



PARLIAMENT OF NEW SOUTH WALES

THE JOINT SELECT COMMITTEE UPON POLICE ADMINISTRATION

INTERIM REPORT

26 February, 1993.

INTERIM REPORT

Terms of Reference.

On Wednesday, 14 October, 1992, the Legislative Assembly and the Legislative Council adopted resolutions in identical terms which, amongst other things, included that:-

- (1) A Joint Select Committee be appointed to inquire into whether mechanisms of accountability, the existing roles of and reporting relationships between the Minister for Police, the Police Board of New South Wales, the Inspector General of Police and the Commissioner of Police are adequate to ensure an efficient, effective and accountable Police Service in New South Wales and may make such recommendations for reform as it considers desirable.
- (2) In conducting the Inquiry:
 - (a) the committee shall have regard to the circumstances which resulted in the resignation of the Honourable . E.P. Pickering, MLC as Minister for Police and Emergency Services; and
 - (b) the committee shall not duplicate the examination by the Ombudsman of the matters outlined in the report by the Ombudsman in the Parliament of 29 September, 1992 about the complaints by Mrs Carolyn Rigg about the conduct of the New South Wales Police Service until such time as the Ombudsman's report is completed.
- (3) That the committee shall consist of six members of the Legislative Assembly and four members of the Legislative Council.

It was also resolved by both Houses of the Parliament that the committee make an interim report by 20 November, 1992. However, on 29 October, 1992 both Houses resolved that there be an extension of the date for the committee's interim report until 11 December, 1992 with the final report to be submitted by the end of March, 1993. Again,

on 27 November, 1992 both Houses agreed to a further extension of the reporting date for the interim report until 26 February, 1993.

Initial Course of the Committee.

At its first meeting on 15 October, 1992 the committee decided, amongst other things, to first call witnesses in respect of paragraph (2)(a) of its terms of reference concerning the circumstances which resulted in the resignation of the Hon. E.P.Pickering, MLC as Minister for Police and Emergency Services. Also, that this reference should form the subject of the committee's first report to the Parliament.

Accordingly, the committee decided to request the Minister for Police to forthwith supply all relevant documents in his possession or control in relation to paragraph (2)(a) and to seek his assistance in obtaining all such documents in the possession or under the control of the Police Service. As a result the committee was supplied, initially, with a very considerable quantity of documents which became its primary focus. This amounted to some 1,707 pages in 7 bundles.

The committee also decided to call witnesses in respect of (2)(a) and that the Commissioner of Police should be called to give evidence on the committee's first public sitting day - Wednesday, 21 October, 1992.

Sittings of the Committee.

Including 21 October, 1992, the committee sat on 19 days to take evidence in public and *in camera* from 24 witnesses - *in camera* evidence being limited to four occasions. A full list of the sitting dates and witnesses is attached at Appendix A. The last sitting date of the committee in respect of reference (2)(a) was 16 February, 1993.

Over the 19 sitting days the evidence taken comprised 2021 pages of transcript which included 1938 pages of public evidence and 83 pages of *in camera* evidence.

From inception the committee has met on 24 occasions including the 19 occasions for the examination of witnesses. The last time it met was on Tuesday, 23 February, 1993 which was the first occasion which presented itself for a deliberative session following the cessation of public hearings on Term (2)(a).

As sittings progressed a great number of further documents have

become available - around 390 from the Police Board, another 2,116 from the Commissioner of Police both in the form of documents and submissions, and a further 800 approximately from the former Minister, Mr. Pickering - again in the form of documents and submissions. The committee also took possession of around 11,800 pages of documents from the Police Media Unit. A special room has been put aside at the Avery Building to house many thousands of additional primary documents to which the committee has access.

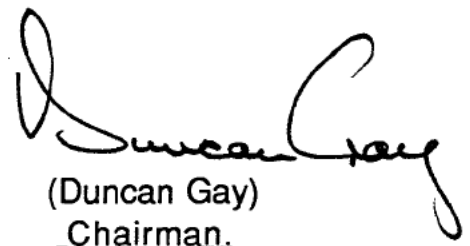
The final written submission of the Hon. E.P. Pickering, MLC has only this day come to hand in response to the concluding evidence by the Commissioner of Police given on 4, 10, 12 and 16 February, 1993 and have not yet been considered by the committee.

Resolutions of the Committee.

At the meeting of the committee on Tuesday, 23 February, 1993, the following was resolved :-

1. That the committee must heed its considerable responsibility to ensure that the great volume of evidence available to it on Term 2(a) is analysed in a most careful and responsible manner because of the effect that its findings may have on persons who have appeared before it or have been referred to in the evidence.
2. That in its deliberations the committee must recognise the great complexity of both the written and oral evidence and ensure that conclusions are not reached in haste simply with a view to bringing down an early report.
3. Having regard to these factors, the very recent cessation of public hearings, and the situation that the final submissions of the Hon. E.P. Pickering, MLC are only just to hand, that this interim report be provided on the current position.
4. That a full report on Term 2(a) be provided on or before 31 March, 1993.

26 February, 1993


(Duncan Gay)
Chairman.

APPENDIX A

WITNESSES APPEARING BEFORE THE JOINT SELECT COMMITTEE UPON POLICE ADMINISTRATION

Day	Date	Witness
1.	21/10/92	Commissioner Anthony Raymond Lauer, Commissioner of Police
2.	26/10/92	Commissioner A R Lauer
3.	5/11/92	Deputy Commissioner Lance Stirton, State Commander Assistant Commissioner Colin Richard Cole, Commander, Office of Professional Responsibility Mr David John Wallace Silver, Director, Police Media Unit ¹ Chief Superintendent Jeffrey Thomas Jarratt, Commander, Office of Strategic Services
4.	6/11/92	Chief Superintendent Jarratt Mr Barrie Ronald Thorley, Chairman, Police Board of NSW
5.	10/11/92	Commissioner A R Lauer
6.	16/11/92	Mr Richard George Humphry, Director General, NSW Premier's Department Mr Donald Keith Wilson, Inspector General, Police Board of NSW Mr B R Thorley
7.	20/11/92	The Hon Edward Philip Pickering MLC
8.	23/11/92	The Hon E P Pickering MLC
9.	4/12/92	The Hon E P Pickering MLC
10.	7/12/92	Mr Mark Allan Davis, former Assistant Press Secretary to the Hon E P Pickering MLC

¹During the course of sittings of the Committee Mr Silver resigned his position as Director of the Police Media Unit.

Day	Date	Witness
10.	7/12/92	Mr Stephen Sydney Romei, former Press Secretary to the Hon E P Pickering MLC Mr Lawrence Fulton Yeomans, former Policy Adviser to the Hon E P Pickering MLC Ms Lidia Kaban, former Chief of Staff to the Hon E P Pickering MLC
11.	8/12/92	Ms Tracey Lee Arthur, Journalist, Police Media Unit Ms Sonya Marie Zadel, Journalist, Police Media Unit Senior Sergeant Roderick Edward Barry, Police Media Unit Chief Inspector William Newberry, former Acting Chief of Staff (Operations) to the Commissioner of Police
12.	21/12/92	Mr Ronald Barry Cope, former Driver to the Hon E P Pickering MLC Mr Steven Patrick Brien, former Director, Police Media Unit Mr Peter Sinclair, former Press Secretary to the Hon E P Pickering MLC Senior Sergeant Paul Andrew Favret, former Staff Officer to Assistant Commissioner Cole Chief Inspector Francis Brian McGoldrick, Commander, Special Investigative Group, Police Internal Affairs Branch, Sydney; formerly Commander, Northwest Region Police Internal Affairs Branch.
13.	1/2/93	Chief Inspector F B McGoldrick Mr Richard John Smith, former District Commander, Gosford Police District Mr John Keith Avery, former Commissioner of Police
14.	2/2/93	Ms S M Zadel Ms T L Arthur Senior Sergeant R E Barry

Day	Date	Witness
14.	2/2/93	Mr J K Avery
15.	3/2/93	Mr J K Avery
		The Hon E P Pickering MLC
16.	4/2/93	The Hon E P Pickering MLC
		Commissioner A R Lauer
17.	10/2/93	Commissioner A R Lauer
18.	12/2/93	Commissioner A R Lauer
19.	16/2/93	Commissioner A R Lauer

IN CAMERA EVIDENCE:

Day	Date	Witness
7.	20/11/92	The Hon E P Pickering MLC
9.	4/12/92	The Hon E P Pickering MLC
13.	1/2/93	Chief Inspector F B McGoldrick
19.	16/2/93	Commissioner A R Lauer