

PORTFOLIO COMMITTEE NO. 5 - JUSTICE AND COMMUNITIES

Tuesday 7 November 2023

Examination of proposed expenditure for the portfolio areas

POLICE AND COUNTER-TERRORISM, AND THE HUNTER

CORRECTED

The Committee met at 9:15.

MEMBERS

The Hon. Robert Borsak (Chair)

Ms Abigail Boyd

The Hon. Greg Donnelly

Ms Cate Faehrmann

Ms Sue Higginson (Deputy Chair)

The Hon. Stephen Lawrence

The Hon. Natasha Maclaren-Jones

The Hon. Sarah Mitchell

The Hon. Bob Nanva

PRESENT

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

CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS

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

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

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The CHAIR: Welcome to the second hearing of Portfolio Committee No. 5's inquiry into budget estimates 2023-2024. I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the lands on which we are meeting today. I pay my respects to Elders past and present, and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal or Torres Strait Islander people joining us today. My name is Robert Borsak and I am the Chair of the Committee. I welcome Minister Catley and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolios of Police and Counter-Terrorism and the Hunter. I ask everyone in the room to please turn their mobile phones to silent.

Parliamentary privilege applies to witnesses in relation to the evidence they give today. However, it does not apply to what witnesses may say outside the hearing. I urge witnesses to be careful about making comments to the media or to others after completing their evidence. In addition, the Legislative Council has adopted rules to provide procedural fairness for inquiry participants. I encourage Committee members and witnesses to be mindful of these procedures. I welcome our witnesses and thank them for making the time to give evidence today. All witnesses will be sworn prior to giving evidence. Minister Catley, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament.

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

CORRECTED

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

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

Mr MALCOLM LANYON, Deputy Commissioner, NSW Police Force, sworn and examined

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

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

Ms KENNA ACKLEY, Acting Deputy Commissioner, NSW Police Force, affirmed and examined

Mr JONATHAN WHEATON, Acting Deputy Secretary, Regional NSW, affirmed and examined

Mr MICHAEL BARNES, Commissioner, New South Wales Crime Commission, affirmed and examined

The CHAIR: We will begin with questions from the Opposition.

The Hon. SARAH MITCHELL: Thank you, Minister and officials, for being here with us today. Minister, I want to start with you. Can you outline for the Committee what powers you have under the Police Act, please?

Ms YASMIN CATLEY: Yes, I can. Thank you very much for your question. It is my role as the Minister to ensure that the police are properly resourced, and to set the policy framework for them to work under.

The Hon. SARAH MITCHELL: Thank you, Minister. I take you to part 2 of the Act, section 8 (1), where it says:

The Commissioner is, subject to the direction of the Minister, responsible for the management and control of the NSW Police Force. Do you accept that part of the legislation, Minister?

Ms YASMIN CATLEY: Sorry, can you repeat that? I was just interrupted.

The Hon. SARAH MITCHELL: Sure. Part 2, section 8 (1) reads:

The Commissioner is, subject to the direction of the Minister, responsible for the management and control of the NSW Police Force. Are you aware of that part of the Act?

Ms YASMIN CATLEY: Yes, I am. You might also note that the commissioner is also an authorised officer. If you continue to read through the Act, you will see that I, as the Minister, cannot authorise an officer or direct an officer, particularly when we're talking about operational matters in the NSW Police Force. It's very important that you don't cherry-pick parts of the Act.

The Hon. SARAH MITCHELL: What do you take that part of the Act to mean, when it says "subject to the direction of the Minister"?

Ms YASMIN CATLEY: Well, I will set the policy settings for the police and for the commissioner to work within, and her executive team. That is right and proper. It is not my role to direct the New South Wales police in their operational workings in this State.

The Hon. SARAH MITCHELL: So you don't believe that the Act gives you the power to do that?

Ms YASMIN CATLEY: I believe that the—sitting here next to me, Mrs Mitchell, is more than 150 years of experience. And I trust their knowledge. I trust their advice, and I will continue to do that. Why the Opposition is all of a sudden questioning the experience, the knowledge and the advice of the New South Wales police beggars belief. You are suggesting—and I have answered your question: that my role is to support the police and to make sure that the policy settings are absolutely accurate so they can be the best police force in this country.

The Hon. SARAH MITCHELL: Thank you, Minister. Just for the record, I'm not in any way suggesting that the police are not capable of doing their work and that you don't have very distinguished officials sitting next to you. What I am interested in is understanding how you, I guess, perceive your responsibilities under the Act. So even though it says, "subject to the direction of the Minister"—I just want to be clear—you don't feel that it is your role to ever provide direction?

Ms YASMIN CATLEY: You might want to also go to, Mrs Mitchell, the Wood royal commission, where, as we all know, that was on the back of a lot of corruption that we saw in the New South Wales police. I'm sure you would agree with me that we do not want to go back to those days. And in the Wood royal commission it was actually stated that there should be a separation of powers between the New South Wales police, led by the

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police commissioner, and the police Minister—and that was for good reason. I support Mr Wood's recommendation. That has continued to be the convention in New South Wales, and I want to know why you want to change that.

The Hon. SARAH MITCHELL: No. I'm asking, Minister, with respect—it's our turn to ask you questions—what you see as your powers under the Act, and you've made it clear that you have no intention of ever giving direction to police. Is that correct?

Ms YASMIN CATLEY: I have made it clear that under the Act, it states—and I'll say it again—that my powers are to support the New South Wales police and to make sure that they have the policy settings to do the work that they need to do to be the best that they can.

The Hon. SARAH MITCHELL: Thanks, Minister. I want to ask you now about when you first became aware of the decision to light up the sails of the Opera House in the Israeli flag colours. What was the date that you were made aware of that?

Ms YASMIN CATLEY: Like all of us, on the 6th, I think it was.

DAVID HUDSON: The 8th.

Ms YASMIN CATLEY: The day before—the 8th. My apologies. Thank you, Mr Hudson.

The Hon. SARAH MITCHELL: Sunday 8 October.

Ms YASMIN CATLEY: Correct. Yes. That's when we all found out.

The Hon. SARAH MITCHELL: Who informed you of that decision?

Ms YASMIN CATLEY: My chief of staff told me that he had received a text message to say that.

The Hon. SARAH MITCHELL: Who did he receive a text message from?

Ms YASMIN CATLEY: It would've been the Premier's office.

The Hon. SARAH MITCHELL: The Premier didn't call you at all on 8 October to discuss that decision?

Ms YASMIN CATLEY: No.

The Hon. SARAH MITCHELL: Did he speak to you at all that day, on 8 October?

Ms YASMIN CATLEY: No.

The Hon. SARAH MITCHELL: Why not?

Ms YASMIN CATLEY: The Premier made the decision to light the Opera House. I beggar belief as to why he would actually call me specifically. Just to be fair, I think that you're getting your dates confused. It's actually the next day that there was, obviously, some issues. But there were no issues on the Sunday.

The Hon. SARAH MITCHELL: With respect, Minister, we had the Premier appear before budget estimates. He made it clear that he made the decision on 8 October. My understanding is that there was an incident that evening, out in Western Sydney, and that the 9th was actually the date that the sails were lit, on that Monday. Given that there are, obviously, some tensions around these issues in the Middle East, that there was going to be the lighting of the Opera House sails, you don't think it was important that the Premier speak to you, as police Minister, about what security measures or advice should be in place? You say that that beggars belief that he would call you?

Ms YASMIN CATLEY: I didn't envisage any concerns at the time when I found out when the Opera House sails were going to be lit.

The Hon. SARAH MITCHELL: There's some emails that have come through, documents released to Parliament, that are publicly available, that do indicate that there were some concerns from the Police Force on that date, on 8 October, potential further escalations of current tensions et cetera, and it's all publicly available. Did you speak with any members of the Police Force on Sunday October 8 about what might be happening and concerns about the next day?

Ms YASMIN CATLEY: I spoke to them, of course, to get updates. I had my first conversation early in the morning, actually, on the Saturday, obviously, after the events that had happened—

The Hon. SARAH MITCHELL: On the Saturday.

Ms YASMIN CATLEY: Yes, because of the events that happened in Israel the previous evening.

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The Hon. SARAH MITCHELL: Just want to be clear of the time line.

Ms YASMIN CATLEY: Yes. Saturday, the 8th. That's right.

The Hon. SARAH MITCHELL: No. Sunday is the 8th.

Ms YASMIN CATLEY: Sunday, the 8th. My apologies.

The Hon. SARAH MITCHELL: When did you first have a conversation with the police about it?

Ms YASMIN CATLEY: The event happened in our world on the Saturday, and I spoke to Acting Commissioner Hudson on Sunday morning and then again later in that day, when he gave me some running updates.

The Hon. SARAH MITCHELL: How many times would you have spoken to the police on that Sunday?

Ms YASMIN CATLEY: I can't remember exactly how many times, but the police keep me very well informed. We have a very strong working relationship, and Mr Hudson kept me very well informed.

The Hon. SARAH MITCHELL: Were there concerns then raised about what processes, protocols, safety measures would need to be put in place the following day? Was that raised with you as the police Minister by your officials?

Ms YASMIN CATLEY: No, it was not. The last conversation that I had with Mr Hudson was to advise me that there were two protests happening in the city: one at Lakemba, which you alluded to, and the other one at Town Hall the next day. He advised me that the New South Wales police had worked with these organisations in the past, and it wasn't envisaged that there was any heightened risk at that point.

The Hon. SARAH MITCHELL: Did you call the Premier to let him know that you'd had those discussions, that these things were being looked at? You didn't speak to him at all on Sunday 8 October.

Ms YASMIN CATLEY: Mrs Mitchell, can I just describe to you—the New South Wales police deal with at least 1,500 protests in this city alone. In the broader metropolitan area, it's more than 2,000. They are very experienced in what they do. There was not a significant cause for alarm in my discussion that I had with the commissioner on that Sunday afternoon. This notion that I'm going to ring the Premier every time I have a conversation with one of these expert police officers is just ridiculous. I'm sorry, but I don't accept your premise that I had to ring the Premier to advise him of a protest that was happening in both Lakemba and in the city, when I was not given any cause of alarm. If there was reason or cause for alarm, I have no doubt whatsoever that Mr Hudson would have told me that and would have probably advised me that I should've called the Premier. That wasn't what happened.

The Hon. SARAH MITCHELL: But, with respect, Minister, as I said, it's not unusual that there would be tensions relating to things that happened in the Middle East. There was not any part of you that thought, "I should just give the Premier a call—or his office. I'll give them the heads-up that we know that there's now a pro-Palestinian rally happening at Town Hall on the same day. Police have got the appropriate measures in place, but I'm just going to call the Premier and tell him that this is what is happening from a police or security"—you didn't think to make that call? You didn't think that was important to do.

Ms YASMIN CATLEY: My office was in contact with the Premier's office, which is completely normal, and I have the trust that their communications are open, robust and frank.

The Hon. SARAH MITCHELL: Isn't that your role as the Minister?

Ms YASMIN CATLEY: That's what happened.

The Hon. SARAH MITCHELL: I want to take you now to Monday the 9th, the day of the actual lighting up and the issues that happened. We know that the Premier was on leave that day but was taking some calls. Did you have any conversations that day, firstly, with the Acting Premier?

Ms YASMIN CATLEY: No, I did not. I did speak to the Premier that day, which has already been recorded in this Committee.

The Hon. SARAH MITCHELL: How many times did you speak to the Premier that day?

Ms YASMIN CATLEY: Once that I can recall.

The Hon. SARAH MITCHELL: What time of day was that?

Ms YASMIN CATLEY: Again, I'm unsure. It's nearly three weeks ago.

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The Hon. SARAH MITCHELL: It's quite an important event, Minister, with respect.

Ms YASMIN CATLEY: I don't recall. I'm sorry.

The Hon. SARAH MITCHELL: Morning? Afternoon? No memory? No recollection?

Ms YASMIN CATLEY: It was a very busy day. No. I started the morning extremely early, of course. I have to come from Swansea to come down. I don't recall the time of the day.

The Hon. SARAH MITCHELL: But you spoke to him once that you can recall.

Ms YASMIN CATLEY: Yes. I think it was once, at least once.

The Hon. SARAH MITCHELL: Who initiated that call? Did you ring him? Or did he call you?

Ms YASMIN CATLEY: I'm not sure.

The Hon. SARAH MITCHELL: Do you know or can you remember what you discussed?

Ms YASMIN CATLEY: It would've been about the protest.

The Hon. SARAH MITCHELL: Did you give him any advice, any indication of things that you'd been hearing from the police?

Ms YASMIN CATLEY: I would've been relaying to him what police relay to me.

The Hon. SARAH MITCHELL: What would that have been, Minister?

Ms YASMIN CATLEY: I don't recall the conversation, but it would've been about the protest in general and where we were up to at that point. Again, I go back to this point about the New South Wales police and the advice that they provide and the ongoing, up-to-speed and up-to-date—the police, which I've learnt very, very quickly, do risk assessments constantly, particularly in an environment that was eventuating on that particular day, and they do those risk assessments so that they can continuously deploy the operation that they need to deploy to address whatever's before them and also to make sure that they've got the resources that are adequate to the situation on the ground. They have to respond to whatever is before them.

The Hon. SARAH MITCHELL: I understand.

Ms YASMIN CATLEY: I'm just explaining to you. I was getting updates about if that situation changed throughout the day and what the police's response to that was going to be.

The Hon. SARAH MITCHELL: You were getting multiple updates across the day about what you might need to do?

Ms YASMIN CATLEY: I don't want to say "multiple". I don't want you to over-egg it, because that's unfair. I was getting them as Mr Hudson felt appropriate.

The Hon. SARAH MITCHELL: But you only spoke to the Premier once, and you can't remember exactly what advice you gave him—

Ms YASMIN CATLEY: I wouldn't have given him advice. As I say, I would've relayed the advice that I received.

The Hon. SARAH MITCHELL: But you can't remember what that was.

Ms YASMIN CATLEY: Not really. It would've been similar to what I was getting from Mr Hudson, which was that—it was later in the day that it became apparent that there was going to be a march. That's probably important, that the Committee are aware of this. Initially it was to be what's referred to as a static gathering at Town Hall, and at some point in the day—and, again, I don't recall at what exact time that was; maybe Mr Hudson can, but I'm not exactly sure—that they were intending on marching, that the pro-Palestinian group were intending on marching down to the Opera House, and I spoke to Mr Hudson. He advised me of that, and he said that their operational management of that would be to work with the group and to set the route for them to march down, and the police's belief, which I trusted, was that it's best for them to work with them, to make sure, when they get to their destination, that there is the right amount of police there to keep what they referred to as "could become a volatile conflict".

The Hon. SARAH MITCHELL: Minister, you became aware of that on the Monday afternoon. Did you tell the Premier?

Ms YASMIN CATLEY: My office did. My office continuously briefed—

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The Hon. SARAH MITCHELL: Again, why did you not speak to him? You're the Minister. He's the Premier. You've now got advice that you're going to have a march from Town Hall down to the Opera House, where you're obviously going to have a large gathering of Jewish people as well. There are emails that make it very clear that senior police were concerned about tension, and you didn't think that it was worth picking up the phone to the Premier to give him a call?

Ms YASMIN CATLEY: That probably was what I spoke to him about when I spoke to him.

The Hon. SARAH MITCHELL: So maybe that was what you talked—

Ms YASMIN CATLEY: Maybe, yes.

The Hon. SARAH MITCHELL: You can't remember.

Ms YASMIN CATLEY: No, I don't remember. I had—

The Hon. SARAH MITCHELL: With respect—

Ms YASMIN CATLEY: With respect, I had very many conversations, repeating exactly or very similar to what I just said to you now.

The Hon. SARAH MITCHELL: But you can't remember when you spoke to the Premier. You only spoke to him once.

Ms YASMIN CATLEY: That's not—

The Hon. SARAH MITCHELL: You think it might've been about these escalating concerns but you're not sure on a day where you would argue that we had the eyes of the world on us.

Ms YASMIN CATLEY: I reject your premise of the way you just characterised my day.

The Hon. SARAH MITCHELL: That's what you said, Minister.

Ms YASMIN CATLEY: I provided the information that was provided to me. I relayed that information. Both offices were in constant communication. I was in communication with the police, as the police Minister—as I should be—and the Premier's office knew when my office knew. There is nothing to say here in relation to that. That is exactly appropriate. You know that yourself as a former Minister. I reject your premise, which is that I don't recall and I don't know. I am saying to you exactly what occurred, and it is on this record.

The Hon. SARAH MITCHELL: With respect, Minister, you did say multiple times in those questions that you didn't remember.

Ms YASMIN CATLEY: You asked—

The Hon. SARAH MITCHELL: I think the average person—

Ms YASMIN CATLEY: With respect, you asked for—

The Hon. SARAH MITCHELL: I think the average person on the street—

Ms YASMIN CATLEY: —specific times. You asked specific conversations.

The Hon. SARAH MITCHELL: I did.

Ms YASMIN CATLEY: I don't want to mislead the House.

The Hon. SARAH MITCHELL: How can you not recall? With respect, I would say that this is probably one of the main incidents in your time as police Minister, that has put the eyes of the world on Sydney and what happened at the Opera House. How can you not recall exactly what happened, who you spoke to and what advice you gave the Premier? The average person on the street would be expecting the police Minister and the Premier to be in constant communication that day. The Premier told us he spoke to the Minister for Multiculturalism seven times; he only spoke to you once. What kind of relationship is there? Does he trust you to do your job, if you're not speaking to him on a day when we're about to see some of the biggest scenes of unrest we've seen in our country for years? You didn't talk more than once?

Ms YASMIN CATLEY: I have the full trust of the Premier, and I have the trust of the police commissioner and her executive.

The Hon. SARAH MITCHELL: Do you accept, Minister, that you did have the power to direct the police to keep that pro-Palestinian rally at Town Hall and not go down to the Opera House? Do you accept that you did have that power?

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Ms YASMIN CATLEY: I accepted the advice. I trusted the advice that was provided to me by the police—police who have been doing this job for a very long time. Mr Hudson is one of the world's expert counterterrorism law enforcement officers. I trusted what he was telling me, which was that the most appropriate operational management of what was happening on that day in this city was to work with that group to set the path of which way they were going to walk and to ensure that there was a very large police presence at their destination. That was to avoid what was being characterised as "could become volatile" and a "large conflict".

Can I also just add that it's very important—and I want the Committee to know this—that there was not one person, not one member of the public, injured. There was not any other people injured who were involved in that gathering, and not one police officer was injured. These are always risks. These are always serious risks when we talk about these types of gatherings and the volatility, as it was characterised. The police managed that to the best of their capacity. That outcome is significant, and it's one that we should thank the police for.

The Hon. SARAH MITCHELL: With respect, Minister, you also had situations where there was very vile and hateful antisemitic chanting happening. The Israeli flag was burned. I don't think it is appropriate to downplay the seriousness of what happened that night. Did you tell members of the Jewish community to stay away?

Ms YASMIN CATLEY: No.

The Hon. SARAH MITCHELL: Never? Not once? You never spoke to any community leader and said, "You should keep your kids at home; I wouldn't go to the CBD"?

Ms YASMIN CATLEY: No. I agree with you that those antisemitic and any sort of hate speech that we did see on the news, it was awful. It was absolutely shocking. We don't expect to see that on our streets here in Sydney or, indeed, in New South Wales.

The Hon. SARAH MITCHELL: But we did, Minister, because you didn't do your job.

Ms YASMIN CATLEY: I truly regret the fact that the Jewish community was not given a safe space for them to grieve.

The Hon. SARAH MITCHELL: Do you admit that you made a mistake?

Ms YASMIN CATLEY: I followed the advice that was given by the New South Wales police, and I've demonstrated in my comments previously that the New South Wales police's job is to keep our streets safe. They did that on that night in terms of what was before them. That's what's always missing here: The police have a set of circumstances before them and they have to deploy their operational management to address what is before them.

The Hon. SARAH MITCHELL: With respect, I'm going to ask—

Ms YASMIN CATLEY: And that is what they did.

The Hon. SARAH MITCHELL: —the police questions about this. Do you admit, as the Minister, that you made a mistake, that you could've handled the situation better and that you regret what happened that night?

Ms YASMIN CATLEY: I have already said that I regret that there wasn't a space—

The Hon. SARAH MITCHELL: Do you apologise to the Jewish community?

Ms YASMIN CATLEY: I have already apologised, and you know that.

The Hon. SARAH MITCHELL: You could do it very clearly now. You didn't when you were asked in the House. Do you apologise to the Jewish community for what occurred that night?

Ms YASMIN CATLEY: I suggest you read *Hansard*—

The Hon. SARAH MITCHELL: I have read *Hansard*.

Ms YASMIN CATLEY: —because I have already apologised. Then you need to withdraw that, because I apologised in the House.

The Hon. SARAH MITCHELL: You could do it again now, Minister.

Ms YASMIN CATLEY: I have apologised, and I do apologise, that there was not a safe space for the Jewish community on that night. I don't think anybody—

The Hon. SARAH MITCHELL: Do you acknowledge that the Government failed that night? Do you acknowledge—

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Ms YASMIN CATLEY: I do not believe that anybody—

The Hon. SARAH MITCHELL: —that the Government failed?

Ms YASMIN CATLEY: —does not think that what we saw that evening was wrong. We don't want to see it again. I can say that, subsequently, we have had another four weeks of gatherings. Both the Jewish community have gathered; the Palestinian community have gathered. We have seen peaceful gatherings on our streets. I think that's what we want to continue to see.

The Hon. SARAH MITCHELL: So you don't admit that the Government—

The Hon. STEPHEN LAWRENCE: Time, Chair—

The Hon. SARAH MITCHELL: —failed that night?

The Hon. STEPHEN LAWRENCE: Point of order—

Ms SUE HIGGINSON: Good morning, Minister.

Ms YASMIN CATLEY: Good morning.

Ms SUE HIGGINSON: I want to place on the record that I'm about to say words that I would never naturally say. Minister, do you condemn the people who chanted "Gas the Jews" at the Sydney Opera House on Monday 9 October this year?

Ms YASMIN CATLEY: That sort of language on our streets is unacceptable. Hate speech is unforgivable. I condemn any hate speech.

Ms SUE HIGGINSON: Minister, I'm asking you specifically about the event on 9 October at the Sydney Opera House. Do you condemn those people who chanted "Gas the Jews" at that event?

Ms YASMIN CATLEY: I find that sort of language abhorrent. I have all of my life been someone who is respectful of all races and religions, and I have—

Ms SUE HIGGINSON: Can I just interrupt? I'm just asking about the words "Gas the Jews"—

Ms YASMIN CATLEY: Yes, I condemn that.

Ms SUE HIGGINSON: So you have no doubt that those words were chanted that night?

Ms YASMIN CATLEY: No. I'm only relying on you telling me that.

Ms SUE HIGGINSON: Have you received any information or intelligence to suggest that those words were not said?

Ms YASMIN CATLEY: No, I have not.

Ms SUE HIGGINSON: None whatsoever?

Ms YASMIN CATLEY: No, not to my knowledge.

Ms SUE HIGGINSON: On 10 October you were quoted in the media as saying, "I don't want to see protests on our street at all, from anybody. I don't think anybody really does." You also said, referring to the protest that was following the night of the Monday protest, "If that application is declined, it will be an unlawful protest." Do you now understand that's not the case?

Ms YASMIN CATLEY: I probably did not choose my words correctly. Thank you for bringing that to my attention, Ms Higginson. In relation to protests, again, I probably should have used the words "gathering" and "rally". In relation to "unlawful", you're quite right. I have used the incorrect word. It would not be unlawful, but it certainly would not be authorised.

Ms SUE HIGGINSON: Have you had conversations with your senior police officers about the importance of really accurate communication about the right for people to gather and protest without a form 1 authorisation?

Ms YASMIN CATLEY: We certainly have conversations about keeping or trying to keep—the objective, of course, is to keep any gathering or rally on the streets of Sydney or, indeed, right throughout New South Wales peaceful and respectful. The police understand that entirely. That is why they go to so much effort to ensure that those objectives are met—that when people gather, when they rally and, indeed, when they march—

Ms SUE HIGGINSON: But, Minister, just in relation—

CORRECTED

Ms YASMIN CATLEY: —that the rest of the city, as well, is a safe place.

Ms SUE HIGGINSON: But just in relation to the importance of clear communication with all of New South Wales about being accurate that people have a right to protest and gather regardless of whether or not they have a form 1 authorisation?

Ms YASMIN CATLEY: Well, that is true, and I think that they do that quite well. However, you know as well as I do that if a form 1 has not been authorised then that is because those people who are organising the protest are not giving a guarantee to be peaceful or they are possibly going to be not adhering to what they have actually put on their form. So I think that it's important, Ms Higginson, that you state all of the consequences around and all of the parameters around a form 1. So let's just—

Ms SUE HIGGINSON: Minister, you understand—

Ms YASMIN CATLEY: Can I just line it out, though, because I do think—

Ms SUE HIGGINSON: Can I just interrupt? I've got very limited time.

Ms YASMIN CATLEY: I understand. I'm sorry.

Ms SUE HIGGINSON: In no uncertain terms, you understand that you don't need a form 1 to have a lawful protest and gathering anywhere in New South Wales on public land?

Ms YASMIN CATLEY: I do understand that. But there will be consequences if you are not peaceful and you are working outside of the law or, indeed, break the law, and that is also very important to note.

Ms SUE HIGGINSON: Thank you. Minister, you're aware of the recent finding of the Law Enforcement Conduct Commission in relation to the Suspect Target Management Plan. It was found to be unreasonable, unjust, oppressive or improperly discriminatory in its effect on young people and children. We know that it has had a disproportionate impact on young First Nations children. It's a program that has allowed police to make home visits at all hours, stop and search particularly young people in the street, and the commission concluded that the police use of the management plan was an agency maladministration. What are you going to do in terms of a redress scheme for the young people, in particular, that have suffered drastically at the hands of the police under this administratively gross system?

Ms YASMIN CATLEY: Well, as we all know, the New South Wales police have discontinued the Suspect Target Management Plans for youth. I am very pleased that they have done that, and we will continue to work on making sure that the Suspect Target Management Plans are fit for purpose, if you like. In relation to the redress scheme—

Ms SUE HIGGINSON: Sorry, Minister, can I interrupt? When you say that they are appropriate, are they still in place for young people?

Ms YASMIN CATLEY: No, they're not, as you know. That has changed. That policy has changed.

Ms SUE HIGGINSON: Can I please direct you to my question, which is, what are your intentions and have you had discussions about what the State will need to do going forward in terms of a redress scheme for children and young people who have been unfairly treated at the hands of the State?

Ms YASMIN CATLEY: It is not the Government's intention to introduce a redress scheme. In relation to my conversations that I have had with the executive of the police, it's important that there is broad consultation with the community and with community groups, and that is certainly a commitment that we will make—

Ms SUE HIGGINSON: Minister, what about the young people whose lives have literally been ruined because of the over policing, the harassment, the oppressive targeting and the unfair policing that they've been subjected to over many years now? What about those young people? What do you suggest we should be doing?

Ms YASMIN CATLEY: As I've said, the police will no longer—they've discontinued using the STMPs for youth. But it is not the Government's position to introduce a redress scheme. I want to make that very clear.

Ms SUE HIGGINSON: Will there be any complaint system that young people can access? If an 18-year-old looks back over the past eight years of their life and they were subject to the Suspect Target Management Plan and police targets, and they are an individual and we will be able to track the application of that plan to their police interactions on a daily, weekly, monthly basis and that it resulted in incarceration and their life has been destroyed, what can they do now?

Ms YASMIN CATLEY: Well, it's not the Government's intention to introduce a redress scheme, as I have said, and it may be the case that some of those youths that you are referring to have already been addressed.

CORRECTED

They may have already put in civil litigation claims. I'm not sure, but I'm sure that you might know that in actual fact.

Ms SUE HIGGINSON: So you think that—so the Government's response will be that all of those young people need to get a lawyer and start looking at making a civil claim against the State? How many have you assessed? Have you done a cost analysis?

Ms YASMIN CATLEY: I'm just making the point that you know, as well as I do, that that is quite likely the case already. We will not be introducing a redress scheme, as I have indicated, Ms Higginson.

Ms SUE HIGGINSON: Have you done the cost-benefit analysis to the State on whether a redress scheme would actually be more in the public interest than leaving it open to the civil litigation scheme of the State, the private system?

Ms YASMIN CATLEY: No, I haven't done a cost-benefit analysis—

Ms SUE HIGGINSON: Do you think you should? Do you know how many children we're talking about?

Ms YASMIN CATLEY: As the police Minister, no I shouldn't.

Ms SUE HIGGINSON: Do you know how many young people we're likely talking about?

Ms YASMIN CATLEY: No, I don't know the actual number and I wouldn't want to mislead this Committee.

Ms SUE HIGGINSON: Are you going to get that advice?

Ms YASMIN CATLEY: I can certainly ask.

The CHAIR: Commissioner, welcome. Commissioner, the New South Wales police have extensive and very tough powers to prosecute hate speech. Is that true?

KAREN WEBB: In fact, just to correct that point, the DPP has the authority to commence prosecutions for hate speech. We can take the evidence and submit it to the DPP. The NSW Police Force itself isn't the prosecutor in a hate speech offence.

The CHAIR: Given some of the hate speech we've heard recently, what action has been taken in relation to the individuals who were publicly advocating for gassing the Jews, basically killing the Jews, oppressing the Jews?

KAREN WEBB: The immediate steps that New South Wales police can take are for things like offensive behaviour and other offences and continue the investigation to lay before the DPP for hate speech.

The CHAIR: Are you progressing any of those investigations in relation to recent events?

KAREN WEBB: Yes, those matters are still under investigation for the substantive offence of hate speech.

The CHAIR: Given more recent public hate speech from certain mosques and prayer rooms, do police intend to investigate those and, if thought fit, press charges against hate mongers?

KAREN WEBB: That matter was referred to us yesterday and it's under consideration by us at this point in time.

The CHAIR: Under consideration? Does that mean that it actually will be investigated or is being considered to be investigated?

KAREN WEBB: Well, it will be examined to see if an offence has been committed and that's—I don't want to suggest that it is an investigation until we know enough about what's been reported. As I said, it was reported yesterday.

The CHAIR: Thank you. Commissioner, do you have it as part of your ongoing brief—I'm certain, for example, to Deputy Commissioner Hudson—that as long as this hate speech, this public ranting, goes on against Jews, it will be investigated as a matter of course, that we're not just simply going to be pressed into it by the public or by an inquiry such as this?

KAREN WEBB: Like any crime, Sir, if reported to police we will conduct those inquiries to investigate, if it's reported as a crime.

CORRECTED

The CHAIR: Commissioner, regarding officers who were sacked due to COVID vaccine mandates, why are you refusing to allow officers back to work, and in one particular case an officer has actually reapplied after resigning rather than being terminated?

KAREN WEBB: I don't know the circumstances of that particular officer and that could be subject to some other settlement that I'm unaware of. Specifically, I can take that one on notice, but certainly the officers that were dealt with under the mandatory period, which changed on 1 June this year, were exited from the organisation on the basis of disciplinary action, not because of the mandate itself.

The CHAIR: Are these officers free to reapply?

KAREN WEBB: As I said, each one would have to be assessed on its merits. In fact, as the Commissioner, I assessed at least one officer that I'm aware of who was able to rejoin. So it's not excluded, and I'd have to take it on a case-by-case basis.

The CHAIR: Sure. And that particular officer was readmitted to the force?

KAREN WEBB: Yes.

The CHAIR: Why were the officers that refused to conform with the mandate not suspended like any other officer in the process of misconduct investigation and allowed to have full pay? Why were they excluded from being paid and basically thrown on the scrap heap—"While we investigate, you get nothing." Why was there different treatment of these people?

KAREN WEBB: There was a course of action taken by the previous commissioner at the time, and I can take the rest of that on notice, if you like. But certainly—

The CHAIR: I'd really like to know what the qualitative difference for suspension was and why they should not be paid as compared to what happened with other officers.

KAREN WEBB: I might be able to get you that answer before the close of today but, as I said, that was a process put in place by the former commissioner.

The CHAIR: Are there other examples where officers are suspended without pay for misconduct?

KAREN WEBB: Yes, there are.

The CHAIR: Can you elucidate a couple of them for me?

KAREN WEBB: Particularly where the allegation is very serious and the balance of the evidence available suggests in weight of the seriousness of the offence, and they may be suspended without pay.

The CHAIR: You weren't the commissioner at the time, but have you any idea why not conforming with a vaccine mandate would be considered such a serious offence?

KAREN WEBB: As I said, I'll have to get that answer to you by this afternoon.

The CHAIR: Thank you. Commissioner, how much has been and is being spent in legal and other costs to have these officers terminated?

KAREN WEBB: As a separate costing, I don't have that, and I can take that on notice.

The CHAIR: How many officers were originally suspended, and how many are currently still under suspension and are being prosecuted?

KAREN WEBB: The first part of the question, I will take on notice. The latter part is that all matters bar three have now been resolved in the IRC. There are still three matters pending finalisation in the IRC.

The CHAIR: Only three. Okay, thank you. Regarding the current status of the Police Force, and the shortage of officers, would you consider bringing any of the officers back that have been suspended in the past?

KAREN WEBB: As I said, I would take that on a case-by-case basis. As I've indicated, I've reconsidered at least one officer, and that officer is back.

The CHAIR: Would you encourage officers to reapply?

KAREN WEBB: As I said, each one would have to be taken on its merits.

The CHAIR: No, I accept that, but would you encourage them to reply, given the condition on many levels?

KAREN WEBB: They can reapply, but that's no guarantee I would accept them.

CORRECTED

The CHAIR: No, I'm not saying that. I'm simply saying you would consider them if they reapplied.

KAREN WEBB: I would.

The CHAIR: Maybe this one is for Mr Hudson. It is a reality that most people work much longer hours due to higher cost of living, high house prices, mortgages and high interest rates, leaving retirees in their 60s, 70s and 80s to carry the load in volunteer organisations. You relate to that, do you?

DAVID HUDSON: I do relate to that, Sir.

The CHAIR: Yes. They're all smirking. So you're telling me you're about to retire?

KAREN WEBB: Don't suggest anything, Sir.

DAVID HUDSON: I'd say I'm not commenting.

The CHAIR: No comment?

DAVID HUDSON: It is a personal matter.

The CHAIR: I thought you might break something here for us.

Ms YASMIN CATLEY: No. The answer's no.

The CHAIR: The Minister doesn't want you to break that here. That's a shame. All right. In light of this fact, is it the policy of the New South Wales police to remove firearms from licensed firearm owners of impeccable conduct simply because of their age?

DAVID HUDSON: It's their ability, Mr Borsak, to appropriately handle that firearm and fulfil the obligations of maintaining that, not simply because of age. But that can be a trigger for a review of the firearms licence, similar to the way age can be a trigger for a reassessment of someone's driving licence.

The CHAIR: Can you explain to me how that trigger works?

DAVID HUDSON: I will get more detailed advice on notice for you in relation to it. It's something that has never been raised with me before. I am aware that we do have an ability to, if we do not believe that someone is a fit and proper person to hold a firearms licence, withhold issuing of that licence and cancel an existing licence based on medical grounds, based on medical condition and based on their physical ability to handle that firearm.

The CHAIR: You are aware that there are examples where shooters who are wheelchair bound have been told they're no longer to have their licence and been put under review, after having had a licence for 20 or 30 years, not relating to age. That's another issue.

DAVID HUDSON: I am not aware of the specific instances you're referring to, but I'm aware that some wheelchair-bound people currently have an existing licence as well.

The CHAIR: Have licences? Sorry, I missed that last part.

DAVID HUDSON: Yes, have licences.

The CHAIR: No, they do, but they are more and more coming under review when they're up for renewal. Why would that automatically be a situation, just because they're in a wheelchair? They've had a licence for a long time. It's not age related. Why could they now no longer suddenly be able to control the use and storage of their firearms?

DAVID HUDSON: I'm not suggesting they couldn't, but certainly that should be the subject of a medical assessment that we would ask for.

The CHAIR: Why should you suddenly need a medical assessment when they didn't need one to get a firearms licence in the first place?

DAVID HUDSON: When it comes up for review, if there are individual circumstances surrounding a firearms licence holder which would cause us to ask the question of whether they're still a fit and proper person to continue to hold that licence, including the request for a medical assessment, we will do that. I think that would be expected by the community, Mr Borsak.

The CHAIR: So you're saying that now, because you're in a wheelchair and we've realised you're in a wheelchair, you need a medical assessment, whereas it was never needed in the past.

DAVID HUDSON: It probably was not flagged. Disability is a question on the application, my recollection is. But it depends upon the extent of that disability, and disabilities can deteriorate over time as well.

CORRECTED

The CHAIR: I grant you that, but are you saying that the commissioner is quite happy to discriminate on the basis of disability if you happen to be a shooter?

DAVID HUDSON: I don't think we're discriminating. I think we're ensuring that the protection of the community and public safety, which is the priority of the Firearms Act, is complied with.

The CHAIR: You're honestly saying that someone in a wheelchair is potentially dangerous to the community.

DAVID HUDSON: I don't know, but the medical assessment, if passed, will lead to the issue of that firearms licence.

The Hon. SARAH MITCHELL: Minister, I want to take you back to 9 October. Could you take on notice for the Committee—you said you spoke to the Premier once—what time of day that phone call took place and who initiated the call?

Ms YASMIN CATLEY: I'm sorry, what are you asking me to do?

The Hon. SARAH MITCHELL: I'd like you to provide to the Committee, on notice, what time you spoke to the Premier on that day and who initiated the call. You should be able to check your call log and find out.

Ms YASMIN CATLEY: I will check if I have that information.

The Hon. SARAH MITCHELL: Maybe the Premier would have it in his phone. If you could let us know what time you spoke and who initiated the call, on notice—

Ms YASMIN CATLEY: As I said, I will check if I have that information.

The Hon. SARAH MITCHELL: So you will provide that on notice?

Ms YASMIN CATLEY: I said I will check if I have that information.

The Hon. SARAH MITCHELL: Why are you so hesitant to tell us when you spoke to the Premier? I don't understand, Minister.

Ms YASMIN CATLEY: I'm not hesitant at all, but I'm not sure that I have that information so I don't want to mislead this Committee.

The Hon. SARAH MITCHELL: You don't keep your phone logs? You don't have the record in your phone of who called you when?

Ms YASMIN CATLEY: I'll check.

The Hon. SARAH MITCHELL: You should, as a Minister, because that information is important. Can you also advise whether, if you had your time over, you would do anything differently on that day?

Ms YASMIN CATLEY: I still would have accepted and worked with the police in the way that I did. What would have been great is if we all had more time. That's what would have been better. But, again, that's not policing and that's not what happened. The circumstances changed. It was a dynamic circumstance. On that particular day, they changed throughout the day. What we thought was going to be one thing turned out to be another thing, and the police had to put their operational management of that in place as they were presented with different sets of circumstances. That's what they do. But had we had more time—and that has been demonstrated in actual fact in subsequent weekends with other gatherings and rallies that we have seen, where we've had the—

The Hon. SARAH MITCHELL: I'm asking about this specific one.

Ms YASMIN CATLEY: Well, I think it's important because I—

The Hon. SARAH MITCHELL: I have a very limited time, speaking of time.

Ms YASMIN CATLEY: But I think this is important because we're talking about having two—

The Hon. SARAH MITCHELL: I want to know about this particular event. Minister, I am not interested in the others.

Ms YASMIN CATLEY: —organisations—two groups being able to meet on the same day at the same time. Had things been different and we'd more time to organise for that then, yes, I agree with you. We would have—

CORRECTED

The Hon. SARAH MITCHELL: Right. So it's the Premier's fault he made a call on the Sunday that it would happen the Monday. It didn't give the police enough time and it didn't give you enough time to put what you needed in place. Is it the Premier's fault?

Ms YASMIN CATLEY: The issue here was that what we referred to and what we believed to have been a static gathering at Town Hall became a march.

The Hon. SARAH MITCHELL: But you knew that well in advance, Minister. You gave evidence earlier that you knew throughout that day that the march was going to be moving from the Town Hall to the Opera House. You've told us that under oath right now.

Ms YASMIN CATLEY: Yes, but in terms of policing and putting in place an operation, that is still only a matter of hours.

The Hon. SARAH MITCHELL: So the Premier shouldn't have announced it in such a swift manner. Is it his fault?

Ms YASMIN CATLEY: This has nothing to do with—what you're suggesting is completely inaccurate. You have to understand that the police had to operate—or had to put an operational plan in place to manage—

The Hon. SARAH MITCHELL: I understand that, Minister, but I'm asking what you did as the—

Ms YASMIN CATLEY: Well, you're suggesting—

The Hon. SARAH MITCHELL: I will address questions to the officials this afternoon about these issues. My question to you was: Would you have done anything differently? Do you admit that you made a mistake and that the Government failed on the that particular day? Do you admit that?

Ms YASMIN CATLEY: What I've said to you is that, as the police Minister, the police's role was to ensure that—

The Hon. SARAH MITCHELL: I'm asking about you. Do you admit that you failed on that day?

The Hon. BOB NANVA: Point of order: Significant questions are being asked, and were legitimate questions, but the procedural fairness resolution does require the Minister to be afforded a little more time in order to answer those questions appropriately. I ask that you uphold paragraph 19 of the procedural fairness resolution.

The CHAIR: I understand Ms Mitchell is very keen to get an answer but I uphold the point of order. Please give the Minister a couple of seconds at least to get started with an answer before you throw in the next one.

The Hon. SARAH MITCHELL: Do you admit there was a failure by government on that day?

Ms YASMIN CATLEY: I believe that, as the police Minister, the police have—their duty is to keep the streets safe. They put in place an operational management that best suited the circumstances that they were presented with, which changed—as I've said repeatedly—throughout the day, to ensure the safety of the group, the broader public, once it was realised that there going to be a march and, indeed, to ensure that when that group reached its destination point, which we know was the steps of the Opera House, that there was a police presence there to avoid any conflict and volatility.

The Hon. SARAH MITCHELL: Thanks, Minister. You've effectively put yourself at odds with the Premier because he told budget estimates—and these are direct quotes from his hearing—"We made a mistake. I think it's important that the Government acknowledges this failure. A protest from Town Hall to the Opera House, we shouldn't have allowed it to happen." Why are you at odds with the Premier about this issue? Why will you not say, "Yes, we did it wrong. We should've had a better outcome on the day. I failed that day as Minister. I made a mistake." Why will you not accept responsibility?

Ms YASMIN CATLEY: I do not agree with you that I am at odds—

The Hon. SARAH MITCHELL: But this is what the Premier has said.

The Hon. STEPHEN LAWRENCE: Point of order: It's quite obviously an important part of what Ms Mitchell is seeking to do. I would have thought in those circumstances the witness should get more than a second and a half to answer.

The CHAIR: I uphold the point of order. Please allow the Minister to answer at least two sentences before she's interrupted again.

CORRECTED

Ms YASMIN CATLEY: I do not agree with your premise that I am at odds with the Premier. My role as the police Minister is to work with the police. As I've said repeatedly, they executed what they believed was the best operational management on that day.

The Hon. SARAH MITCHELL: Minister, I am not disputing that.

Ms YASMIN CATLEY: I think you are confusing my role.

The Hon. SARAH MITCHELL: No, I'm not.

Ms YASMIN CATLEY: I think you might be confusing my role.

The Hon. SARAH MITCHELL: What I am saying to you is that the Premier was very clear on the record saying, "We got it wrong. We failed. We made a mistake." Why will you not also admit that now?

Ms YASMIN CATLEY: I'll say it again. I'm the police Minister and the police Minister's role—

The Hon. SARAH MITCHELL: Just say yes.

The Hon. STEPHEN LAWRENCE: Point of order: It's not for Ms Mitchell to discourteously try to put words into the Minister's mouth. The Minister is attempting to answer and it's proven pretty difficult. She's continually being interrupted.

The CHAIR: I acknowledge the point of order.

The Hon. SARAH MITCHELL: Minister, it's not the first time in your tenure as police Minister that you've made a mistake. I want to take you now to what happened with Clare Nowland but, firstly, I do want to put on the record our very deep sympathies for her family and her loved ones. I know that this would be an incredibly difficult period of time for them. I don't, in any way, want to make this more challenging for her family but I do think there's a public duty in terms of the questions that we need to ask.

The Hon. STEPHEN LAWRENCE: Point of order: It's about the very first part of what's been said, which was "This is not the first time you've made a mistake." With the greatest of respect to Ms Mitchell, that is not a question, it's gratuitous commentary. It's discourteous and it shouldn't be included in questioning.

The CHAIR: I don't find the point of order. Ms Mitchell is entitled to set the scene and to describe that.

The Hon. SARAH MITCHELL: I want to ask some questions in relation to what happened with Ms Nowland, particularly your response as police Minister. Why did you not hold a media conference for 22 days following that incident? Why did you go missing in action?

Ms YASMIN CATLEY: Well, again, I don't agree with that premise. I, too, want to acknowledge the family. It is a very difficult time for them; there's no doubt about that. I think it's important that we also set the scene, as you quite rightly put it. A 95-year-old woman was tasered in a public institution. I think it's pretty fair to say everybody found that completely shocking. The police set up, as we well know, a critical incident investigation immediately. That meant that we had some of the best homicide detectives in New South Wales investigating that incident, which was very important. LECC were also there immediately to oversight that investigation as well, which is critically important too. We know now that there have been serious charges against that officer who discharged the taser.

The Hon. SARAH MITCHELL: Yes, I'm aware, Minister.

Ms YASMIN CATLEY: That matter is before the court and there will be a coronial investigation.

The Hon. SARAH MITCHELL: I'm very well aware of that, Minister. But what I would like you to articulate for the Committee—this was a very serious incident, as you say, of an elderly woman who was tasered and subsequently passed away. It was clearly something that the community was very concerned about. Why, as police Minister, did you fail to stand up for 22 days, answer questions from the media and take responsibility for your role as police Minister when something so tragic had occurred? Why did you not do public media for more than three weeks?

Ms YASMIN CATLEY: I'm not sure on your timing but, anyway, I'll accept that that's the case.

The Hon. SARAH MITCHELL: Well, it's true.

Ms YASMIN CATLEY: It's a long time ago. I certainly provided a public—

The Hon. SARAH MITCHELL: Surely you remember, Minister? This was a fairly horrific event.

The Hon. BOB NANVA: Point of order: Paragraph 19 of the procedural fairness resolution—can we extend some courtesy to the witness, please.

CORRECTED

The CHAIR: Sorry, I can't hear you.

The Hon. BOB NANVA: Paragraph 19 of procedural fairness resolution—courtesy. Could the Minister be allowed to answer a question before the next question is asked?

The CHAIR: I find for you. Please allow the Minister to answer the question.

Ms YASMIN CATLEY: What you're not saying is that I absolutely provided a public statement on behalf of the Government. In addition to that I will remind you that this was a police operational matter.

The Hon. SARAH MITCHELL: I'm aware of that, Minister.

Ms YASMIN CATLEY: Well, then let me finish, if you would, please. The police spoke to the media on several occasions is my recollection. I couldn't provide you the dates because it was quite some time ago and perhaps the commissioner might be able to talk to you further about that later today. It was an operational matter, where the public needed to hear the facts that were going on within the police and how they were going about this particular investigation, which is why I wanted to lay out the preamble in the beginning so we're all very clear on what the police were putting in place.

The Hon. SARAH MITCHELL: Thank you, Minister. So you don't—

Ms YASMIN CATLEY: It was very normal for the police to be fronting the media on this operational matter. They did that very professionally, and I thank them for that.

The Hon. SARAH MITCHELL: I'm asking why you didn't very professionally, as the police Minister, stand up and give that reassurance to the community. That is your role and you went missing in action. Why?

Ms YASMIN CATLEY: If I had my time over again, perhaps I would have.

The Hon. SARAH MITCHELL: Okay, thank you. Can you also advise us when you first became aware? You've told Parliament that you received a briefing from police that day, the 17 May, which I understand was in the early hours of that morning that the incident occurred. What time on that day did you receive a briefing from the police? Do you remember?

Ms YASMIN CATLEY: I don't remember the exact time but I did receive a verbal briefing.

The Hon. SARAH MITCHELL: Morning or afternoon?

Ms YASMIN CATLEY: Morning, definitely morning.

The Hon. SARAH MITCHELL: Morning. What were you told in that briefing?

Ms YASMIN CATLEY: That there had been an incident in Cooma and that an elderly person had been tasered, and that she was still alive but in a very seriousness condition—to that effect.

The Hon. SARAH MITCHELL: Did you receive more than one police briefing that day?

Ms YASMIN CATLEY: I was actually travelling with the commissioner that day. We would have spoken about it again, but I couldn't tell you when that was.

The Hon. SARAH MITCHELL: My understanding—and, again, this has been well canvassed—is that a draft police media statement was written that morning that referred to tasered. Did you see that draft?

Ms YASMIN CATLEY: No, I did not, and I want to make it very clear to this Committee that it would be, in my view, inappropriate for the Minister's office to have oversight over material that comes out of the police media unit. I did not see it, I would not see it and I won't be interfering in police media releases any time into the future. I think that it's inappropriate that you even ask that I would have seen it.

The Hon. SARAH MITCHELL: So you or your office—no-one had any discussions about the removal of tasered? Obviously, that was in the draft and was removed in the statement that went out. But you're saying that you weren't aware of that and your office wasn't involved? There were no discussions between your office and police media about the reference to tasered in the draft media release that was subsequently removed from the one that was issued? No-one spoke about it at all?

Ms YASMIN CATLEY: I'll restate to you again: It would be incredibly inappropriate for the police Minister's office or anybody in the police Minister's office to get involved in the drafting of a media release that's going out in relation to a critical incident, the death of—well, the critical incident. I apologise, that wasn't the case at that point in time, but to a critical incident that was occurring. It would be incredibly inappropriate for that to occur.

CORRECTED

The Hon. SARAH MITCHELL: So there was no discussion. You didn't see anything until the final statement went out by police that day, which omitted reference to the tasing. I assume you saw that statement?

Ms YASMIN CATLEY: Yes.

The Hon. SARAH MITCHELL: Are you aware that there was also information that said that no further information was available? That obviously isn't correct because you knew at that point that Ms Nowland had been tasered, but you didn't feel that that was appropriate to be out in the public domain?

Ms YASMIN CATLEY: I think this has been articulated very clearly by the commissioner and by the police more broadly. The family deserve the right to know of the circumstances around what had happened in that incident, instead of them hearing it on radio or reading it in the paper. I think having a humanitarian approach is decent and dignified. Whilst I didn't know about the first iteration, so I didn't know if it was in or out, when I saw the statement that eventually went out, I was not alarmed because it had been explained to me that the family needed to know first. Indeed, I think also, which is important, an investigation was underway. People needed to be interviewed and the like. The appropriateness of the media statement—the police are a professional outfit, and I read that and I was not alarmed in any way.

The Hon. SARAH MITCHELL: Minister, did you tell the Premier about what had occurred at that aged-care facility on 17 May? Did you call him and tell him what had happened?

Ms YASMIN CATLEY: No, I didn't call the Premier directly.

The Hon. SARAH MITCHELL: Right, so that's a second critical incident where you haven't picked up the phone to your boss, the Premier, and said, "You should be aware of this"?

Ms YASMIN CATLEY: No, I didn't, and I'm not concerned that I didn't.

The Hon. SARAH MITCHELL: Why on earth did you not ring him?

Ms YASMIN CATLEY: My office spoke to the Premier's office and we advised them of all incidents that I'm aware of. Obviously, I'm not told of every incident within the police remit because that would be too many, unfortunately. But, certainly in relation to serious incidents, my office contacts the Premier's office constantly. I did not speak to the Premier directly on that day.

The Hon. SARAH MITCHELL: Minister, you have an issue or a critical incident where an elderly woman was tasered by a police officer in a nursing home in Cooma. You didn't pick up phone to the Premier. You have a pro-Palestinian rally on its way to the Opera House, where you have members of the Jewish community. You didn't pick up the phone to the Premier. I would argue or put to you that they're two very serious law-and-order and safety issues in our community during your time as police Minister when you didn't think it was necessary to pick up the phone, call the Premier and discuss what was happening. What is your threshold of an issue that's serious enough that you'll raise it with your colleagues, if those two don't pass that test?

Ms YASMIN CATLEY: I made sure that the Premier knew. I don't accept your premise.

The Hon. SARAH MITCHELL: But do you ever speak to him? Why don't you call him? I just think it beggars belief that you're the police Minister and you cannot call or do not call the Premier when there are serious issues that are happening in this State.

The Hon. STEPHEN LAWRENCE: Point of order—

Ms YASMIN CATLEY: I speak to the Premier regularly.

The Hon. SARAH MITCHELL: Clearly not.

The Hon. STEPHEN LAWRENCE: That is a restatement of exactly what the Minister was attempting to answer, but the Minister only got two words into her answer. The Hon. Sarah Mitchell is entitled to redirect; she's not entitled to interrupt and restate the question.

The CHAIR: I reiterate: Please allow the Minister to answer a question but, of course, you can redirect.

The Hon. SARAH MITCHELL: Thank you, Chair.

Ms YASMIN CATLEY: I will answer it, if that's okay then, Mr Chair. I speak to the Premier regularly, and for you to suggest otherwise is incorrect. It is absolutely the case that my office informs the Premier's office regularly on incidents that they need to be informed on, and I know that you know that that is absolutely the practice that Ministers' offices do with the Premier's office.

CORRECTED

The Hon. SARAH MITCHELL: With respect, Minister, it's not me suggesting you don't speak to the Premier. You've told the Committee this morning twice in relation to those critical incidents that you didn't speak to the Premier. It's not my evidence; it's yours.

Ms YASMIN CATLEY: That's not true. You told me I did speak to the Premier about the pro-Palestinians.

The Hon. SARAH MITCHELL: On the Monday, not on the Sunday, and you didn't speak with him at all about this issue.

Ms YASMIN CATLEY: Now you're contradicting yourself, Mrs Mitchell.

The Hon. SARAH MITCHELL: Minister, you didn't pick up the phone when you could have and, arguably, when you should have on those issues.

Ms YASMIN CATLEY: That's your assessment.

The Hon. SARAH MITCHELL: I think that's the view of the people of the New South Wales. I think law and order is an important issue, and they would expect that.

Ms YASMIN CATLEY: I don't agree with your assessment. I speak to the Premier regularly. We have a very strong relationship.

The Hon. SARAH MITCHELL: Well, for now.

Ms YASMIN CATLEY: He said in the Committee that he supports me so, you know—

The Hon. SARAH MITCHELL: He said consistency for now.

Ms YASMIN CATLEY: You can make your assessment; I'm pretty comfortable.

The Hon. SARAH MITCHELL: Minister, in relation to when the information was publicly released about Mrs Nowland being tasered—and I accept what you said about her family needing to be told first, and nobody would disagree with that—can you explain why there was a 19-hour delay after the critical incident team had met her family and a further release being issued that did, in fact, provide the information that she'd been tasered? Why was there a 19-hour gap?

Ms YASMIN CATLEY: I'm not sure that there was, but I will accept what you say. As I say, the police make those decisions on the basis of what information they have been able to give to the family. I would think that that time fitted in with that situation. Commissioner, would you like to—

The Hon. SARAH MITCHELL: I'll go to commissioner this afternoon. On 17 May you didn't speak to the Premier. You said your office had spoken to his office. Were they made aware that Ms Nowland had been tasered? Was that information relayed to the Premier's office?

Ms YASMIN CATLEY: They would have been given the information I was provided.

The Hon. SARAH MITCHELL: Which that she had been tasered—yes or no?

The Hon. BOB NANVA: Time.

The Hon. SARAH MITCHELL: It's important—yes or no?

Ms YASMIN CATLEY: I'd already said it.

The CHAIR: Time, thank you. Questions from the crossbench?

Ms ABIGAIL BOYD: Good morning to you, Minister.

Ms YASMIN CATLEY: Good morning.

Ms ABIGAIL BOYD: Do you personally know what is happening with the replacement of the antiquated COPS system with the IPOS system?

Ms YASMIN CATLEY: No, but I can refer you to the commissioner in relation to that.

Ms ABIGAIL BOYD: If we could make it really quick, Commissioner, is there a deadline for when the new system will be up and running?

KAREN WEBB: The replacement is in a number of phases.

Ms ABIGAIL BOYD: Are any of those phases on track?

CORRECTED

KAREN WEBB: We're actively in procurement for two of those issues at the moment, and it would be inappropriate to go into any detail on that while there's an active procurement process in place.

Ms ABIGAIL BOYD: As you know, this slated upgrade of that system has been going for 10 years, and last year the latest company to be given a contract to do the upgrade was Mark43. For whatever reason, that was cancelled by the NSW Police Force, and they took the NSW Police Force to court. What has been the outcome of that case?

KAREN WEBB: We also took them to court and that matter has been settled with terms of confidentiality, and so I can't talk to it any further.

Ms ABIGAIL BOYD: The Auditor-General's 2022 report into *Police responses to domestic and family violence* called out the antiquated COPS system as a major failing in New South Wales police's response to DV. Minister, are you concerned that we're basically really behind when it comes to being able to effectively deal with domestic and family violence in this State?

Ms YASMIN CATLEY: As the commissioner has said, they are in the throes of changing that. I look forward to receiving an update on that and making sure that we do have the best systems available. Because I agree with you that domestic and family violence is a scourge on our community and it is important that we, as a society, do everything that we can to change those awful statistics that we have. The one thing that I will say to you, though, Abigail, is the amount of resources, aside from that system, that the police are putting in—and I will go directly to the domestic violence registry—

Ms ABIGAIL BOYD: Can I just bring you back—

Ms YASMIN CATLEY: But I think this is important, because—

Ms ABIGAIL BOYD: With respect, my question is actually in relation to our antiquated systems. We can come back to the other stuff, but I have limited time.

Ms YASMIN CATLEY: As I said, the commissioner has addressed that, in terms of—of course, it's concerning.

Ms ABIGAIL BOYD: Okay, but this has been going on—and I understand, Minister, that this was not on your watch. You have only been the Minister for seven months, but this system has been in need of an upgrade for 10 years. In previous estimates over the last four years, I have spoken to every police Minister and commissioner about the fact that we are the only State in the whole of Australia not to be able to record the reasons why sexual assault victims withdraw, or whether or not a discontinuation of their case is because of a withdrawal or for other reasons, because of our outdated system. Every time I ask about this, I am told that upgrading the system is going to be a priority—and every time we don't have it. It has been 10 years now. We talk about putting resources into this issue, both sexual assault and also domestic and family violence, which are suffering under this system. What will you do, Minister, to ensure that on your watch we will actually upgrade these systems really quickly?

Ms YASMIN CATLEY: I will certainly work with the commissioner. The last thing we need in New South Wales are antiquated systems. The NSW Police Force is one of the best in the country and it should have also the best IT systems. I agree with you entirely. I will work with them and I hope that the next time that I am back here in front of you, I am able to give you a much more positive update.

Ms ABIGAIL BOYD: Thank you, I appreciate that. The Auditor-General, in her 2022 report, notes that COPS is a single-event oriented system. What that means is that when police are looking up an individual, or there is a particular event, it is not necessarily very clear or it is very hard—they have to do a manual search to find related events and people. As you will no doubt know after the coercive control inquiry and the new legislation coming in, domestic and family violence is predominantly not incident based; it is a pattern of behaviour. Having a system that has the ability to look up multiple events and for them to be automatically linked is going to be critical to our response to coercive control. What confidence do you have that this system will be ready in time for the coercive control offence coming in next year?

Ms YASMIN CATLEY: What I can tell you is in relation to the—I do want to go back to the domestic violence registry, because they are actually building there a resource that identifies high-risk offenders, and it is exactly to the point that you are making. So all events are recorded there, and they are using that, and there will be an integration of that into COPS, hopefully into the not too distant future. I don't disagree with you, though, in relation to COPS. It is sort of singular based. But, again, there has been some work done by the police in broadening that as well. In relation to coercive control, the police are doing all of the mandatory training that they are required to do, and I am told that they are up to date with where they need to be with that training at this point in time.

CORRECTED

Ms ABIGAIL BOYD: I put it to you, Minister, that it is actually impossible for 12,000 police to receive the face-to-face, in-depth training that they require for a coercive control offence to take place by mid-2024. Do you have evidence to suggest otherwise?

Ms YASMIN CATLEY: Mr Lanyon has given me an update on that. Mr Lanyon, would you like to let Ms Boyd know what is going on with the police?

Ms ABIGAIL BOYD: Please make it quick, or I can come back to you in the afternoon session.

MALCOLM LANYON: Thank you, Ma'am. I'm informed that the training is on track. Obviously, phase one has been completed for 19,000 police employees.

Ms ABIGAIL BOYD: The online training module?

MALCOLM LANYON: Correct. And over 1,200 employees currently have undertaken face-to-face in phase two.

Ms ABIGAIL BOYD: Will undertake or have undertaken?

MALCOLM LANYON: Have undertaken.

Ms ABIGAIL BOYD: How much time was that face-to-face training?

MALCOLM LANYON: I will have to get back to you on that, if I can. I can come back to you today on the answer on that.

Ms ABIGAIL BOYD: I understand that there was insufficient or zero consultation with the domestic and family violence sector when it came to the development of that training, and that they haven't even seen that training. Is that correct?

MALCOLM LANYON: No, that's not correct.

Ms ABIGAIL BOYD: Okay. Would you make available to this Committee the details of that training and the training module—exactly what it covers?

MALCOLM LANYON: Yes, I can.

Ms ABIGAIL BOYD: Thank you. When we heard last year about the IPOS development, we were told that it would have the capability of actually recording more detail in 2025 on the basis of the contract that was already in place. Now that that has been cancelled, and we are going out again for procurement from someone else, presumably the date at which the system will be able to be fit for purpose is going to be way after 2025 now, and significantly after the date of the coercive control offence taking effect. Would you support a delay to that coercive control offence taking effect to reflect our antiquated systems?

Ms YASMIN CATLEY: Well, I would want us to have the best technology that is available and certainly that is fit for purpose, particularly in relation to coercive control, domestic violence and sexual assault. I guess I'll have to ask the commissioner if you think that we are in a position that we will be able to meet that time frame.

KAREN WEBB: As you are aware, Ms Boyd, the coercive control legislation starts 1 July next year. The training has been ongoing. It was started in July this year, in phases, so that general duties officers are the ones that are able to identify what might be coercive control. It is envisaged that investigators will be the ones taking statements from victims of coercive control because of the nature of coercive control, and that will take time for them, and we want specialist officers with those skills. It is also possible, in relation to the procurement of the calls for assistance CAD system, that we might get a better system and it doesn't take that long. It would be premature to assume that will take longer. The replacement of the COPS system was envisaged that the calls for service would automatically create a COPS event. That is hopefully something that will be remedied, but certainly the data that is available to us in CAD and in COPS is fulsome. There is a lot of data there, and certainly we will exploit all the datasets that we have available to us.

Ms ABIGAIL BOYD: Commissioner, are you aware, when the offence of coercive control was implemented in Scotland just how much work was done in relation to police training in order to bring the force up to speed to be able to do this effectively?

KAREN WEBB: I can't answer what Scotland has done specifically, and whether Mr Lanyon, who is the corporate sponsor, can answer that. But certainly, as I have indicated, we have taken a tiered approach, because I think it would be a disservice to victims to expect that general duties officers have the time and ability to take a statement from a coercive control victim, and that is why we have geared that towards investigators.

CORRECTED

Ms ABIGAIL BOYD: I 100 per cent agree with that. I think the worry here from the domestic and family violence sector is that we are going to end up with poor implementation of an offence, and that will be more dangerous than not having the offence at all. Do you have concerns? Are there more resources that could be provided to make sure that New South Wales police have everything they need for the implementation of this offence to be effective?

KAREN WEBB: As has been said, we believe we are on track for the training. Some 19,000 officers have done the online module—staff, including unsworn staff, because we want all our employees to be able to recognise what might be coercive control. And the second element is, we believe, well on track. We have brought together a number of specialists to develop the program, from court systems and from other parts of the criminal justice sector, and we have consulted in the development of the training program. I think we are in a better—a good position, and we will work through that, certainly. I am not sure if Mr Lanyon had any further detail to add to that.

MALCOLM LANYON: Commissioner, I think, Ma'am, one of the things that I would like certainly the Committee to be aware of, and certainly for the community, is that the introduction of coercive control will be an added tool for police to obviously protect victims. Individual events or individual courses of conduct are what will lead up to that. The COPS system as it currently exists, while old, does record that and does link that to both the victims and the offenders.

Ms ABIGAIL BOYD: It doesn't allow you to easily search it; you have to manually trawl.

MALCOLM LANYON: No, that's not correct.

Ms ABIGAIL BOYD: That is what the Auditor-General said in her report.

MALCOLM LANYON: No, certainly not. By actually entering the name of a victim or the name of an offender, we can get all of the events related to those people.

Ms ABIGAIL BOYD: We will come back to it in the afternoon.

MALCOLM LANYON: Thank you.

The CHAIR: Perhaps, Commissioner, through you, to Mr Hudson again—if you're okay with that. I've just got a couple more Firearms Registry questions. Is that okay? Unless you would like to answer them?

KAREN WEBB: I'm happy to go to the expert, Mr Borsak.

The CHAIR: Thank you. Deputy Commissioner, are firearms officers at each individual station given training to diagnose licensed firearms owners' mental health?

DAVID HUDSON: What do you mean by "firearms officers at stations"? People with responsibility to conduct safe storage? Licensing officers?

The CHAIR: Yes. Obviously, from my personal interaction, there are officers who look after firearms-related licensing issues and inspections et cetera. Are they specifically given any training to assess the mental health of people they meet?

DAVID HUDSON: No.

The CHAIR: Thank you. Is it the policy of the police to look for reasons to question the mental health status of licensed shooters on renewal?

DAVID HUDSON: Not on a proactive basis, no. If there's other information that's been provided to the registry or to police, that's contained in the system. It'll be captured upon the review of that individual when a licence is reapplied for. That may cause us concern, but we certainly do those checks.

The CHAIR: And at other times?

DAVID HUDSON: Not proactively. If somebody's outside of a renewal phase, we don't actively look for reasons to cancel a licence, no.

The CHAIR: Thank you. Does the New South Wales police access the MyGov health records of licensed firearms owners at will in order to try and find justification for removing firearms from older or disabled licensed firearms owners?

DAVID HUDSON: Not to my knowledge, no.

The CHAIR: So the police don't have a routine access to MyGov?

DAVID HUDSON: No. We don't.

CORRECTED

The CHAIR: Thank you. If not, why do cases repeatedly occur where officers come to licensed firearms owners' residences on the premise of inspecting safe storage and then ask leading questions about their physical capabilities in relation to shooting and firearms ownership? I've got plenty of examples of these if you would like to talk about them.

DAVID HUDSON: My understanding is, Sir, that that's based on observations of the individual doing the safe storage inspection and those questions at that safe storage inspection—the observations made by that officer are the catalyst for those questions being asked.

The CHAIR: In one particular case, the fellow was in a wheelchair and he was asked those sorts of questions. Do you think that was fair, given, again, he was a lifetime shooter and had been in a wheelchair most of his life?

DAVID HUDSON: Not simply because he was in a wheelchair, no, I wouldn't. I don't know if there's any other behavioural aspects that caused the officer to further question him, but not simply because he's in a wheelchair. He's an authorised and lawful firearms licence holder. That shouldn't have been the only reason. I agree.

The CHAIR: Thank you. Does the New South Wales police have a policy of discriminating against military veterans or retired police officers when these upstanding citizens apply for firearms licence or seek to renew their licence?

DAVID HUDSON: It can a problematic area, Sir, especially with veterans who've been disengaged for disability reasons. Certainly, mental health discharges would cause us some concern for further justification from those individuals and the requirement for a medical health assessment to be provided by a doctor to ensure that they are capable of fulfilling the functions of the Firearms Act.

The CHAIR: How do you determine whether they need to have another opinion of a doctor or a psychologist or even a psychiatrist?

DAVID HUDSON: How do we determine that?

The CHAIR: Yes, when you don't have access to MyGov.

DAVID HUDSON: Their application on the form. In relation to retired military personnel, they apply for a discount because of their disability.

The CHAIR: That's right. What are you saying? Because they apply for a discount using their gold card, that they're automatically up for review.

DAVID HUDSON: No. Because that flags the fact that they have been discharged from the military based on some disability and therefore that triggers—and, I think, quite rightly—an inquiry as to the nature of that disability and whether that disability would preclude them from being able to appropriately deal and handle a firearm.

The CHAIR: Commissioner, that's not actually right. You can get a gold card as an ex-serviceman or ex-servicewoman without necessarily having anything other than long service in the forces. You need not necessarily be given a gold card simply because you've been put out.

DAVID HUDSON: I accept that. But, certainly, many people who do have those gold cards have been discharged from the military for medical reasons.

The CHAIR: What about the ones that aren't?

DAVID HUDSON: Then their licences progress through.

The CHAIR: But that only happens after a process where they've been told their licence has been refused.

DAVID HUDSON: Not necessarily. They're not automatically refused.

The CHAIR: I've got an awful lot of examples where that seems to be happening coming to my office, and it's actually perverse, because they apply for a small discount because they've got a gold card, which has been given to them by the New South Wales Government in recognition of their service, and then the veteran's gold card initiates a review and refusal. They then have to go along and get a psychologist's report to say that they're a fit and proper mental person, and the costs associated with that are extreme—certainly in excess of the veteran's gold card discount that they might be offered. Then and again, in many cases, they end up in NCAT, where they've got to defend themselves and employ lawyers to try to help them get through their processes to get their licence back. Don't you think that this is all a little bit perverse?

CORRECTED

DAVID HUDSON: My understanding is that simply because you are in possession of a gold card is not—that is not the process. But, if, on the application form, "suffering from some form of previous illness" is flagged, then that may trigger that process you've just outlined, but I think that's appropriate to inform and to comply with the Firearms Act.

The CHAIR: I accept your answer, but in many cases all the boxes are ticked no and yet still a review can be initiated.

DAVID HUDSON: You'll have to provide the individual circumstances to me, Mr Borsak. We can have a look at them, but that's not my understanding of the process that we comply with. Obviously, you would understand we have many veterans and many former police that apply for firearms licences and many of them are issued.

The CHAIR: Many are issued, but many are also being refused because of the simple presence of a gold card request. Do you know now that it's going through the shooting community, if you have a gold card, never ask for a small discount? Do you think this is a good example? Should we be doing this?

DAVID HUDSON: I think it's a good indicator but also in conjunction with affirming on the application form that there has been some previous issue in relation to mental health, which is a requirement of the application.

The CHAIR: I know as well as you do that, if you tick the box, that you have had some issue, of the 18 questions that are asked on renewal—and they're all very detailed declarations—if you tick yes on one of them, you'll initiate an automatic review. That's fine. I get that. But why, when they tick no to everything, should they then get it because they apply their gold card for a discount?

DAVID HUDSON: I think the question's asked, Mr Borsak, because many people answer no to all the questions but then apply under the gold card for a discount but have been discharged from the military because of some psychological illness.

The CHAIR: How can you judge that if the form's answered—

DAVID HUDSON: That's the cause of the review. We don't know that. That question is asked, the nature of the illness which brought the disengagement from the military. If that's a psychological illness, then, potentially, they've misled on the application form, as well.

The CHAIR: So the only way you can find that out is by automatically forcing everyone that applies for a gold card, regardless of what their response was in the 18 questions asked, to a review?

DAVID HUDSON: I don't think it's done in all cases. I'll stand to be corrected. But, at the moment, I'm aware of numerous cases where individuals have not flagged appropriately on the form, there's been inquiries based on the conduct, licence has been refused and that refusal's been upheld at NCAT.

The CHAIR: Do you think that you should be thinking about another format to try to come to that arrangement?

DAVID HUDSON: I could certainly speak to the registry.

The CHAIR: This doesn't smell very fair to those that are being not discharged for the wrong reasons.

DAVID HUDSON: Those that don't have a previous condition, that have retired through years of service and are entitled to a gold card—I think they are issued licences. It'd be a concern to me if they weren't, based on the fact that they've simply got a gold card. That would be an issue for me. But, if they've got accompanying psychological history, then I think it's appropriate that's reviewed, we go to the mental health assessment and get an appropriate medical practitioner to certify that application.

The CHAIR: I think we're talking at cross-purposes. Anyway, Deputy Commissioner, does the New South Wales Firearms Registry employ a psychologist full-time to overrule decisions about applicants' suitability even after they've recommended as safe and an independent psychologist or psychiatrist?

DAVID HUDSON: No.

The CHAIR: Does the Firearms Registry seek separate opinions in relation to these matters when they are presented with a clean slate or a clean opinion from the member?

DAVID HUDSON: No.

The CHAIR: Thank you. Government questions?

The Hon. BOB NANVA: No questions from us.

CORRECTED

The CHAIR: There are no questions. We have now reached 10:45. We will have a break now until 11:15.

(Short adjournment)

The CHAIR: We might get started again with the Opposition.

The Hon. SARAH MITCHELL: Minister, I want to take you back to where we were in the last round of the Opposition's questioning. You said that your office let the Premier's office know about Mrs Nowland and that she had been tasered. That's correct?

Ms YASMIN CATLEY: Yes. That was the information that was provided to me, and that information was subsequently provided to my office.

The Hon. SARAH MITCHELL: Did you or your office provide the Premier's office with any drafts or final versions of the police media release? Did they have a copy of that sent to them from your media team?

Ms YASMIN CATLEY: No, not to my knowledge.

The Hon. SARAH MITCHELL: Why not?

Ms YASMIN CATLEY: The draft? Because I didn't have the draft.

The Hon. SARAH MITCHELL: Or the final media release. Did they see the release that went out from the police? Did you send that to the Premier's office so that they were across that?

Ms YASMIN CATLEY: I assume they would have. I was in the Tweed command. I assume they would have.

The Hon. SARAH MITCHELL: Could you take that on notice?

Ms YASMIN CATLEY: I didn't send it myself.

The Hon. SARAH MITCHELL: Could you take that on notice and check with your office whether the Premier's office received a copy of that statement?

Ms YASMIN CATLEY: Sure.

The Hon. SARAH MITCHELL: As I said before, we know that the critical incident team met with Mrs Nowland's family in Cooma on the afternoon of Thursday 18 May. At any time before then did you understand whether the family had been told about the taserings?

Ms YASMIN CATLEY: That's an operational matter that you're referring to, so I would ask the commissioner to respond to that.

The Hon. SARAH MITCHELL: But did you know?

Ms YASMIN CATLEY: That is an operational matter for the police. I will ask the commissioner to answer your question.

The Hon. SARAH MITCHELL: Commissioner?

KAREN WEBB: With respect to this matter, we have four matters before different courts at the moment—so civil claims, an employment, a criminal matter and a Coroner's matter—as well as we've provided answers to questions on notice before. Respectfully, I will take any questions about this on notice.

The Hon. SARAH MITCHELL: What we're wanting to understand is whether it was at that three o'clock meeting on 18 May that Mrs Nowland's family was made aware of the taserings incident or if it was beforehand.

KAREN WEBB: I'll take that on notice.

The Hon. SARAH MITCHELL: Minister, did you see *The Daily Telegraph* report on that same day, Thursday 18 May? They published a story saying that Mrs Nowland had been tasered. Do you recall seeing that on that date?

Ms YASMIN CATLEY: I probably did.

The Hon. SARAH MITCHELL: As I said earlier, a second police statement—this time referring to the taserings—was subsequently issued the next day, Friday 19 May, but not until 9.57 a.m. That was about 54 hours after the incident and, as I said, 19 hours since the critical incident team met with Mrs Nowland's family.

CORRECTED

Did you or your office have any contact with police or police media about it after that Daily Telegraph story was issued in terms of that second media release and the content of that?

Ms YASMIN CATLEY: What is your actual question?

The Hon. SARAH MITCHELL: The meeting took place with the family and the critical incident team on 18 May, the same day *The Daily Telegraph* published an article indicating that Mrs Nowland had been tasered. It wasn't until the next day that an official statement came out from police that also had that information. In that time between *The Daily Telegraph* article appearing and the police statement the next day, did you speak to police, or police media to your office, about providing that additional information to the public?

Ms YASMIN CATLEY: I'll refer you back to my earlier comments—that is, that my office does not provide advice or content for the police media unit. They have not, did not—absolutely not.

The Hon. SARAH MITCHELL: So you had no involvement with the police during that time between *The Daily Telegraph* article appearing—

Ms YASMIN CATLEY: Can you clarify for me? You're saying "police". I was with the police commissioner, so—

The Hon. SARAH MITCHELL: I'm just trying—

Ms YASMIN CATLEY: I want to be very clear here. You're saying "police" and "police media unit". Which is it?

The Hon. SARAH MITCHELL: Both. Either.

Ms YASMIN CATLEY: I was with the police, so I'm not saying that I wasn't talking to the commissioner, because we were at events together. The police media unit—absolutely not.

The Hon. SARAH MITCHELL: But you said earlier that the reason for not providing that initial advice to the public that Mrs Nowland had been tasered was because her family, with perfect respect, needed to be told. I appreciate and agree with that. I'm trying to understand why there was a delay between her family meeting with the critical unit and an official response coming from police that gave the advice that the tasering had occurred. There was a subsequent Daily Telegraph article in the middle of that time line. The public had been kept in the dark for at least 19 hours after the critical incident team met with Mrs Nowland's family. What involvement did you have in that time? Were you saying the public should be made aware of this? Did you give any indication or direction that this should be made public—this information—or not?

Ms YASMIN CATLEY: This was obviously a very serious operational matter. I did not provide advice.

The Hon. SARAH MITCHELL: Have you asked for an explanation as to why the delay between the meeting with her family and the details being made available to the public?

Ms YASMIN CATLEY: I'd go to the point that I made earlier on this morning, Mrs Mitchell—that is, that these people around me have spent their whole lives as police officers. They are extremely experienced. They do a tough job. They do a job with the circumstances that are in front of them. I accepted the approach that they took in this particular operation, and I still accept that approach.

The Hon. SARAH MITCHELL: And that delay doesn't concern you—that the public weren't made aware?

Ms YASMIN CATLEY: I think that the police made decisions with information that was before them. We're not just talking about something that isn't complex. We're talking about a family. We're talking about an incident that was unimaginable—absolutely unimaginable. If the police felt that they needed that length of time, then they needed that length of time.

The Hon. SARAH MITCHELL: So you, again, don't think that there's any explanation needed or justification needed for that delay in putting that information out into the public domain?

Ms YASMIN CATLEY: Again, I accept the advice that was provided to me—

The Hon. SARAH MITCHELL: So you don't think that's your role—

Ms YASMIN CATLEY: —and the explanation that was provided to me.

The Hon. SARAH MITCHELL: —you leave that to the police?

Ms YASMIN CATLEY: This is a significant operational matter, no doubt about that. We've already discussed the complexities and the concerns around the incident that occurred, the sensitivities around the family

CORRECTED

and the fact that witnesses had to be interviewed. A team came from Sydney, as I have said earlier—the critical incident. We had those senior officers coming down—homicide officers coming down—to undertake what was a very serious critical incident. And they—

The Hon. SARAH MITCHELL: And you stand behind not getting involved?

Ms YASMIN CATLEY: —obviously, had to do their job.

The Hon. SARAH MITCHELL: I understand that, Minister.

Ms YASMIN CATLEY: This isn't just about—I feel as though you're trivialising the work that police do.

The Hon. SARAH MITCHELL: Not at all, Minister. I'm trying to understand the work that you do, with respect.

Ms YASMIN CATLEY: I'm trying to understand why you're—

The Hon. SARAH MITCHELL: Do you stand behind—

Ms YASMIN CATLEY: —trivialising the work that—

The Hon. SARAH MITCHELL: No, I'm not at all.

Ms YASMIN CATLEY: —they do, which is—

The Hon. SARAH MITCHELL: I am not at all, Minister.

Ms YASMIN CATLEY: —so incredibly important. And they make decisions—

The Hon. SARAH MITCHELL: I'm trying to understand what—

Ms YASMIN CATLEY: —based on—

The Hon. SARAH MITCHELL: —your role is and what you do.

The Hon. GREG DONNELLY: Point of order: We know that this goes back and forth—question and answer. The Minister, or whoever is answering the question, needs to be provided with the opportunity to answer the question. I ask you to draw that to the attention of the member.

The CHAIR: I uphold the point of order. Please allow the Minister to answer the questions.

Ms YASMIN CATLEY: I absolutely do not believe that you understand policing and how policing works. You are trivialising their role in what is an incredibly awful situation. A very significant police investigation had to occur—

The Hon. SARAH MITCHELL: Thank you, Minister. I have very limited time.

Ms YASMIN CATLEY: —and they had to have the time to do that.

The Hon. SARAH MITCHELL: I understand that.

Ms YASMIN CATLEY: You obviously don't understand that.

The Hon. SARAH MITCHELL: I'm trying to understand, with respect, what your role is here—what you did as police Minister—and whether or not you've sought any advice or indication as to why that delay between Mrs Nowland's family presumably being informed on that afternoon and, several hours later, the public being informed. I'm trying to understand what you did. I think, from the evidence that you've given, that you were happy to let the police make those decisions. Is that correct?

Ms YASMIN CATLEY: The police made decisions on an operational matter—

The Hon. SARAH MITCHELL: And you didn't feel that you should be involved?

Ms YASMIN CATLEY: —which was a very serious matter.

The Hon. SARAH MITCHELL: No-one is disputing that.

Ms YASMIN CATLEY: I have answered this question several times; I don't think you're listening. You might not be hearing the answer that you want, Mrs Mitchell, but I'm telling you that—

The Hon. SARAH MITCHELL: No, I'm fine with what I'm hearing.

Ms YASMIN CATLEY: —the police had a very significant role here.

CORRECTED

The Hon. SARAH MITCHELL: I understand that.

Ms YASMIN CATLEY: They had a significant investigation underway, and they did that job.

The Hon. SARAH MITCHELL: And you were happy, as Minister, to not involve yourself and not direct public information that you wanted that—

Ms YASMIN CATLEY: Did you think that I should go down there and run the investigation?

The Hon. SARAH MITCHELL: No. Minister—

Ms YASMIN CATLEY: Is that what—

The Hon. SARAH MITCHELL: —I'm asking about the—

Ms YASMIN CATLEY: I'd like to ask you—

The CHAIR: Order!

The Hon. SARAH MITCHELL: No, it's my turn to ask questions.

The CHAIR: Please allow the Minister to answer the question.

The Hon. SARAH MITCHELL: My question to you was about that delay in the information around what had happened to Mrs Nowland being made public. There was clearly a gap of 19 hours between that meeting and the public reporting about that from the police. My question to you was: Do you think that it was acceptable for that information to not be available in the public domain for almost 24 hours? You've said that you wouldn't involve yourself and that the police made that decision. I just want to make it clear that that's your evidence.

Ms YASMIN CATLEY: I find it hard to believe that you think the police Minister should get involved in what is an incredibly serious investigation. Is that what you did when you were in government? Did you get involved in the Daryl Maguire affair? Did you get involved in the Gareth Ward affair?

The Hon. SARAH MITCHELL: Minister, I'm not asking you—

Ms YASMIN CATLEY: You are asking me—

The Hon. SARAH MITCHELL: I'm asking about what you do. You have a role as police Minister, presumably—

Ms YASMIN CATLEY: You might think that you're asking me something but you are asking me to get involved in an investigation—

The Hon. SARAH MITCHELL: You have a role as—

The CHAIR: Order! One at a time, please.

Ms YASMIN CATLEY: —a serious, critical investigation, and that is inappropriate, and you know it's inappropriate.

The Hon. SARAH MITCHELL: Minister, I am asking you about your role as police Minister in terms of providing information to the public about a serious incident involving a very elderly woman and a police officer and whether you thought that delay was acceptable. But, clearly, from the evidence that you have given, you don't see an issue with that. I'll hand over to my colleague.

The Hon. NATASHA MACLAREN-JONES: Thank you very much to the Minister and commissioners for being here today. Minister, last week the Paddington Police Station closed due to staff shortages. Is that correct?

Ms YASMIN CATLEY: I will have to get confirmation on that. I read that in the paper, but I would like to get confirmation on that. Can you confirm if that is correct, please, Commissioner?

KAREN WEBB: There was a local decision made, not endorsed by the executive, and that position has been overturned. I have subsequently asked Mr Lanyon, who is the Deputy Commissioner, Metropolitan Field Operations, to review the work of Paddington Police Station and, in fact, whether it should be part of the eastern suburbs local area command or, in fact, be part of the Kings Cross local area command. So I've asked for that review. What I don't yet have the answer to is a note that appeared on the door of the police station that wasn't of the making of the commander from eastern suburbs. So someone is being cute, perhaps, but we don't know who placed that note on the door to say so.

The Hon. NATASHA MACLAREN-JONES: Minister, when were you advised that the police station had been closed?

CORRECTED

Ms YASMIN CATLEY: When I—through the media.

The Hon. NATASHA MACLAREN-JONES: Through the media?

Ms YASMIN CATLEY: Yes.

The Hon. NATASHA MACLAREN-JONES: When was the decision made to reopen the police station?

Ms YASMIN CATLEY: I'll refer to the police commissioner.

KAREN WEBB: I'll have to take that on notice, specifically, but certainly the day that I became aware of it, Mr Lanyon and I spoke about it and overturned that.

The Hon. NATASHA MACLAREN-JONES: For how many hours or how many days was the police station closed?

KAREN WEBB: I'll ask Mr Lanyon to detail the specifics.

MALCOLM LANYON: If I could take that on notice, Ma'am, but I believe it was short of two weeks.

The Hon. NATASHA MACLAREN-JONES: Two weeks it was closed. Minister, how many other police stations have closed since April this year?

Ms YASMIN CATLEY: I don't want to mislead the House so I will get advice from the police in relation to that, or we can get back to you by the end of the day. Something, though, that I do want to say to you is every truck or police car is like a police station, and last week I had the opportunity to go on a ride along. I asked this question of the two fantastic constables that took me out—Morgan and Chris, a big shout-out to them; they are sensational young officers. I said to them, "How many times will we go back to the station?" I was in Mount Druitt, so you know. They said, "Probably not at all." Of course, the cars these days are so technically advanced that it's like being in a police station and they will just go from job to job to job. That is high-visibility community policing, and that is what is important and it's what's missed here. It's critically important that you understand how important every car is on the street and that they are, I think, better off being five minutes away in a car than sitting at a desk waiting for me to ring up the police station.

The Hon. NATASHA MACLAREN-JONES: During that two weeks how many cars were available in that area?

Ms YASMIN CATLEY: I will check that and I'll get back to you. Hopefully, we'll be able to get back to you by the end of the day, because I'm not sure of the exact number.

The Hon. NATASHA MACLAREN-JONES: Also, in advising the Committee as to the number of stations that have closed since April this year, can you also advise the exact number of these mobile cars that are available to people in those areas as well?

Ms YASMIN CATLEY: So you want a list of—if there are any police stations that have closed down, you want the number of vehicles within that command?

The Hon. NATASHA MACLAREN-JONES: Yes.

Ms YASMIN CATLEY: Absolutely.

The Hon. SARAH MITCHELL: Sorry, Minister, did you say you found out about the Paddington closure through the media?

Ms YASMIN CATLEY: Yes.

The Hon. SARAH MITCHELL: Are you not told, as police Minister, when stations are closing?

Ms YASMIN CATLEY: No, not as a matter of record.

The Hon. SARAH MITCHELL: Why not?

Ms YASMIN CATLEY: The police is an organisation of more than 20,000 people, Mrs Mitchell. It has a large budget, as you know, of over \$5 billion. It has more than—I think it's—500 properties. It's a very large organisation. I don't expect that the police would tell me every tick they make and every cross they make, and if you're suggesting that they do—

The Hon. SARAH MITCHELL: I'm just asking a question.

Ms YASMIN CATLEY: And I'm just answering your question. I am provided—

CORRECTED

The Hon. SARAH MITCHELL: What do you get told as police Minister if not things like stations closing?

Ms YASMIN CATLEY: I am provided with information to do my job as the police Minister to ensure that they are properly resourced and that the policy around policing ensures that they can do their job.

The Hon. SARAH MITCHELL: Sure. But with respect, Minister, if you're not told about closures of stations, how on earth can you do your job to make sure they're getting the resources that they need? Isn't that a fairly pivotal part of the role of police, to ensure that you do have police stations in the community? You're not briefed or told when they're closing. Isn't that a concern?

Ms YASMIN CATLEY: I think that the police are experienced enough and professional enough to make decisions about their property portfolio. That's what we employ them to do.

The Hon. SARAH MITCHELL: Yes, but you're the one who is, in your own words, there to make sure that they have the resources that they need. How can you be doing that adequately and efficiently if you're not told when there are closures of stations?

Ms YASMIN CATLEY: Well, you make the assumption that closing a police station is a resourcing issue. It isn't necessarily the case, so you shouldn't jump to those conclusions, Mrs Mitchell.

The Hon. BOB NANVA: Point of order—

The Hon. NATASHA MACLAREN-JONES: But, Minister, it was advised that it was closed for two weeks because of staffing?

The Hon. SARAH MITCHELL: Staffing—that is a resourcing issue.

The CHAIR: Order! A point of order—

Ms YASMIN CATLEY: That's what was read in the media reports.

The Hon. SARAH MITCHELL: Well, that's when you found out about it. You just said that's how you learned of it.

The Hon. BOB NANVA: Point of order—

The Hon. GREG DONNELLY: Point of order—

The CHAIR: Order! The same one?

The Hon. NATASHA MACLAREN-JONES: Minister, what was the reason for it to close?

The Hon. BOB NANVA: Point of order: The Minister was providing an important introductory context to the operational environment in order to answer the question around resourcing. I would just ask, again, that paragraph 19 of the procedural fairness resolution be upheld and the Minister be afforded the courtesy of answering the question.

The CHAIR: I uphold the point of order.

The Hon. NATASHA MACLAREN-JONES: I'm happy to move on to another question.

Ms YASMIN CATLEY: In relation to resourcing, it is the case that these very senior police—again, I don't need to tell you over and over again—make decisions about resourcing and about property within the property portfolio. And, like anywhere in the public service, that's exactly what we would expect.

The Hon. NATASHA MACLAREN-JONES: Minister, I have very limited time. Is it true that Paddington Police Station was closed for two weeks because there were no staff?

Ms YASMIN CATLEY: We'll ask Mr Lanyon if he'd be able to explain that.

MALCOLM LANYON: No, Ma'am, it was a local decision made on a deployment basis. It only provides a front counter service, Paddington Police Station, and the local commander believed that better use could be made out of the shifts from that station doing front counter by making a car crew. Obviously, in the current environment one of the things we are doing is putting a lot of high-visibility police in the eastern suburbs to deal with that conflict at the moment, so it was decided by the local commander that better use could be made of the resources.

The Hon. NATASHA MACLAREN-JONES: So it did close because there were not enough police to keep the shopfront open?

CORRECTED

MALCOLM LANYON: No, it closed because the commander felt that there was a better use of those resources by making an additional car crew.

The Hon. NATASHA MACLAREN-JONES: But is it fair to say if there were more police they would have been able to keep that police station open?

MALCOLM LANYON: No, I don't believe that's fair. I think that would be something that could be said anywhere. There is a finite number of police resources. Commanders have to make decisions from time to time. There is a process that we expect commanders to go through if they wish to do what happened. That wasn't followed and, as the commissioner has said, that decision was overturned.

The Hon. NATASHA MACLAREN-JONES: Minister, was it a mistake to redeploy these police officers and close the police station? The fact that it was overturned—

Ms YASMIN CATLEY: I accept the decisions that are made by these expert police. They have been making them for a very long time and they do a pretty tough job, but they do it well.

The Hon. NATASHA MACLAREN-JONES: This is the third mistake that's been made whilst you've become Minister. When will you resign? Or how many more mistakes need to be made? This is not a laughing matter, Minister.

Ms YASMIN CATLEY: I won't be resigning.

The Hon. NATASHA MACLAREN-JONES: You've seen a number of decisions that have—you've actually said yourself, had you had either more resources or had you had more time, those decisions wouldn't have been made. How many more mistakes do the people of New South Wales have to put up with whilst you're Minister?

Ms YASMIN CATLEY: I don't accept the premise of your question and I will not be resigning.

The Hon. SARAH MITCHELL: Minister, what's your understanding of the Government's election commitment in the terms of the Police Blue Ribbon scheme?

Ms YASMIN CATLEY: That we will continue to fund the concessional cap going forward in the—

The Hon. SARAH MITCHELL: Have you budgeted for that in the same format over the next four years, as stated by your election commitment?

Ms YASMIN CATLEY: It is in the budget, yes. Do you want to get it out? Do you want to see?

The Hon. SARAH MITCHELL: Could you provide information in terms of where that's listed in the budget forecast, because my understanding is, after 30 June next year, that's not explicitly clear.

Ms YASMIN CATLEY: I will provide that for you. I thought it was earmarked here but maybe not.

The Hon. SARAH MITCHELL: Just to clarify, you will maintain that current scheme and the benefits for the full term of government over the next four years? There are no plans to make any changes or reduce funding to that scheme over this term of government?

Ms YASMIN CATLEY: I think we should—

The Hon. SARAH MITCHELL: You can finish your answer.

The CHAIR: Time.

The Hon. SARAH MITCHELL: Okay. Interesting.

Ms SUE HIGGINSON: Minister, earlier you said that you have received no information or intelligence to suggest that the chant "Gas the Jews" wasn't said on the night of 9 October. Is that still your position?

Ms YASMIN CATLEY: I haven't. Not to my knowledge. I don't think my office has received anything to that effect. What I can say is I do believe there have been a number of arrests. The police stood up taskforce Mealing, which is now part of Operation Shelter, which we'd all be aware of. I do understand that there were a number of arrests. For those specifics of those arrests, I would have to ask Mr Lanyon.

Ms SUE HIGGINSON: Mr Lanyon, is operation Mealing still ongoing?

MALCOLM LANYON: Yes, it is, Ma'am.

Ms SUE HIGGINSON: Is it your understanding that there is evidence that the words "Gas the Jews" were chanted or is it your understanding that there is not yet any evidence?

CORRECTED

MALCOLM LANYON: Sorry, I should correct—it's actually Strike Force Mealing which is doing the investigation. I've certainly been informed that words similar to that were used, and they are being investigated by the strike force.

Ms SUE HIGGINSON: Have you received evidence to that effect?

MALCOLM LANYON: I believe there is evidence available from recordings.

Ms SUE HIGGINSON: You're moving to investigate whether charges will be laid?

MALCOLM LANYON: Certainly, Ma'am. It's part of identifying those who may be responsible. As the commissioner said before, hate crimes and hate speech are a matter to be prosecuted with the approval of the Director of Public Prosecutions. If that is the case, we would go through that process.

Ms SUE HIGGINSON: At this point, you're confident that you have evidence that those words were chanted?

MALCOLM LANYON: I'm confident that matters are being investigated. As I said, it has been reported to me that words to that effect were used.

Ms SUE HIGGINSON: Mr Lanyon, when you say "reported to you", there were a lot of police present with body-worn cam, and there have been calls for witnesses to come forward.

MALCOLM LANYON: Correct.

Ms SUE HIGGINSON: Are you confident that you've received evidence that those words were, in fact, chanted?

MALCOLM LANYON: That's certainly what the investigators are looking at at the moment. I have not spoken to the investigators about the exact wording. As I said, I've had those words reported to me as words to that effect being used by parties in that crowd.

Ms SUE HIGGINSON: When do you expect that investigation and that strike force to be completed, in relation to that particular inquiry?

MALCOLM LANYON: There's no set time, Ma'am. It's obviously part of an investigation. It will take as long as it takes the investigators to review whether there is sufficient evidence and to identify any persons who may be responsible. That being the case, then we'll go through a process.

Ms SUE HIGGINSON: Minister, Commissioner Webb has told a review into the force's relationship with Aboriginal people that making officers responsible for addressing Closing the Gap targets would lead to competing duties. What do you say about that?

Ms YASMIN CATLEY: I will let the police commissioner speak for herself in relation to that. But I will speak of the Government's commitment to Closing the Gap and also my experience thus far in seeing the NSW Police Force interact with Indigenous communities, certainly in western New South Wales. I've had the opportunity to go out with the police on a number of occasions. I went to Cabbage Tree Island. I'm not sure if you've been up there.

Ms SUE HIGGINSON: Yes.

Ms YASMIN CATLEY: You have. We've also been out to Walgett as well, and I'm intending to do another trip as well.

Ms SUE HIGGINSON: What are you going to do about the fact that your police commissioner has said that there is a conflict and that police are not responsible for the complex social, economic and intergenerational factors that have led to over-representation in the criminal justice system of First Nations people?

Ms YASMIN CATLEY: I will finish, but then I will answer exactly what you're asking there. I am really impressed with the hard work and the proactive work that police are putting in place around this State with all communities but particularly in relation to the Indigenous communities out in western New South Wales. I think that all of us would have to agree that there are significant social problems across our community. We're seeing—we've talked about it in this place already—domestic violence. We've seen—

Ms SUE HIGGINSON: Minister, excuse me. Have you spoken to the commissioner about the significant problem that that position presents to all of New South Wales—policing in the public interest, Closing the Gap and First Nations justice?

Ms YASMIN CATLEY: I agree with you that they are incredibly important, and I know that you come from a very sincere place.

CORRECTED

Ms SUE HIGGINSON: Have you addressed with the commissioner the conflict in her comments, publicly, and in response to a LECC report and the requirements under Closing the Gap?

Ms YASMIN CATLEY: I speak to the commissioner about all police topics and—

Ms SUE HIGGINSON: What did you resolve to do?

Ms YASMIN CATLEY: Can I finish?

The Hon. GREG DONNELLY: Point of order—

Ms SUE HIGGINSON: I got the answer. What did you resolve to do after that conversation?

Ms YASMIN CATLEY: It's your interpretation that there's a conflict. That is what you're saying.

Ms SUE HIGGINSON: No, sorry. It's not.

Ms YASMIN CATLEY: Yes, it is. That is your interpretation. You are saying it's a conflict. What I want to go on to say is that police deal with all of these social issues, and it's important to remember that all of government and all of community have a responsibility when it comes to addressing these social issues that we are experiencing right across the board—domestic violence, sexual assault, Aboriginal misrepresentation, as you've quite rightly pointed out. There are so many social issues that need to be addressed. Yes, police are part of that puzzle but so are our other departments. What we need is a whole-of-government approach to look from top down to address the core issues and where these problems are beginning and to start to work towards resolving them. Yes, you're right: Police are part of that, and the commissioner is so supportive of that. I know that we will, as police, be part of the conversation to make a better community and make a better society.

Ms SUE HIGGINSON: What have you done to directly address the commissioner's comments? Do you disagree that the competing duties—you're saying it is the police's responsibility—

Ms YASMIN CATLEY: Or part—

Ms SUE HIGGINSON: Have you had that conversation with Commissioner Webb to clear up her understanding of what the job of police is?

Ms YASMIN CATLEY: I think that's a little bit insulting, quite frankly, Ms Higginson—to suggest that I need to clear up what the commissioner said. The commissioner will have the opportunity to—

Ms SUE HIGGINSON: I'll speak to the commissioner. I'm speaking to you, Minister.

Ms YASMIN CATLEY: I won't be speaking on her behalf. I've made it very clear to you that we have a whole of societal problem here and—

Ms SUE HIGGINSON: Do you think the commissioner was saying that there is an issue there and that she needs help? These are really serious comments. It's left at large to the New South Wales public to try and understand the real problem here—that the police commissioner thinks that there's a conflict in her duties in Closing the Gap and policing. Can you not see that that's a really significant problem that has been left hanging? I'm asking you, what are you doing? Have you sorted it out? Are you confident that Commissioner Webb understands that police are responsible for Closing the Gap?

Ms YASMIN CATLEY: I am confident that Commissioner Webb understands the responsibility of police in Closing the Gap. As I said, it is part of a bigger puzzle. There are so many issues that we need to look at. We've inherited really significant problems within our community, and the new Government has come in, eyes wide open, and wants to look at the core root of those problems and start to solve them. The police cannot arrest their way out of all of these problems, Ms Higginson.

Ms SUE HIGGINSON: What have you done to address what Commissioner Webb has said is a conflict between Closing the Gap and her duties? Have you resolved that supposed conflict?

Ms YASMIN CATLEY: Commissioner Webb is very aware of the police's responsibilities when it comes to Closing the Gap.

Ms SUE HIGGINSON: So you're convinced that, from the time Commissioner Webb made those statements, her position has changed, and you're satisfied that we've moved on and Commissioner Webb now has a different view to what she had when she made these statements a couple of weeks ago?

Ms YASMIN CATLEY: The New South Wales police have a strong commitment to Closing the Gap principles. We have discussed that in the national ministerial forum as well and New South Wales police have signed up to those national principles. There is no walking away from the New South Wales police in relation to Closing the Gap.

CORRECTED

Ms SUE HIGGINSON: Thank you. Deputy Commissioner Lanyon, are you able to take it on notice, or tell me now, have you had any reports or evidence that those specific words—that I won't repeat—were not chanted?

MALCOLM LANYON: I have not. That's being investigated at the moment. I'm happy to take it on notice.

Ms SUE HIGGINSON: Thank you.

The CHAIR: Perhaps to Mr Hudson again, through you, Commissioner. Nearly 12,000 firearms of various types were handed in under the permanent amnesty for the last 12 months to September. That's what the Firearms Registry's KPI report says, and I must say it's an excellent report and it's good to see it back online again. Can you please tell us, by category, how many were registered and how many were not?

DAVID HUDSON: I'll have to take that on notice, Mr Borsak. I can say that the number of firearms I think you're referring to have been handed in since the amnesty started in 2021, so it's probably over a couple of years.

The CHAIR: Yes, sorry, you're right. It does say that—1 July '21. That's right.

DAVID HUDSON: The classifications, I know there are a number of handguns that have been handed in but the majority of them are obviously long arms. In relation to registration, I would anticipate that the majority are registered as the majority have been handed in to dealers, not directly to the police. I think it's about 8,000 directly to dealers and 3½ thousand to police. Many of those guns don't have the ability to be on sold by those dealers so I would suggest the vast majority, if not nearly all of them, would be registered.

The CHAIR: All registered?

DAVID HUDSON: Just about, I would suggest, yes.

The CHAIR: So are you saying in that—maybe you do need to take this on notice too—there would not be a significant number of unregistered firearms that are handed in under the amnesty?

DAVID HUDSON: I would be surprised. The majority of guns within our community—and, as you're aware, we have over 1.1 million in New South Wales alone—are registered. There are obviously grey markets and black markets in firearms, which are used in organised crime and facilitate organised crime, but the majority of guns within our State are registered.

The CHAIR: You mentioned grey markets and black markets. I remember I asked a question of previous Commissioner Fuller about what was the grey market and what was the black market but, please, tell me what the difference is? Can you do that?

DAVID HUDSON: The grey market that I refer to—and we've done a number of investigations in relation to this—when we initially created Gun Safe it was a priority to include dealers' transactions as a priority for that, for Gun Safe. We uncovered firearms dealers within New South Wales who were ordering guns from overseas, registering them with their business and then allegedly transferring them interstate on a paper-based system but then selling them to organised crime. They had been lawfully imported into the country but then diverted away from the legal market into that grey market through criminality. We identified a firearms dealer down the South Coast who had done exactly that on 300 occasions with pistols to outlaw motorcycle gangs and organised crime networks. That was a priority for Gun Safe—to get that dealers' portal up and running, which has obviously occurred. That has taken a large step in reducing that grey market and the opportunity for that. Black market is totally illegally imported guns that don't hit the books anywhere.

The CHAIR: Okay, so they've come in somehow or other illegally and moved into the illegal market.

DAVID HUDSON: Correct.

The CHAIR: Thank you. You've told me something that I didn't know and understand. Minister, regarding the national firearms registry project and subsequent announcements, where are they up to in relation to this program?

Ms YASMIN CATLEY: It's still being discussed at the ministerial level. We were supposed to have a ministerial meeting recently but it was postponed and we won't be having one until towards the end of the year. I'm happy to provide that update once the communique is out. My understanding is that all the States are in agreement but, as you well know, New South Wales is way in advance of the rest of the States when it comes to the registering of firearms. New South Wales has offered for them to use our technology. The Federal Government haven't grasped that, as we probably think they should, but we will continue to work with the States and with the Federal Government in relation to that.

CORRECTED

The CHAIR: Thank you. What exactly is proposed under the program? What is its intent?

Ms YASMIN CATLEY: I understand it's to be able to share information of gun ownership across the country. Is that your understanding as well, Mr Hudson?

DAVID HUDSON: That's correct, Minister. It's also to ensure that each firearm only has a single identifying number. At the moment they're giving a number on importation and they're given a separate number when registered with a dealer. If they're transferred interstate, they're given another number by that receiving jurisdiction. We want one identifying number for a firearm upon its importation into Australia so it can be appropriately tracked throughout the market.

The CHAIR: So really what we're talking about is a national firearms tracing system, which is, as far as I know, what was asked for and agreed to years and years ago. Are you saying that that system's not working properly?

DAVID HUDSON: No, the national firearms register is a lot broader than that. It's also in relation to interstate jurisdictions having access to firearms information from a neighbouring jurisdiction, which, at the moment, has to be a manual process because of the disparity between systems between States. To identify an individual in Queensland who comes under our notice in New South Wales as to whether he has access to firearms or not, we can't currently identify that. A national firearms register will certainly allow that. The catalyst for this was obviously the Wieambilla shootings in Queensland towards the end of last year with the death of the civilian and two police officers, where guns were registered in New South Wales and also co-registered in Queensland. Guns had been registered in New South Wales and that was the catalyst for this conversation and the Federal Government's commitment to a national firearms register.

The CHAIR: Can you elucidate what was the problem there, because the firearms were registered in New South Wales and were registered in Queensland? Where was the problem? Maybe you can't answer this question but why were police in Queensland not aware of the presence of these firearms?

DAVID HUDSON: I think that certainly the union up in Queensland pushed the national firearms register from the day that the Wieambilla shooting happened. Whether it would've made a difference in relation to that particular incident is probably still a point of discussion. However, a national firearms register for this country has been discussed for the last 20 years and it would be a very good outcome for the people of Australia, if it occurred, to allow one point of truth in relation to all things firearms and accessible to all States and jurisdictions.

The CHAIR: Deputy Commissioner, I am aware of an example where a person moved from the Northern Territory and told the registry up there, as they were required to, that they were moving to New South Wales. When they got to New South Wales, obviously with their firearms in tow, they applied for a licence here but before the licence was processed here they were informed by the Northern Territory police that their licence had been cancelled. Do you think that's a problem? The right hand doesn't seem to be knowing what the left hand's doing.

DAVID HUDSON: Not being totally aware of that exact circumstance, Mr Borsak, I don't know whether it was cancelled in the Northern Territory for other reasons, apart from the fact he'd left the State. I take that's what he's—

The CHAIR: I know that that was the fact.

DAVID HUDSON: I would suggest that that is a problem, when potentially you have an unregistered firearm not registered in any State.

The CHAIR: Well, the firearm was still registered. It was going through the process of transfer to New South Wales—and also the issuing of a licence in New South Wales—but because it was cancelled prematurely in the Northern Territory, he was unlicensed at the time. Nothing came of that because we sorted it out but it just seemed to not work well. I guess that's what I'm trying to say.

DAVID HUDSON: I would think that the Firearms Registry would try to make allowances for those types of circumstances, if they're made aware of them, and would try to correct that and fast-track that licence in New South Wales for that individual.

The CHAIR: Minister, does the New South Wales Government intend to hand over firearms law to the Federal Government to run and administer?

Ms YASMIN CATLEY: That is not my understanding, no.

The CHAIR: That's not your understanding?

CORRECTED

Ms YASMIN CATLEY: No.

The CHAIR: Before I start another line of questioning, we'll go to the Opposition.

The Hon. SARAH MITCHELL: Minister, coming back to the Blue Ribbon Insurance Scheme, can you clarify that the election commitment made by Labor will be honoured in that you will maintain the current Police Blue Ribbon Insurance and workers compensation benefits for the full term of government, that it's been fully funded and that you're not intending to make any changes to that scheme?

Ms YASMIN CATLEY: I can confirm—which was the election commitment—that Labor will continue the arrangement for the reimbursement of excess concessional superannuation contributions brought about by the Police Blue Ribbon Insurance Scheme.

The Hon. SARAH MITCHELL: You're not planning to review it, look at it or make any changes?

Ms YASMIN CATLEY: I just answered your question.

The Hon. SARAH MITCHELL: You could just say no.

Ms YASMIN CATLEY: I just answered your question.

The Hon. SARAH MITCHELL: Minister, do you accept that statistics show that residents of rural, regional and remote New South Wales are more likely to be victims of crime?

Ms YASMIN CATLEY: We know that there is unfortunately a lot of youth crime in regional New South Wales. In fact, you've spoken to my office about it.

The Hon. SARAH MITCHELL: I have.

Ms YASMIN CATLEY: I'm only too happy to continue to receive information from anybody. In fact, members of your party have been exceptional in providing me with examples. I have, as a consequence of that, spoken to police about it, and we've been able to do some real targeting in regional and rural areas. I understand that in your community in Gunnedah people are fearful. You relayed that to my office, and I accept that what you said is 100 per cent true. The last thing that any of us want, but particularly the police want, is people being fearful in their own communities. What I can say in relation to Gunnedah is that the police have redeployed officers to target—they refer to it as a surge. They put in a surge of officers to target specific areas. We've done the same in Kempsey, and we saw some really significant results there. Tamworth has seen the same; Dubbo has seen the same. I know that Mr Pisanos would be able to talk to you at length about this, and you'll probably speak to him.

The Hon. SARAH MITCHELL: I might ask him this afternoon. You're right; my community of Gunnedah has been impacted and you and I have discussed that. But it's not just Gunnedah. There are multiple regional communities, as you've just said, that are dealing with those issues.

Ms YASMIN CATLEY: Yes, that's right.

The Hon. SARAH MITCHELL: The Country Mayors Association, in conjunction with the Police Association and also the NSW Farmers, are calling for a parliamentary inquiry into crime and law and order in regional communities to look properly at these issues and what resourcing and support the police need in order to do their job. Will you support a parliamentary inquiry into these matters?

Ms YASMIN CATLEY: I think that a parliamentary inquiry—there's been a suggestion in the last five weeks that there be five parliamentary inquiries for police. I'm a little concerned about how quickly we jump to this step of having a parliamentary inquiry. It's also no secret that we're 1,500 police down, and I'll come to that in a minute. I'll talk recruitment in a minute. Every time we ask for a parliamentary inquiry, we are taking more police away from doing their job, which is out in the community, because we've got them in here in the New South Wales Parliament in front of an inquiry. I just want people to factor that in. I support the country mayors and I'm speaking, actually, at their conference—or I'm speaking at Gunnedah, but I think the other country mayors are coming—on law and order soon, some time this month.

The Hon. SARAH MITCHELL: Yes, Minister, but they—

Ms YASMIN CATLEY: I'm looking forward to speaking to that because I want to be able to talk to them about the realities of their community and how we can all participate in keeping our communities safe, but particularly about the good work that the New South Wales police are doing right across the State.

The Hon. SARAH MITCHELL: With respect, Minister, these are 84 member councils from regional communities. They are all saying that crime and law-and-order issues are within the top five issues in every single one of those towns. You say that you want to speak to them about their communities. I suggest that you should listen to them about what they tell you about their communities because they're on the coalface. They see these

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challenges every day. The Parliament has previously held inquiries into regional health, which the Labor Party supported in opposition. It was very frank and fearless in its advice and was honest about the good work happening in health but also raised awareness of the issues.

You've got the Police Association, the Farmers Association and 84 member organisations of the Country Mayors Association all saying, "Let's have a parliamentary look at this. Let's make sure that the resources are going where they're needed so that police can do their job." Clearly, there are issues when it comes to police responses when you've got potential resourcing challenges. You've got distances that police officers have to travel when you don't have stations that are manned 24 hours, when you don't have police presence for a full 24 hours, in general terms, in those communities. Why will you not support a parliamentary inquiry to really look into these issues and to hear from not just police but also those in communities who have been impacted and are victims of these crimes? Why won't you have a parliamentary inquiry and let this Chamber—this Parliament—do its work?

Ms YASMIN CATLEY: I am looking forward to getting out and having those conversations with people, as you suggest, and I am an excellent listener. I will continue to do that. But it's not my position at this point in time, and I won't be announcing in this Committee today my support for an inquiry.

The Hon. SARAH MITCHELL: So at the moment you don't support a parliamentary inquiry? That is the position of the Government?

Ms YASMIN CATLEY: I'm going to continue to listen to the community. That's what you've asked me to—

The Hon. SARAH MITCHELL: But this is 84 mayors telling you that this is a problem. Who else do you need to listen to? This is a very large section of regional New South Wales telling you that this is a problem. It's backed in by the Police Association and it's backed in by NSW Farmers. Isn't that enough?

Ms YASMIN CATLEY: You just suggested that I go out and listen, and I'm taking your advice. So I'm going to go out and listen. As I say, I will speak to the community and listen to the community, including those local police. I take the advice of what the police say, and particularly out in regional areas. They do extraordinary work; they go above and beyond. There's no doubt about that.

The Hon. SARAH MITCHELL: We're not saying they don't, but there are real issues out there, Minister, as you know.

Ms YASMIN CATLEY: I acknowledge that; I absolutely acknowledge that. I will go and listen, as you suggested I should do. But at this point, in this Committee hearing today, I am not going to announce that.

The Hon. SARAH MITCHELL: I know you said that you're going to Gunnedah, but are you happy to also meet with a delegation of country mayors to discuss the issue?

Ms YASMIN CATLEY: I already have met with them. They've been in my office several times.

The Hon. SARAH MITCHELL: But are you happy to do that following this hearing today? Why won't you meet with them? Not everyone will be in Gunnedah. If a delegation of country mayors would like to meet with you to discuss this, will you meet with them?

Ms YASMIN CATLEY: I've met with them already a few times.

The Hon. SARAH MITCHELL: But will you meet with them again?

Ms YASMIN CATLEY: If they ring up and make an appointment, I'd be happy to meet with them again.

The Hon. SARAH MITCHELL: I'm sure that they will be doing that later today, Minister, so thank you for that.

Ms YASMIN CATLEY: They don't need your approval to contact my office.

The Hon. SARAH MITCHELL: I know, but I know that they're watching closely.

Ms YASMIN CATLEY: I'll definitely be sending that message too.

The Hon. SARAH MITCHELL: They're watching closely, so expect a call.

The Hon. NATASHA MACLAREN-JONES: Just following on in relation to regional crime, Minister, you'd be aware of the announcement made by the previous Government in relation to the "more cops go bush" program. I'm interested to know what the funding amount is for this program.

CORRECTED

Ms YASMIN CATLEY: Overall, of course, the funding amount in the New South Wales budget for the police is just over \$5 billion. I'll have to double-check in the budget papers the exact amount because I don't want to mislead the Parliament. Can I get back to you on that—the exact amount?

The Hon. NATASHA MACLAREN-JONES: This was a program that was supporting police officers to relocate to our regional areas.

Ms YASMIN CATLEY: Yes, we have made some changes to that as well. In remote rural areas you can get up to \$36,000 over five years. In rural areas it's \$26,000, but I want to check that. I think it's \$19,000 in other regional areas, as well, over the five years. I note if you were going overseas to Lord Howe Island, it was \$19,000. I thought, "God, I thought I'd have to pay \$19,000 to go to Lord Howe Island. That sounds like a pretty good gig." But anyway, I must say it's interesting. Yes, that is still being funded, as I understand it. I will just check that middle figure, though. I think it's around \$26,000. Is that your understanding?

The Hon. NATASHA MACLAREN-JONES: Yes, the \$36,000 and then the \$26,000. If you could also then outline—

Ms YASMIN CATLEY: Oh, here we go. I've been given this figure immediately, so I can provide it to you accurately. Yes, \$36,000 for—\$31,000 and \$19,000.

The Hon. NATASHA MACLAREN-JONES: So \$31,000, not \$36,000?

Ms YASMIN CATLEY: Yes, \$36,000 for the remote location. Special remote location is \$31,000, and remote and offshore—I like the "offshore" bit—\$19,000.

The Hon. NATASHA MACLAREN-JONES: How many officers have taken up that initiative since it began in July this year?

Ms YASMIN CATLEY: I'd have to check that exact figure. It is quite popular, of course, but I'll get that answer to you by the end of the day as well. I don't want to give you the wrong figure. I'll just double-check; I might have that.

The Hon. NATASHA MACLAREN-JONES: The initiative was obviously announced by the previous Government. Are there any other initiatives that you are looking at to support officers to relocate and grow the police force in the regional areas?

Ms YASMIN CATLEY: Well, there is. Last week you might have heard about our plan to pay our recruits down in Goulburn, and that will have a significant impact on police recruitment, of course, right across the State. But we know of the concerns that everybody has in relation to regional and remote and rural areas across the State. It's more difficult to get people out there for various reasons, and that's why—and I applaud this initiative from the previous Government. It's a good initiative. But the paying of recruits when they're down at Goulburn, I believe, will be a real game changer, so it will definitely have a significant impact on our recruits right around the State.

The Hon. NATASHA MACLAREN-JONES: Just on that, how long will that initiative be in place and how much has it been budgeted for?

Ms YASMIN CATLEY: We have 1,500 recruits down at the moment. When we have full recruitment, we'll hopefully—we have been in this position before, believe it or not. I forget which year it was. What year was it that we had full recruitment?

The Hon. NATASHA MACLAREN-JONES: So you made an announcement, but you're not sure when it will end?

Ms YASMIN CATLEY: Yes, when we have full recruitment.

The Hon. NATASHA MACLAREN-JONES: So indefinitely? In the next four years?

Ms YASMIN CATLEY: Well, I'm much more positive and optimistic than you are.

The Hon. NATASHA MACLAREN-JONES: How much have you actually budgeted for?

Ms YASMIN CATLEY: The commissioner can take you through that, or, indeed, Ms Ackley can take you through that. But—

The Hon. NATASHA MACLAREN-JONES: You're not sure how much you announced?

Ms YASMIN CATLEY: Let me finish. It's about paying those people who are being trained. When we get to a position that we have full recruitment—but we will always quarantine a number so that we're never over—but if we get to that in the next four years, then that will be an absolute success.

CORRECTED

The Hon. NATASHA MACLAREN-JONES: How much did you ask Treasury for?

The Hon. SARAH MITCHELL: Wasn't there a budget allocation for it? Was there a dollar figure?

Ms YASMIN CATLEY: Can you just explain that, in terms of—

KAREN WEBB: There was no ask of Treasury.

Ms YASMIN CATLEY: That's right.

KAREN WEBB: It's actually using the underspend in our salaries.

The Hon. NATASHA MACLAREN-JONES: How many police officers are there in the NSW Police Force?

Ms YASMIN CATLEY: There are 17,000—I want to get you the exact figure, if that's okay.

The Hon. NATASHA MACLAREN-JONES: Yes.

Ms YASMIN CATLEY: I thought it was here. Now I can't find it. Have you got that exact figure, Karen? Here we go. Sorry, 16,923.

The Hon. NATASHA MACLAREN-JONES: As of what date?

Ms YASMIN CATLEY: Sorry, hold on. They are sworn officers. Plus 4,119 unsworn officers, so 21,042 in total.

The Hon. NATASHA MACLAREN-JONES: Of what date is that?

Ms YASMIN CATLEY: Of 10 September.

The Hon. NATASHA MACLAREN-JONES: Is that figure of just under 17,000 full strength or operational strength?

Ms YASMIN CATLEY: They are—strength.

The Hon. NATASHA MACLAREN-JONES: So full strength?

Ms YASMIN CATLEY: Yes.

The Hon. NATASHA MACLAREN-JONES: How many are operational? What is the breakdown between full strength and operational of that figure?

Ms YASMIN CATLEY: We'll have to take that on notice. Yes, I'll take that on notice.

The Hon. NATASHA MACLAREN-JONES: Can you also take on notice how many people are on leave—whether that's sick leave, mental health leave, injury, maternity, paternity?

Ms YASMIN CATLEY: I won't have to take that on notice. I'll be able to provide that with you now, I think.

The Hon. NATASHA MACLAREN-JONES: That's okay. You can take it on notice. If you could also advise—

Ms YASMIN CATLEY: I won't take it on notice. We'll get it to you by the end because it is here.

The Hon. NATASHA MACLAREN-JONES: And if you could also advise of the full strength and also operational strength as of October this year—or the latest date, which might be the September one—across each station in New South Wales as well.

Ms YASMIN CATLEY: I probably won't be able to get that to you today.

The Hon. NATASHA MACLAREN-JONES: No, I'm happy for that to be on notice. Minister, we've been hearing reports that stations have been closing because of understaffing, but more concerning is the fact that due to this we're seeing that detectives who would normally be tasked with investigating crimes such as assaults or break-ins actually being told to put on a uniform and take on general duties. Are you aware of this?

Ms YASMIN CATLEY: I did—look, we know that we are 1,500 police short. There is no secret of that, and we inherited that problem. Here we are, seven months in, and the commissioner and I, and the Police Association—we're working in a tripartite manner to get recruits into the NSW Police Force to address this shortage that we inherited. There are situations where people are being redeployed in different roles because of the need. Yes, I am aware—not just in detectives, but others as well. That is why the first thing that I have done

CORRECTED

as the police Minister is set about looking at how we fix that gap that we inherited—that gaping hole—and this initiative about recruitment is the first step in doing that.

The Hon. NATASHA MACLAREN-JONES: Minister, you've said detectives have been redeployed from focusing on major crimes. Is it true that you have junior officers who are being asked to do work that they are unskilled to do because of shortages?

Ms YASMIN CATLEY: I don't know of specific examples, but what I will go back to is I know that we're 1,500 short. I know we inherited it from you lot and I know that I've set about—

The Hon. NATASHA MACLAREN-JONES: Can you take it on notice and come back to the Committee—

Ms YASMIN CATLEY: —fixing that by looking at a recruitment, a positive policy that you need—

The Hon. NATASHA MACLAREN-JONES: Minister, I'm trying to ask you a serious question. Can you please take on notice how many junior police officers are currently undertaking tasks that they are not skilled to do, and how many detectives have been diverted away from doing their job to another job?

Ms YASMIN CATLEY: Look, I'd have to check with the commissioner if that's even something that you would be able to provide information on.

KAREN WEBB: The first part of the question—it's probably difficult to ascertain, because how do you measure experience? But the second question we can take on notice.

The Hon. NATASHA MACLAREN-JONES: You talked about recruitment. I'm interested in pay. Minister, have you begun the award negotiations with the Police Association?

Ms YASMIN CATLEY: No, not yet.

The Hon. NATASHA MACLAREN-JONES: When will you commence that?

Ms YASMIN CATLEY: They have asked if we can have our first meeting next week.

The Hon. NATASHA MACLAREN-JONES: Do you intend to increase their wages so that it's on average matching Victoria and Queensland?

Ms YASMIN CATLEY: Do you understand how wage negotiations actually happen when you don't have a wage cap? Well, the negotiations will determine how much they get paid because they will negotiate their working pay and conditions accordingly.

The Hon. SARAH MITCHELL: Have you been given any parameters for those negotiations at this point in time?

Ms YASMIN CATLEY: No, not at this point in time.

The Hon. SARAH MITCHELL: Are you envisaging pay increases, though?

Ms YASMIN CATLEY: Again, I say to the Police Association, bring your best and brightest. It's a negotiation. I know you two don't understand what a wage negotiation is.

The Hon. SARAH MITCHELL: Minister, there's no need to be—

Ms YASMIN CATLEY: Because the wage—I'm just telling the facts.

The Hon. SARAH MITCHELL: Well, it's not.

Ms YASMIN CATLEY: Because the wage cap has now been removed there will be a negotiation between the Police Association, their representatives and the Government. I can't tell you what the outcome of that will be. I don't have a crystal ball. It will be what is negotiated.

The Hon. SARAH MITCHELL: Okay. But you won't give any indication today of parameters or— you've just got to wait, is what you're saying?

Ms YASMIN CATLEY: I don't have those parameters at this point. I haven't met with them. I've answered that question. I'm not sure what it is that you're quite asking. What is your actual question, there?

The Hon. SARAH MITCHELL: As I said, I'm curious to know whether you're looking to give them a pay rise. That's what they're asking. Is that what you're intending to do—above the 2.5 per cent wage—

Ms YASMIN CATLEY: Again, I go back to the point—not having any understanding of wage negotiations is very clear.

CORRECTED

The Hon. SARAH MITCHELL: That's not true, Minister. But my question to you is—

Ms YASMIN CATLEY: Well, then you wouldn't be asking these questions, if you did understand.

The Hon. SARAH MITCHELL: No, you've just said there's no wages cap anymore.

Ms YASMIN CATLEY: That's right.

The Hon. SARAH MITCHELL: That was at 2.5 per cent, so you're obviously looking to go above 2.5 per cent then. Is that your evidence?

Ms YASMIN CATLEY: Well, the election commitment was to get rid of the wages cap, and we did that immediately. I am very proud that we honoured—

The Hon. SARAH MITCHELL: What percentage are you looking to offer the pay increase? What are your parameters?

Ms YASMIN CATLEY: It's very obvious to me that you do not understand wage negotiations.

The Hon. SARAH MITCHELL: No, I understand, Minister.

Ms YASMIN CATLEY: Well, then, those negotiations—

The Hon. SARAH MITCHELL: Will you commit to more than 2.5 per cent? Will you commit to more than the previous wages policy?

Ms YASMIN CATLEY: I will commit to an honest and fair negotiation, because that's how wage negotiations work.

The Hon. SARAH MITCHELL: Okay, so that's no guarantee. Minister, can you tell me how many officers were on leave due to mental health reasons as of 31 July this year, or your latest data? Have you managed to find that in your file?

Ms YASMIN CATLEY: I haven't, no, sorry, because we have gone on to something else. But I will come back to you with that answer.

The Hon. SARAH MITCHELL: Data that I have, as of 31 July—I think there are 1,108 officers who were on mental health leave. Are they numbers that concern you, in terms of police wellbeing?

Ms YASMIN CATLEY: The wellbeing of police concerns me, absolutely. It's so important that we really look after our police force, and I'm so pleased that that is one of the priorities of the commissioner.

The Hon. SARAH MITCHELL: Is it one of your priorities as Minister?

Ms YASMIN CATLEY: Absolutely. Yes.

The Hon. SARAH MITCHELL: What are you doing to provide—

Ms YASMIN CATLEY: Looking after the workforce and the wellbeing of any workforce—but police, of course, is even more unique. What they see, the dynamic environment they work in. I was in the job for 72 hours when I got a call from the commissioner's office to say that two police officers—they were young constables in Newcastle—had been stabbed and that the person of interest had been shot and was deceased. It was just such a stark reality for me, in that short space of time, to understand what our police officers face every day.

The Hon. SARAH MITCHELL: Minister, no-one is disputing what they do every day and the incredible toll that that would take on their mental health, and I think those figures reflect that. What are you doing to provide support to those officers so that they don't end up leaving the force altogether?

Ms YASMIN CATLEY: I look forward to the police commissioner being given the time—

The Hon. SARAH MITCHELL: What are you doing as Minister?

Ms YASMIN CATLEY: I'm working.

The Hon. STEPHEN LAWRENCE: Time.

The Hon. SARAH MITCHELL: She might've wanted to answer that.

Ms SUE HIGGINSON: Minister, are you aware of what the current NSW Police Force workers compensation premium is?

Ms YASMIN CATLEY: Yes, I am.

CORRECTED

Ms SUE HIGGINSON: What is that?

Ms YASMIN CATLEY: Can I give you that exact amount just so I don't get it wrong?

Ms SUE HIGGINSON: Sure.

Ms YASMIN CATLEY: But I'll give it to you. I might have it here, actually. Go on, and I'll just look through here and see if I can find it.

Ms SUE HIGGINSON: In regards to police internal investigations—

Ms YASMIN CATLEY: I don't have the actual amount, so I will come back to you. I've just got percentages, so I'll come back to you.

Ms SUE HIGGINSON: Is it somewhere in the order of \$2 billion?

Ms YASMIN CATLEY: I'll come back to you with the exact amount.

Ms SUE HIGGINSON: Could you tell me, with the exact amount, when you have it, what it's been over the past few years and whether it has drastically increased?

Ms YASMIN CATLEY: A 100 per cent. I understand where you're coming from. It has increased. That I can assure you. But I want to give you—

Ms SUE HIGGINSON: Quite drastically?

Ms YASMIN CATLEY: I want to give you the exact amount, but, yes, we will. The last four years?

Ms SUE HIGGINSON: That'd be good. Thank you. I think there is, obviously, concern around policing recruitment and the wellbeing of the force. Have you been briefed at all on the effectiveness of the internal investigations process?

Ms YASMIN CATLEY: Which one specifically are you referring to?

Ms SUE HIGGINSON: I'm referring to the entire system of police investigating police. Have you been briefed about the systems and how they work and the effectiveness of them? Perhaps specifically, are you aware of any pressures that take place on commissioned officers who are carrying out internal investigations, to make findings of misconduct to show that they're capable of carrying out those investigations?

Ms YASMIN CATLEY: No, I am not aware of those. But—

Ms SUE HIGGINSON: Would it concern you if that was something that you could see?

Ms YASMIN CATLEY: I'm not aware of it, so I would want to see exactly what it is that you're referring to. Perhaps you could provide me with that.

Ms SUE HIGGINSON: Are you aware of any incentives that might be happening internally, including police officers being promoted, to make findings against their colleagues because of the pressures of police successfully investigating police?

Ms YASMIN CATLEY: No, I'm not. But I could be wrong there. I'm not suggesting that I know all the information around those internal investigation processes, but, no, I'm not.

Ms SUE HIGGINSON: I'll follow up with the commissioner later. Are you aware of any review mechanisms in place to ensure that the way we're investigating police investigating police has any systemic problems? You can see what I'm suggesting: police investigating police.

Ms YASMIN CATLEY: Yes. I absolutely can. My observation has been that, if somebody does something wrong, then the police commissioner is very prepared to call out bad behaviour and wrongdoing.

Ms SUE HIGGINSON: Minister, let's say somebody has a complaint against them and they go through—and we know we're talking years and years, and it can be four years—and then findings are made. Then that police officer ends up in an IR dispute and then has a civil case against the police, and then, four years down the track, we're looking at hundreds of thousands of dollars that the police are paying out. Do you think that indicates the system is having some problems?

Ms YASMIN CATLEY: I'm not sure about your specific example there. I think that—

Ms SUE HIGGINSON: What if I said I could give you several examples?

Ms YASMIN CATLEY: Can I just finish what my view is on what's happening?

CORRECTED

Ms SUE HIGGINSON: Sure.

Ms YASMIN CATLEY: It's a really dangerous job and there are people being injured in various circumstances. The mental health of people is a serious concern and we're seeing those numbers in the insurance scheme increase, which you alluded to from the get-go.

Ms SUE HIGGINSON: Drastically.

Ms YASMIN CATLEY: Yes—from the get-go. Therefore we need to make sure that there is wellbeing measures in the police force, and I'm pleased to say that the commissioner has implemented a number of those. We're, unfortunately, not in a position to be able to review it or see how successful it's been because it's only been implemented for a short period of time. That's the Pulse program, which I know that you know about, and there are other measures. The police commissioner will be able to take you through those. But making sure that people are well on the job, making sure that people have somebody to talk to—I think that we have to look at taking those steps to try to cut off this exit.

Ms SUE HIGGINSON: Thank you. Agreed. If, at the moment, the wellness check of the force is you've got thousands of officers on leave, sick, you've got hundreds, possibly thousands—I don't know—of claims against police for mistreatment or wrong conclusions about police within the system, police being pushed out of the system through a complaints process that has, arguably, been weaponised, do you think you've got problem? Do you think that police investigating police is something that we should really be taking a better look at?

Ms YASMIN CATLEY: You've asked a few questions there. I'll try to compartmentalise them and answer them one at a time. We absolutely have a retention problem. I agree with you. That's where it goes to that body of work that needs to be done in that wellness. As I've said, the commissioner's already put in place Pulse, which is in at least 11 commands as we speak. That includes—just in case the Committee does not know—having a psychologist, in the command, that police officers can talk to on a shift-by-shift basis if that's what's required. There are currently 11 of those in place and 17 being recruited. So we'll have 28 across the State.

Ms SUE HIGGINSON: Have you got particular local area commands that are worse off than others at the moment? What about the northern region? What is that? Is that one of your main problem areas?

Ms YASMIN CATLEY: I do know that the northern region has a very serious problem with retention. Yes, you're accurate in that. Again, I go to this policy initiative of recruitment. We have to fill that hole.

Ms SUE HIGGINSON: Is it just recruitment, Minister? Or is it actually retention? I think retention is your biggest problem at the moment. The numbers are—we don't even have them on the table, but they're ringing alarms, aren't they.

Ms YASMIN CATLEY: It's both, actually, to be fair. It's both.

Ms SUE HIGGINSON: Who made the decision? Was it you? Or was it the Premier or the commissioner—made the decision for the paid training program?

Ms YASMIN CATLEY: The commissioner—ERC made the decision. But we worked up the policy together.

Ms SUE HIGGINSON: Where was the Premier's involvement with that? Is it—

Ms YASMIN CATLEY: He's on ERC.

Ms SUE HIGGINSON: Did that go to Cabinet? Or was that just a kind of decision you guys made?

Ms YASMIN CATLEY: ERC is—

Ms SUE HIGGINSON: I apologise. I see. That was a recommendation from who?

Ms YASMIN CATLEY: From both myself and the commissioner, and the Police Association worked with us, as well.

Ms SUE HIGGINSON: Thank you. In terms of retention, if you had evidence before you of a number of police officers, particularly from the northern region, that are sitting in a system where they are wrongly persecuted for policing, would you look at that and suggest that you need to do some significant reform internally?

Ms YASMIN CATLEY: This is the first time this has been suggested to me. But I have worked all of my life, hard, for working people, to make sure that their pay and conditions meet a certain threshold, which, for me, is pretty high. I will always stand up for workers. I have not wavered from that, and I will not waver from that.

CORRECTED

Ms SUE HIGGINSON: Are you willing to look at the issue of potential systemic problems? That's one of the most difficult places to identify real problems.

Ms YASMIN CATLEY: This is news to me. This has not been raised with me. If systemic problems are raised with me, of course I will look at it and I will work with the commissioner.

Ms SUE HIGGINSON: Can I ask you as well, in relation to police responding to vulnerable people—and I'm referring specifically now to the cases of Clare Nowland, Krista Kach, Steve Pampalian and Jesse Deacon—if police were to go out tomorrow or this afternoon to a similar situation to any of those, what would be different today than yesterday or with those cases?

Ms YASMIN CATLEY: What I can say is that the New South Wales police, under Karen's leadership, have sent a couple of officers over to London to look at what they are doing in relation to mental health.

Ms SUE HIGGINSON: What would be different here? Nothing?

Ms YASMIN CATLEY: Can I keep going?

The CHAIR: Yes.

Ms YASMIN CATLEY: My apologies, Mr Chair. The police are proactively looking at how to deal with mental health issues or incidents in New South Wales. They're doing that by sourcing what is happening in other jurisdictions around the world. As I've said, the commissioner has organised for a couple of very senior police officers—one of which is actually a psychologist—to go to London to see what they are doing in that jurisdiction and to bring back that information so that the New South Wales police can look at how to best deal with mental health incidents going forward. There is a proactive approach to this, Sue, because there needs to be. You and I have talked about it.

Ms SUE HIGGINSON: But nothing would be different?

Ms YASMIN CATLEY: We have—

Ms SUE HIGGINSON: Today, nothing would be different?

Ms YASMIN CATLEY: We have talked about it. You know that every incident is dealt with, in the way that the police assess the situation, the risk et cetera, on a case-by-case basis. You would've just heard me talking about my first 72 hours in. Two police officers were stabbed. At one point, I was waiting to hear if they survived. They were critical. It's a tough job that they've got. The perpetrator was shot dead. It's a pretty difficult—

Ms SUE HIGGINSON: Twenty-four deaths of people in New South Wales—

The CHAIR: Order!

Ms SUE HIGGINSON: —killed by police in the last 12 months.

The CHAIR: Order!

Ms SUE HIGGINSON: Twenty-four people.

The CHAIR: It's my turn now, sorry.

Ms SUE HIGGINSON: Thank you. Sorry, Chair.

The CHAIR: Deputy Commissioner Hudson, where is the Firearms Registry up to regarding the implementation of the Gun Safe program?

DAVID HUDSON: We've completed a couple of phases. Obviously, all licence renewals are now done on Gun Safe—the dealer portals that we spoke about earlier—and the permits to acquire. We're looking at extending that in relation to ranges and a number of other things. Ultimately, I'd like to be able to record safe storage inspections through Gun Safe.

The CHAIR: When you say "ranges", what in that area are you looking at?

DAVID HUDSON: The range requirements, all the permits to actually shoot on a range and all the approvals, rather than the 650 forms. Where people are doing assessments and seeking approvals to shoot on the range, we want all that captured in one spot.

The CHAIR: When people are seeking approval to shoot on a range, are you talking about when they go to actually shoot a rifle or something like that?

DAVID HUDSON: Yes.

CORRECTED

The CHAIR: Not just the licensing process of the range itself?

DAVID HUDSON: No.

The CHAIR: So you're looking to record every attendance at a range?

DAVID HUDSON: That's the intent. At the moment, we've got a very high compliance rate, and I think you'll accept, Mr Borsak, the delays in issuing a lot of those licences have disappeared since we implemented Gun Safe. I think that's a credit to the technology team and also the Firearms Registry. I'd like to give them credit for that, and the commanders that we've had—Scott White currently, and Scott Cook before that—in driving those changes. I think it's been business-changing for the firearms community in New South Wales. We're in compliance with time frames in relation to the permits to acquire the issue of new licences and the renewals of licences all within our time frames. New licences only take 33 days now. They used to take, as you well know—

The CHAIR: It's on the portal.

DAVID HUDSON: Some used to disappear into the ether for two or three years.

The CHAIR: As far as dealers are concerned, are you of the view that the system is fully implemented and operating properly?

DAVID HUDSON: I am. Not all dealers use Gun Safe. It's not compulsory, obviously. But the dealers that are using it would never want to go back to the paper-based system, especially when we do audits and everything else. Everything is laid out there for them, especially with volume guns. With transactions, as I said, we've ostensibly plugged that hole of that interstate transfer issue where guns were disappearing into the ether and then being sold on to criminals. There's always room for improvement, but I'm more than happy with the progress that Gun Safe has made from where we've come from to where we are now.

The CHAIR: You say that the Gun Safe online program is not compulsory for dealers. Why is that the case?

DAVID HUDSON: There's no legislation to force them to do that.

The CHAIR: So they can elect not to go on the Gun Safe system?

DAVID HUDSON: Correct. They can keep their old system in place. But over 90 per cent—I think it's probably closer to 95 per cent now—and all the major ones are. But there are some who have a dealer's licence but don't trade in a lot of guns and might choose not to. We respect that.

The CHAIR: How satisfied are you that the data held on firearms is accurate—in other words, the register itself? Even from personal experience, I come across examples where the recording of numbers is not correct. What's your view on that these days? There's been an awful lot of years of work done.

DAVID HUDSON: It obviously integrates with the ILS. There's an integration component from Gun Safe to ILS. The licensing is actually recorded on ILS, and Gun Safe reproduces that in that format. Data that's put in incorrectly will reveal itself incorrectly. I can't comment on that. But I haven't heard of any issues in relation to the inaccuracy of the data on Gun Safe. If you've got examples of that you've come across, I urge you to raise it. We need to fix that.

The CHAIR: I'm aware, as you are, that over the years there has been a lot of auditing done. What you're saying, basically, is that the process has worked and that the accuracy is much better now than it was initially.

DAVID HUDSON: Totally. But as you know, if you put rubbish in, you get rubbish out. Historically, probably rubbish has gone in.

The CHAIR: That's right. That's with any computer system—rubbish in, rubbish out. In relation to clubs and the Gun Safe system, what's the police's intention in relation to putting them on the Gun Safe system?

DAVID HUDSON: Ultimately, we would like all transactions and all issues in relation to firearms in New South Wales to be captured on Gun Safe, including club information and club activities.

The CHAIR: That includes not just shooting range clubs but hunting clubs and collecting clubs?

DAVID HUDSON: There's a requirement at the moment for the police to be notified of their activities. We'd like that captured on Gun Safe, as a one-stop shop for all things firearms in New South Wales.

The CHAIR: And individuals recording directly or through their clubs?

CORRECTED

DAVID HUDSON: Through their clubs would be the preferred option. Having said that, there's a number of other steps in progress. Our priority in relation to the development of Gun Safe is ensuring public safety, rather than just a compliance regime. Those issues that will reinforce public safety and assist us to better provide security for New South Wales will be the priority for Gun Safe. Ultimately, we would like all those things captured in one spot.

The CHAIR: Just talking about compliance and club attendances, for example, you'd be aware that if you've got a pistol licence, you have to attend at least six times a year—

DAVID HUDSON: Correct.

The CHAIR: —in a competition shoot; with clay targets, for example, four; and, I think, in relation to hunting clubs, two. How does the police intend to capture that? Given that you have people being members of different clubs and different types of organisations of clubs, how do you intend to try to unravel that spaghetti and get an accurate count?

DAVID HUDSON: That will be part of the business analysis that we do prior to moving to a technological solution. As you're aware, there's also pistol clubs where people were registered with guns in New South Wales that were shooting interstate to force compliance, which we had issues with. We've accommodated that. But I think part of the mapping process in relation to putting anything into technology, such as we did with the initial stages of Gun Safe and continue to do that throughout its development, will be that business analysis to try to streamline it.

The CHAIR: Can you tell me what has been the cost to date of the Gun Safe system?

DAVID HUDSON: I don't have an exact figure with me because apart from the initial capital costs there have also been some additional costs incurred, so I can take that on notice and get back to you.

The CHAIR: Can you take it on notice?

DAVID HUDSON: Certainly.

The CHAIR: Thank you. And also, what was the original budget of the Gun Safe system? Can you take that on notice too?

DAVID HUDSON: The original budget?

The CHAIR: Yes.

DAVID HUDSON: Which has subsequently been enhanced—

The CHAIR: Enhanced, yes, that's right.

DAVID HUDSON: —through the appropriate process for different stages but, yes, I can.

The CHAIR: Okay. Thank you. Minister, the WA Government has recently announced its intention to implement arbitrary limits on firearms ownership and an age limit of 80 for licensed shooters. Would you support such an oppressive law in New South Wales?

Ms YASMIN CATLEY: That hasn't been raised with me. I think that we have our settings quite well in terms of firearms ownership, the registry that was just being referred to. It's my understanding and my belief that the settings that we currently have in relation to the licensing of firearms suits—definitely is robust enough to ensure that we have those settings right here in New South Wales.

The CHAIR: Sorry, can you elucidate on that? What are you saying?

Ms YASMIN CATLEY: I'm saying that the settings that we currently have in New South Wales, I think, are fit for purpose for the use of firearms and the licensing of firearms in this State.

The CHAIR: Okay. Thank you. I think probably again to you, Mr Hudson—I have only a few seconds left. I might actually hand over to the Opposition before I start this line of questioning.

The Hon. NATASHA MACLAREN-JONES: Minister, are you familiar with the GIPA Act?

Ms YASMIN CATLEY: I am familiar in terms of what it is, which is the—providing information.

The Hon. NATASHA MACLAREN-JONES: Are you aware of any applications that are before your office?

Ms YASMIN CATLEY: Currently, the ones that we haven't already answered?

The Hon. NATASHA MACLAREN-JONES: Yes.

CORRECTED

Ms YASMIN CATLEY: I will come back to you. I can check. I am certainly aware of those that I've provided information for, yes.

The Hon. NATASHA MACLAREN-JONES: But you're unsure if there is an application before your office currently?

Ms YASMIN CATLEY: I wouldn't like to say yes or no before I've checked with my office.

The Hon. NATASHA MACLAREN-JONES: I think there is a note coming to you.

Ms YASMIN CATLEY: Well, I'll be able to answer that. There is one from Matt Cross, MP. There we go.

The Hon. NATASHA MACLAREN-JONES: Can I ask when your office will be acknowledging receipt of that application, which was sent to your office over two weeks ago?

Ms YASMIN CATLEY: My understanding is that there is a legislative time frame to—we will definitely work within that legislative time frame.

The Hon. NATASHA MACLAREN-JONES: However, my understanding is that your office has not acknowledged the GIPA, as required under section 1 of the GIPA Act?

Ms YASMIN CATLEY: I will have to check if that's the case.

The Hon. NATASHA MACLAREN-JONES: Are you concerned that your office may have committed an offence in not acknowledging that GIPA request?

Ms YASMIN CATLEY: Well, let me check first and I'll get back to you.

The Hon. NATASHA MACLAREN-JONES: Thank you.

The Hon. SARAH MITCHELL: Minister, do you support the continuation of the PACER program?

Ms YASMIN CATLEY: I think that the PACER program is—well, the anecdotal response that I get from people out on the truck is that it is certainly doing a good job. However, we've just heard from Ms Higginson in relation to police presenting at incidents where mental health patients are there, are subject to that incident, and we need to make sure that we have the right care for the right person. That is why the police commissioner is being so proactive in looking at how police respond to mental health incidents, and I support wholeheartedly that proactive approach. So I would like to—

The Hon. SARAH MITCHELL: But—

Ms YASMIN CATLEY: I am answering your question absolutely, wholesomely. I would like to have a look at that review that is presented to the police commissioner from those senior officers that I referred to earlier who are having a look at what's going on in international and other jurisdictions here, so that we can best look at how to provide that first response to people with mental health. But, yes, I do think PACER is good. I think that it's universal that people think that it is—it was with Health and police working collaboratively together that they instituted PACER, and I am told that, in instances where they appeared with a mental health patient in an incident, it is reducing by about more than 50 per cent that person then presenting at a hospital, for instance. So it's working, that's for sure.

The Hon. SARAH MITCHELL: So you recognise it's working but also you're going to have a look at its effectiveness?

Ms YASMIN CATLEY: No, we're looking at how to best—who is best and what is the best first response for people in a mental health incident.

The Hon. SARAH MITCHELL: Can you tell me how long PACER is funded for?

Ms YASMIN CATLEY: I am pretty sure it finishes in 2025.

The Hon. SARAH MITCHELL: And you'll make decisions—

Ms YASMIN CATLEY: It is actually a Health funding, so it's probably questions best to Health. But I do know that it's—

The Hon. SARAH MITCHELL: We did ask the Minister for Mental Health and she said that you'd been looking at it, basically.

Ms YASMIN CATLEY: Well, it's—okay, sure.

CORRECTED

The Hon. SARAH MITCHELL: So she is the lead in relation to that? That Minister is the lead, you don't—

Ms YASMIN CATLEY: Well, it is—

The Hon. SARAH MITCHELL: Do you discuss with her about the continuation of that program and funding? What's that relationship like?

Ms YASMIN CATLEY: I think, collaborative. We need to work collaboratively together, 100 per cent. It's critical that, obviously—and Health, as well, the Minister for Health. The Minister for Health, the Minister for Mental Health and the police will work collectively together. I mean, obviously, Ambulance are part of this as well, which is the health Minister's responsibility. It's critical that we get this right and I just can't speak in stronger terms in relation to what the commissioner's proactive steps have been. We need the right care for the right person from the first response.

The Hon. SARAH MITCHELL: Thanks, Minister.

Ms SUE HIGGINSON: Minister, just confirming, though—and I deeply appreciate all the work that is happening. We know that we have hit a kind of crisis point in terms of the deaths resulting from police responding to mental health incidences. We don't actually have anything different yet in place. We have people overseas, we have people feeding in, we're looking at things, we have PACER—which we know is limited, even though it may be good. We don't yet have anything different from the day, say, Krista Kach was killed to today. I just want to confirm that?

Ms YASMIN CATLEY: Again, I would say to you that each incident that police present to, whether it's with—

Ms SUE HIGGINSON: We deal with it on the facts?

Ms YASMIN CATLEY: Yes.

Ms SUE HIGGINSON: Yes, and their circumstances. Minister, you met with Karen Iles on 14 September, along with the Attorney General and other members of your Government. Do you agree that the system has failed and continues to fail Karen?

Ms YASMIN CATLEY: First and foremost, like you, I want to thank Karen for being so brave. She came in and she explained a lot to all of us, and particularly in relation to her dealings with police over a long period of time to today.

Ms SUE HIGGINSON: Twenty years.

Ms YASMIN CATLEY: Yes, thank you for reminding us of that. It is a long time. She did describe that her most or more recent dealings have changed, so I did take some heart from her telling me that the police have changed over time. Clearly, I have been in this role for just seven months and I want to work with her to continue to make more positive change for women who have been subject to sexual assaults and not believed. I think that we owe that to the women who are in that situation.

Ms SUE HIGGINSON: And I think the big distinction here is women and young people who are subjected to such, and then the police don't do their job. That's her point.

Ms YASMIN CATLEY: Yes, sure.

Ms SUE HIGGINSON: And one of the things, Minister, that she is calling for, along with a large group of advocates, is that there be a duty placed on police in relation to how they investigate these matters. Is that something you are open to considering, as that case is put in front of you?

Ms YASMIN CATLEY: Look, she did mention this to me and I want to continue to work with her. And then I had her meet with—who was the person from the sexual assault team?

KAREN WEBB: Jayne?

Ms YASMIN CATLEY: Jayne. Can you remember? Jayne Doherty?

KAREN WEBB: I think so.

Ms YASMIN CATLEY: In any case, she knew Jayne, and Jayne came in and she sat and spoke with Jayne, and we talked about a various number of initiatives that New South Wales police could adopt on the back of her experience. So I want to keep working with Karen. She's super brave for coming forward.

CORRECTED

Ms SUE HIGGINSON: So you are open to the consideration of looking at whether a duty is the best way, or one of the best ways, to really progress this kind of work with a success rate?

Ms YASMIN CATLEY: Sue, I'm not going to make any policy announcements in this Committee hearing.

Ms SUE HIGGINSON: It's not a policy announcement. I'm just asking if your mind is open. You're saying you want to work with her. We know what she's asking for. It has come from a place of serious consideration. She's an expert lawyer. She has worked with victims. She's an unbelievable advocate. This is what she has put on the table. I'm just asking if your mind is open to that?

Ms YASMIN CATLEY: I will absolutely continue to keep working with her.

The CHAIR: That brings our questioning and examination of—I beg your pardon. Government questions—I'm sure the Government would like to ask the Minister questions.

The Hon. STEPHEN LAWRENCE: Is there something that you'd like to clarify, Minister?

Ms YASMIN CATLEY: Opposition members, in relation to the rural incentives, since 1 July, 835 officers have received an incentive payment and 36 officers have relocated to remote or special remote locations. There is no mention of the overseas one here. I suspect that position's filled. In relation to long-term sick, there isn't an actual breakdown of those who are on mental health sick, but as of 30 September there were 1,427 sworn police officers on long-term sick.

The CHAIR: Thank you very much, Minister. We're now finished. We'll break for lunch and be back at two o'clock.

(The Minister withdrew.)

(Luncheon adjournment)

The CHAIR: It being just after 2:00 p.m. we will start again. I might ask Mr Wheaton if he would come up please. We'll start with some questions to you, Mr Wheaton, and then release you for the rest of the day if no-one else has got any questions for you. Opposition?

The Hon. NATASHA MACLAREN-JONES: Thank you very much. I might start with a few questions to Mr Wheaton just in regards to the Minister's position as Minister for the Hunter. How often do you brief the Minister in relation to matters pertaining to the Hunter?

JONATHAN WHEATON: We meet really regularly with her staff. I would say we have a standing fortnightly meeting with the Minister's staff on the Hunter portfolio.

The Hon. NATASHA MACLAREN-JONES: How many staff are assigned to the portfolio of Hunter?

JONATHAN WHEATON: We have a combined Hunter and Central Coast team. All around the State we have eight regions and eight regional teams. They are not directly assigned with supporting the Minister's portfolio, so those teams are out-on-the-ground staff that support the overall Regional New South Wales portfolio. Part of their work in the Hunter-Central Coast team will be supporting the Minister for Hunter and the Minister for the Central Coast. There are 26 team members there and it's actually split down the middle. We have 13 based in Central Coast and 13 based in Newcastle.

The Hon. NATASHA MACLAREN-JONES: How many ministerial staff attend those fortnightly meetings?

JONATHAN WHEATON: I would have to take that on notice. I imagine it would have changed over the fortnight based on availability but, as I understand it, there's a dedicated adviser in the Minister's office for the Hunter portfolio who would attend.

The Hon. NATASHA MACLAREN-JONES: What are the nature of those briefs?

JONATHAN WHEATON: There would be a standing agenda with items of interest of either the Minister's office or priority projects that our team are leading across the Hunter.

The Hon. NATASHA MACLAREN-JONES: Do you deal with direct requests from members of Parliament in the Hunter, or do they make requests or representations to the Minister for Hunter and then that is sent to you?

CORRECTED

JONATHAN WHEATON: If it is a basic request of ordinary activities that our team would be doing, we would field those through the MP through our office. If it is for information that they are after—around more specific information—we would direct them through the Minister's office.

The Hon. NATASHA MACLAREN-JONES: Do you have a breakdown of the correspondence and the matters by each electorate, that you've dealt with?

JONATHAN WHEATON: No, I don't imagine that we would capture that data by electorate, but I can take it on notice, I'm sure we can collate it.

The Hon. NATASHA MACLAREN-JONES: How many matters have you dealt with that specifically pertain to the electorate of Swansea?

JONATHAN WHEATON: I'd have to take that on notice.

The Hon. NATASHA MACLAREN-JONES: Okay, thank you.

The Hon. SARAH MITCHELL: As we've indicated to the Chair we don't have any further questions here, Mr Wheaton. I don't know if the other crossbenchers do.

The CHAIR: The crossbench is not here. I don't have any questions. Mr Wheaton, you're released. Thank you.

JONATHAN WHEATON: Thank you, Mr Borsak.

(Jonathan Wheaton withdrew.)

The Hon. SARAH MITCHELL: Thank you, everyone. I just wanted to go back to the matters relating to the Opera House. I might direct my questions to you, Deputy Commissioner Hudson, as I believe you were Acting Commissioner at that period of time, if that is okay. The Minister, when she gave evidence earlier, said that you did speak on Sunday 8 October. Do you recall how often you spoke and what advice you provided to the Minister on that day?

DAVID HUDSON: Thank you, Ma'am. The first time I spoke to the Minister was shortly after 10.00 a.m. that morning—Sunday the eighth—in relation to what was happening in the environment following the terrorist attack in Israel. I advised that we had processes underway to commence taskings of both synagogues and mosques, and those communications were going out to both metropolitan field operations and regional field operations to conduct those taskings. I did indicate that—I think it was the second phone call I had later that afternoon. We did have information that there were proposed protests to occur, one that night and one the following afternoon, one at Bankstown on the Sunday night and one at Town Hall the following day.

The Hon. SARAH MITCHELL: I'm happy for you to take it on notice, but the time of that second phone call in the afternoon—is that something you can provide to the Committee on notice, if possible?

DAVID HUDSON: It was approximately 3.30 p.m.

The Hon. SARAH MITCHELL: Thank you. Just in relation to, again, the concerns that you had—there are emails that have come through the call for papers in the upper House that I'm sure you're aware of that do indicate that there was some concern about the impact that the events would have on the streets and particularly escalating tensions. The Minister said this morning that it wasn't envisaged that there was any heightened risk at that point. That was on the Sunday. Is that your recollection as well?

DAVID HUDSON: That's correct. At the time I asked for the threat assessment. I wanted that to inform me whether we had concerns or not. At that stage I just wanted the assessment; I didn't have particular concerns. I was aware that other—and that was in response to being told by the chief of staff that there was consideration being made to light the sails of the Opera House with the Israeli flag, but at that stage there were no concerns that had been relayed to me. I didn't have the threat assessment from Counter-terrorism that the stage but, as I said, other icons around the world had been lit up, I was led to believe.

The Hon. SARAH MITCHELL: How did the police find out about the lighting of the Opera House sails? In his evidence the Premier said it may have been through the media. Do you know how that information made its way to the police?

DAVID HUDSON: My recollection is that after the threat assessment had been requested, it got processed through to my normal staff officer, who was in my normal role, which oversees Counter-terrorism, to request, and he responded, "Too late. It was just on the news."

CORRECTED

The Hon. SARAH MITCHELL: So it was media reports that gave you the confirmation that that had been the Premier's decision?

DAVID HUDSON: Yes. Well, I didn't actually see the media reports. My normal staff officer did and relayed that through an email.

The Hon. SARAH MITCHELL: Thank you. In terms of further advice that was provided to the Minister, moving on to 9 October, the date of the actual lighting of the sails, you said you had a threat assessment report, if that's the correct terminology? Can you just talk me through the timeline of what really happened on that Monday the ninth, from a policing perspective?

DAVID HUDSON: Monday the ninth—during the normal executive meeting on Monday morning we discussed the potential for a protest. At that stage I think—and Mr Lanyon may correct me—we had 11 police that were going to be deployed to that.

The Hon. SARAH MITCHELL: At Town Hall?

DAVID HUDSON: At Town Hall. It wasn't anticipated there was going to be anything untoward. That particular group had protested there numerous times previously without incident and had been appropriately managed by the Central Metropolitan command with their own internal resources. That was the point of discussion: that a further assessment would be done based on the lighting of the Opera House sails and we would reassess throughout the day.

The Hon. SARAH MITCHELL: The Minister said earlier that there was advice that it would move from—I think she used the terminology of a static rally at the Town Hall to then be one that marched down to the Opera House. Do you remember when police became aware that the group intended to move from the Town Hall down to the Opera House?

DAVID HUDSON: I became aware around 3.30 that afternoon.

The Hon. SARAH MITCHELL: On the Monday?

DAVID HUDSON: I became personally aware. We had quite a busy day that day. We had a commissioner's executive team meeting, which I was chairing, and then a counterterrorism exercise, which we do monthly, for the executive. That concluded about three o'clock, and then Mr Lanyon came into my office about 3.30 and told me. But I believe the organisation were aware maybe about an hour before that.

The Hon. SARAH MITCHELL: From an operational perspective, the decision to have that pro-Hamas, pro-Palestinian group march down, I think the Minister said that the decision was made that they would be escorted by police to try to not have any conflict or tensions. As best you can say, what sort of operational considerations go into how you manage that protest moving from static to one that involved marching down to the Opera House? What are the considerations to let them do that, as opposed to trying to keep them back up at Town Hall?

DAVID HUDSON: The considerations are that we don't have the legislative ability to detain them at the Town Hall. The options were—and they had indicated a strong opinion that they were going to attend the Opera House—if we didn't facilitate the march, they could have lawfully walked down the footpath to get there and taken significantly longer and wouldn't have been controlled on the route. Our concern was that they may take a route that bypassed the Great Synagogue in Castlereagh Street. We facilitated the march outside of that envelope so that that didn't become an issue, but we also became aware that there were numerous social media posts calling for others who weren't at the Town Hall protest to attend the Opera House as well. There's no way we could have prevented the congregation at the Opera House. It was about ensuring the safest way to achieve that.

The Hon. SARAH MITCHELL: Can you explain to me the difference between that particular incident and rally and previous issues? I have a document here that came through that call for papers that mentions that when pro-Russian supporters were trying to disrupt the displaying of the Ukrainian colours on the Opera House sail, the protests were small, with protesters using lasers and wearing iconic "Z" T-shirts, but they were moved on by police. I'm happy if someone else is better placed to answer this, but why were those pro-Russian supporters able to be moved on in that instance? Why was it a different scenario for this particular march?

DAVID HUDSON: I'm not aware of that particular protest. I didn't have any involvement in it. Mr Lanyon may have greater knowledge about it. But if they were using lasers and breaking the law and there were offences, and they were identified, then they would have been arrested for the offences of using those lasers and things such as that, I would imagine.

The Hon. SARAH MITCHELL: Mr Lanyon, did you want to add anything?

CORRECTED

MALCOLM LANYON: No, sorry, I don't know any additional information. Was that a protest that was actually static outside of the Opera House?

The Hon. SARAH MITCHELL: It comes from one of the documents that came, as I said, through the call for papers that spoke about an incident at the Opera House where they were moved on by police. I'm happy to give you a copy of that document if you like, but I'm just trying to understand or clarify how you deal with those situations differently and what the rationale is behind that in an operational sense.

MALCOLM LANYON: Without actually knowing the circumstances that you're speaking of there, I think the way that Mr Hudson has outlined it—obviously, the operational consideration was to maintain control of those people that wished to assemble and then march that night. In terms of the one you're speaking about with the pro-Russian supporters, it may well have been they were already at the Opera House. There could be a different set of tactics depending on how many people were down there and what the strategy was to actually maintain community safety. It really depends on what's on the ground, what the police commander and what the forward commander deem is happening, and the behaviour of the crowd.

The Hon. SARAH MITCHELL: In terms of the police operations on both 9 October and 15 October, I recall that the Premier made some public comments saying that there would be more police available for a later rally that took place in Hyde Park. What's the cost of the police operations to do that and the difference between what occurred on the 9th and the 15th? Do you have that information?

DAVID HUDSON: Ma'am, only from the cost of the actual police shifts that were deployed. I think there were 100 at 9 October with another 100 in reserve at the Opera House, and then on the following Sunday there were over 1,000 police. So their shifts—the difference would be significant.

The Hon. SARAH MITCHELL: Is the distinction between having 100 on the 9th and 1,000 on the 15th because of lessons learnt from the Opera House protest? What was the operational decision to significantly increase the police presence on that day?

DAVID HUDSON: We were going to—and we announced this—potentially utilise part 6A of LEPR because of the behaviour that was demonstrated on 9 October and the difficulty in investigating potential criminal offences that had taken place on 9 October. We were going to activate part of that power under LEPR to ask for identification of individuals and potentially search some individuals because of flares that were used on the 9th. It was believed that we would need additional police for that. The numbers that were proposed for the second protest or gathering were significantly more as well—significantly more.

The Hon. SARAH MITCHELL: Was the information that you would be escalating the police presence at that second rally relayed to the Minister's office or the Premier's office? I know the Premier did media in relation to it, so I'm assuming there was some communication about those decisions by police?

DAVID HUDSON: Yes, correct.

The Hon. SARAH MITCHELL: And that would normally be the process that you would undertake if you were going to have a significant or increased police presence at one of those rallies?

DAVID HUDSON: Correct, yes.

The Hon. SARAH MITCHELL: Do you have any details on the numbers of arrests that were made from activities on either 9 or 15 October?

DAVID HUDSON: There were no arrests from the second protest. I think the 9th is still under investigation—some matters under Strike Force Mealing, which is being conducted under Operation Shelter. My last update was there were three arrests had been made. Mr Lanyon may have additional information. Operations Shelter and Mealing now report directly to Mal.

MALCOLM LANYON: We can provide those on notice, if that's okay, Ma'am.

The Hon. SARAH MITCHELL: That would be fine.

MALCOLM LANYON: I think it is still a moving investigation, so we're happy to provide those figures to you.

The Hon. SARAH MITCHELL: I understand. Thank you, that would be useful, and then also—again, perhaps on notice—whether there were any arrests arising from the activities in Lakemba on 8 October. Media reports indicate cars speeding through traffic lights, fireworks—there were some issuing happening. Is there any information on arrests or investigations?

MALCOLM LANYON: There have been no persons arrested from the 8th.

CORRECTED

The Hon. SARAH MITCHELL: This is probably a more broad question, so it may be directed to you, Commissioner, or to one of your colleagues if they are better placed to answer. What increased police activities have been implemented around both synagogues and Jewish schools, considering the concern in the Jewish community over the past few weeks? Who makes those requests? Is there an update on what support has been provided to them from a policing perspective?

KAREN WEBB: I'll hand this to Mr Lanyon shortly because it falls under Operation Shelter. But, essentially, we are providing proactive community engagement across both communities, if you like, so not centred just on the Jewish community but also in south-west Sydney for that community. We are mapping and managing our resourcing and tasking into those areas to make sure that we really get a sense from the community. It's part of what we need to understand the community sentiment because, as has been mentioned earlier, any operation—particularly around a protest or anything else—is built on a risk assessment. To really inform a risk assessment, you need to understand not just what's happening globally and nationally but also the local sentiment. So we've got a large operation; it still remains ongoing. I think it was stood up by Mr Hudson when he was acting commissioner on 11 October and remains ongoing. We'll review that, and I think we've set it for six weeks. We'll continue to review that periodically to make sure that it's achieving its outcomes. I'll hand to Mr Lanyon for a more complete answer.

The Hon. SARAH MITCHELL: That was pretty good, Commissioner, but if you have anything else to add, Mr Lanyon?

MALCOLM LANYON: It was excellent, Ma'am, actually. Operation Shelter was formed to coordinate intelligence, community engagement and taskings, so high-visibility taskings—as the commissioner quite rightly indicated—to communities right across Sydney. It's not just centred on one community. Since it's been established, we've done over 5½ thousand taskings, generally in terms of places of worship and places of significance such as schools, just to give the community reassurance. The children going to school or the members of the public see a very visible police presence there. We have engaged over 600 times with senior community leaders in both—

The Hon. SARAH MITCHELL: Six hundred times over what time period?

MALCOLM LANYON: Since Shelter was commenced—so significant consultation. It would be unusual that Operation Shelter would not have regular contact with the Community Security Group within the Jewish community, and also with Muslim faith leaders and Muslim community leaders. There is significant engagement right across the community just to ensure that we have a very visible presence and that people can engage. If there is a particular issue that comes up—if there is a particular fear from a particular part of the community—we make sure that we task appropriately.

The Hon. SARAH MITCHELL: Okay. And that Operation Shelter—sorry for my lack of knowledge, but that will continue for as long as it is needed? There is no end date for that particular—

MALCOLM LANYON: We will continue to review it. Obviously, it was established to ensure community safety and, whilst ever that need is there, we will continue with Operation Shelter.

The Hon. SARAH MITCHELL: Just one more question, back to the events on 9 October. The Minister said this morning probably one thing that she would have liked was to have more time in terms of managing the issues on that night and the lighting of the sails. Would you agree that if the police had more time, perhaps the situation could have been different?

DAVID HUDSON: In relation to whether we allowed the march from the Town Hall to the Opera House?

The Hon. SARAH MITCHELL: Yes.

DAVID HUDSON: In hindsight, I don't think we would have made any other decision.

The Hon. SARAH MITCHELL: Okay.

DAVID HUDSON: I think it was the easiest way to facilitate, based on the fact and bearing in mind, we had—and I didn't personally, until some time after the event, have any indication that any Jewish people were attending the Opera House to view the sails. There was no proposed vigil. The vigil for the Jewish people was to be on the Wednesday in the eastern suburbs. There was never expected to be any conflict down at the Opera House, because that particular group—the Palestine Action Group—have never engaged in an assembly that had turned violent in any way prior to that. Based on the information, I think we would have made the same decision in ensuring that the pathway from the Town Hall to the Opera House was done as quickly as possible so it didn't inconvenience other members of the public, because, as I said before, we could not have stopped them walking down the footpath if they wanted to, from Town Hall to the Opera House.

CORRECTED

The Hon. SARAH MITCHELL: Okay, thank you. That's my time for now.

Ms SUE HIGGINSON: Commissioner, I go to where I went briefly with the Minister around the amount of police officers and the potential—or the reality—that we've got a lot of police officers off work. From the numbers that were roughly cited, it sounds like there is around 10 per cent of the Police Force—sworn officers—who are on long-term sick leave. What do you identify as the main cause of that at this point?

KAREN WEBB: I think it is between 9 per cent and 10 per cent, so you are right, and that is a significant gap in our capability. We do analyse as an executive, and down to deputy and AC level, to try to undertake some analysis to find out root cause. There are some areas, and I think you rightly pointed out earlier that there's—and it's not new. It has been a trend for as long as I have known and worked in the northern region that the northern region does have a higher absentee rate, long-term sick.

Ms SUE HIGGINSON: Do you know what percentage of the 10 per cent—what are we talking about with the northern region?

KAREN WEBB: I can take that on notice, but I think it might be 20 per cent. So it is over-representative of the rest of the State. There is a growing trend in psychological claims versus physical injury claims. As was mentioned earlier by the Minister, we instituted the PULSE program. It is funded for five years. The previous initiatives and programs—and we are a learning organisation, so we're always adding in more things from chaplaincy to EAP, centralised psychology, the PULSE program. And what is really different about that is the decentralisation of wellbeing services. So clinicians, as was mentioned, we have 11 on board already. They will be located in geographical areas to service a small cluster of commands—three commands per clinician—so that officers have easier access. We did hear from officers over time that they couldn't get access to treatment or services when they wanted it, and so we are very optimistic that this will provide some respite so that officers can get access earlier. Like anything, the sooner that an officer can get access to treatment and start treatment, the better their outcome will be.

The 17 additional positions are under recruitment. We hope to have those in place by early next year. And not just clinicians, but also wellbeing officers and support through physiotherapy, dieticians, other things. It is to address their whole needs, not just their psychological needs. Sometimes their symptoms might present as physical injuries; in fact, it could be a whole lot of things going on. I'm very optimistic about what this might offer. As was alluded to, it is funded for five years and the evaluation will be undertaken by Wollongong university. That process of setting up the evaluation framework has commenced, so it will start the evaluation at the beginning of the program.

Ms SUE HIGGINSON: Have you looked at and assessed whether there is any—like, they are all good measures for dealing with the symptoms once the problem has happened. Are you looking at what the cause of the complaints are and whether there are things that can be happening internally before somebody finds themselves in a position of unwellness?

KAREN WEBB: Part of that—having those services available—is to identify any indicators early. In fact, part of the suite of the PULSE program is also the Early Access Treatment Initiative, and I think there has been over 330 referrals to that already, which is quite a high uptake. Officers are putting their hands up, which is a great sign. There is probably some work—and I will hand to Acting Deputy Commissioner Ackley to talk about the difference between those that cite accumulated exposure, and then what is it that is the last exposure—but how do you start to set up resilience and things very early? And then, I guess, there are a whole lot of reasons. Like anything, there could be some work related and then it is coupled with other things that happen outside of work as well. There are a range of factors, and we are really open to examining all of those things to make that whole person a well person.

Ms SUE HIGGINSON: What do you think the percentage is of those who are on long-term sick leave that actually have complaints that are in the system?

KAREN WEBB: I will have to take that on notice. We do have a process that an injury is treated separately, and if there is a complaint process, that is treated separately. There is a way of identifying through the workers comp injury notification that if there is a complaint within that, that is assessed separately so that it is not just an injury that is treated; it is picked up as a complaint and managed in a parallel process. We are very mindful that some of those things may be borne out through an injury process. But I will have to take on notice the actual number, and it might be difficult to discern.

Ms SUE HIGGINSON: But it is fair to say, though, that many officers that have a complaint against the police—whether it is an IR or a civil complaint, but they are still in the Police Force—they are often on sick leave as well? Is that a fair thing to say—that that is a trend?

CORRECTED

KAREN WEBB: Mr Hudson owns the Professional Standards Command aspect of it. I don't think it is right to say that everyone that's got a complaint would be sick, but—

Ms SUE HIGGINSON: Not saying everyone.

KAREN WEBB: It could be.

Ms SUE HIGGINSON: But it would a fair chunk of people that have a complaint against the Police Force, who are still within the Police Force—

KAREN WEBB: Attached, yes.

Ms SUE HIGGINSON: —attached, who are likely to be on sick leave of some form until their complaints are resolved?

KAREN WEBB: That is possible, but I think—do you have anything on the data?

DAVID HUDSON: Not necessarily the data. But, Ma'am, are you saying that individuals who have complaints made about them are off sick, or people are off sick who make complaints about the Police Force?

Ms SUE HIGGINSON: Both, actually. I am making the assessment that it is likely to be both.

DAVID HUDSON: I think there are people that do have complaints made against them, sometimes do go off sick—I have seen that numerous times—until those complaints are resolved one way or the other. A lot of people don't, but people who generally make complaints about police normally avail themselves of sick leave first and then make a complaint. There are less numbers of those.

Ms SUE HIGGINSON: Just on the complaints process, I was talking to the Minister in part about that. What's your view in terms of the current complaints process and, in terms of its effectiveness, the internal complaints process? What is your assessment? If you think it's working quite well—if somebody makes a complaint against a police officer and then that's investigated internally, what's the success rate? Do you think it's a healthy complaints process you've got going on?

DAVID HUDSON: I think it can be clunky. I don't think it's streamlined enough, and we're working with Professional Standards Command to actually improve that.

Ms SUE HIGGINSON: Do you think people are getting more hurt than they should?

DAVID HUDSON: I think, the longer a complaint goes, the more likely is that the involved officer will be damaged in some way. I accept that. That risk matrix, depending upon what the allegation is and the veracity of the evidence against that officer, whether they remain in the workplace—that risk assessment's done by their commander in relation to whether they're suspended in some form or managed within the workplace, perhaps potentially on restrictions until the complaint's resolved—

Ms SUE HIGGINSON: What do we do? If a complaint is resolved and it's found that the person ends up psychologically harmed from the whole complaints process, there might be a finding against them, they then sue the police or they end up—what happens to that person at the end? Is their only recourse to engage in some kind of civil litigation to get some compensation or is there a stream that we are actually taking care of these people?

DAVID HUDSON: A lot of that will be dependent upon the outcome of the complaint investigation, about their recourse against the police for taking that action. I think, as an organisation, we accept the process takes too long. But when you're dealing with, potentially, reviewable actions where people are penalised, either financially or could ultimately be dismissed by the commissioner, there are appropriate processes to follow, and we're guided by the Industrial Relations Commission in relation to those processes. But I think there's a lot of matters that end up in the higher end of the scale that shouldn't be investigated at that level. They should be investigated at the lower end of the scale and resolved much more quickly.

That's my personal opinion and an opinion I relayed to the Professional Standards Command, who are taking steps to try and improve the timeliness of their investigations and the investigations statewide, bearing in mind most investigations are conducted at local level. That's a recommendation from the police royal commission all those years ago, that you look after your own, and therefore only that way can you improve behaviour, by taking responsibility for what happens on your patch, and we still follow that mantra. Complaints are not so generally centralised under Professional Standards. They manage the system, but most investigations are conducted at the front line, at local level—and take too long, I might add.

The CHAIR: Commissioner, during NCAT hearings is it usual for the commissioner to be represented by counsel, counsel assisting and various other lawyers?

CORRECTED

KAREN WEBB: I'll have to take that on notice, Sir, unless David can answer.

The CHAIR: Can you answer that, Mr Hudson?

DAVID HUDSON: I would suggest it be dependent upon the matter itself, Mr Borsak. I wouldn't say that'd be the case in every NCAT matter, and it's not just firearms matters that end up before NCAT. I would have to—

The CHAIR: I'm specifically talking about firearms-related matters. All sorts of things, obviously, end up in front of NCAT. That's for sure. If that's the case—and I certainly know of quite a few examples—why do the police need to lawyer up so much at NCAT?

DAVID HUDSON: In particular, in relation to firearms matters, I think the decisions of NCAT can be persuasive on the rest of the firearms environment. So if there's a decision or an appeal against something, a decision that the Firearms Registry or police have made that we think is valid, we need to defend that so that it doesn't become precedent for all other firearms holders.

The CHAIR: This is supposed to be a jurisdiction—it's not a court, is it; it's just a tribunal.

DAVID HUDSON: Correct.

The CHAIR: Is it true to say the police are actually treating it as if it is a court?

DAVID HUDSON: I think the decisions out of NCAT can have influence over other matters and will be relied upon by NCAT in the future, and it'd be probably remiss of us if we didn't take that on board in the decisions of NCAT, as we have done numerous times in relation to the classification of firearms, from memory, a few years ago. The decisions, whilst it is a tribunal, are influential.

The CHAIR: Have the police ever offered expert assistance to the NCAT decision-makers in relation to firearms matters? I've certainly seen plenty of decisions where they're obviously well and truly out of their depth in relation to understanding firearms-related law and/or matters.

DAVID HUDSON: Specifically, within the tribunal hearings, we have experts who give evidence in relation to firearms classifications and things. But, outside of that, I'm not aware personally.

The CHAIR: Is it true that the police automatically appeal unfavourable NCAT decisions?

DAVID HUDSON: Not always, no.

The CHAIR: Not always?

DAVID HUDSON: Not always.

The CHAIR: I'm again talking specifically about firearms-related matters.

DAVID HUDSON: Yes.

The CHAIR: Thank you. Turning now to secret evidence at NCAT, is it true that the police routinely use their privileged ability to present secret evidence at a hearing under section 64?

DAVID HUDSON: I would have to take that on notice, Sir, but I would suggest that it's happened. But the frequency of how often it happens, I would—

The CHAIR: Could you take it on notice and perhaps tell me by way of subsequent answer how many times in the last 12 months that's happened at NCAT?

DAVID HUDSON: I can try and ascertain that.

The CHAIR: Thank you. The appellant and their solicitor have no idea what this evidence is. It is impossible to frame an opposing argument to such evidence. Do you accept that such evidence is an affront to justice?

DAVID HUDSON: No, I don't. Picking up on your questioning, I would suggest that you're talking about criminal intelligence that may have been provided to the tribunal in the absence of others' ability to view it.

The CHAIR: Don't you think that using the term "criminal intelligence" is a bit of an overstatement in some cases?

DAVID HUDSON: Without having seen the specific items that are being tabled, but I would suggest it'd be linked to intelligence that we're protecting.

CORRECTED

The CHAIR: Do you think there could be another way that would be fairer and be seen to be fairer to the people that are appealing, from a justice point of view, that would not leave the tribunal in a situation where it has to make judgements that it's not equipped to make?

DAVID HUDSON: The tribunal is the tribunal, and that's the arbiter in many of these decisions. So we adhere to the rules of that, and the rules are that we're allowed to take privilege over certain information that's presented to the tribunal, and we do that if we think that's required.

The CHAIR: Do you know of any other legal jurisdiction in this State that allows that to happen?

DAVID HUDSON: For information to be—

The CHAIR: Secret from the appellant so they can't defend themselves.

DAVID HUDSON: Courts in relation to human source information—that information's not available to the other participating parties in a criminal matter.

The CHAIR: So you're saying that judges get secret evidence and the appellant doesn't get access to that to try to actually understand what the charges they're facing are.

DAVID HUDSON: There are occasions when evidence is presented which is protected, yes.

The CHAIR: Under what circumstances would that occur?

DAVID HUDSON: If we're attempting to protect the identity of a human source or an informant.

The CHAIR: Identity's one thing, but the actual evidence itself—are you saying that that would be protected also because the source might be identified?

DAVID HUDSON: No. The court and the defendant would be entitled to hear the evidence of the charges brought against them and the evidence used to support that. But there are instances where material is not made available to all involved in the proceedings.

The CHAIR: I thought it was an obligation for the Crown to disclose all of the evidence they had to the defence.

DAVID HUDSON: Yes, it is. But, as I said, the question I thought you were asking was is it usual or, in any other jurisdiction, do we keep secret information? Certainly—

The CHAIR: That is the question I'm asking. Are you saying that it's justified in terms of the NCAT for this to happen but not necessarily elsewhere—in the Supreme Court, for example, or the local courts?

DAVID HUDSON: They're the rules of NCAT, Mr Borsak. I don't make those rules.

The CHAIR: Do you think the rules of NCAT should be changed?

DAVID HUDSON: I wouldn't give an opinion on that.

The CHAIR: You can't give an opinion. In adversarial proceedings, do you accept that, as a fundamental element of common law, a fair trial is missing in these circumstances? In other words, we're not actually seeing justice.

DAVID HUDSON: At NCAT?

The CHAIR: At NCAT, yes.

DAVID HUDSON: Again, I can't really comment on—

The CHAIR: Commissioner, would you like to comment on that?

KAREN WEBB: No. I agree with Mr Hudson. It's a tribunal. It's not managed or controlled by us. We're a party to it like other people are.

The CHAIR: Do you think it's overused and abused by the police at NCAT?

KAREN WEBB: No. We're just a party like anyone else. We would only go in response to a person that might take something to NCAT. We're a party to it, so I don't—

The CHAIR: Commissioner, with respect, you've got unbelievable powers under the Firearms Act. You're not just a party to the action; you are there not only prosecuting but defending. Don't you think that it's also incumbent upon you to see to it that there should be some natural justice going on? I know of examples where

CORRECTED

subsequent information has come to me that the secret evidence may not have been all that correct—may not have been justified. I can give it to you if you really need it.

KAREN WEBB: I'm happy to take that offline, but NCAT is obviously a process that we don't own or control.

The CHAIR: The process could potentially be open to abuse. Do you agree? Mr Hudson, do you agree?

DAVID HUDSON: I have no evidence of that. I have no information to support that.

The CHAIR: Would it be fairer to review how this secret evidence is heard and handled in the future?

DAVID HUDSON: How evidence is taken would be a decision for NCAT.

The CHAIR: I think that's all I've got. Thank you.

Ms SUE HIGGINSON: Is it correct that you use—and I'm not a weapons expert—a .40 calibre weapon? Is that right, Commissioner?

KAREN WEBB: I'll defer to someone that knows guns. I have got a gun and I get trained in it every year, but don't ask me if it's .40 calibre—

Ms SUE HIGGINSON: The specifics.

KAREN WEBB: —or what it is. Yes.

Ms SUE HIGGINSON: Is that the case?

PAUL PISANOS: Yes, that's the round. We use our operational round.

Ms SUE HIGGINSON: And is it the case that there was a plan to replace that weapon with a nine-millimetre weapon that is more in line with what is used by law enforcers around the world, but that, for some reason, hasn't happened?

PAUL PISANOS: There is a—

KAREN WEBB: A replacement program coming, correct.

PAUL PISANOS: —replacement program to replace the existing Glock with a nine-millimetre Glock. There's a program of replacement—a rollout program.

Ms SUE HIGGINSON: What is the decision—

KENNA ACKLEY: Sorry, I could probably weigh in. That is part of the interconnected officer program. We have had a first round of Glocks that have been rolled out, and there'll be several subsequent phases of those Glocks that will be rolled out over the—

Ms SUE HIGGINSON: They're the nine millimetre ones?

KENNA ACKLEY: They're the nine millimetre ones. That is correct.

Ms SUE HIGGINSON: And they are less deadly than the 40 ones? Is that right?

The CHAIR: Forty calibre, you mean?

Ms SUE HIGGINSON: Forty calibre. You would know this, Chair.

KAREN WEBB: You'll probably need a weapons—

The CHAIR: I don't know that I do know it.

Ms SUE HIGGINSON: They are?

PAUL PISANOS: It's a different velocity. It's a different round.

Ms SUE HIGGINSON: And less deadly?

DAVID HUDSON: I don't think that's right.

The CHAIR: I wouldn't want to be shot by either of them.

KAREN WEBB: We'll have to take that on notice.

DAVID HUDSON: That's not the reason they're moving. It's a better weapon, apparently.

Ms SUE HIGGINSON: Better in what—

CORRECTED

DAVID HUDSON: The ability to put a light source on so that police officers can view things in the dark if carrying their firearm or having to take their firearm out. It's more of an operational safety issue—a better firearm than a less lethal option than our current .40 calibre.

The CHAIR: Are they both Glocks?

DAVID HUDSON: Both Glocks.

Ms SUE HIGGINSON: So it is a less lethal option?

DAVID HUDSON: No, it's not.

Ms SUE HIGGINSON: It's not?

DAVID HUDSON: I don't think it is. It's never been raised with me.

Ms SUE HIGGINSON: Thank you.

The Hon. NATASHA MACLAREN-JONES: Commissioner, I'd like to go back to the \$30,000 payment for new recruits. In our session this morning it was said that was from underspend. How much is the underspend?

KAREN WEBB: I don't have the exact dollar value, but it'd be to the equivalent of the 1,500 vacancies that we currently hold.

The Hon. NATASHA MACLAREN-JONES: So every recruit of the 1,500 will be able to get—

KAREN WEBB: That's right. That's my intention. I need to fill the organisation.

The Hon. NATASHA MACLAREN-JONES: Where did the underspend come from? What programs were cut or—

KAREN WEBB: There's no cut. The funding for the Police budget around police positions has always been on headcount. We have an authorised number of headcount—police officers in our organisation—at 18,000 something or other. The current headcount is 16,860 or something.

Ms SUE HIGGINSON: Nine hundred and twenty-three.

KAREN WEBB: Yes. So there's that gap. We're funded to the 18,000-odd, so we're funded for the full headcount.

The Hon. NATASHA MACLAREN-JONES: Were you consulted when this program was announced?

KAREN WEBB: Yes.

The Hon. NATASHA MACLAREN-JONES: Also, for those that are currently enrolled in the academy, are they receiving that funding as well or is it only for new recruits?

KAREN WEBB: They will receive a pro rata top-up in the amount. It's not strictly the same as the program starting in March. The program starting in March, they will be temporary admin employees and have the entitlements around an employee, whereas they're currently students with a scholarship. But they will be bumped up pro rata to the same amount. We don't want them leaving and then coming back in March. That has been communicated to all the students currently in Goulburn.

The Hon. SARAH MITCHELL: Can I just ask on that payment, Commissioner, is there a requirement to remain in the Police Force for a certain number of years' service or could someone theoretically get that support to go through the academy and then only work for a brief period of time? There's not a requirement to remain?

KAREN WEBB: No. And that's always the case. We have officers that join and, for whatever reason, at probationary constable level or constable, there's no actual return on investment. But they might decide that it's not the career that they expected it to be and leave the organisation. Equally, if we get to the student police officers and, at any point in that 16 weeks they're deemed not suitable or they don't pass the exam et cetera, then that may mean that they don't pursue or come through as a sworn officer. There are a number of reasons that someone might leave.

The Hon. SARAH MITCHELL: So the payment is really to help get them through that period of the academy, not so much as an incentive to stay in the Police Force?

KAREN WEBB: That's right.

The Hon. SARAH MITCHELL: There's not a requirement.

CORRECTED

KAREN WEBB: We're expecting people to leave wherever they live to go to Goulburn without an income for 16 weeks to be trained. It's really to offset being away, particularly if they have got financial commitments.

The Hon. SARAH MITCHELL: I understand that. Can I ask in relation to the optional disengagement scheme? Can you explain for the Committee what that is and how it operates?

KAREN WEBB: It's like an early retirement scheme. It was approved by Cabinet in May 2021 for a period of three years only. So it's funded with a class ruling from the tax office for that period only. The tax office was very clear about that being an approval for that class ruling for that defined period for that program. It was really about helping officers that were ready to leave to leave with dignity on their terms. It has been fully subscribed so far, and we've got another tranche to go.

The Hon. SARAH MITCHELL: How many officers have taken up that scheme?

KAREN WEBB: I will get the exact number, but it's about 225 each year.

KENNA ACKLEY: It's 217 in the first round—the first year—and then 247 last year.

The Hon. SARAH MITCHELL: And there's one more year of the program—

KENNA ACKLEY: One more year, correct.

The Hon. SARAH MITCHELL: —to go? Have there been any instances where a police officer might've taken that payment but has then tried to rejoin or been employed again? What happens in that scenario?

KAREN WEBB: I'm not aware of any, but when we were building the rules around this, like any equivalent role in the public sector, they have to repay the money for the balance. But I don't know of any examples.

The Hon. SARAH MITCHELL: I want to ask now about recruitment more broadly. I have had some reports, and I'm happy for you to provide clarity as to whether it's the case, that there has been, effectively, I am going to say, a lowering of the bar to entry into the police force—that some who might have initially been refused entry to the academy in previous years have then been contacted to reapply and have been hired. Has there been a process where you've gone back and looked at those who maybe were not eligible or didn't receive entry in the first instance and asked them to reapply because of the staffing pressures?

KAREN WEBB: I'll go to Ms Ackley in a moment. But certainly, the first part is an online component. We've halved the time of that or halved the payment of that to encourage people through. We were at a point where 70 per cent of people doing that online course didn't then follow through to join the police, so it is possible that we have contacted those people to encourage them to come into the police. So they might do that online course and then move on to something else completely different. But that's a whole cohort of people, from my point of view, that could be potential applicants. In terms of the standards, and the same goes for the education qualification, that hasn't changed. So it's still AQF 6, although some jurisdictions around Australia do AQF 5. Ours is a higher standard. In fact, there is at least one I know of—a student who came from Queensland to join the NSW Police Force because it was a higher level qualification. We have no intention to change that. Some of the other requirements are really about physical agility—group testable things—and they're things that you can practice and come back to try again.

The Hon. SARAH MITCHELL: Ms Ackley, did you want to add anything about those people being asked to reapply—if there is any information on that?

KENNA ACKLEY: Yes, I would just follow-up on those comments from the commissioner. Obviously, there is a series of assessments that happen even before someone is accepted into that first 16-week online process—physical, psychological and background checks et cetera that individuals have to go through. For those people, particularly, who may have not met the physical standards, the team at the academy, the recruitment team, is usually following up with them to see if they can continue to work on those aspects that perhaps didn't meet the standard at that time, so that they can prepare and get to a point where they are suitable for entry into the program and application. So there is an ongoing dialogue, if you will, with applicants that, for whatever reason, may not quite meet those requirements in the first instance but can continue to work on them. There are certain things that—obviously, certain criminal charges in their background—won't ever be able to be changed in their backgrounds or in their history, that won't be able to be overcome to be able to gain entry. But we certainly are looking at trying to encourage those people who can overcome some barrier, if there was one in some of those assessments, to change that and get to a point where they're suitable to be admitted.

The Hon. SARAH MITCHELL: That's not a new—

CORRECTED

KENNA ACKLEY: That's not new. That has been ongoing for quite some time, as I understand it.

The Hon. SARAH MITCHELL: Again, just in terms of the staffing challenges and pressures, are there any positions that were formally held by sworn officers only that have now been opened to unsworn officers, given that you do have that shortage of police?

KAREN WEBB: No, not specifically, because as I mentioned earlier we're funded on the basis of a headcount—so that's blue shirts, as we often refer to them. As you know, we've got over 4,000 unsworn positions. We have roles in the organisation, say, for example, crime scene officers, who could be civilian, and we've got crime scene investigators. We've got different classes of crime scene officer, for example. But that's been the case since 2007, so that's nothing new. But we haven't given up police positions for non-sworn.

The Hon. SARAH MITCHELL: Okay. So there hasn't been any extension of the duties performed by unsworn officers over the past 12 months?

KAREN WEBB: No. But we've equally—and I'd like to say that we've got highly qualified, motivated people in places like, as I said, forensics, intelligence. Some of those areas are combined or a blended workforce, so civilian and police roles, but the workforce numbers can cater for both of those, for example.

The Hon. SARAH MITCHELL: So no significant change in the past 12 months?

KAREN WEBB: No significant change.

The Hon. SARAH MITCHELL: Thank you for clarifying that. I want to ask you, commissioner, about the Blue Ribbon Insurance Scheme. Obviously, I directed some questions to the Minister earlier, but have you had any discussions with her in relation to maintaining that scheme in its current form over the next four years?

KAREN WEBB: As I understand it, there had been a commitment from the current Government to continue that. Obviously, it's important that our officers know that they will be insured. Any sense that they fear that they won't be insured could cause an adverse impact on that policy, so we're very careful about that they need to be insured and need to be protected.

The Hon. SARAH MITCHELL: Is it budgeted for beyond 1 July next year, to your understanding?

KAREN WEBB: I couldn't tell you. I know that the premium—the workers comp is one part of the puzzle and then the Police Blue Ribbon Insurance is the second part, and the provider that insures us for that, the current provider, the premium becomes due in October, so it's not necessarily aligned to a financial or a calendar year. But also noting that the current award will lapse at 30 June next year, so all those things may collide.

The Hon. SARAH MITCHELL: Okay. And then in terms of how the collaboration, for lack of a better term, exists between the police force and insurers to make sure that you've got that scheme to support—as you've said and as the Minister and I discussed this morning, obviously, given the very important role that police officers have and the fact that they do every day put themselves at risk for the community, what kind of, as I said, collaboration is there to ensure that the insurance schemes are really supporting officers in the way that they need to be supported?

KAREN WEBB: Well, in addition to the PULSE program and all the things that I said we were already doing, we have quite a rigorous program, and it's been in place for some time now, around return to work arrangements, injury management advisers, senior injury management people, workforce safety—a whole command set up to look for better ways of returning officers to the workplace on a return to work, and whether that's graduated or it's a different duty type or some other flexible arrangement, really, we're open to as many options as we can to get officers back. As I said before, the sooner you can engage with an officer to get them back—get them well and get them back, I think the better outcomes for both them and for the organisation.

The Hon. SARAH MITCHELL: Just so I'm clear, commissioner, you're obviously aware that the Government made election commitments to continue it, but that's not something you've discussed with the Minister in the past seven months since she has been the Minister?

KAREN WEBB: No, I mean, I'm really only concerned with getting past this year and then knowing that the award is due at the end of June. I understand—

The Hon. SARAH MITCHELL: So you would expect to have discussions about that with her?

KAREN WEBB: Yes, of course. Of course, yes.

The Hon. SARAH MITCHELL: Thank you. I'll hand back to my colleague.

The Hon. NATASHA MACLAREN-JONES: Thank you very much. Just on recruitment and staffing, I'm interested to know how many new recruits were sworn in in the last calendar year?

CORRECTED

KAREN WEBB: I'll go to my colleague to my left, who will have exact numbers.

KENNA ACKLEY: For 2022 we had 1,046 attest at the academy in Goulburn.

The Hon. NATASHA MACLAREN-JONES: How many police officers have left in the last calendar year?

KENNA ACKLEY: As in, resigned or for any other—I'd have to take that on notice. I'm afraid I don't have that.

The Hon. NATASHA MACLAREN-JONES: More broadly, have you looked at reasons why officers are leaving? Recruitment is one thing, but retention is always key.

KAREN WEBB: Yes, one of the things that I was really pleased about was the recruitment announcement, because when I visit police commands and talk to officers one of the things that rang loud was that they're tired, and I think our PMES survey has revealed that, but also things like "When are the recruits coming?" They really were wanting to know "When is help coming?" I think the announcement will also go towards retention, because they know that there are, hopefully, officers in the door. In fact, I think the announcement was Wednesday or Thursday and we had 40 applicants on the weekend, which it's normally 10 in a few days. So, good signs but there is certainly work to be done. I think it was mentioned this morning around the retention, what else can we do? I think one of the pieces of work we often talk about, and I think there is some research that people in the capability command are wanting to look at, is we joined the police to be career police officers, but we're talking now about Gen Z and their work life is not necessarily a career of 30 or 40 years as a police officer, and how do we—

Ms SUE HIGGINSON: Try two years.

KAREN WEBB: Well, I think it's 3.4, but how do I entice people to stay longer than 3.4 years? What I often say is we actually need to change the way we look at things rather than expecting that Gen Z are going to change their thinking, and so we really need to be open to what that is.

The Hon. NATASHA MACLAREN-JONES: You said your body of work is being done internally to look at that?

KAREN WEBB: Yes. We've started that work, because it's the definition of insanity to keep doing the same thing and get the same result.

The Hon. NATASHA MACLAREN-JONES: This might be something you need to take on notice—in relation to the specific regions and departments, where there is the shortage of current staff numbers.

KAREN WEBB: Yes, I'll have to take that on notice.

The Hon. NATASHA MACLAREN-JONES: In relation to the Paddington closure, I understand that a review is being looked at, but I want to understand—it was closed for two weeks. The staff there then worked on the mobile police cars and then came back to working at the station. Did that mean that there were fewer people utilising the mobile police cars, or were other resources diverted from elsewhere?

KAREN WEBB: I'll hand to Mr Lanyon for that but, as you'd say, that's two officers minimum in the station to man that station. That's why it is important that we do a review to see what the walk-in numbers are versus, if it was the calls to the police car and the radio, how many calls they would attend and that sort of thing. That's why a review is important.

MALCOLM LANYON: No, there were no additional officers diverted to replace that when the station was reopened there. It was simply a realignment. The local commander thought that better value would be obtained by having them on a mobile car at that time. It has gone back whilst we revert and do a review of what the best alignment of the boundaries are.

The Hon. NATASHA MACLAREN-JONES: What would be the normal process for closing a station, from an operational point of view?

MALCOLM LANYON: The command would normally put up basically a case for change. What is the reason they want to change their hours? It may well not be a total closure. It may well be certain hours they may not have officers at the desk. They would work out what the traffic looks like, what the amount of people look like that are coming through the station, calls for service and those types of things, to see whether we are going to inconvenience the community or if there's a better way of delivering that service. They would then consult with local members, the local community and the local council, and then they'd put up a submission to be considered by the executive as to whether that was an appropriate course of action.

CORRECTED

The Hon. NATASHA MACLAREN-JONES: I don't have much time so we might come back to it, but I'm interested to know about repairs, upgrades and refurbishment work of current stations. What is the process for prioritising which stations will be done?

KAREN WEBB: I will hand to Kenna on my left, but it is certainly within the budget for either minor capital or major capital in terms of priorities. As was mentioned this morning, we've got over 500 police premises across New South Wales, and that doesn't include our residential housing portfolio. That's with Property NSW. There is a substantial number of police properties—some owned, some leased. So there will be some triaging around what gets upgrades or maintenance. I will hand to you, Kenna.

KENNA ACKLEY: We have, like all government agencies, a capital investment plan, which we have to develop and deliver every year. That looks at a 10-year horizon. We're also looking at a 20-year horizon around our property portfolio, which is quite extensive. In fact, we have an even broader number than what has been quoted here of non-police stations, our education and training facility, the dog unit, the mounted unit and the stables. All of those things are things that we have to maintain. Clearly, there are challenges in our portfolio given it's so vast, but we also have a significant number of heritage listings. Of our police stations, about 60 per cent have heritage listing, and we have a number of Aboriginal land claims. All of those things come together in terms of the assessment that's done to develop the capital investment plan. That then helps us determine which of those stations, if we're talking stations specifically, should be redeveloped or refurbished and what the options are in that for us to develop business cases and put them forward to government in a budget process, to be able to utilise our capital investment plan to expend funding on those projects.

The Hon. NATASHA MACLAREN-JONES: What's the current budget?

KENNA ACKLEY: For this year, our capital budget is \$364 million. Of that, about \$317 million is for actual capital investment. The remainder is for lease acquisitions. The accounting treatment that was changed some years ago means we have to recognise those as capital expenditure.

The Hon. SARAH MITCHELL: Can you provide—and I'm happy if it's on notice—an update on the upgrade to the Singleton Police Station, whether a development application has been submitted and where that project is up to?

KENNA ACKLEY: I can take that on notice.

The Hon. SARAH MITCHELL: As much information as you can provide would be lovely in relation to that station.

KENNA ACKLEY: Sure.

Ms ABIGAIL BOYD: Commissioner, let's start with the Auditor-General's report into police responses to domestic and family violence. One of the recommendations in that report related to police investigating DFV issues where police themselves were involved and recommending that measures be taken to do something about that. What measures have been taken?

KAREN WEBB: Firstly, what LECC didn't recommend, nor the Auditor-General, was that we create a specialist unit. But what we have done is elevate to it an inspector of police at the command where it's reported or the officer is attached so that it gets that next level of oversight to make sure that those things that would happen in a complaint process happen. That goes to Mr Hudson's point earlier—sorry, you weren't here—about a commander and the senior management team knowing their own people and managing their own people. The processes are in place for any conflicts of interest. The investigation can be allocated to someone where there isn't any conflict of interest and, if that can't be managed appropriately, then it might go to a neighbouring command or, in fact, Professional Standards Command.

Ms ABIGAIL BOYD: What sort of circumstances would be appropriate for a matter to be investigated by the accused perpetrator's police command or station? I don't know what the language is, but when would that not be a conflict of interest?

KAREN WEBB: Most of the police commands—and it's just an example. I've got commands as big as Penrith. It's 330 police. I think there's plenty of independence in that process and size. What is important in the complaint process is the triage process asked for when the complaint management team, which comprises the commander and the other members of the senior management team, considers the allocation of the investigation. They must consider the investigator in light of any conflict of interest or bias in terms of the involved officer. It depends on the rank, the age and responsibility versus—it's always a senior officer that will get a complaint investigation, not a junior officer. Say, for example, the complaint is about a senior constable. It wouldn't be given to another senior constable to investigate. As I said, not only would it be allocated to a sergeant but it would also be oversighted by an inspector.

CORRECTED

Ms ABIGAIL BOYD: Is consideration given to the fact that, whenever we're looking at conflicts of interest, we're not just interested in the actual realisation of a conflict of interest but we're also interested in perception. When it comes to encouraging victims to come forward and make complaints, do you think it's appropriate that we still have police from the same command investigating police who are being accused?

KAREN WEBB: It is on a case-by-case basis, and sometimes it is entirely appropriate. If the victim comes forward, it's really about whoever that person is dealing with that victim in terms of establishing a rapport, managing that conflict and really managing a victim, like we would any other victim, particularly with a very personal crime.

Ms ABIGAIL BOYD: But we know that there are extra hurdles when it comes to claims of sexual assault and claims of domestic and family violence for victims, and what we're trying to do is encourage them to come forward so we can keep them safe. We have seen report after report in the media of women saying they did not feel comfortable raising their complaints because they knew that it would get investigated within the same command. Is that not sufficient for there to be action taken to just give to it a different command?

KAREN WEBB: I'm not sure that I agree with your proposition, particularly in regional areas. If you're from Dubbo and you want to send it to a neighbouring command, like Broken Hill or somewhere, that's not going to work either. It needs to be practical and meet the needs of the victim. Primarily, it's about putting the needs of the victim first. If we can do that adequately within our systems, then I think that's appropriate.

Ms ABIGAIL BOYD: We obtained some data in response to a question on notice, which came back telling us the numbers of police officers who are currently serving in New South Wales who have been charged with DV crimes and those charged with sexual violence crimes. Sixty current serving police officers have been charged with DV crimes, and 19 current serving police officers have been charged with sexual violence crimes, and yet in 2023 only two police officers had been dismissed on the basis of acts relating to domestic or sexual violence. Does this concern you?

KAREN WEBB: Since I have become commissioner I've introduced a process that officers, where the evidence is compelling and the incident is serious—such as domestic violence or sexual assault—are referred directly to me for consideration. That process means now that what could ordinarily take 18 months comes before me, on average, within four months, for me to consider their employment in terms of 181D for dismissal. So there's been quite a shift—positively, I would say—to address that very issue to make sure that those officers are no longer in the organisation. Some of the officers—and it's equally the same for officers with AVOs—are in various stages of the disciplinary process where I have to show fairness through a show-cause process and consider their response et cetera. There is time associated with that.

Ms ABIGAIL BOYD: Just looking at statistics for the numbers of police officers dismissed on the basis of acts relating to domestic or sexual violence, we had between one and three police dismissed in each of the years from 2014 to 2020. In 2021 none were dismissed. In 2022—I believe you were around in '22—there was eight, which was an all-time high. In the 2023 financial year, it appears to be just two.

KAREN WEBB: So far.

Ms ABIGAIL BOYD: So far in this calendar year. How many of those have come to you that you've actually said, "No, these are fine. These people can stay."?

KAREN WEBB: I'll will have to take that on notice. Certainly I take a very dim view of, as I said, those matters that come directly before me because of the seriousness and because of the veracity of the evidence. I commence that procedure, then it goes back to the officer for a show-cause notice and then it will come back to me, with legal advising, before they then exit the organisation. So, there's a bit of a delay in that period.

Ms ABIGAIL BOYD: Okay, but if we've got 79 current serving police officers who have been charged with either a DV crime or a sexual violence crime, so they are awaiting trial—

KAREN WEBB: So they might be awaiting a criminal process, as well as a disciplinary process. I will take it on notice whether they're suspended with or without pay, pending the outcome.

Ms ABIGAIL BOYD: That would be useful. Do you agree that these sorts of statistics and the, at least, historic lack of action in relation to police officers charged with these crimes, may also be a little bit of a deterrent to victims coming forward, particularly when it involves a police accused?

KAREN WEBB: We were talking, Ma'am, before you came in the room, about the complaint process and the quicker that the complaint process is dealt with the better the outcomes. My change of the process, particularly around these serious matters, I think is a positive step in the right direction. As to numbers and their employment status, I will take that on notice.

CORRECTED

Ms ABIGAIL BOYD: We were talking about the Mark43 contract earlier and the procurement process to try and get that old COPS system replaced with an IPOS system. Can you tell me when that procurement—that's for phase one, is it? When is that to be completed?

KAREN WEBB: Yes, I will ask Kenna to talk to that. There's two parts to that.

KENNA ACKLEY: Thank you. The IPOS program, in its current form, was funded in the 2021 State budget process. It's a \$328 million capital project which was kicked off in 2021. Obviously you've noted the engagement of Mark43 and then the subsequent termination of that contract. So, as a result of that, we've been looking at the program and how we will be rephasing it. There were three phases originally envisioned with the Mark43 contract. We still think about the program in three phases but, based on what we have been able to do in terms of market engagement and market scanning around what the advancements in technology have been even since that original business case back in 2021, we will be able to rephase certain things. We will be delivering components of it next year in 2024, in 2025 and in 2026 and thereafter. As the commissioner mentioned this morning, there are active procurement processes underway so I can't speak to a lot of the detail, given the commercial confidentiality of that at this point.

Ms ABIGAIL BOYD: But we effectively haven't begun. Are we any further than we were in 2013 when we first agreed to upgrade the system?

KENNA ACKLEY: I can't speak to 2013; I wasn't in the organisation then nor in New South Wales actually. But I can say that since the pivot from Mark43 last year, I think we've made considerable progress and are on track to be able to deliver some really significant capability out of the program, in some cases even before we had envisioned being able to deliver it with Mark43 back at that point.

Ms ABIGAIL BOYD: Thank you. Is that my time up?

The CHAIR: It is my turn, is it?

Ms SUE HIGGINSON: Yes, or mine if you're happy for me—

The CHAIR: No, I've got a couple of questions. Commissioner, we had a riot control truck or a vehicle with a water cannon at some stage, did we not?

KAREN WEBB: I think we did.

The CHAIR: You're smirking. Where is it?

KAREN WEBB: I understand that we sold it to Fire or RFS and it was repainted. It's probably a bright red somewhere, right now.

The CHAIR: Instead of black it's red now, is it?

KAREN WEBB: I think Mr Hudson gave it away.

Ms SUE HIGGINSON: Good for you. How charitable.

The CHAIR: Why did it become redundant? Can you explain that?

DAVID HUDSON: Sir, it had never been used. I actually signed off on it when I was relieving as the commander in counter-terrorism in 2006 to obtain it. It'd never been deployed. It probably never should've been deployed. It was obtained at the request of government following Redfern, Macquarie Fields and Cronulla at the time. I can say that a couple of years ago it was gifted to the Rural Fire Service as a water tanker. It was deployed down the South Coast and, I am told, saved three lives about two weeks after we actually donated it, so it sort of justified it. We would still have never used it.

The CHAIR: Okay, thank you. Do you still have a dedicated public order and riot squad?

KAREN WEBB: Yes, Mr Hudson can talk to that too.

DAVID HUDSON: Yes, we do, based at Homebush, with about 110 officers currently.

The CHAIR: When was the last time it was deployed?

DAVID HUDSON: Deployed every day.

The CHAIR: It's deployed every day?

DAVID HUDSON: They do random patrols. In the protest activity at the moment, they're the first officers selected. I think the last protest we would have had 30 of Paul's officer deployed.

PAUL PISANOS: At least 30.

CORRECTED

DAVID HUDSON: They deploy to search warrants. They deploy to, as I said, do random patrolling. They are very active. They deploy to the country. They deploy on surge operations.

The CHAIR: Not necessarily—sorry, go on.

DAVID HUDSON: The surge operations in the country that Mr Pisanos talked about, we send them there as well.

The CHAIR: Okay, so not necessarily to deal with some sort of riot that is going on and they're sitting around. They obviously have other duties?

DAVID HUDSON: They have other duties and they're the second group that we issued long arms to as well. They have a long-arm capability, rather than pistols as well.

The CHAIR: Talking about long arms, for a moment, what are those long arms? You walked right into that one.

DAVID HUDSON: It's a very good point. When we put them in place four or five years ago I could have rattled that off, but I've have to refresh my memory.

The CHAIR: Do you know what they are, Mr Pisanos?

DAVID HUDSON: Do you remember what they are?

PAUL PISANOS: They're e a Colt M4.

The CHAIR: What calibre?

PAUL PISANOS: I think 223.

DAVID HUDSON: Correct, it is.

The CHAIR: And shotguns?

DAVID HUDSON: No.

The CHAIR: No shotguns.

PAUL PISANOS: TOU.

The CHAIR: Are shotguns ever deployed in police cars in New South Wales?

DAVID HUDSON: Only by the tactical operations group.

The CHAIR: Tactical operations group, thank you. What are the guidelines around the deployment of a taser as opposed to using a Glock on someone?

DAVID HUDSON: When you're looking for a less than lethal option in relation to the threat that's posed to the police officer or to a member of the public.

The CHAIR: What drives that decision? Can you elucidate on that a little bit more?

DAVID HUDSON: It would depend upon any arms that the suspect is presenting and any threat that they're presenting to the police involved. If they are armed with a firearm then police would respond with a firearm.

The CHAIR: Sure, if they have firearms, but what about with knives?

DAVID HUDSON: Potentially, depending on the circumstances—the confined space and the size of the space that the confrontation is taking place in. All of these things would be taken into consideration by the officers deployed. One would probably deploy a firearm and one would deploy a taser, if issued, to try to appropriately deal with that threat.

Ms SUE HIGGINSON: Commissioner, what's going to be your approach to the cooperation requirement under the "no body, no parole" laws?

KAREN WEBB: I'll have to take that on notice, but I'll certainly work with the Parole Authority or DCJ around that.

Ms SUE HIGGINSON: If there is no body and no information proffered about a body, is cooperation, to you, a broader concept?

CORRECTED

KAREN WEBB: I mean, we work in partnership with people all the time. But the issue around parole and no body—obviously, we don't sit on the Parole Board or anything but, certainly, for families and victims that lose a family member, it'd be nice for them to have some answers.

Ms SUE HIGGINSON: But you have a role in the "no body, no parole" satisfaction in terms of what cooperation is. Is it your understanding that the threshold for cooperation in giving information is much broader than proffering a body?

KAREN WEBB: I'll have to take that on notice.

Ms SUE HIGGINSON: I think I may have written to you about it, so if you could respond to my letter then that would be great. If you could also take it on notice as part of this, I'd be very grateful.

KAREN WEBB: Sure.

Ms SUE HIGGINSON: Thank you. Are you aware of the use of firearm prohibition orders, and particularly in relation to people—particularly young people—in circumstances where there is absolutely no history or evidence of firearm possession, or even offending?

KAREN WEBB: I can take that on notice, but it's a tool that is used—both a firearms prohibition order and a weapons prohibition order.

Ms SUE HIGGINSON: If they were being used in a circumstance where there really was no evidence and there was no previous circumstance of that person ever being involved with a firearm, would that be an appropriate use of a firearms prohibition order?

KAREN WEBB: I think, under Mr Hudson's area, they've been conducting a review just to make sure, from a governance point of view, that we're satisfied that it's being used appropriately. I'm not sure whether that review has finished.

DAVID HUDSON: No, it hasn't, Commissioner. I can say you don't need to have a history of firearms to be subject to a firearms prohibition order. It can be some other serious criminal offence or offending that an FPO is issued for. We are conducting a review more generally. I think there was a question on notice or a GIPAA application that came through—it may have been from you—that we responded to, to suggest there may have been 11 young people that may have been subject to FPOs at certain stages.

Ms SUE HIGGINSON: Is that concerning?

DAVID HUDSON: They were all reviewed, and I think there may have been—no, I won't comment. I can't remember the exact outcome of our internal review.

Ms SUE HIGGINSON: The reality is, if somebody is subject to an FPO, that provides police with more powers to stop somebody, question them and search them. Is that correct?

DAVID HUDSON: Correct, yes.

Ms SUE HIGGINSON: In terms of that, could you please take on notice how many people are currently subject to FPOs, and how many people were subject to an FPO in the financial year of 2021-22? Of those people, how many identify as Aboriginal or Torres Strait Islander? How many were under 18 years of age? Of those under 18 years of age, how many identify as Aboriginal or Torres Strait Islander? How many were under the age of 14? Again, of that cohort, how many are Aboriginal or Torres Strait Islander? Also, if you would be willing to take on notice a breakdown of the police area that those orders are subject to. Commissioner, can I just go back to your comments about the Closing the Gap targets and the conflict with police duties? Do you regret saying that?

KAREN WEBB: I think it's been taken out of context in the way I meant to convey it, on the basis that there are two things that concern me about—a lot of discussion seems to centre on Closing the Gap targets that are just reducing incarceration. One of the pieces of work that we've done internally in our organisation—and I know one of the LECC reports talks to this, working with BOCSAR on it—is the number of Aboriginal people who are victims of crime. When you look at that data, that's startling. Our responsibility as police is much broader than just reducing incarceration, for example, and I've said many times publicly that we don't want to arrest our way out of it. But our primary duty is a safer New South Wales and protecting our community from violence et cetera, and there is a lot of work to be done right across the community.

When I became commissioner and announced the five priorities, it included the silent crimes, which are sexual abuse, child abuse, domestic violence and cybercrime, for example, as well as our next generation. There's a lot of work to be done that is just not just police work. These are big, complex societal issues. The point I was trying to make is that we're a big partner in it—and we certainly are a partner—but I don't think we can take a lead on some of those when we have a statutory obligation to arrest people and put them before the court. That's

CORRECTED

the conflict for us, but we do work extensively in prevention, engagement and disruption. I mean, our response part of the business is really a small part of it. But we certainly have a huge responsibility. My intention wasn't to convey that we can't do both things, but we have a very broad remit.

Ms SUE HIGGINSON: So you're saying that there's no conflict, really—you can do both things? You can undertake your police duties and you can work wholeheartedly on Closing the Gap, to the extent that they're relevant?

KAREN WEBB: More fully, exactly, and my conversation with the chief commissioner and commissioner was about that broader context, not just about reducing incarceration, because of our real concern around the Aboriginal Torres and Strait Islander representation as victims of crime.

Ms SUE HIGGINSON: Can I ask about protest form 1? Have you done work within your own Police Force to educate around the truth of that? I note that Deputy Commissioner Hudson was very clear, for one of the first times I've heard in quite a while, about the current law and the situation—namely, you don't need a form 1 to have a legal protest. Is that something that you have communicated clearly internally to police across the State?

DAVID HUDSON: That's well known, I think, within our organisation about the ability to protest in this State.

Ms SUE HIGGINSON: There has been quite a practice of weaponising that form 1, so to speak, across the State. In a recent case in Coffs Harbour only a couple of months ago, we heard, "You don't have a form 1; therefore, it's not lawful". I would suggest to you that more work could be done around that to facilitate the safe gathering of people, whether or not they have a form 1.

DAVID HUDSON: I think there's also—it needs to be understood, in the absence of a form 1, certain behaviour at a protest may become unlawful.

Ms SUE HIGGINSON: Yes, and it's the obvious things.

DAVID HUDSON: Certain behaviour such as obstructions and all those protections and things like that. That's the message. We have a public order intelligence section which captures all the form 1 notices and tries to put them in one place so that we've got greater visibility over the whole State as to where protest activity or assembly activity is taking place.

Ms SUE HIGGINSON: Do you think it's healthy and reasonable that police are clearly stating that people have a genuine right to assemble peacefully together, regardless of whether they have a form 1, on public land safely?

DAVID HUDSON: It's part of what we are.

MALCOLM LANYON: Can I pick up a little bit on that, please, Ms Higginson? Obviously, just in terms of the metropolitan area, the central metropolitan region managed 2,600 assemblies each year. Sydney City PAC on its own manages about 1,700. They vary in size from very small to very large. About 13.5 per cent of those are managed in the absence of a form 1. As Mr Hudson said, obviously there are certain protections afforded by a form 1. We prefer to and we will actively work with organisers to make sure that we can facilitate protests where they are appropriate and where they are conducted lawfully, and that's what we continue to do. The wording I don't think is misunderstood by police, and I certainly think the police that we have that engage with the organisers are very clear of the legislation under the Summary Offences Act and the purpose of a form 1.

Ms SUE HIGGINSON: Thank you.

The CHAIR: We might call for a break now. We will return in 15 minutes.

(Short adjournment)

The CHAIR: We are on the air again. Questions from the Opposition, please.

The Hon. SARAH MITCHELL: Thank you, Chair. Commissioner, I want to go back to the issue of regional and rural crime and some of the concerns that I put to the Minister this morning. What do you see as some of the current crime trends in rural communities and how that compares to urban areas?

KAREN WEBB: When I first became commissioner, as I said, I said that our next generation is something we need to focus on. Very early on the commissioners across Australia had a teleconference, and the then Western Australia commissioner said that he was experiencing a youth crime problem, similar to what other places are experiencing now—a serious level of crime, like aggravated break and enter, stolen vehicles et cetera by very young people. But what had changed in that environment was that they were videorecording their antics

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on things like social media—TikTok et cetera—and then posting it with a hashtag that then seemed to spread, so other young people were doing the same thing, trying to outdo each other. We have seen video—well, I have seen video—where we've got very, very young people in cars, to the extent one young person is in the footwell of the front passenger seat—that tiny—and they record themselves getting the car to 300 kilometres an hour. Youth crime is not new, but what is new is the way that it is being copycatted, exploited and the risk-taking behaviour is escalating.

It is a regional and metropolitan issue. I mean, it is not unique to New South Wales either. It is one of those things that keeps me awake at night because when I hear of anyone, but particularly old people living in their residential home and getting broken into at night—an 84-year-old or whatever—then that will probably frighten them for the rest of their life. You know, a sleep with the light on type thing. And how to tackle that? We have commenced in the Sydney areas with Strike Force Sweetenham, which is an operation that is basically targeting the top 300 kids. In regional New South Wales it is Operation Mongoose, which is a similar operation targeting those young kids that are identified as working together to commit crime.

What is problematic in some of those investigations is that they move—they will travel from up near the border and they will make their way all way down to Newcastle and then steal more cars and back again. It actually puts police at risk because of the nature of their offending. We try to use more and more air assets to reduce the risk to police on the ground, but it is very risky and it is something that we need to work with communities. And it is a whole-of-government issue around DCJ and others to try to stem the desire, I suppose. I am not quite sure how to remove their motive.

The Hon. SARAH MITCHELL: No, sure.

KAREN WEBB: The other thing that—recently I was out at Nations of Origin, where the PCYC gets teams together to try to help kids get into sport, and the youth engagement officer from Orange only had five. He said, "Normally I have a team here. I couldn't get the others here because they were more interested in staying up at night and committing crime." He said, "I had businesses in town that offered up five apprenticeships for more than \$100,000 a year each, and I couldn't give them away, because they had a higher interest in committing crime."

The Hon. SARAH MITCHELL: From what you are saying, there is certainly a correlation in terms of the perpetrators being younger people with some of those escalations that we see around break and enter, motor vehicle theft and the like.

KAREN WEBB: Yes.

The Hon. SARAH MITCHELL: I mentioned Gunnedah before, where I live. Full disclosure, I have had family members who have been victims, and friends, and it is pretty horrific and there are a lot of people who are frightened in our community, even though it is a great town. I think it is certainly a concern that we are feeling at the moment, but I know that that is shared amongst other regional communities. You mentioned social media. Again, I am aware of challenges on TikTok and young people using that to copycat each other. What conversations do you have with those social media companies about how you can use what they get to broadcast to track down some of these kids using their social media accounts? What is that interplay?

KAREN WEBB: They have been very cooperative with us in terms of removing the content, but usually once it is posted it is gone in seconds and spread. Really, I think the challenge for us now is really identifying ways of changing their motivation. But we are working with social media companies and others to try to remove the content. The investigations are actually using a variety of investigative methods to identify and track these people so that we can act more quickly to arrest them rather than them going on a spree.

The Hon. SARAH MITCHELL: In terms of the two taskforces—and particularly the regional one, Operation Mongoose—are there additional police deployed from other areas to support particular communities that are seeing a rise in those issues?

KAREN WEBB: There is, and I will hand to Deputy Commissioner Pisanos.

The Hon. SARAH MITCHELL: You look like you have been wanting to say something.

PAUL PISANOS: No, I am just nodding along with the commissioner. I am enjoying the narrative. No, look, it is definitely part of—Mongoose is obviously a framework for an operational response but the capability comes from surge, and that is in partnership with State Crime Command. That's the aerial assets and other technical—

The Hon. SARAH MITCHELL: How do you determine the surge? Who goes where, when? What is the trigger for sending in additional support?

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PAUL PISANOS: It's based around the crime. Just in regards to between, say, for example, 26 September and 29 October, Operation Mongoose has investigated 54 of the aggravated break-enters the commissioner referred to and 72 stolen vehicle incidents. Arrested and charged 96 individuals—to your point, Ma'am, 73 were juvenile, so that is over 70 per cent were juveniles—and charged 159 individuals with 53 breach of bail offences.

The Hon. SARAH MITCHELL: Okay.

PAUL PISANOS: That's just around New England. Orange—particularly New England. You're talking Gunnedah as well, around Tamworth, out at Boggabilla, around Toomelah and also across to Kempsey, which is part of regional Mongoose—the northern region as well, around Kempsey. It does slide right across regional, and it is basically that surge of just putting the right resources above local resources where we need them, with the right capability—and that includes State Crime Command. Some of these are quite significant operations that can go for two weeks at a time to supplement the local police response.

The Hon. SARAH MITCHELL: In terms of 24-hour police stations—again, a lot of regional communities do talk about this, some that don't have that capacity. I appreciate the Minister said earlier that every police vehicle is equipped to provide support, and you have your rostering systems and the like. But what is the criteria when looking at providing a 24-hour police station to a community? Is there a set policy, or is that at the discretion of you, Commissioner, or the Minister? When is that decision made and what is the trigger for that?

KAREN WEBB: Often it is based on the data around crime et cetera. I know, for example, around Gunnedah and some of those country communities, they have changed their rostering to extend their hours to stretch across the hours. I think Gunnedah, in particular, and others it is probably two hours that they're not open. But certainly in all country towns—and not just the bigger ones—where there are police lock-ups, officers are attached, will have considered a lock-up keeper that are on call and are called out as necessary, and often are called out. That's the process not just for police but other frontline services like that in those really small country towns—but certainly trying to extend the operating hours to meet demand.

The Hon. SARAH MITCHELL: How often is that looked at, in terms of the resources that you need—I'll use the term "spate" of crimes that might be occurring when these things do tend to surge? Again, a lot of times in small communities you see a pattern where certain things happen, arrests are made, and then sometimes you can see it increase again. How often do you look at that individual resourcing and when you need to provide that support?

KAREN WEBB: I guess it's dynamic, depending on the crime and other community needs. If there's evidence to say that we need a change in our resourcing, then we'll have to look at how we might create an additional resource or, as has been said, surge for a particular purpose. Sometimes our operations actually quell a problem, and then communities go back to normal. So it's difficult to say, "We'll just add in extra police", because that might change and it's shifted; it might disperse a problem somewhere else. So we need to be quite dynamic in how we deploy.

The Hon. SARAH MITCHELL: You mentioned before—I think it was aerial support.

KAREN WEBB: Assets.

The Hon. SARAH MITCHELL: Yes. What other sort of technology or tools are being used to improve things like response times and how you deal with those sorts of instances? How has that evolved?

KAREN WEBB: I can ask both my two deputies down the end, but Mr Lanyon owns the Aviation Command. That command has three fixed-wing aircraft that can actually stay up in the air longer in terms of surveillance et cetera, has five helicopters that are able to do surveillance and operations as well, and they've been supplementing regional areas quite a lot of recent times—Newcastle and Hunter and wherever they are needed and can get there, subject to weather of course—but also really increasing our drone capability. That's another resource that's starting to evolve.

MALCOLM LANYON: Technology can certainly assist us to reduce the risk, obviously, of that sort of criminal offending. One of the great, probably, concerns for us as a police executive is that we may well have a tragedy result to a young person who's involved in one of these offences—obviously, an aggravated break and enter, followed by a car theft, followed by an exceed-speed. We know that the behaviour is likely to escalate with a lot of police cars chasing a stolen vehicle. Obviously, at the time that we may enter a pursuit, we may not know who the offender is. But if we can use an aerial asset that is unknown to the offender it, obviously, takes away some of that risk that's there. The idea is to, basically, reduce the risk as much as possible. The commissioner spoke about remotely piloted aircraft. That is something that we are trialling, and we're trying to push out more

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because it gives us another capability, obviously, to manage and again reduce the risk in pursuits, reduce the risk in some of the criminal offending that's there.

But you were asking about station times and how we actually get that better. Technology's a really important part of that. We've moved very much to be a mobile police force. Most general-duty officers have now what's called a MobiPOL device. Each will have one soon. Basically, they can access just about all of the records they need, using a mobile phone whilst they're out, and that's really part of where we're going, obviously, with IPOS and with mobile technology. A lot of things can be pre-populated at scenes so officers don't need to go back to police stations as often, and it's about trying to use that to, basically, force-multiply—make sure we can take the administrative burden away from police officers, get them more time with victims, get them more time out in the field.

The Hon. SARAH MITCHELL: Can I take you now—it's not so much youth crime but rural crime more broadly. You mentioned drones and, obviously, how you can use them. But I've also heard reports of those with less honourable intentions using drones, particularly out on properties, to look at things like delivery of fencing materials or using drones in an unauthorised way, I think, to target specific properties for rural crime. Is that something that you're seeing an increase of? How do you combat that?

PAUL PISANOS: To be honest, it's the first I've heard of it, but I'll take it on notice, probably talk to the RCIs about that—the rural crime investigators—as to whether that's something that we're seeing. It hasn't been reported to me as a major issue, but maybe that's because it's not being reported. To counter that, to counter the technology—there's countering technology available for unlawful, unauthorised drone use, but that's again something that really is hard to assess until you know how big the problem is. But it's definitely something we can look at.

The Hon. SARAH MITCHELL: As I said, it's more anecdotal from some farming communities in the north-west who have noticed drones on their properties. They're not aware of the origin of them, and then there have been concerns about it. If there is anything that you have on notice, that would be really helpful.

PAUL PISANOS: Yes.

The Hon. SARAH MITCHELL: Thank you. I appreciate that. You mentioned the rural crime investigators. How many do we have in New South Wales and where are they deployed? I'm happy for that to be taken on notice if that's easier.

KAREN WEBB: We've got 63.

PAUL PISANOS: Sixty-three, and they're deployed right across southern region, western region—predominantly western region. I'd say that's the spiritual home of the RCI—is western region and then northern region, some of the more north, bordering western region, areas of northern. They're deployed based around a—I guess there's a bit of a deployment matrix based around crime need and community need and the like.

The Hon. SARAH MITCHELL: Are all 63 positions or roles filled currently? Are there any vacancies in those?

KAREN WEBB: I'll have to take that on notice. They're very popular roles.

The Hon. SARAH MITCHELL: Why wouldn't you want to live in the country? I can understand that. In all seriousness, if you could let us know if any are vacant that would be great. I might hand over to my colleague now.

The Hon. NATASHA MACLAREN-JONES: I might actually just go back to the upgrades and the urgent repairs and maintenance of police stations—the \$8 million that was announced in the budget. I'm just interested to know—and you might need to take it on notice—what stations are being upgraded in that \$8 million.

KENNA ACKLEY: The \$8 million—which projects were those?

The Hon. NATASHA MACLAREN-JONES: I believe it was the critical upgrades—repairs and upgrades and maintenance—of stations.

KENNA ACKLEY: I'm just trying to look at the titling in our budget papers and what we call the projects, so I'm talking to the right one. It's called critical upgrades. We had a number of them that were separately articulated around some roof repairs for Glebe police station. That's one. We have some upgrades around unlimited power supply at Nepean, and it's the Sydney Police Centre. Those are some bigger projects that meet the threshold of major works, so those were listed separately. Within our minor works program, we obviously do a whole range of maintenance ongoing, based on need and urgency and risk—certainly around that. We're also doing, in terms of the major works that were announced in the budget, repairs to the Balmain wharfs, to Potts Hill and to—I'm

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just trying to remember off the top of my head—some things that are more in both the technology space but also the southern radio infrastructure, so the southern region radio infrastructure, which also has the word "critical" in it, which is why I'm trying to distinguish which title you're talking about. That project is quite significant. That's about \$26 million to replace and refurbish all of our radio network in the southern region.

The Hon. NATASHA MACLAREN-JONES: In relation to technology, do you intend to upgrade all the police stations with improved communication technology? Or is it just some?

KENNA ACKLEY: Again it depends on the current status and capability of those stations, as we roll out various programs in the technology space. We have multiple. Obviously, we've talked about IPOS and integrated connected officer, which is more around the tools on the officer, if you will, and in the cars. But, for the stations, we have a whole series of projects that support upgrading needed technology, within stations and within offices and some of our other properties, that are ongoing. We have our usual asset refresh program for our desktops and our laptops. We have tactical equipment, telecommunications equipment. We've got the MobiPOLs that Mr Lanyon referred to. There's a whole host of technology projects that we are investing in to make sure that we're bringing the entirety of the organisation up to speed with fit-for-purpose and being able to take advantage of some of those advancements in technology to be able to streamline, to make our work more effective, more efficient. Obviously, we've had to do a series of upgrades around 4G and 5G capability across the network and a whole host of other projects in that space.

The Hon. NATASHA MACLAREN-JONES: Would you say that all stations are fit for purpose now? Or do you have a percentage that need urgent upgrade from a technology point of view?

KENNA ACKLEY: From a technology perspective? Again, as I mentioned earlier, we have a high percentage that are heritage-listed in terms of some of our police stations, which causes some challenges in being able to upgrade. We're constantly looking at making sure that we are as fit for purpose as we possibly can be and do those assessments ongoing. When there are issues, we try and address those. We're obviously looking at cloud and some of the advantages that gives us. Regardless of whatever the state of the premises is that someone is in, having a cloud-based level of IT infrastructure is where we're all going in terms of government and non-government. So that's part of our program and our strategy moving forward as well.

The Hon. SARAH MITCHELL: In relation to elder abuse and specific officers who are employed to work in that space, firstly, do they exist? And what is their specific role?

KAREN WEBB: We had a trial of 12 officers and had a review of their duties. Since that time, they were doing duties that were really community engagement activity. When we met with the commissioner for older people and disabilities, his concern was around the investigation of reports of elder abuse and how we managed that. The cohort of officers that would deal with an investigation are not one and the same as the community liaison-type role. What we've done is train all the crime prevention officers in signs around elder abuse, so detectives can work with reports of elder abuse if it's families or physical abuse or something like that.

Ms CATE FAEHRMANN: Good afternoon. I wanted to turn to the issue of drug dogs, if I can.

KAREN WEBB: I'm open at that page.

Ms CATE FAEHRMANN: My office put in a set of questions on notice. Are you aware of those in relation to drug dog statistics?

KAREN WEBB: I've got some. I'm not quite sure when the question on notice was returned, but I can double-check the homework.

Ms CATE FAEHRMANN: I do have questions about that, because the question on notice was due back. I was wondering what the delay was, firstly. It was due back on 26 October, and for a number of days we were told that there were delays with checking with the New South Wales police—that we were waiting for sign-off on the data from the commissioner for police in terms of this data. Was there a reason why there was a hold-up of several days for these questions, which are just, I thought, pretty straightforward in terms of the data?

KAREN WEBB: No. The process after that is that it goes to the Minister and then to the Cabinet Office. It's gone, as I understand. It should be on its way.

Ms CATE FAEHRMANN: There was, I think, some toing and froing between your office, Commissioner, as well as the office of the Minister for police. There was toing and froing over several days there, I understand, in terms of checking the data. You don't know what that was about?

KAREN WEBB: I'll have to take that on notice. I don't know specifically what was in question.

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Ms CATE FAEHRMANN: I just wanted to clarify, in terms of the question around the cost of drug detection dog units, what does that cost entail? When we're asking what the cost is, what does that involve?

KAREN WEBB: From my memory—and I can check the homework, as I said—there was a question around drug dogs and the number of detections et cetera, and then the question about the cost of maintaining the detection dogs that didn't specify a drug. We haven't got that data down to the detection dog type. We've got a whole cohort of detection dogs. We've got general-purpose dogs, and then we've got drug detection, explosives, cadaver—all sorts of dogs. The cost is not broken down by the type of commodity that they detect.

Ms CATE FAEHRMANN: So the drug detection dog, the cost of that is the cost of the dog, the handler—

KAREN WEBB: That's right. It's not broken down—

Ms CATE FAEHRMANN: Is that right?

KAREN WEBB: Yes. But it's not broken down by commodity type.

Ms CATE FAEHRMANN: Commodity is—

KAREN WEBB: Meaning drug dog versus explosives dog versus cadaver dog.

Ms CATE FAEHRMANN: We have the cost here of—

KAREN WEBB: Total cost?

Ms CATE FAEHRMANN: Yes. What have we got? So \$46 million. Does that sound about right over the last decade?

KAREN WEBB: Per annum or total?

Ms CATE FAEHRMANN: Over the last decade—total. Then for each drug detection dog, I think there's about six to 10 police officers. There's a policy that the officers have to be—

KAREN WEBB: Yes, that's right.

Ms CATE FAEHRMANN: There has also been quite a significant number of complaints that have gone through to the police as well—57 in that time. Do you have the stats in relation to—there has been almost 95,000 searches undertaken—the percentage of drugs found in that time?

KAREN WEBB: You're talking about the total number?

Ms CATE FAEHRMANN: Yes. An average over the 10—

KAREN WEBB: I don't have the total, no—and not to be confused about drugs found or detections where the person has admitted use prior to, which, in that case, is over 80 per cent.

Ms CATE FAEHRMANN: But that's not the objective of the drug dog program, is it? To get people to admit that they may have been around drugs or taken—

KAREN WEBB: No, that's right.

Ms CATE FAEHRMANN: It's often brought up as this success KPI.

KAREN WEBB: I think there's two parts to that. Success is not just drugs found. The dog is trained to detect something. It's the same type of training as if it was one of the dogs at the airport. They are trained to detect a particular smell; they're not trained to nod three times if it's a supply. They will detect a scent for a drug—they are trained to detect a scent for a drug—and then they are a screening tool. They don't have any other role other than that. Officers then have to determine their own reasonable suspicion before they conduct a search. That discussion is part of that then, with the person.

Ms CATE FAEHRMANN: There's a lot of activity of however many dogs—that's unclear. But there's 95,000 searches. I wanted to get a sense, with the new pre-court diversion scheme that will be in operation, I understand—

KAREN WEBB: Early next year.

Ms CATE FAEHRMANN: Early next year. What changes are going to happen within the Police Force in terms of the way in which units are deployed with drug dogs at festivals, at stations and what have you? Anything?

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KAREN WEBB: Firstly, there'll be training and education around the change, because that means that there's two court infringement notices available to that person, rather than what's currently in place.

Ms CATE FAEHRMANN: Which is police discretion.

KAREN WEBB: Yes. But that means it's two now. The agreement we have with the Chief Health Officer is that option then to seek health advice and have their fine waived, basically. That's the intent.

Ms CATE FAEHRMANN: Do you accept that there's a fair bit of work to do to ensure that those discretionary powers aren't applied in a way that targets particular minorities and particular vulnerable groups, particularly First Nations people? The statistics, of course, with the Cannabis Cautioning Scheme speak for themselves in terms of how many First Nations people end up going to court even though that scheme is in place. What are you doing within the agency to deal with that?

KAREN WEBB: That will form part of the education and training for officers in the implementation of that scheme around the two criminal infringement notices and the subsequent access to that.

Ms CATE FAEHRMANN: But what exactly in terms of training? Because whatever is happening now isn't working in the way in which officers—

KAREN WEBB: It hasn't started yet.

Ms CATE FAEHRMANN: No, in terms of the Cannabis Cautioning Scheme and the extremely high rates of First Nations people who go before the courts compared to non. What will you be doing in terms of training?

KAREN WEBB: Remembering the Cannabis Cautioning Scheme, the criteria for that is whether they have got any criminal history et cetera. It's not just what is presented before the officer at the time. What is also taken into account is their history.

Ms CATE FAEHRMANN: So there's nothing to see there, then? There are no issues?

KAREN WEBB: I'm not suggesting—I'm just saying that's the context of that system where you say Aboriginal communities are overrepresented. It might depend on—

Ms CATE FAEHRMANN: But does it? Do you know in terms of that data? I don't think it's as clear-cut.

KAREN WEBB: I will take that on notice. Certainly, that's been an element that we've discussed about why the cannabis cautioning system is skewed in that way.

Ms CATE FAEHRMANN: Sure, and if you could also provide the Cannabis Cautioning Scheme guidelines when you do that, that would also be extremely useful. Quickly, in the time I have left—user pays at music festivals. What do you put it down to in terms of the rate that New South Wales police are charging music festivals to operate in New South Wales? Exactly the same festivals are operating in different States with exactly the same number of people. The difference in terms of what the user pays police—\$45,000 for one festival in New South Wales and \$17,000 the police quote for Victoria. Many festivals talk about this. Why does New South Wales charge so much for police presence at music festivals compared to other States?

KAREN WEBB: I'll ask Mr Lanyon to talk to this in a moment, but I don't know the charge-out rate for other jurisdictions. We've got our—

Ms CATE FAEHRMANN: I'm telling you it's a lot less.

KAREN WEBB: Right. My position—

Ms CATE FAEHRMANN: I think there is a lot less police presence to begin with.

KAREN WEBB: And that was what I was going to talk about—was the size of the festival, the risk assessment around the festival and the negotiation that takes place with the organiser around the police presence. That's all done with an organiser, but the charge-out rate is a separate issue altogether and I'm not quite sure what Victoria or other jurisdictions charge—

Ms CATE FAEHRMANN: Victorian police, for example, and Queensland police charge less, they have less police, they have less dogs and they actually have less deaths from MDMA. It's incredible.

KAREN WEBB: Do they have less participants? I don't know. I can't answer what they—

Ms CATE FAEHRMANN: No, I said they have the same number of participants. So what's going on with that, Commissioner?

KAREN WEBB: I don't know.

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Ms CATE FAEHRMANN: Maybe we should find out, because something is not right in terms of the way New South Wales is doing it.

KAREN WEBB: Well, I imagine—I can't speak for the Government, but I imagine that the Government will consider those things when it comes up to the drug summit, when that happens.

Ms SUE HIGGINSON: Can I just ask why the officer involved in the incident of Clare Nowland—why or if those charges have been updated?

KAREN WEBB: That's a matter—the DPP are now leading that matter. It would be a matter for them to consider. I'm not aware that there has been any change to that, but he next appears at court in early December.

Ms SUE HIGGINSON: Because my understanding is the charges were announced just shortly before Ms Nowland died and that's five months ago now.

KAREN WEBB: I can't speak for the DPP, but certainly they have carriage of the matter.

Ms SUE HIGGINSON: Are there still police cars driving around the north-west with "Santos" all over them?

KAREN WEBB: Santos?

Ms SUE HIGGINSON: The gas company.

MALCOLM LANYON: I can only talk for the metropolitan region, Ma'am. Certainly, I'd—

KAREN WEBB: I've not heard of that, so we'll have to take it on notice. I'm not even sure what you're referring to.

Ms SUE HIGGINSON: Just curious about any marked vehicles or sponsorship—

KAREN WEBB: Unless you're talking about sponsored vehicles?

Ms SUE HIGGINSON: Yes, sponsored vehicles.

KAREN WEBB: I don't know.

Ms SUE HIGGINSON: Do we have any in New South Wales?

KAREN WEBB: We have sponsored vehicles, but as to Santos, I don't know. I'd have to take that on notice.

Ms SUE HIGGINSON: How many sponsored vehicles do we have in New South Wales?

KAREN WEBB: I'll have to take that on notice. They're usually local area command initiatives or recruitment branch initiatives, so they're really done at that local level.

Ms SUE HIGGINSON: Do you have criteria around what—

KAREN WEBB: There is a deed in terms of the way the process is managed. They work with our, I think, general counsel around signing up and how it all works. It's been a well-trodden path, but I couldn't tell you the exact number at the moment. And usually they're not equipped with police equipment, and they're really community engagement cars, and particularly useful for our recruitment branch. We actually used them for the announcement the other day. So it's really trying to get some—an attention grabber, and often they're used at carnivals, family days, all those sorts of things, as a way of engaging the community.

Ms SUE HIGGINSON: I'd suggest they're particularly unuseful when they're running around promoting a particular corporation that's causing grief in a community.

The Hon. GREG DONNELLY: Is that a question, or is that a try, is it?

The CHAIR: That's propaganda.

Ms SUE HIGGINSON: That was just me at 20 past four in the budget estimates. Why is Onefor such a problem for the police?

KAREN WEBB: Are you going to take that?

DAVID HUDSON: I certainly can. There is the potential for that particular group of people to incite violence from others with some of their music, or alleged music. And, certainly, they have links to other individuals that we believe are engaged in criminality.

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Ms SUE HIGGINSON: So is that ongoing? Are you going to continue your targeting of that particular—

DAVID HUDSON: I don't think we currently are. I'll stand to be corrected on that. I think it's been—

Ms SUE HIGGINSON: It's all been done?

DAVID HUDSON: I think so. There was a couple of them in custody at one stage and, I'm not sure, the three remaining members—I think there were five in all—were still continuing to perform, at one stage. But I'm not too sure what the current status is. I'll stand to be corrected.

Ms SUE HIGGINSON: In March, during the sentencing of the climate activists Alan Glover and Karen Fitz-Gibbon, the police backtracked on their original statement after the protester concerned—this is the Sydney Harbour Bridge climate activist protest that took place. That no ambulance was obstructed from responding to an emergency as a result of the incident. You'll recall it was a major part of the so-called outrage that some members of the community concerned about climate change would block one lane of the Sydney Harbour Bridge for 20 minutes and that, as an incident, an ambulance was blocked. But the police retracted that from their evidence. Were there any consequences for that false evidence being given—internally—for the police officer involved?

MALCOLM LANYON: Can I take that on notice, please, Ma'am? I don't actually know that particular retraction that you're talking about. There may well have been a proper evidentiary reason why that had to be retracted.

Ms SUE HIGGINSON: Well, the only reason was because the defence showed that it was completely fabricated—that it hadn't happened at all and that no ambulance had been blocked and, notwithstanding, that police statement had caused some kind of moral outrage.

MALCOLM LANYON: I'm unaware of the specific facts you're talking about, but I'm very happy to take that away and have a look at it.

Ms SUE HIGGINSON: Thank you. I'm just referring to the anti-protest stuff now. On 18 February, student activist Cherish Kuehlmann was arrested at 12.30 a.m.—in the night—by several police officers. I understand all of her charges have been withdrawn. I expect she'll probably pursue some kind of action. Are you undertaking a review into what the heck went so absurdly wrong in that situation?

MALCOLM LANYON: We regularly review those matters, but in light of you indicating there may be civil proceedings I will probably stay short on saying too much. But we absolutely review matters to ensure that we get the best outcomes.

Ms SUE HIGGINSON: Arresting somebody in their home, after midnight, when the highest possible suspicion is a possible trespass as part of a public protest—do you think that's a bit excessive?

MALCOLM LANYON: Arresting someone is, obviously, a matter of last recourse for us, so it's a matter of working out exactly what had been committed. The police may well have been attempting to find that lady for a period of time. Again, I don't know the circumstances. But, obviously, police don't take lightly having to arrest people, so I'd suggest that the police officers felt that that was the most appropriate time or the most appropriate opportunity to arrest that person.

Ms SUE HIGGINSON: Okay. But that's the sort of thing you would look into?

MALCOLM LANYON: Absolutely. We're always looking to improve our performance.

Ms SUE HIGGINSON: Great. With the anti-protest laws that were introduced—gosh, it feels like a long time ago now. Last year in budgets it was revealed that there were 36 people who had been charged under the Roads Act offence that was introduced—when was it? Was that last year or the year before? I think I've lost a year somewhere.

MALCOLM LANYON: The year before.

Ms SUE HIGGINSON: Basically, it was section 144G of the Roads Act and, specifically, 27 people were charged by the Strike Force Guard. Since then, have more people been charged under that provision?

MALCOLM LANYON: I'll take that on notice, please.

Ms SUE HIGGINSON: Thank you. If you could, out of all the charges since the introduction of that provision, could you please take on notice how many have been charged and how many of those charges have been withdrawn?

MALCOLM LANYON: Yes.

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Ms SUE HIGGINSON: Thank you. Could you also please take on notice, since the introduction of section 144G, how many people charged under that section were refused police bail?

MALCOLM LANYON: Yes.

Ms SUE HIGGINSON: And how many of those people that were charged were imposed with house arrest as part of their bail conditions?

MALCOLM LANYON: That one may be a difficult one. I'd have to have a look, because that's a court-imposed bail.

Ms SUE HIGGINSON: True. And then, out of the people charged, how many of those had prior criminal records?

MALCOLM LANYON: I'll certainly provide what I can in that space.

Ms SUE HIGGINSON: Thank you. Could you also—perhaps it needs to be taken on notice—indicate how many complaints have been made to the New South Wales police regarding excessive force in relation to the protest actions?

MALCOLM LANYON: I'll take that on notice.

Ms SUE HIGGINSON: Thank you. Can I ask how you assess how many people are at a protest? How do you undertake that exercise of guessing how many people are at a protest?

MALCOLM LANYON: It's a best estimate, normally by the commanders or the experts that are on site—someone who has had significant experience with assemblies and protests. It's an estimate only.

Ms SUE HIGGINSON: In relation to the rural crime concern of the mayors, do you think that the response to that is you need more police?

KAREN WEBB: I think it's more complex than just needing more police. As I said, I think it is a wider societal problem when we've got young people gloating, skylarking and putting themselves at risk. I think that's a challenge. As I said, we can't arrest our way out of that one. I think it is a complex one and we all need to come to the table.

Ms SUE HIGGINSON: Do you think an inquiry into that would be helpful?

KAREN WEBB: There is a youth taskforce that I jointly share with the Deputy Commissioner, Regional, who's also the corporate sponsor for youth, and what was DPC—I think, Premier's office—and with other agencies to have a look at what else can be done. I know there's a lot of active work being done in education by the secretary for education. Health is engaged and many others. I can ask Mr Pisanos to talk to that.

PAUL PISANOS: There's a high-level steerco looking at the harmful behaviours of the 10- to 14-year-old cohort. We're heavily invested with a working group sitting below that at senior officer level. We're engaging at dep sec and ED level in terms of immersing the right resources, putting aside the police—but armed police plus others. We call them activation areas at the moment. They correspond with where we're seeing a lot of crime, youth crime and social issues. Also, pushing through that, it's domestic family violence, neglect, abuse and out-of-home care issues that manifest in this crime and criminal behaviour. What we're doing is activating programs in those areas where that crime occurs and, through these established working groups, generating those partnerships across government to make sure that the right preventative measures are in place. Because, effectively, we're only dealing with the issues as they manifest in terms of crime. They are far deeper and far more complex.

To the commissioner's point, I've heard it said you can throw 200 more police at an area but it's about what you actually want to achieve. To the commissioner's point, it's far more complex. Early signs are that some of these working groups are starting to break through some of the complexities around information sharing, about approaching the right family groups and engaging with Elders in community when they are Aboriginal First Nations families. It's becoming more and more complex. Elders are looking to the police, actually, in a lot of communities to try and help them restore order, because it has become so complex and so volatile. To the commissioner's point, they are complex issues. Police are genuinely, at times, just the ambulance at the bottom of the cliff that is trying to resolve, restore and maintain community safety.

Ms SUE HIGGINSON: Do you think it's unhelpful when the Premier stands up and responds to a question about whether it would be helpful to have an inquiry, and he stands there and says, "No, we just need more police"?

The Hon. GREG DONNELLY: I wonder whether that question is in order.

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Ms SUE HIGGINSON: I'm fine to withdraw it, Mr Donnelly.

The CHAIR: I'm sure the Commissioner would say she'd like more police.

Ms SUE HIGGINSON: I don't think that's what was said, actually. "It's more complex than that" was what I heard.

The Hon. SARAH MITCHELL: That's why we need an inquiry to look into it, Sue.

Ms SUE HIGGINSON: An inquiry—incredible.

The Hon. NATASHA MACLAREN-JONES: Could I ask about gang crimes and what programs or initiatives are in place to reduce gang crimes?

KAREN WEBB: I'll hand to my colleague on the right. I notice the Crime Commissioner is not here at the moment, but certainly we are doing a lot of work with taskforces and other things to get to the root of it. It's a complex global problem. A lot is reported on it, and it often plays out on our streets. The commodity often in dispute is drugs and money. Most drugs making their way onto our streets are a seepage at the border. It's a very complex issue. I'll hand to Mr Hudson.

DAVID HUDSON: Thank you, Commissioner. Are you talking about generally organised criminal networks?

The Hon. NATASHA MACLAREN-JONES: I'm happy to do it in two parts: One is in general and then youth.

DAVID HUDSON: Firstly with the youth, the Raptor Squad engages with the Youth Command. They've got different programs they do in Western Sydney in relation to, specifically, the Islander youth. There are a couple of Raptor operatives that are of Islander background, and they work very heavily in that environment with the Youth Command, trying to steer individuals away from a life of crime and out of some of these youth gangs that frequent that area. In relation to the higher echelons, we've identified that these youth gangs feed into larger organised criminal networks, and they're actively recruited. The organised criminal networks actively recruit from these youth groups, which is why we're trying to break the cycle through the Raptor Squad and through the Criminal Groups Squad.

But there is a plethora of individuals who want to engage in organised crime in this State. This city is unfortunately a highlight or lowlight—however you want to refer to it—within Australia in relation to organised criminal activity. We have more criminals here. We have more drugs that pass through here. Potentially 70 per cent of all drugs imported into Australia come through Sydney, and that creates its own network of criminality around that, which is based here in Sydney and New South Wales. But we have a large number of programs. Obviously we've seen the violence play out on the streets through conflict through criminal groups, and we've established a number of strike forces to interrupt that and disrupt that. Currently, Strike Force Magnus is having significant success in detecting those organised crime murders, detecting the offenders and putting them before the courts. But we've had previous successes through Strike Force Erebus and a number of others as well, to prevent the gangland violence we've seen permeate Sydney over the last three years. But it's a fluid environment.

Actually, with the arrest of a number of individuals in Turkey over the weekend, I've asked for an assessment, which I've received this morning, in relation to what's next. What does that mean for Sydney? What does that mean for New South Wales? Because our Commonwealth partners haven't been forthcoming with that. We'll certainly be in conversations with the NSW Crime Commissioner, Mr Barnes, who is here, in relation to that. But we need to get onto the front foot and see who's going to fill that void, because there will be a void, and that could lead to further conflict on our streets. Because the amount of money that's involved in the illicit commodities that are traded are the attraction, obviously, for these individuals, and the rewards are significant for them.

The Hon. NATASHA MACLAREN-JONES: You just said that your Federal counterparts aren't being too cooperative, and you also mentioned before that 70 per cent of drugs that come into this country come in through New South Wales. Is that correct?

DAVID HUDSON: Correct.

The Hon. NATASHA MACLAREN-JONES: Why is that?

DAVID HUDSON: I think the particular nature of the ports and the particular nature of the way they're run. As the commissioner said, importations—whilst we do participate in joint agency agreements with Commonwealth agencies, it's really a Commonwealth responsibility to stop the drugs coming in. We try and assist with that, and we take the lead on that on some jobs, but there are still significant amounts of drugs making it

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through the border and the seizures that we make—or the Commonwealth makes—is still not enough to disrupt the business model of them trying, with the profit motives that are aligned here. When you consider that a kilogram of cocaine in Colombia will cost you US\$1,000, probably costs you US\$15,000 in America, and you can get up to US\$200,000 in Australia, there's certainly incentive for people to try and get those drugs into Australia.

The Hon. NATASHA MACLAREN-JONES: Has there been an increase in the last 12 months? Has it changed in relation to the level of support you're getting at a Commonwealth level?

DAVID HUDSON: We work jointly on many jobs. It's more of a collaboration. We're currently in permanent joint arrangements under Strike Force Phobator with the Commonwealth, the AFP and the Australian Criminal Intelligence Commission in relation to strategic targeting of individuals we believe are responsible for drug importation matters. That's been in existence for the last two years and is currently under review. We regularly collaborate with the Commonwealth in relation to these matters. It's in our interest to stop the drugs entering the State, because once they hit the streets, it's our problem, so obviously trying to stop it at the border is in our interests, as much as the Commonwealth, who has the overarching responsibility.

The Hon. NATASHA MACLAREN-JONES: Are they providing enough resourcing to do that or is it putting more pressure on New South Wales police?

DAVID HUDSON: I think the Commissioner of the Australian Border Force has come out and said he requires additional resources—I think he's come out and said that. Having said that, the actual drug use within New South Wales seems to be fairly static over the last 12 months to two years. The ACIC do wastewater capture through, I think, a number of treatment plants throughout the country and after treating and examining that wastewater, they assess drug use within the community, which we rely upon, as every other law enforcement agency does in relation to drug use. There seems to be a correlation in some of that data that would show a reduction following massive seizures at the border, which is good incentive to keep trying to seize it at the border.

The Hon. NATASHA MACLAREN-JONES: Can I move to mental health support for officers and ask how you engage with your current officers and what supports are available?

KAREN WEBB: As I said earlier, it is through that PULSE program and the whole array of support programs that are available, plus the additional ones that are being implemented now, but I might hand to Kenna to talk through some of those things that are available to officers. They're many and varied. Just to say at the outset, some of the original service offering was only really available to 10 per cent of the organisation. Under PULSE, those services will be available to all parts of the organisation.

KENNA ACKLEY: Thank you, Commissioner. In terms of putting PULSE into context, it really was the opportunity for the organisation to re-establish our offering and put it under an umbrella of PULSE but with all of those existing initiatives also incorporated into that—with PULSE and the funding that we received—as an enhancement to really focus efforts on expanding offerings to the entirety of the organisation, not just certain cohorts or a certain percentage of the organisation, but to really open it up to both sworn and unsworn. The focus is really trying to shift the thinking to prevention and early intervention so that we can address some of the issues we have talked about previously here today around retention and people going off long-term sick.

In terms of the program specifically, we've talked a little bit about the mental health clinicians that are embedded. Those are embedded in the field. The first 11 are embedded in the field and we have the next 17 coming online through the recruitment process, which is really critical. The early feedback from the first 11 is incredibly positive. The commands where those individuals are stationed have provided really great feedback about how important and how much they've already established themselves. What they're there to do is a whole mental health education. They're not just having chats with people individually but starting to really get out that mental health education piece because really one of the key pillars of the PULSE program is that mental health education more broadly, trying to build resilience and make sure that we are highlighting those triggers for individuals to come in and seek help from a prevention and early intervention perspective so that it doesn't exacerbate to get to a point where there's a need to go off sick.

We've got also have an expansion of what we call the RECON program, which is the reconditioning. That's a focus on people who are rehabilitating, if you will, after an injury, whether it be physical or psychological. We're bringing on further psychological assistants and psychologists into that program. We talked a lot about the return to work and the importance of having plans, so that RECON program is very important. We have early access to treatment. That's financial support to those individuals who are seeking psychological assistance in the community, so from a GP or other psychological clinicians in the community to fill the gap between Medicare or private insurance so they're not out of pocket. So it's a reimbursement. As the commissioner, I think, mentioned earlier, there are already over 300 individuals who have availed themselves of that program since 1 July. That's a really good indicator that individuals—(a) there was a need, and (b) we were able to fill that with that program.

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We also have the eWellcheck program, which is an online tool we're piloting at the moment. That's a self-assessment that gives you a green, amber, red status on how you're going, which is a really important piece around getting people involved in their own reflection on how they're going. Again, this prevention and early intervention is critical around self-assessment and having people understand and reflect on what's happening with them so that they can seek help and seek help early. Those are all the various components, along with the chaplaincy and the injury management piece, which the commissioner also talked about.

PULSE is a whole restructure of that and a reframing of the focus of our injury management team and the workforce health and safety team around making sure that we are focusing on return to work. Where there are people who are going to leave the organisation, we start focusing on career transition. There's also a career transition element to the PULSE program that helps people get ready for leaving the organisation for either retirement or perhaps for a next career. That's all in that umbrella. It's really critically important. It dovetails with a number of other strategies that are connected to retention: our culture strategy, thinking about our talent, our succession and how we develop people within the organisation. All of those pieces are part of the puzzle around why people want to stay and work for us and stay in the organisation over the long term. It's a big, broad focus on retention. PULSE is the real focus on both mental and physical health.

The Hon. NATASHA MACLAREN-JONES: Just on early intervention—I come from a nursing background so I know the importance of early intervention and also the challenges of sometimes people self-identifying that they do need that support. Is there a mandatory assessment or anything like that that requires—so at the moment you're relying on people to say, "Yes, I want to do the—", either electronically or to come forward.

KENNA ACKLEY: That's where the mental health clinicians are really important, around that education. We don't want to force people to self-assess. We don't think that will be particularly useful and I don't think the research bears that out. I think it needs to be people coming to the table saying, "Let me self-assess and seek out assistance if I need it." That's both that eWellcheck component that allows us to do that confidentially but also having the mental health clinicians embedded so that people can start getting an understanding of how they might go about seeking out help if they feel like there's some early signs that they might be struggling. That's really critical. It's that education piece that's on many different levels. It's not just the eWellcheck or the mental health clinicians; there's a whole component around mental health education, including in our online training. We are going to be mandating the importance of mental health and mental health first aid, if you will. Again, connected to other things—peer support officers and things we have already available in the organisation.

The Hon. SARAH MITCHELL: The ACT obviously recently made some changes to their drug laws in terms of decriminalising the possession of a small amount of some drugs. I'm interested in whether there's been any impact on police in those border communities, particularly areas like Queanbeyan. I understand there is some sort of reciprocal arrangement where New South Wales police officers, if they're in the ACT, can have some powers. But what has been the impact in the past month or so, since those drug laws came into effect?

DAVID HUDSON: We haven't seen anything yet.

KAREN WEBB: I think it's premature. I think it's early days, but there's concern in the ACT that even—I think it was 70 per cent of their fatal accidents, and they had 16 fatal accidents in the last year, which is a high number compared to their normal number, were drug related. Our statistics around drug-related deaths are like 24 per cent. The highest contributor is speed. So it's really watch and wait to see what happens in the ACT, and I guess we're all a bit nervous in some respects. But we'll just work with our counterparts, and we're in discussion with them all the time.

The Hon. SARAH MITCHELL: What happens in practical terms, say, if they need assistance? Do officers from Queanbeyan get deployed into the ACT? I'm just trying to understand, operationally, what happens.

PAUL PISANOS: Yes, special constable provisions, and there's a cross-border collective that work on these things with us and Queensland, us and Victoria, us and ACT. It's represented by an assistant commissioner from New South Wales. The real issue is making sure that people are sworn in and can operate legally in that jurisdiction, among other things, and understand their powers in that jurisdiction and the like.

The Hon. SARAH MITCHELL: But it's too early to determine whether—

KAREN WEBB: For drugs, yes.

PAUL PISANOS: Yes.

The Hon. SARAH MITCHELL: We might come back to that at a future hearing and see what impact there has been. Where are the NSW Police Force uniforms sourced from? Where are they made?

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KAREN WEBB: The new supplier—I think the contract moved over maybe this year or 12 months ago.

KENNA ACKLEY: Maybe a little bit longer, yes.

KAREN WEBB: Defence Apparel, I think it's called.

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

KENNA ACKLEY: Their name doesn't—there's an acronym, and I just can't think of it off the top of my head.

KAREN WEBB: ADA, which is Australian Defence Apparel. But where they supply them from, I don't know, so we can take that on notice.

The Hon. SARAH MITCHELL: That would be great. Similarly, where are NSW Police Force weapons currently sourced from?

KAREN WEBB: I'll take that on notice. As was mentioned earlier, we're transitioning to the nine-mil Glock. It is highly likely they'll come from the States.

MALCOLM LANYON: Austria.

KAREN WEBB: Austria, there we go—made in Austria.

KENNA ACKLEY: From Glock directly.

KAREN WEBB: But as for the rest of our weapons in terms of our accoutrements—the taser and OC spray et cetera—we can take that on notice.

The Hon. SARAH MITCHELL: Have there been any inquiries into whether any of the local manufacturers—I know that there's one in Lithgow, for instance—are equipped to be able to supply weapons? What's the procurement process? How does that work?

KENNA ACKLEY: As with any government agency, we have to abide by the proper government procurement rules. Our strategic procurement team, which is a really strong team within the organisation, are very good at making sure that we have broad-reaching market opportunities so that we look at all the options when we're going through a market-testing process for whatever it may be—whether it be uniforms or contracts for weapons or other things. We have robust—we have to abide by the Government guidelines around both Aboriginal-owned businesses and small and medium-sized enterprises. Those are all targets within the procurement guidelines for New South Wales government agencies, so we have to follow and do so very much so in our strategic procurements across the board.

The Hon. SARAH MITCHELL: Has the advice around that changed with the new Government in terms of local procurement? Has there been any updated advice to you as an agency?

KENNA ACKLEY: I've not been informed that there have been any changes to the procurement requirements, targets and otherwise.

The Hon. SARAH MITCHELL: In the Police Force vehicle fleet, what's the process for determining which vehicles are in need of replacement?

KAREN WEBB: It's a long and complex issue, affected by the current supply chain. But, equally, since not having local manufacturers, there's quite a rigorous process they go through for assessment—brake testing, manoeuvring and all sorts of processes to determine their suitability and the classification in terms of the type of duties they do. So high patrol vehicles will be assessed at a higher level, basically. General duties vehicles that are marked, at the next level down, and so on and so forth, and then there are vehicles that can be used that might be unmarked for non-pursuit-type work. And then it's trying to source and obtain vehicles through the government fleet suppliers to fill that order. Post-COVID, there are supply chain issues for chips and all sorts of things, so some vehicles have been retained longer than we normally would retain them, at the 60,000- or 80,000- or 90,000-kilometre mark.

The Hon. SARAH MITCHELL: And it's just a supply issue, in terms of replacement?

KAREN WEBB: Generally, or suitability assessment—to get access to vehicles to test their suitability.

The Hon. SARAH MITCHELL: I'm happy for you to take it on notice, but do you have a number for how many vehicles are currently listed as needing replacement across the fleet?

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KAREN WEBB: That would change daily, weekly. There'd be a whole schedule of replacement in terms of when the vehicle is due for replacement and when it goes in. You get a slot to take your vehicle back and have it changed over, and there's really quite a regimented process. But it would change every day and week because there'd be a changeover nearly every day.

The Hon. SARAH MITCHELL: But is there any data, even over a longer period of time, as to how many replacements there've been that you can provide on notice?

KAREN WEBB: We can try to get something for you.

KENNA ACKLEY: Yes, I can take that on notice. We have over 4,700 vehicles in our fleet, so it's quite significant.

The Hon. SARAH MITCHELL: Yes, I appreciate it's a big task.

KENNA ACKLEY: And they're all different types of vehicles. As the commissioner outlined, we have that vehicle evaluation methodology, including field testing on that. In terms of the time frames and in, say, a calendar year, how many are swapped out—

The Hon. SARAH MITCHELL: Any information you can provide would be great.

KENNA ACKLEY: Yes, we can take that on notice.

Ms SUE HIGGINSON: We know that Suspect Target Management Plans have ceased in relation to young people. What is your instruction or your recommendation for the entire—

KAREN WEBB: We're reviewing the whole process. I know that the LECC was reviewing STMP for young people and, as an executive, we decided to suspend that activity but to review the whole STMP process. That project is being led by Mr Hudson and one of his assistant commissioners, in partnership with Mr Pisanos and his assistant commissioner in charge of Youth Command, to look at what are the other options on the basis that it's that targeting of individuals—the 80-20 or 90-10 per cent of people are repeat offenders. Rather than driving around aimlessly trying to catch someone in the act, it's about trying to prevent crime by targeting those that we know are repeat offenders.

Ms SUE HIGGINSON: Okay, so we've ceased that plan as it applies to young people?

KAREN WEBB: That's right.

Ms SUE HIGGINSON: And we're reviewing it as it applies to other people who aren't young, so everybody who's not a young person. I thought it was reported that it would cease to operate at all before the end of this year. Is that not correct?

KAREN WEBB: We are reviewing that. I'm not quite sure when the review report is coming to us. One of the main reasons that we haven't suspended it for adults is because it's been a valuable tool in the targeting of high-risk DV offenders. I might get Mr Lanyon to talk to how it's used in that space, but also Mr Hudson can talk about the review that's been underway in the development of something that might replace it.

DAVID HUDSON: Thank you, Commissioner. We are currently under review. It will be replaced by the end of the year, I anticipate.

Ms SUE HIGGINSON: But not for young people?

DAVID HUDSON: There will be three tiers to what's proposed. There will be a DV strategy. Basically, the overarching process will be that a number of data analytics will identify a number of individuals through our systems. The commissioner is quite right: The old intelligence adage that 10 per cent of the population are responsible for 90 per cent of the crimes is what's been behind STMP since its inception in the early 2000s.

Ms SUE HIGGINSON: Sorry, just to interrupt, there are three. There's DV—

DAVID HUDSON: There's the youth. The DV train will be, whilst they're identified through these analytics, the strategies to be deployed will be determined by the domestic violence registry. The same analytics will identify youth, but the strategies in relation to what is utilised to try to control that behaviour will be determined under our youth strategy.

Ms SUE HIGGINSON: And the third?

DAVID HUDSON: The third will be what's left outside of DV and youth, which is currently our normal cohort. What we are heavily influenced by at the moment is the High Court decision in 2019 of Damian Vella, and considerations made by the High Court in relation to considerations the court should make in relation to issuing a serious crime prevention order. There were five things considered by the High Court in that matter, and

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I think they were very valuable, in relation to what the criminal history is, what is the likelihood of further offending, the considerations that should be made into whether an order should be made, and those strategies will be incorporated into what we develop for the broader cohort.

Ms SUE HIGGINSON: Should I be concerned? Are we going to be seeing significant differences in what you are planning to change the STMPs into?

DAVID HUDSON: There won't be significant changes. The current STMP 3—the third version of it—was heavily involved in prevention, if that's what the target action plan was determined by the front line.

Ms SUE HIGGINSON: How do you reconcile that with what LECC has found?

DAVID HUDSON: Well, they've only reconciled it in relation to its use on young people, not the broader cohort. To be perfectly honest, I don't think there was too much wrong with the policy. It was the way it was applied and the record keeping engaged in relation to how it was applied at the front line. Each of those target action plans, in relation to each of those juveniles, and currently in relation to each of the adults that are on it, is signed off by a commissioned officer. But the options were not necessarily for—I think you referred to, earlier, home visits and bail compliance checks—a lot of preventative strategies, working with other agencies in relation to employment and education and everything else, depending on what that particular individual needed.

Ms SUE HIGGINSON: But I don't think anybody has any concern about those other elements. It is the elements you just mentioned that are the problem. Can we be guaranteed that those tools within the management plan won't be deployed? I've literally had police officers tell me, "It was awful. We used to have to go and hit targets and knock on doors, and meet the demand that we'd satisfied the requirements under the plan." I think they are the elements. This overpolicing is the stuff that is leading to serious problems. Is that going to carry on or is that what you are planning to change?

DAVID HUDSON: The individual subject of those type of strategies, that target action plan was signed off by a police area command or a police district by a commissioned officer as being the most appropriate activity to deploy against that individual.

Ms SUE HIGGINSON: But according to the LECC, they have been wrong—very wrong. Like, maladministration wrong, misconduct wrong.

DAVID HUDSON: We reviewed each of the young people on the list. We did it centrally. We had the commander of the youth command have a look at all the strategies and we reduced that to one prior to discontinuing it. The application at the front line was wrong. I totally agree with that, and that is what the findings of the Law Enforcement Conduct Commissioner have been.

Ms SUE HIGGINSON: So the commissioned officer signing off on that is where the error happens?

DAVID HUDSON: That failed, yes.

Ms SUE HIGGINSON: Right. So what are we doing? We're not going to do that, but how are we going to make sure that your new plan isn't just going to have the same problems? You are not relying anymore on commissioned officers signing off on things?

DAVID HUDSON: That may form part of what the process will be. However, we are, as I said, heavily influenced by the determinations in the High Court in what we should be looking for in relation to preventing criminal behaviour.

Ms SUE HIGGINSON: You may need to take this on notice, but I'm trying to get the data on this. How many bail compliance checks have New South Wales police officers conducted on persons of interest where there was no court-ordered enforcement condition in place? I'm looking for the police area command or police division, the local government area where the person of interest resides, the Aboriginality and the age of the person of interest for the financial years from 2017 to June 2023. Can I get that broken down? Is that data that would be available?

DAVID HUDSON: It's not my area, but I would imagine it would be available and we can take it on notice and provide it.

Ms SUE HIGGINSON: Thank you very much. In my final minute, I'm going to make mention of a member of the Committee. You would be aware that there is a problem in relation to police prosecutions of domestic violence accusations that are retracted, and then police charging that person with a false accusation, and the evidence that is relied on is the retraction. Perhaps that's to you, Mr Lanyon. That's your area. Are you aware of that and that it is disproportionately impacting First Nations women?

CORRECTED

MALCOLM LANYON: I'm certainly aware of the reporting of that. Certainly from internal examination, I think the actual incidence of that happening is far less than has previously been reported. What I can say to you is that simple retraction of a complaint or retraction of a statement by a victim is not sufficient on its own.

Ms SUE HIGGINSON: So how come it has happened? How come those cases are brought by police and have been brought by police?

MALCOLM LANYON: I think what's important is to probably get the detail of some of those cases. What we can say is that we've had some prosecutors—certainly out in the Bourke area, based on the over-representation that had been reported of Indigenous persons involved in that. They could only find three cases, and in each of those three cases the victim admitted lying and there was evidence that the person had lied as part of the statement they had given, which obviously is then sufficient to launch a prosecution. But certainly a retraction in itself—and there are a number of reasons why a victim may wish to retract a statement, and that's the reason—

Ms SUE HIGGINSON: There are also a number of reasons, Mr Lanyon, that a person may say they lied about something.

MALCOLM LANYON: That's part of an investigation. Again, the fact that a person says, "I lied during a statement," is something that we would then investigate to test the veracity of what is being said, before we—

Ms SUE HIGGINSON: And you accept that many people may actually say they lied about something in order to protect somebody else that may end up in a harmful situation as a result of the truth they may have told before they claimed that it was a lie?

MALCOLM LANYON: That's why I think what I'm saying is that we can only find very few cases where that has occurred, particularly in those areas there. It is not something—obviously we are very much pro supporting the victims. We wish to encourage victims to come forward and be confident to do that. But I think the community—and I think the Committee itself—would be alarmed if someone was falsely accusing someone and no action was taken. I think there is a real balance. We are here to support victims. That's what we are doing there. I believe it is only in a few cases, compared to what has been reported. I would be very keen if there are some other matters there that we can have a look at, and I'll certainly take that on notice.

Ms SUE HIGGINSON: I think it is probably important to understand here that I don't think anyone is questioning you, Mr Lanyon, on whether you will support—you care, but we are talking about the some 9,000 police officers out there and perhaps not everybody has as deep an understanding as you do, and as much interest in protecting victims of domestic violence.

MALCOLM LANYON: I don't know that that's the case, Ms Higginson. I think we've got a very professional police force, and police do an outstanding job every day in terms of domestic and family violence. As I said, I'm prepared to look at that. I was alarmed by what I had read as a report. The initial inquiries we've made don't seem to bear out the types of number we're looking at. As I said, I would expect there to be sufficient information that a person had taken a deliberate step if we were then to prosecute the person.

Ms SUE HIGGINSON: Now that you are aware of this, do you have an alarm procedure in your system so that if somebody is being charged with a false accusation, it would come to your attention before it gets to court or proceeds?

MALCOLM LANYON: Certainly. There is an escalation process, in any case. If it is proposed to charge a victim, approval must be sought from the crime manager in either the police area command or the police district. That person is obviously the most senior investigator within the police area command or police district, and that person would review the evidence before deciding whether the charge is appropriate.

Ms SUE HIGGINSON: You are satisfied that that process is in place and that if something was happening, you would be made aware of it?

MALCOLM LANYON: I'm satisfied that that process is in place.

Ms SUE HIGGINSON: I just want to ask now about what I was talking to the Minister earlier about. There have been 24 deaths in New South Wales in the 2022-23 years, and 15 of those involved—when I say "deaths"—as a result of police force. Fifteen of those involved somebody experiencing mental health distress. I have seen, as have many people in New South Wales, the details of some police responses, and suffice to say they've been quite shocking and alarming in the aftermath. What are you doing? It's one thing for the Minister to say nothing's happening, but I get the feeling you must be doing something.

The Hon. GREG DONNELLY: Point of order: I think, to be fair, that's not—

CORRECTED

Ms SUE HIGGINSON: That's what the Minister said. Sorry. Some people have gone overseas. You're right, Mr Donnelly. Some people have gone overseas to investigate how we can do better. I'm strongly suspecting you might be able to tell me something else is happening in terms of police response.

KAREN WEBB: We're not going to change policy on the run, but we've given a very short time frame to the officer that's doing this review. That's her sole role—reporting directly to Mr Hudson on the review of police response to mental health—so we can get the report and have a look at it to see what else is possible, what are other jurisdictions doing. Whilst we've got PACER, it still relies on a joint response. There's a question that we need to ask ourselves: Does it need to be a police response at all in some cases? I can't speak for all the officers, but I'm sure there are police out there who don't want to be responding to this. We have trained officers to respond, but they're not trained clinicians. I don't want them to be trained clinicians. If there's someone else that's better, more appropriate to be responding to that individual at that time, then I think that's something we should consider.

Ms SUE HIGGINSON: What's the current capacity of PACER? If there's an incident—

KAREN WEBB: We've got 16 PACERs around the State. Of course that's not enough to cover 24/7, nor is it enough to cover every police local area command or district. We have 54 or 58 of those.

Ms SUE HIGGINSON: Where are those 16 capacities located?

KAREN WEBB: I can give you the breakdown. But, equally, like I said, it doesn't cover—it's not a 24/7 response and often the PACER finishes at 10.00 p.m., at night. A lot of our calls happen after then, of course. We've got seven in central metropolitan region. We've got three in South West Metropolitan Region. We've got four in North West Metropolitan Region and two in northern region PDs. That's not enough, clearly.

Ms SUE HIGGINSON: No. That's not very much of the State covered, is it.

KAREN WEBB: It has grown. It was 12, and now we're at 16, but I think it's really—that's why we're doing the review. They're funded by Health, but really what concerns us is the 24/7 nature of the business. Is it a role that we want police attending at all? We will be attending, I imagine, where there's a threat to someone's life. Other people aren't skilled to, but I think 70 per cent of matters could probably be dealt with without seeing a police officer.

Ms SUE HIGGINSON: I can't believe it's called this still, but is the use of the beanbag still suspended?

DAVID HUDSON: Yes.

Ms SUE HIGGINSON: It is?

DAVID HUDSON: It is, pending some testing that's being undertaken on it, some specialist testing. We've refused to re-engage it until that's completed and we get a report and we have a look at it.

Ms SUE HIGGINSON: Do you know when that's anticipated?

DAVID HUDSON: I think the report was due at the end of last week, actually, but I haven't seen it as yet. But the Counterterrorism Command would be looking at that.

Ms SUE HIGGINSON: We hear these terms "de-escalate" and "escalate". I know, Deputy Commissioner Hudson, you did a stand-up in Martin Place and talked about how even seeing a police officer can escalate a situation—or a uniform. Are there standard operating procedures around when a uniformed officer attends a situation without PACER, let's say, which is most of them? Is there a standard operating procedure if the person is somebody experiencing mental health? What does de-escalation mean to you?

KAREN WEBB: For example, police will be called to a concern for a welfare of someone in a public place, or it could be somewhere else, and general-duties officers will be deployed to that location and will engage with that person to try and ascertain what's going on with them, and just really talk through that scenario. Every situation will be different. We train our officers through our simulations training, through annual training about engaging people, whether they've got mental health or some other issue, or a vulnerable member of the community—or whatever—and I guess on public record I'd like to invite you to what we've just reinitiated is the Behind the Blue, that we commenced last week, where we take people not in the police to that experience, to see what it's like for officers, because each time—I was present for it down in Goulburn—we sent two officers into that scenario, it all unfolded differently. They're very dynamic situations and I invite you to participate in that as well.

Ms SUE HIGGINSON: Thank you. Have you reviewed the material around the death of Krista Kach in Stockton?

CORRECTED

KAREN WEBB: No. I'll have to take that on notice, but I believe—it's a current critical incident investigation. It's a matter that's still before the coroner, and it'd be way too premature for me to review that.

Ms SUE HIGGINSON: Has any police officer been charged in relation to that incident?

DAVID HUDSON: No.

The Hon. NATASHA MACLAREN-JONES: I just have a couple of questions around incidents at schools. I'm just interested to know how often the police have been called to a school for an incident either involving a student, staff member, parent or volunteer. You may need to take it on notice.

KAREN WEBB: I may need to take it on notice unless one of my deputies can answer that.

PAUL PISANOS: Can I just ask over what period of time?

The Hon. NATASHA MACLAREN-JONES: Over the last 12 months.

PAUL PISANOS: Twelve months?

The Hon. NATASHA MACLAREN-JONES: Yes, calendar year is fine. Also, of those incidents, if any of them involved weapons and what type of weapons, whether it was a knife or a homemade weapon, if you have that information.

PAUL PISANOS: Sure.

The Hon. NATASHA MACLAREN-JONES: Also, how many of those instances are related to sexual assaults? What was the most common nonviolent incident that has led to police being called out to our schools?

KAREN WEBB: We'll take those on notice. I am mindful that I'm not taking up your time, but we've had a deputy commissioner sitting here, deputy commissioner for emergency management, and he hasn't had a question yet. I'm wondering whether there's a question around biosecurity risk, lumpy skin disease or something like that.

The Hon. SARAH MITCHELL: Not about that.

The CHAIR: Commissioner, we could come back again.

KAREN WEBB: I'll take that on notice then.

The CHAIR: I see Mr Hudson smiling. He's looking forward to it, I know. But that is a valid point to make, Commissioner.

The Hon. SARAH MITCHELL: I have one. I really hope that this is in your patch. Otherwise I'm going to look a little bit silly, aren't I. The local emergency management service delivery, does that fall under your—

PETER THURTELL: Local emergency management committee? Is that what you're talking about?

The Hon. SARAH MITCHELL: Yes. The independent flood inquiry, the former Government committed to funding additional sworn positions in the Police Force to help with local emergency management service delivery. Is there an update on that for the Committee? Is that in your remit, Deputy Commissioner? I hope it is so we haven't had you here all day—

PETER THURTELL: Yes. I don't want to be here any longer, either.

The Hon. SARAH MITCHELL: Tell us what you can about that.

Ms SUE HIGGINSON: You've got three seconds.

PETER THURTELL: That's actually not quite right. It wasn't funded. Ultimately that's what the flood inquiry recommended, but ultimately the Government asked the NSW Police Force to do a review. We've done the review. We've completed the review and we've put that review to the Government for consideration.

The Hon. SARAH MITCHELL: Is there any advice about what was in that review that you can provide to the Committee?

PETER THURTELL: I suppose it's fair to say there's a gold-, silver- and bronze-plated model in terms of resources, as to how many we think that we could get, but there's also the current financial issues as well and what is realistic in terms of what funding we may get.

The Hon. SARAH MITCHELL: I might put some more questions on notice.

CORRECTED

Ms SUE HIGGINSON: I've got one final question. I don't want to name the person here and now, but if I have one specific complaint, would one of you undertake to have a look at it? It's one that I've analysed and I think is a police officer who is experiencing serious harm as a result of the complaints system. Would you be willing to have fresh eyes and look at—

KAREN WEBB: Of course. We'll do that.

Ms SUE HIGGINSON: Thank you.

The CHAIR: Government questions?

The Hon. STEPHEN LAWRENCE: I did have a question about emergency management, but it was exactly the same question that the Hon. Sarah Mitchell asked.

KAREN WEBB: I was hoping it would be more specific around the type of biosecurity threats. We've had red fire ants. We've had fish kills. We've had—

DAVID HUDSON: Bees.

KAREN WEBB: —bees. Varroa mites.

DAVID HUDSON: Dead fish.

KAREN WEBB: There's lots of threats—

The Hon. SARAH MITCHELL: I didn't realise police had a role to play in those. I'm learning things.

KAREN WEBB: We're not always the combat agency, but the role of the SEOCON is the coordination when it exceeds the capability of the combat agency.

The Hon. STEPHEN LAWRENCE: If there's something that you would like to elaborate on in that regard, I'd certainly like to hear it.

The Hon. SARAH MITCHELL: So would I.

The CHAIR: Red fire ants particularly.

PETER THURTELL: We don't have red fire ants. That's a Queensland issue at the moment, but it may well come to us.

The CHAIR: Varroa mites? We've got plenty of those.

PETER THURTELL: I think it's fair to say that the threat posed to New South Wales, and Australia in general, is biosecurity issues—diseases coming from places like Indonesia, like foot and mouth and lumpy skin disease, that would cause devastation to our agricultural industry. As a State we need to make sure we stay on top of those sorts of things and be ever vigilant to make sure our security laws, regulations and practices are up to date.

The Hon. STEPHEN LAWRENCE: Could you elaborate on exactly what the police involvement is in that space? Because I'm not familiar with that.

PETER THURTELL: The Department of Primary Industries is the combat agency for biosecurity issues. But if there was an outbreak, they would rely heavily on the NSW Police Force for assistance—similar to COVID, where NSW Health was the combat agency at the start but then the police had a strong role to play. The reality is that DPI doesn't have the resources that we have. There'd need to be road blocks and monitoring of agricultural sites and all that sort of stuff. That would have to come down to a police response, which would be coordinated through the SEOCON.

The Hon. STEPHEN LAWRENCE: Generally, how are things tracking as we head towards the warmer months in terms of the emergency management processes?

PETER THURTELL: The BOM has said it's going to be hotter and drier. Hotter and drier means more and more fires. As we get into summer, with more storms and lightning strikes et cetera, it's inevitable that we're going to have a significant number of fires across the State that'll run for the next six months.

Ms SUE HIGGINSON: You're going to need that truck back. Sorry.

The Hon. SARAH MITCHELL: No, it's better with the RFS.

The CHAIR: You'll have to paint it black again. We can come back next week and do this all again, but I don't think we will. Thank you all for coming today. The committee secretariat will be in touch in the near future regarding any questions taken on notice and any supplementary questions. Thank you.

CORRECTED

(The witnesses withdrew.)

The Committee proceeded to deliberate.