, yes.

Ms ABIGAIL BOYD: Are you able to provide data? I know we've got the data before out of questions on notice, but a few years ago now. Are you able to provide, for the last five years, the numbers of suicides and self-harm of injured workers that icare has had within its responsibility so we can see that over time?

STUART FARQUHARSON: Yes.

**ANSWER:**

I am advised:

The number of workers who have had their benefits terminated under Section 39 are 841 (for the Nominal Insurer) and 184 (for TMF) for the Calendar Year 2024.

I am advised:

The number of workers who have had their medical entitlements terminated under Section 59 are 1595 (for the Nominal Insurer) and 418 (for TMF) for the Calendar Year 2024.

I am advised of the below data on the last 5 years of reported suicide and self-harm incidents for injured workers.

Suicides

For NI, 18 suicides were notified for determination between 2020 – 2024, of which 13 were accepted, 4 declined, 1 not yet determined.

For TMF, 32 suicides were notified for determination between 2020 – 2024, of which 12 were accepted, 2 declined and 18 not yet determined.

In total (NI + TMF), between 2020 – 2024, 50 suicides were notified for determination.

Self-harm

For NI, 33 claims relating to attempted suicide were notified, of which 21 were accepted, 12 were declined).

For TMF, 170 claims related to self-harm or witnessing self-harm.

In total (NI + TMF), between 2020 – 2024, 203 self-harm incidents were notified.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: Can I take you to the police insurance scheme. What is the estimated payout from the Enhanced Police Support Scheme for the period 1 October 2024 to 30 June 2025?

STUART FARQUHARSON: I will need to take that on notice unless Tony's able to provide that, at this stage.

The Hon. DAMIEN TUDEHOPE: Well, are you able to provide it? Best guess?

TONY WESSLING: No.

**ANSWER:**

I am advised:

It is too early to meaningfully report on the expected payout, as the scheme has only been in operation since October 2024.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: The new Enhanced Police Support Scheme, is that going to be a separate fund?

TONY WESSLING: I understand it's a separate fund, yes.

The Hon. DAMIEN TUDEHOPE: Is it invested in the NSW Master Fund, or OneFund?

SONYA CAMPBELL: Let me check that for you.

The Hon. DAMIEN TUDEHOPE: Ms Campbell, do you know that?

SONYA CAMPBELL: I can check that for you, Mr Tudehope. I don't believe it is at this stage. I'd have to just confirm that on notice, Mr Tudehope.

**ANSWER:**

I am advised:

The Police Additional Payments Fund (PAPF) has been invested into OneFund.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: Do we know what the current assets of the Enhanced Police Support Scheme fund are?

STUART FARQUHARSON: I don't have that. Sonya, do you?

SONYA CAMPBELL: I'm not sure that I have that either, but I will just check for you, Mr Tudehope. No, I don't have that information, Mr Tudehope.

**ANSWER:**

I am advised:

The total assets of the Enhanced Police Support Scheme as at 28 February 2025 is \$257,052,733.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: Do we know where the assets of the Enhanced Police Support Scheme come from?

STUART FARQUHARSON: There is a separate funding arrangement for that. I can provide those details on notice, if that's helpful.

**ANSWER:**

I am advised:

The assets for the Enhanced Police Support Scheme comes from the annual contribution from NSW Treasury (which is invested in OneFund) and the investment income from assets invested in OneFund.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: Do we know what the total liabilities of the Enhanced Police Support Scheme are?

STUART FARQUHARSON: As we work through the different valuation periods, we will have that, but obviously it's just in its infancy.

The Hon. DAMIEN TUDEHOPE: There's no way we can work out what the ratio for that fund is, currently?

STUART FARQUHARSON: I think it's too early at this stage. We don't have a preliminary set of numbers, no.

The Hon. DAMIEN TUDEHOPE: In respect of this new fund, are there going to be provisions to top up the assets of the fund, if needed, to ensure that there are sufficient funds to meet liabilities?

STUART FARQUHARSON: Yes, there will be. I think back to the discussion that Ms Campbell was leading earlier around the Treasury policies to be determined in that regard.

The Hon. DAMIEN TUDEHOPE: This is a distinct fund.

STUART FARQUHARSON: Yes, that's correct.

The Hon. DAMIEN TUDEHOPE: What will be the formula used for the purposes of requiring additional provision of funds if in fact there aren't sufficient assets to meet liabilities?

SONYA CAMPBELL: Mr Tudehope, I can perhaps give you a bit more colour on this. Following the commencement of the new scheme on 1 October, SICorp is administering the new Police Additional Payments Fund Scheme as a government-managed fund scheme with the purpose of centralising, monitoring and managing the funding for Police Force liabilities arising out of the new scheme. Those funds will be invested into OneFund by the self-insurance fund special deposit account and Treasury Managed Fund investment portfolio that is managed by TCorp. It will be subject to the same contributions and transfer framework.

The Hon. DAMIEN TUDEHOPE: Does that require legislation?

SONYA CAMPBELL: I don't believe so, but I would have to confirm that.

**ANSWER:**

I am advised:

Total liabilities of the Enhanced Police Support Scheme as at 28 February 2025 is \$213,790,369.

The NSW Parliament passed the *Police Amendment (Police Officer Support Scheme) Bill 2024*, commencing on 1 October 2024. This established the framework for the new NSW Police Force arrangements for benefits to Police Officers relating to death, on-duty injury and off-duty injury.

New legislation was not required to establish the Police Additional Payments Fund (PAPF) Scheme, which is used to manage the funding of Police Officer Support Scheme liabilities. The Self Insurance Corporation (SICorp) created the PAPF Scheme through the application of existing SICorp CEO powers to establish funds per the Self Insurance Corporation Act 2004 (SICorp Act).

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: What percentage of claims on the EPSS since 1 October are for psychological injuries? Do we know that?

TONY WESSLING: I don't have that. I'll see if I can get the information.

**ANSWER:**

I am advised:

It is too early to meaningfully report on the percentage of claims, as the scheme has only been in operation since October 2024.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: What involvement does icare have in the wellbeing initiatives—you may have answered this in respect of a question that Ms Boyd asked you previously—under the new health, safety and wellbeing command of the NSW Police Force? There is a new command, is there not?

STUART FARQUHARSON: I can't add anything. I can get back to you, unless Tony is able to.

The CHAIR: Take that one on notice.

**ANSWER:**

I am advised:

Like all NSW agencies, NSW Police is responsible for its wellness, workforce safety and return to work activities. As part of the recent introduction of the new command, icare is providing advice and support in regard to wellness initiatives, through its prevention and education teams.

**QUESTION:**

Ms ABIGAIL BOYD: Are you able to provide on notice the pieces of guidance that have been issued from the productivity unit to agencies, or are they specific to particular negotiations?

SAMARA DOBBINS: No, I'm sure I can work with Treasury to provide whatever guidance has been issued to the sector.

**ANSWER:**

I am advised:

The question should be directed to the Treasurer.

**QUESTION:**

Ms ABIGAIL BOYD: Have there been any external parties appointed to consultants or the like to give advice on this negotiation and framework?

SAMARA DOBBINS: As in the Fair Pay and Bargaining Policy?

Ms ABIGAIL BOYD: Yes. Generally, in terms of how that was developed, were there any consultants or other parties involved?

SAMARA DOBBINS: I'm trying to recall. There were no consultants. There may have been recommendations by the Industrial Relations Taskforce right after this Government was elected, which might have contributed to the development of the policy. But I'd have to take on notice whether the taskforce recommendations went specifically to the policy. But there were no external consultants that I'm aware of, unless

Ms ABIGAIL BOYD: Are you able to give me an up-to-date legal costs figure for the CRU dispute? I did ask in the House in February and I was given a figure, but it didn't appear to me to involve all of the legal advice—maybe just the court costs. Are you able to give us the full—

SAMARA DOBBINS: No. In the rail dispute, there are two different legal aspects. The rail agencies seek legal advice and have their own lawyers. Where the Minister appears in matters, we seek the support of the Crown Solicitor's Office. While that dispute is on foot, I don't have the costs in front of me, but I can certainly take the Crown Solicitor's costs question on notice. You'd need to go to the rail agencies and Transport for the costs of their proceedings.

**ANSWER:**

I am advised:

Consultants

I am advised that during its review, the Taskforce considered what approach would best facilitate a more consultative bargaining stream in the Industrial Relations Act 1996. The Industrial Relations Amendment Act 2023 implemented a number of the recommendations made by the Taskforce. This included introducing a cooperative, mutual gains bargaining framework incorporating a new fair pay and bargaining policy that places a focus on enhancements to pay and improvements to working conditions to enable the delivery of essential public services through the identification of productivity enhancing reforms.

Crown Solicitor Costs

The Crown Solicitors costs were internally funded from the Attorney General's Legal Fund (AGLF).

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: Mr Farquharson, can I just return to the Enhanced Police Support Scheme. What is the return to work rate currently for claimants under the Enhanced Police Support Scheme?

STUART FARQUHARSON: What I can tell you is that it's very early in the workings of the new scheme.

The annual contribution, I can give you that number and I can talk about—

The Hon. DAMIEN TUDEHOPE: There are different markers that you would use?

STUART FARQUHARSON: Yes. From a performance perspective, if that's what you're getting at, return to work, I don't have those with me. Tony has them. He can provide that. Otherwise, we can get back to you on that.



**ANSWER:**

I am advised:

It is too early to meaningfully report on the return-to-work rate for the scheme, as it has only been in operation since October 2024.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: There were two 424 applications and, as I alluded to earlier, a 426 application, which were made prior to Christmas and New Year's Eve. The 424 applications were designed to stop the protected industrial action because of the potential conflict and the impact on New Year's Eve celebrations in the Sydney CBD.

MARINA RIZZO: That's right.

The Hon. DAMIEN TUDEHOPE: In fact, did you provide evidence or was evidence provided in those proceedings about the economic damage which was asserted in the Minister's 426 application?

MARINA RIZZO: It was alluded to, and it formed part of the evidence that was filed on behalf of the Minister.

The Hon. DAMIEN TUDEHOPE: Is that information generally available?

MARINA RIZZO: It was evidence filed in those proceedings. The proceedings didn't progress to a hearing, so they weren't tendered as exhibits. So they're not publicly available.

The Hon. DAMIEN TUDEHOPE: Would you be prepared to make those available?

MARINA RIZZO: I would need to get legal advice.

**ANSWER:**

I am advised:

An application to access the evidence filed on behalf of the Minister for Industrial Relations can be made to the Fair Work Commission.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: In those circumstances, did you obtain economic evidence, in respect of those proceedings, of the impact of the protected industrial action?

MARINA RIZZO: It formed part of the consideration but it wasn't the sole basis of the case. It didn't form the main part of the evidence, again.

The Hon. DAMIEN TUDEHOPE: But it was a significant component of the case being made out by the Government, of economic impact.

MARINA RIZZO: I'd have to refresh. Could I turn to my notes, please?

The Hon. DAMIEN TUDEHOPE: Yes, sure.

SIMON DRAPER: It might be best to take it on notice. You're asking for Ms Rizzo to recall all the evidence that was compiled in quite a complicated case.

The Hon. DAMIEN TUDEHOPE: No, I'm just asking her whether economic evidence was provided.

MARINA RIZZO: We certainly didn't have an economist as a witness, but there would have been a component of evidence relating to the economic impact. But I will take it on notice.

**ANSWER:**

I am advised:

Economic evidence was filed as part of the s 424 application made in January 2025.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: I will return to the section 424 application. I was asking you about who is the deponent to the affidavit—I think it probably is an affidavit—in the Fair Work Commission relating to the economic and other aspects of the claim? Who is that deponent?

MARINA RIZZO: I will have to take that on notice. I should be able to answer that after the afternoon tea adjournment.

The Hon. DAMIEN TUDEHOPE: You were in the process of saying that the economic impact was not the main component of the application. What was the other component of that application?

MARINA RIZZO: I would have to take that also on notice and review the affidavit and application.

The Hon. DAMIEN TUDEHOPE: I think you identified public safety as being a significant component of the pre-new year one. What were the other components?

MARINA RIZZO: We might have to take that on notice to provide you with the absolute correct answer.

**ANSWER:**

I am advised:

**1. Section 424 Application -December 2024**

The grounds of this application were:

- s 424 (1)(c) that the PIA threatened to endanger the life, the personal safety or health or the welfare of the population; and
- s 424(1)(d) that the PIA has threatened, is threatening and would threaten to cause significant damage to an important part of the Australian economy.

**Section 426 – December 2024**

The grounds of this application were that the PIA was threatening to cause significant harm to third parties pursuant s 426 (3).

**Evidence December 2024**

The following evidence was filed on behalf of the Minister for Industrial Relations:

- Witness statement of Kya Blondin -Sydney Opera House
- Witness statement of Dr Sherman Chan Chief Economist, Business NSW
- Witness statement of Neale O'Connell- Group Chief Financial Officer at the Star Entertainment Group
- Witness statement of Thomas Poberezny-Lynch – Solicitor, Crown Solicitor's Office
- Witness statement of Emma Rigney- City of Sydney
- Witness statement of Julie Turpie- Destination NSW
- Witness statement of John Green – Australian Hotel Association
- Witness statement of Nick Abraham – Taxi Council
- Witness statement of Kath Earle – Australian Broadcasting Corporation
- Witness statement of Greg Houston Economist, HoustonKemp
- Witness statement of Joann Wilkie Deputy Secretary Economic Strategy and Productivity Group

**2. Section 424 Application -January 2025**

The grounds of this application were:

- s 424 (1)(c) that the PIA threatened to endanger the life, the personal safety or health or the welfare of the population; and

- s 424(1)(d) that the PIA has threatened, is threatening and would threaten to cause significant damage to an important part of the Australian economy.

**Evidence January 2025**

The following evidence was filed on behalf of the Minister for Industrial Relations:

- Witness statement of Dr Sherman Chan Chief Economist, Business NSW
- Witness statement of Dr Michael Warlters – Executive Director, Macroeconomy Division, Economic Strategy and Productivity Group at NSW Treasury
- Witness statement of Thomas Poberezny-Lynch – Solicitor, Crown Solicitor’s Office

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: Do you have a copy of the notification by the rail agencies to their workers in respect of the impact of taking protected industrial action?

MARINA RIZZO: Not on me. I have seen it before, but no, I don't have it today.

The Hon. DAMIEN TUDEHOPE: Would you have a copy available if I asked you to table it on notice?

SAMARA DOBBINS: We can take that on notice.

**ANSWER:**

I am advised:

The document “Copy of Notice to Employees” dated 7 February 2025 has been tabled.

**QUESTION:**

Ms ABIGAIL BOYD: Are you able to tell us, then, the top 10 industries in terms of requests for service? Is there anything that has come back so far?

TRENT CURTIN: I'd have to take that on notice. The strategy calls out making sure that we are increasing compliance consistently. Where we've visited a workplace, we want to make sure that for 80 per cent of those workplaces, we revisit—that there's sustained compliance. It's not about just being compliant on a one-off occasion; it's about sustaining that and making sure we're increasing inspector compliance. That shift towards inspector focus by 25 per cent by 2026—we

want to make sure that we've got these 125,000 workplaces that are mentally healthy under that supported funding arrangement. We have not done a review of the program as yet, but we're seeing some significant increase in activity there.

Ms ABIGAIL BOYD: In terms of that request for service statistics, are you able to tell us what the top five worst performing government agencies are in terms of numbers of requests for service? Do you keep that data?

TRENT CURTIN: I'd have to take it on notice.

Ms ABIGAIL BOYD: And—apologies, because I don't know if I asked you for this already—also an age breakdown, just to get a bit more data around who is putting in requests for service and what that is looking like in relation to different age groups?

TRENT CURTIN: I'll take it on notice. I'm not sure we've got that information, but I'll take it on notice and we'll come back to you.

#### **ANSWER:**

I am advised:

In the absence of a specified timeframe and to ensure currency of the information provided, the below data, broken down by industry, has been provided for the period 1 January 2020 to 31 December 2024:

<b>Request for Service (RFS) relating to psychosocial hazards by Industry*</b>	
<b>Industry</b>	<b>Total</b>
Health Care and Social Assistance	1,798
Construction	875
Other Services	714
Transport, Postal and Warehousing	694
Education and Training	612
Accommodation and Food Services	611
Public Administration and Safety	595
Manufacturing	593
Retail Trade	587
Administrative and Support Services	215
*As classified under the Australian and New Zealand Standard Industrial Classification (ANZSIC)	

Note: Requests for advice have not been captured in the data set provided.

From 1 January 2024, SafeWork NSW adopted a new approach to reporting and recordkeeping with respect to WHS matters relating to NSW Government agencies. This approach categorises government departments by distinct SafeWork NSW portfolios of work. To ensure the accuracy and consistency of the information provided, the below data is limited to the period 1 January 2024 to 31 December 2024.

<b>RFS relating to psychosocial hazards by SWNSW Government Portfolio</b>	
<b>SWNSW Government Portfolio</b>	<b>Total</b>
Gov Portfolio: Ministry of Health - NSW Ministry of Health	181
Gov Portfolio: Department of Education - Department of Education	87
Gov Portfolio: Department of Communities and Justice - Corrective Services	31
Gov Portfolio: Ministry of Health - Ambulance Services of NSW	13
Gov Portfolio: Department of Communities and Justice - Department of Family and Community Services	12
Note: Requests for advice have not been captured in the data set provided.	

SafeWork NSW does not collect nor require date of birth to be provided when a request for service is lodged. Accordingly, SafeWork NSW is unable to provide complete and accurate data with respect to the breakdown of RFS received by age group.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: Ms Rizzo, you were going to see if you could find some material for me.

MARINA RIZZO: I will have to take it on notice, Mr Tudehope.

The Hon. DAMIEN TUDEHOPE: That's okay. That includes the additional grounds that the 424 application was being run—

MARINA RIZZO: In January, yes.

**ANSWER:**

I am advised:

**Section 424 Application filed on behalf of the Minister for Industrial Relations - December 2024**

The grounds of this application were:

- s 424 (1)(c) that the PIA threatened to endanger the life, the personal safety or health or the welfare of the population; and
- s 424(1)(d) that the PIA has threatened, is threatening and would threaten to cause significant damage to an important part of the Australian economy.

**Section 426 filed on behalf of the Minister for Industrial Relations – December 2024**

The grounds of this application were that the PIA was threatening to cause significant harm to third parties pursuant s 426 (3).

**Section 424 Application filed on behalf of the Minister for Industrial Relations - January 2025**

The grounds of this application were:

- s 424 (1)(c) that the PIA threatened to endanger the life, the personal safety or health or the welfare of the population; and
- s 424(1)(d) that the PIA has threatened, is threatening and would threaten to cause significant damage to an important part of the Australian economy.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: Ms Rizzo, returning to you, in respect of the two withdrawn 424 applications, are you able to tell me what the cost of those was?

MARINA RIZZO: I'm not, unfortunately. No.

The Hon. DAMIEN TUDEHOPE: Can you take that on notice?

MARINA RIZZO: Yes.

The Hon. DAMIEN TUDEHOPE: Ms Rizzo, how many strikes has the Minns Labor Government sought to prevent or halt through applications to the IRC?

MARINA RIZZO: I would have to take that on notice as well. I wouldn't be able to give you a number that was accurate right now.

The Hon. DAMIEN TUDEHOPE: Could you give me a more than—

MARINA RIZZO: I couldn't do it. I would have to take that on notice.

The Hon. DAMIEN TUDEHOPE: How many of those applications have been successful? Would you know that?

MARINA RIZZO: The vast majority.

The Hon. DAMIEN TUDEHOPE: Have been successful? And the costs of those applications?

MARINA RIZZO: I'm sorry, I'd have to take that on notice as well.

**ANSWER:**

I am advised:

The cost of the Minister for Industrial Relations' s 424 applications was internally funded from the Attorney General's Legal Fund (AGLF).

**Applications to the IRC to cease strike action**

Nurses and Midwives Association

In respect to the *Public Health System Nurses and Midwives (State) Award and the Crown Employees Nurses (State) Award*, the Government sought the assistance of the Industrial Relations Commission (IRC) on three occasions between September and November 2024 arising from strike action by the NSW Nurses and Midwives Association.

Contravention proceedings in these matters were heard before the IRC on 24 and 25 February and 10 March 2025. The question regarding the cost of the proceedings should be directed to the Minister for Health.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: In your experience, on how many occasions has the Government recovered penalties from unions who have had penalties imposed upon them for breaches of orders of the Industrial Relations Commission?

MARINA RIZZO: I would have to take that on notice, Mr Tudehope.

The Hon. DAMIEN TUDEHOPE: What is the largest penalty that you can recall has been imposed?

MARINA RIZZO: I'm sorry, I can't.



The Hon. DAMIEN TUDEHOPE: Again, you'd take that on notice?

MARINA RIZZO: Yes, I'll take that on notice.

**ANSWER:**

I am advised:

NSW Teachers Federation

In March 2022, the Supreme Court imposed a penalty of \$30,000 upon the Australian Education Union in *Secretary NSW Department of Education v The Australian Education Union New South Wales Teachers Federation Branch [2022] NSWSC 263*.

Nurses and Midwives Association

In September 2022, the Supreme Court imposed a penalty of \$25,000 upon the NSWNMA in *Secretary of the Ministry of Health v The New South Wales Nurses and Midwives' Association [2022] NSWSC 1178*.

Contravention proceedings in relation to strike action taken by the NSWNMA were heard by the Industrial Court on 24 and 25 February and 10 March 2025. The decision is reserved.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: In respect of the application being made by the Nurses and Midwives, were you aware of that?

MARINA RIZZO: Yes, I was aware of that one.

The Hon. DAMIEN TUDEHOPE: Is that currently on foot?

MARINA RIZZO: No, it has been withdrawn. The dispute with respect to the nurses was resolved.

The Hon. DAMIEN TUDEHOPE: How was it resolved?

MARINA RIZZO: I'd have to refer to my notes, if that's okay. I can take it on notice, but it was resolved.

**ANSWER:**

I am advised:

The dispute was between NSW Nurses and Midwives Association and Western Sydney Local Health District and related to the nature and extent of consultation about mitigating strategies or proposed changes to the way persons in the community will be cared for by the Western Sydney Local Health District arising from the threatened mass resignation of psychiatrists.

I am advised that a Recommendation was made by the Industrial Relations Commission on 4 February 2025 that any further implementation of mitigation strategies or proposed changes be ceased until 8 February 2025, to allow the parties to engage in a further three days of consultation.

The dispute was ultimately discontinued by the NSW Nurses and Midwives Association.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: Have there been any third-party suppliers of services to conduct those mutual gains bargaining sessions?

SAMARA DOBBINS: In some instances, yes.

The Hon. DAMIEN TUDEHOPE: On how many occasions has that occurred?

SAMARA DOBBINS: I'm just seeing if I've got that in my notes. I'm sorry, I'll have to take that on notice. I've got a list of the agencies and State Owned Corporations that have undertaken mutual gains bargaining. I do know that, with the staff specialists award, there was a third-party consultant engaged to undertake that, but I don't know the number, I'm sorry.

The Hon. DAMIEN TUDEHOPE: Are you aware of what payments have been made to third-party suppliers in relation to mutual gains bargaining?

SAMARA DOBBINS: No, but I can take that on notice. It's my understanding that, where a mutual gains bargaining expert is engaged, that's paid for by the agency.

**ANSWER:**

I am advised:

- Third-party supplier of services namely, CoSolve Pty Ltd, has been engaged by the Premier's Department to provide Mutual Gains Bargaining (MGB) training to Agencies and

Unions. This engagement is in line with the NSW Procurement's Performance Management of Services Scheme.

- CoSolve Pty Ltd has been engaged by:
  - Ministry of Health (MoH) to facilitate mutual gains bargaining discussions between ASMOF and the MoH on the four awards covering medical officers. The discussions were held over the period July 2024 to January 2025. The question as to the payments made to third party suppliers should be directed to the Minister for Health.

Sydney Opera House (SOH) to facilitate mutual gains bargaining discussions between SOH and the Media, Entertainment and Arts Alliance (MEAA) on the Sydney Opera House Enterprise Agreement 2022-2024 and the Crown Employees (Sydney Opera House) Award 2024. The discussions were held over the period May to August 2024. The question as to the cost should be directed to the Minister for the Arts.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: Are you able to provide to the Committee the costs which have been paid to Clive Thompson in relation to the services which he provides?

SAMARA DOBBINS: I'll have to ask our Health colleagues, but I'll endeavor to take that on notice.

**ANSWER:**

I am advised:

The question as to the payments made to Clive Thompson should be directed to the Minister for Health and Minister for the Arts.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: How many unions have engaged in the training programs?

SAMARA DOBBINS: There have been 12 mutual gains bargaining sessions, during which time a total of 152 public sector industrial relations practitioners and 49 union representatives attended those sessions.

The Hon. DAMIEN TUDEHOPE: They are training sessions?

SAMARA DOBBINS: Yes. They're training sessions on what mutual gains bargaining is, facilitated from the Resolution Institute via an organisation called CoSolve.

The Hon. DAMIEN TUDEHOPE: The other aspect of the mutual gains bargaining is a facilitation of sessions, and I think I have asked and you've taken on notice how many facilitation sessions.

SAMARA DOBBINS: Yes. There's training—if I can put it this way—on what mutual gains bargaining is in the general, and then there are specific providers of mutual gains bargaining. And we're aware that that's occurred in the staff specialists space.

**ANSWER:**

I am advised:

I am advised that 10 unions were represented in the training program.

**QUESTION:**

The Hon. DAMIEN TUDEHOPE: I think I asked you previously, Ms Rizzo, the identity of the person who deposed the affidavits in respect of the 424 applications. Have you been able to establish what—

MARINA RIZZO: I'll have to take that on notice as well. I haven't been able to ascertain with any certainty. I'd have to go back and have a look.

**ANSWER:**

I am advised:

**Section 424 evidence filed December 2024**

The following evidence was filed on behalf of the Minister for Industrial Relations:

- Witness statement of Dr Sherman Chan Chief Economist, Business NSW
- Witness statement of Thomas Poberezny-Lynch – Solicitor, Crown Solicitor’s Office
- Witness statement Greg Houston Economist, HoustonKemp

**Section 424 evidence filed January 2025**

The following evidence was filed on behalf of the Minister for Industrial Relations:

- Witness statement of Dr Sherman Chan Chief Economist, Business NSW
- Witness statement of Dr Michael Warlters – Executive Director, Macroeconomy Division, Economic Strategy and Productivity Group at NSW Treasury
- Witness statement of Thomas Poberezny-Lynch – Solicitor, Crown Solicitor’s Office
- Ms Joann Wilkie – Deputy Secretary, Economic Strategy and Productivity Group at NSW Treasury