



**LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**STANDING COMMITTEE ON JUSTICE  
AND COMMUNITY SAFETY**

(Reference: [Inquiry Into Annual and Financial Reports 2022 - 2023](#))

**Members:**

**MR P CAIN (Chair)  
DR M PATERSON (Deputy Chair)  
MR A BRADDOCK**

**PROOF TRANSCRIPT OF EVIDENCE**

**CANBERRA**

**THURSDAY, 23 NOVEMBER 2023**

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**Secretary to the committee:  
Ms K de Kleuver (Ph: 620 70524)**

**By authority of the Legislative Assembly for the Australian Capital Territory**

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

## **APPEARANCES**

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## **Privilege statement**

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*Amended 20 May 2013*

**The committee met at 9 am.**

Appearances:

Gentleman, Mr Mick, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services

Justice and Community Safety Directorate  
Glenn, Mr Richard, Director-General

ACT Policing

Gaughan, Deputy Commissioner Neil, Chief Police Officer for the ACT  
Boudry, Assistant Commissioner Doug, Deputy Chief Police Officer for the ACT  
Whowell, Mr Peter, Executive General Manager, Corporate Services

**THE CHAIR:** Good morning and welcome to the public hearing of the justice and community safety committee inquiry into annual reports for 2022-23. The committee will this morning hear from the Minister for Police and Emergency Services and officials, firstly in relation to his responsibility for Policing, then in relation to his responsibility for Emergency Services.

The committee wishes to acknowledge the traditional custodians of the land we are meeting on, the Ngunnawal people. The committee wishes to acknowledge and respect their continuing culture and the contribution they make to the life of the city and this region. We would also like to acknowledge and welcome other Aboriginal and Torres Strait Islander people who may be attending today's event.

The proceedings today are being recorded and transcribed by Hansard and will be published. The proceedings are also being broadcast and webstreamed live. When taking a question on notice, it would be useful if witnesses used these words, "I will take that question on notice." This will help the committee and witnesses to confirm questions taken on notice from the transcript.

This morning we welcome Mr Gentleman MLA, Minister for Police and Emergency Services, and officials. I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement. Witnesses must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered a contempt of the Assembly. Could you each please confirm that you understand the implications of the statement and that you agree to comply with it?

**Mr Gentleman:** Yes, thank you, Chair.

**THE CHAIR:** Thank you, everyone. We are not taking opening statements, so we will dive straight into questions. Minister, we have spoken at length previously on police numbers in the ACT. This year's budget does include an allocation to increase police numbers. We will look first at the existing allocation for police, at page 104 of the report. The annual report contains a headcount at 30 June 2023 of 1,015. That appears to be an increase from last year's report. I note that this year we have 731

sworn officers, 270 unsworn and 14 PSOs. Last year it was 691 sworn officers, 13 PSOs and 233 unsworn. Do you think this increase is enough, Minister?

**Mr Gentleman:** We certainly need more police more often, Chair, and that is why the government is making more investment in policing in the forward years. I can give you an update from the annual report on the current numbers. Forty-six new recruits have graduated and joined ACT Policing since July. Twenty-five recruits completed in July, and 21 recruits commenced in September 2023. The FTE for 2023-24 is 1,180.58. The sworn budgeted FTE is 700.83, and the headcount at the moment is 1,011. This does vary a little bit, up and down, as we see separations. For sworn officers in 2023-24, the number is 739, professional 259 and PSOs at 13.

**THE CHAIR:** How long do you think it will be until the ACT reaches the per capita national average of officers to population?

**Mr Gentleman:** That will depend on the investments that government makes over the years. We have been making strong investments, particularly in this budget. There will be, I think, a difference between what you see in the national average per headcount of population and what we do in the territory. CPO has said on numerous occasions that we do distribute our police officers well across the territory. We can respond in short time lines due to the geographical nature of the ACT.

**THE CHAIR:** Are you lobbying, as police minister, so that we do reach the per capita national average?

**Mr Gentleman:** I will continue to argue hard in budget cabinet for more investment in policing, for both sworn police officers and support professionals and PSOs.

**THE CHAIR:** Can you outline how these current staff are being used?

**Mr Gentleman:** I will ask the CPO and officials here to give you some detail on how those numbers are distributed across the territory.

**Dep Commissioner Gaughan:** Thanks for the question, Mr Cain. As the committee would be well aware, over five years the government provided the ACT Policing with an additional 126 FTE, commencing in the current financial year. The majority of the first tranche of police officers have been deployed across areas of what we would consider critical concern for ACT Policing. The majority of those police officers went to our watch house. I will ask Mr Whowell to provide further detail of exactly where the rest of them went.

The next two financial years see approximately 80 FTE come into ACT Policing. Those 80 will all be deployed to our operational police stations, the five police stations in the territory being Gungahlin, Belconnen, the city, Tuggeranong and Woden, and some additional resources into our traffic area. I will ask Mr Whowell to provide the breakdown of where the initial tranche of officers were deployed in this financial year.

**Mr Whowell:** As the CPO has just described, the bulk went into those urgent areas. In terms of that measure over the next five years, it is really backloaded in terms of when

the large numbers come in, just by way of some context for you. For this year it has been quite modest because that is what we can absorb within our existing footprint.

We have had an additional member go into our fixated, lone actor and grievance-fuelled violence team. We have had some additional capacity, 1½ FTE, into our drug and alcohol sentencing area, to support the changes to drug decriminalisation that have commenced. We have an additional three members in our sexual assault prevention and response program, which was responding to the SAPR report. We got an additional 1½ FTE into PACER. We got somebody to assist us—not a police officer—with the government’s investment into our strategic accommodation plan. We got two additional members this year for family law information sharing.

**MR HANSON:** What is the specific role of the extra member for drug decriminalisation?

**Mr Whowell:** That will be around supporting what is happening in terms of the option that we now have of somebody either taking diversion into treatment or opting for a fine. It is about our ability to process that and share the information around those individuals with our other partners.

**MR HANSON:** In terms of total numbers, how many officers have left the service this year? What is your attrition rate?

**Dep Commissioner Gaughan:** I will provide some information in relation to our attribution rate, Mr Hanson. I will say that the attribution rate has not substantially changed over the last number of years. The attribution rate for ACT Policing in 2022-23 was 3.21 per cent. Five years ago, that attrition rate was 4.3 per cent, and 10 years ago that was 3.53 per cent, so it is fairly low, consistently.

I will, however, just for completeness, inform the committee that we also do lose, during the course of each financial year, a number of people to the rest of the AFP, but those numbers are obviously supplemented not only from some people from the rest of the AFP coming back to us, but also through new recruitment. That number sits somewhere between 50 and 60.

**MR HANSON:** Is that counted in your attrition rates, when you talk about—

**Dep Commissioner Gaughan:** No, it is not, but we can provide that detail. We have the data.

**MR HANSON:** Could you? Also, I know that other states are trying to poach officers—lateral recruiting.

**Dep Commissioner Gaughan:** Yes.

**MR HANSON:** Have you lost any? I think Queensland is offering positions. Do you then come up with something similar? Is there an attempt to recruit or not?

**Dep Commissioner Gaughan:** No, we have not come up with anything similar, but Queensland police certainly are offering a payment of about \$20,000, additional, for

people to go there as lateral recruits. New South Wales police made an announcement a couple of weeks ago that they will no longer charge people to go to the college. I think it works out at about \$30,000 per recruit by which that person will not have to supplement their income. We are in a tight, competitive market in relation to retaining our people, and we are currently in the process of an enterprise agreement bargaining round.

**MR HANSON:** Can you give me, on notice, the stats in terms of how many have gone and where they have gone, including to AFP national, and how many you have had come in laterally, so that we get the whole picture?

**Dep Commissioner Gaughan:** Certainly. We do a lateral recruitment course, at least one every 12 months, but we will provide the full breakdown of data. We might even be able to get that within the hour.

**MR HANSON:** In terms of recruiting new officers, how is that going? Is there strong interest or not?

**Dep Commissioner Gaughan:** Yes. It is interesting that some of the other jurisdictions have struggled with their recruitment pipeline. Certainly, we have not, which is interesting. We are now looking at doing a bit of a targeted campaign. Between March and June this year, we did a recruitment program targeting the region, and it was quite successful. We are broadening the campaign to include not just Canberra but the districts around us, with a particular focus on the New South Wales coastal regions, and we will increase that over summer. That will look at the coast down to the border with Victoria, and then around the local region, even into places like Wagga.

The AFP as an organisation has not been impacted to the same level as state and territory police in relation to people showing an interest in joining the organisation. A lot of that, to be frank, had to do with the way that we policed COVID. Some other jurisdictions have struggled with their numbers, but ACT Policing, and the AFP, have not had that problem.

**Mr Gentleman:** The opportunity of career advancement in ACT Policing and therefore AFP is much higher than in other jurisdictions. You can have, as you see at this table, a lifetime career for people that have gone through from general duties, or even PSOs and general duties, right through to international deployment, and then returning to serve in senior ranks in ACT Policing and AFP. As people look at an opportunity to join policing, they look at ACT as a longer career path than you would in other jurisdictions.

**MR HANSON:** With the increase in numbers, there has been some criticism from the AFPA that they actually need those numbers now. In terms of training, you are training an amount of new officers each year. Is there capacity to increase the amount of training? What is the training capacity that you can punch through each year?

**Dep Commissioner Gaughan:** We can punch through as many as we need to, basically. The issue, obviously, is that to train people you need trainers. For instance, I know that when I started, we put five courses in on the same day, so it can be done.

You can have large numbers started, but that would mean that there would be an impact on the workforce in two ways. The first way would be that the current workforce would have to provide trainers to supplement the college. The second challenge that we would then face is when all of those recruits are released from the college, and they have to be placed on the street. We are in a position where we need to slowly absorb recruits, because I do not want to get to a situation where 60 per cent of my workforce is probationary constables. That is not fair on the workforce, and it is not fair on the community. To some extent we are limited by the amount of recruits we can absorb into the territory based on the current size of the police force.

**MR BRADDOCK:** There is only one mention of PACER in the entirety of the annual report, so I am keen to get an update, and understand why there is not more information about PACER in the report.

**Mr Gentleman:** Thank you very much, Mr Braddock. PACER is, of course, a very important aspect of responding to incidents in the community, as you are aware, with clinicians, police and emergency responders. I will ask the police to give you the detail on the work that they are doing with that team.

**Dep Commissioner Gaughan:** Thanks for the question, Mr Braddock. The issue of mental health is one of those areas that national law enforcement is considering very seriously. If we look at what is occurring in some other jurisdictions at the moment, it is quite interesting that police, to some extent, are almost moving away from involvement in mental health. Is it a core police responsibility? I suppose that is one of the questions we need to ask ourselves and, if it is not a core police responsibility, who is best to service it?

To some extent mental health is probably not really a policing issue; it is a health issue. What we are seeing in other jurisdictions across the world at the moment is police moving away from engaging with people with health issues. We are seeing that in the drug reform space that we are currently going through in the territory, which we fully support.

Whilst we are very confident—and I will get Mr Whowell to provide some more details in relation to our data on PACER—it does raise a broader question going forward as to whether or not police are best placed to continue engaging with people that are suffering mental health episodes. We are certainly open, as a community of law enforcement officers—not just the ACT but broadly across the commonwealth, because we have had this discussion at very senior levels—to commencing these conversations around who is best placed to deal with people who are suffering a mental health episode.

I will ask either the Deputy Chief Police Officer or Mr Whowell to provide some data in relation to PACER.

**Asst Commissioner Boudry:** In terms of PACER, from a policing perspective, we continue to see the need for mental health services increase, and the corresponding rise in involuntary detention. Essentially, the two PACER teams that we have now are having a positive effect on ACT Policing's capability to respond to these matters, and



its capacity to redirect general duties to other priorities. What we are seeing from a PACER perspective is that they are able to respond to the most critical needs, in terms of mental health incidents.

If we look at the statistics, we have an AM and a PM shift. In terms of the AM, from 1 January to 30 June 2023 we had 349 cases in the morning shift; 47 per cent of cases where PACER were the first responder and, of those, 63 cases resulted in patients actually not being admitted to hospital—moving to other services.

In terms of the PM shifts, we saw a total number of 494 cases; 52 per cent of cases where PACER were the first responder, and 67 per cent of those cases did not result in somebody being admitted to hospital, and they remained in the community. It is having a positive effect in terms of how we are dealing with mental health cases.

**Dep Commissioner Gaughan:** I will also provide some context around the numbers of mental health incidents we attend, because I think this is pretty important and, to some extent, a bit concerning data. Between 2013 and 2023, ACT Policing has seen a 27 per cent increase in mental health related incidents, from 3,549, or close enough to 3,600, to very close to 4½ thousand incidents in 2023. We are responding to just under 100 mental health incidents a week. It goes to my earlier conversation as to who is the best person to respond. Of course, some of those unfortunately see us required to use force. Our preference would be that we have a conversation in relation to who is best placed to deal with those matters.

**MR BRADDOCK:** Are you seeing a workforce implication in terms of those police officers who are allocated to PACER doing their time with the team and then coming back to other duties? Are they bringing those skills back into the broader workforce?

**Dep Commissioner Gaughan:** Yes, they are; absolutely.

**MR HANSON:** CPO, at the event that we were at last night, you talked about OMCGs. Can you give the committee an update on OMCG activity? How many gangs are here now, what gangs are there, what has happened and what has been done to combat that?

**Dep Commissioner Gaughan:** Yes, certainly, Mr Hanson. Last night I was careful with my words, because there were people from the media there, so I was quite cautious. I can say that we have seen a fairly steady number of members of OMCGs, but what does concern us is that we now know we have the presence of four OMCG gangs in the ACT, those being the Comancheros, the Rebels, the Finks and the Hells Angels.

The Australian Criminal Intelligence Commission assesses that OMCGs are the largest and most serious organised crime group impacting Australia. We know from extensive media reporting over the last couple of months that they have access to extensive onshore and offshore networks and play a major role in Australia's illicit drug and firearm trade. These groups are known to coordinate a network of criminal associates responsible for the interstate transportation, storage and distribution of illicit drugs and firearms.

Anyone that has been following the media over the last couple of weeks will note there has been some fairly significant disruption activity that has taken place overseas. We know some of those people that were taken into custody have direct links back here to the ACT.

We also know that OMCGs generally attract individuals with a high propensity for violence. Generally speaking, Australia has seen an escalation in serious violent offending with OMCGs and serious organised crime involvement over the last couple of months. Our focus continues to be on targeting the OMCG networks. We have put a number of people before the courts in the last few weeks and will continue to move towards disrupting their activities.

**MR HANSON:** Can you give me an indication—if not now, on notice—of the total number of patch members and the total number of associates?

**Dep Commissioner Gaughan:** Yes. The total number of patch members is approximately 30. The number of associates does change from time to time. We are also aware that there have been some meetings in Canberra over the last couple of months, and members of OMCG groups from interstate have travelled to Canberra. As far as the number of associates is concerned, we will have to take that one on notice.

**MR HANSON:** With these people coming to Canberra, do they do that because it is easier to operate and get around, to patch up, because there are no anti-consorting laws?

**Dep Commissioner Gaughan:** I would not go to that extent. We are finding that they are coming to Canberra and they are not doing any illegal activity, as far as we can tell, but they are meeting here. As to why they meet here compared to another location, that is a matter we would probably have to ask them at some stage.

**MR HANSON:** Is it, as has been attested by others, because they can do things here that they cannot do in other jurisdictions? There are no anti-consorting laws; they can wear the patches freely. It has been asserted that they come here because this is a freer environment for OMCGs to gather.

**Dep Commissioner Gaughan:** We cannot discount that. The fact is that there are no consorting laws, except for convicted persons, and we have utilised the consorting laws against persons that have been convicted very successfully. People have been put back before the court for those consorting laws once they have been convicted. They have the ability to wear their colours. They tend to wear soft colours, which is basically T-shirts instead of the full leather jackets. That is definitely the case. We know that, with the meetings they had in Canberra over the last few months, they were wearing soft colours.

**MR HANSON:** You have people coming from interstate. Is that just members of those four gangs that you have identified or do you get other gangs coming here to take the opportunity?

**Dep Commissioner Gaughan:** The particular meetings were senior members of the

Comancheros and senior members of the Hells Angels.

**MR HANSON:** There was talk about a Rebels ride to this location. That did or did not occur?

**Dep Commissioner Gaughan:** No. It did not eventuate because a senior office bearer from Western Australia lost their life. That ride has been put off until early next year.

**THE CHAIR:** We will have to come back to that later, Mr Hanson. The annual report, on page 116, notes that ACT Policing is housed within 11 facilities, seven of which are owned by the ACT government. We have heard many times that some of these facilities are due for upgrade or possibly even unfit for purpose. There have also been some announcements to support these facilities. What is the condition of the facilities during this period and do any stand out as being in need of immediate attention?

**Mr Gentleman:** Thanks, Chair. Yes to both. As you have indicated, there are a number of facilities across the ACT that the ACT government owns. We are now working through a master accommodation plan for ACT Policing, looking at the current facilities they have and the future opportunities for growth of those facilities across the territory.

We know we need a new city police station. The police station just across from us is now 60 years old and there are some ageing concerns within the building. There have been some water leaks. There are some other concerns, particularly around the operational areas of the city police station. We are working with ACT Policing on how we can keep the operational support for staff in those areas at a safe level until we come up with new opportunities for police, particularly in the city.

We are also looking across the whole of the ACT. You would be aware that we are looking at expanding the footprint of Policing at the Gungahlin station and moving our volunteers away from that station so that we can improve it. In the meantime, we are looking at safety of that accommodation and making some improvements as we do that.

**THE CHAIR:** I note that some of the projects from page 117—and you have just touched on them—include things like upgrading lighting. Page 118 includes an upgrade to address a non-compliant ceiling height in the gym's male and female changing rooms. Are these sort of upgrades of facilities during this period enough, given the serious concerns that you have raised yourself in your report and that we are hearing of?

**Mr Gentleman:** No, it is not enough, Mr Cain. We are managing the accommodation in a safe manner whilst we look at future accommodation for Policing. We want to ensure that the areas that they work in are safe to accommodate them. We also want to plan for future buildings and accommodation right across the ACT in a much more modern sense.

The CPO and I have had a chance to have a look at new buildings in Victoria, both the VicPol building and the AFP Southern Command building, with a view to, as well as accommodating staff, looking at what we can do in planning for new buildings across

the ACT. We will take all of those learnings on board. They have been quite successful. What we are seeing, particularly in Victoria, is that they are providing much better accommodation for their frontline officers than what we have here in the ACT. It is a good learning experience, but it will require further investment from the ACT government. We have a commitment from the Chief Minister in working through that. I am very pleased that we have been able to assist ACT Policing, but there is a lot more to do.

**THE CHAIR:** Could you provide a list of the major upgrades and the time line for delivery? It might mean taking it on notice.

**Mr Gentleman:** We will do what we can at this time, Mr Cain, but there is a lot more that we will continue to do that we have not funded yet. But, yes, certainly I can put together something.

**THE CHAIR:** You can take that on notice.

**Mr Gentleman:** Yes.

**THE CHAIR:** Thank you.

**MR HANSON:** Why is it that, after 21 years of Labor government, we are in the situation where the facilities are, in so many cases, inadequate? What is that failure a result of?

**Mr Gentleman:** It is a result of the age of the buildings and the growth of the force in the territory, Mr Hanson.

**MR HANSON:** And did you not know that they were ageing?

**Mr Gentleman:** Yes, we did. Of course there have been investments in those buildings over past years as well. What we have seen highlighted is growth in the force and more numbers. For example, the Gungahlin station was never built for the number that we have there at the moment. The pressure is on us to ensure that we provide safe workplaces, and we have made that commitment.

**MR HANSON:** Can we dig into Gungahlin a bit, because I have heard that it is particularly problematic. When is it going to be rectified? What exactly is happening with it?

**Mr Gentleman:** Works have already started, Mr Hanson. We did a visit out there about two months ago, with staff, to have a look at the conditions that they are experiencing. I had been out there many times prior to that, but there are more pressures now that we have more staff out there. We are looking at how we can move staff around at the station and whether or not particular teams need to be at that station. We are also looking at rectifying things like air conditioning. Sometimes it is as simple as cleaning the accommodation as well.

**MR HANSON:** There was a strategic infrastructure plan. I cannot remember the name of it. Is that what it was called?

**Mr Glenn:** Mr Hanson, there have been a number of documents that talk about the strategic accommodation footprint for the community safety portfolio. I am not going to get the acronym right, but the strategic plan talks about how we prioritise the work in relation to ACT Policing.

**MR HANSON:** Can the committee have a copy of that, please?

**Mr Glenn:** I will need to take that on notice.

**MR HANSON:** You need to take on notice whether you can provide it?

**Mr Glenn:** Yes.

**MR HANSON:** Why?

**Mr Glenn:** Some of those documents have been the subject of cabinet consideration.

**MR HANSON:** We are not allowed to know what the plan is for facilities?

**Mr Glenn:** I can talk to you about the facilities that the—

**MR HANSON:** Is it a secret plan? The secret accommodation plan. Maybe that is inaccurate.

**Mr Gentleman:** I do not think any police station is secret, Mr Hanson.

**MR HANSON:** Why will you not release the paper, then?

**Mr Gentleman:** Normally we will identify—

**MR HANSON:** Why will you not release the paper?

**Mr Glenn:** Mr Hanson, the document is subject to cabinet consideration. I need to take some advice on the extent to which it can be released.

**MR HANSON:** Could we have it, please. It seems incongruous to me that, every time, we have to dig into what on earth is going on with police accommodation. I am not sure why that should be a big secret. I know this government likes to keep things secret in the lead-up to elections.

**Mr Glenn:** Mr Hanson, it also potentially contains some commercial information that it would be best not to reveal publicly, given that we are in and are going to be in tender processes. There's a little bit of thought to go into releasing the document.

**THE CHAIR:** Mr Glenn, if you are not able to provide full documentation, could you provide an explanation of why you cannot?

**Mr Gentleman:** Yes; certainly. The items within that plan that would not be able to be announced would be commercial-in-confidence, where we are going through

procurement.

**THE CHAIR:** The committee would appreciate a full explanation of that.

**Mr Gentleman:** I just did.

**MR BRADDOCK:** I have a question about the emergency alert system. You have asked people to make sure that the number 0444 444 444 is not blocked in their phones. What I am trying to understand is the threshold for considering whether something is sufficiently serious to actually utilise that system versus the risk that people might, if they receive too many messages, start blocking the number.

**Dep Commissioner Gaughan:** That is a good question. Thank you, Mr Braddock. I think we have used it twice since it has been available to us. The threshold for our utilisation of it is quite high. There is a decision matrix, if you like, so it would not be used unless we deemed it to be something basically life-threatening, from our perspective.

The two instances where we have used it have been in relation to missing persons, where we have had a serious concern that that person, if they are not found quickly, will perish. In relation to elderly people who go missing, in particular, is when it has been utilised. Of course there may be other times, in other emergencies, when we still will require the utilisation of the system. That is why we have asked people to store the number in their phone, so that they actually pay attention to it.

I can assure the committee, and assure Canberrans more broadly, that we will not use the system willy-nilly, for want of a more technical term. We will only use it when we believe life is at threat. We will continue to use it. I think it is a great capability and I thank the government and ESA and others who have given us the capability and the ability to use it. We will use it sparingly; we will use it appropriately. I think it is one of these accountability measures that we keep a record of, so if at any time the committee would like some further detail in relation to the circumstances in which it is being used, we are more than happy to provide that.

**MR BRADDOCK:** No, thank you. That is good.

**MR HANSON:** On the issue of drug decriminalisation, there are a few aspects I would like to go through. Firstly, to go back to the OMCG aspect, I read a published report in the media that said that Mr Gaughan agrees that the new legislation by the Labor-Greens government “could lead to a conflict between bikie gangs”. I think you also connected the arrival of the Rebels, on their ride that did not eventuate because of the deceased member. You said that that was not a coincidence. Do we see that there is going to be an increase in OMCG activity? They see this as an opportunity. Can you give me an update on drugs, specifically as it relates to OMCG?

**Dep Commissioner Gaughan:** The last question might be a little bit difficult to answer because we do not have any data in relation to that. To the first part of your question: we cannot discount anything in relation to the reason that the OMCG presence of a number of clubs in Canberra has increased. Historically, what we do know, going back probably half a dozen years or so ago, is that when we see an

increase in numbers but also an increase in clubs in the territory we see an increase in tension between the OMCGs, which elevates itself to the utilisation of firearms and car bombings and the like.

We have not seen that in a significant way at this stage. We have seen what I would call intimidation taking place. We have intelligence to suggest that a number of assaults have not been formally reported to us because these people do not want police involved—and we do not anticipate that that will become known to us. I do not think we can discount anything that I said previously in relation to the change to the drug laws, but I will say that the sky has not fallen in since 28 October. It is business as usual for us. We have not seen an escalation in serious criminal behaviour by OMCG members to this point. The legislation is fairly new, so at this stage I think we are still in a position where we are alert.

**MR HANSON:** All right. Your overseas trip was reported and there are, I think, formal reports that the delegation witnessed firsthand the negative effects on communities where drugs were prevalent throughout the community. Can you give the committee a bit of an explanation of what you saw? It seems, from the reporting it, that it had a pretty significant impact on you.

**Dep Commissioner Gaughan:** The minister was with us, so I will ask him to provide further commentary. Mr Hanson, what we saw that probably alarmed me—and, I am sure, alarmed the minister too—was the prevalence of usage in public. Whilst the jurisdictions that we visited had seen a change in the drug environment, that also allowed certain other laws not to be prosecuted in their jurisdictions, for various political reasons, such as shoplifting. We saw a significant amount of homelessness as well, which we obviously do not have here in the territory.

The big difference, and we have made this point numerous times, is that Fentanyl usage and opioid usage broadly in North America, particularly on the east coast, is out of control. We do not have a Fentanyl problem in Australia. My personal view is that we will not see it. That is my personal view, and I really hope I am right there. What we saw, with the combination of homelessness, Fentanyl usage and public usage of drugs—basically the breakdown of public order—was, to my mind, quite shocking. I have spent many, many days in San Francisco and the place had changed from my last visit, so that did concern me.

We learnt a lot. The beauty of the trip was that the Chief Health Officer went with us. We made some decisions, based on what we saw, that we would not allow certain things to occur in Canberra that they were allowing to take place in North America. There were two main ones. The first was that if we found someone in possession of a small amount of drugs for personal use we would seize them. They are not necessarily doing that in the US or Canada. The second thing was that we would take action if people were publicly using drugs. In other words, if they had a needle in their arm, taking drugs, we would take action. They are not doing that in North America. For us, there were learnings from that. We have adopted our posture in relation to the legislative reform in that way. So far, within the first month, it is going pretty well. The officers are responding well to it.

**Mr Gentleman:** Mr Hanson, I saw the same results in North America and Canada.

What we saw was the implementation of a policy to move drug use out of the criminal justice system and support it in the health system without the support of the health system. That is the big difference in the ACT. That is why we took the Chief Health Officer with us. You have heard comments before from the CPO that that drug use is a health problem and we do not want those people getting into the criminal justice system if we can avoid that. However, if they commit offences then they will enter that system. If we can support them as much as we can in the health system then we have a better community and a better chance of reducing crime as well.

It was very evident in North America and Canada that that support was not there. In fact, in some instances where support was going to be provided, it was being provided by an outsourced operation. Police were only given a phone number to provide to those people needing support and often the phone number was not even answered. It was quite a difficult situation, I think.

You have heard from the CPO about the use of particular drugs in the US that we are not seeing here at the moment. We were cautioned, though, by the chiefs of police association, that in fact you may see it occur, so the AFP and other police around Australia are certainly keeping their eyes open for this. It has come off the back of a very long system of providing prescription medicine in the US. People get hooked on that. That was the very open description to us: that they were hooked on a prescription medicine and then when they go off it they go and find it unlawfully.

**MR HANSON:** Is Fentanyl on the list of decriminalised drugs?

**Dep Commissioner Gaughan:** No, it is not.

**Mr Gentleman:** No.

**MR HANSON:** So if you have Fentanyl you are going to feel the full weight of the law, so to speak—it is a criminal offence—but if you have meth, you do not?

**Mr Gentleman:** We should say, too, that if you look at the results of the water testing across the territory and other jurisdictions, you do see some use of Fentanyl, but we are putting that down to the actual use of it within a clinical service. It still goes into the water system.

**MR HANSON:** But your whole argument for drug decriminalisation—and we have heard it all—is that it is a health issue and so on. I am not arguing for Fentanyl to be decriminalised, but why is a Fentanyl user going to be locked up but a meth user is not? What is the discrepancy there?

**Mr Gentleman:** We are not saying that. What we are saying, Mr Hanson, is that Fentanyl is not used widely—

**MR HANSON:** It is not on your list, is it? But you just said it is being used.

**Mr Gentleman:** It is being used in a clinical sense.

**MR HANSON:** Let's say Fentanyl—



**Mr Gentleman:** It is prescribed in hospitals, for example.

**MR HANSON:** If Fentanyl use does increase here, which is a possibility, will it be decriminalised or not?

**Mr Gentleman:** That is a hypothetical question. There is no decision being made by government on that.

**MR HANSON:** But you do not see the logic here. What you are basically saying is, “Look, we want to dissuade people from using Fentanyl. It is a problem; therefore, we will keep it criminalised. But, hey, meth—that is a different argument.”

**Mr Gentleman:** Mr Hanson, we want to dissuade people from using drugs altogether outside the clinical sense.

**MR HANSON:** Why do you not decriminalise Fentanyl, then?

**MR BRADDOCK:** Just going back, CPO, you mentioned that your personal view is that Fentanyl use is unlikely to increase anywhere in the ACT. Why is that? Why do you hold that view?

**Dep Commissioner Gaughan:** My personal view—again, this is Neil Gaughan speaking, not necessarily Deputy Commissioner Neil Gaughan speaking—is that I do not think it helps the business model of the organised crime groups. If you look at the amount of money they are making in Australia through the importation into the country of meth and cocaine, the amount of money they make here compared to most other jurisdictions is six or seven times.

The other thing that makes me think that we are not going to see a Fentanyl problem in Australia is that the only place that has a Fentanyl problem on the globe is North America. There is no Fentanyl problem in Europe. There is no Fentanyl problem in the UK. There is no Fentanyl problem in Asia. The reason North America has the problem goes to the minister’s point earlier about the overprescription of legal drugs, probably 15 to 20 years ago, which has now led to addiction and people using Fentanyl. The circumstances that exist in pretty much everywhere but North America do not provide, I think, a reason for organised crime groups to move Fentanyl across the globe.

**MR HANSON:** This question is on the issue of road safety and drug use. Again, I will quote you:

Meth is highly addictive ... so the worry is people will go on four or five day meth benders, go out and drive and kill someone.

What are we doing? If there is an increase in the liberalisation of drug use, it is quite possible or probable that that will lead to more people drug driving. Are we going to increase the number of roadside drug tests? What is the plan?

**Dep Commissioner Gaughan:** I will start, and I will get the DCPO to provide some

data in relation to the drug-testing regime that we have currently got in place. This issue does concern me. One thing that I have been quite public about in relation to drug driving is that it is important to provide data. Data, I think, is our friend here. It certainly provides context around the situation.

Last calendar year, 1 January 2022 to 31 December 2022, there were 18 road fatalities in the ACT, which was significantly concerning, I think, for everyone in this room and, indeed, everyone in Canberra. The toxicology results have been returned for 10 known drivers of all the vehicles involved in those fatalities. Of those, there were nine with cannabis in their system. An additional five of those drivers had both cannabis and meth in their system. One had cannabis, amphetamines and meth in their system. Of the 10 drivers, five also had alcohol in their system.

This year, thankfully, there have only been three road fatalities in the ACT. I do note that pretty much all other jurisdictions are having record high road fatalities this year. Toxicology results for those three drivers have also come in. We have found that only one driver had cannabis in their system, no driver had meth and one driver had alcohol. Before I ask Doug to provide some data, I will say that education, Mr Hanson, is key here. We need to get the message to the community—and I think we have been doing that well, both from our perspective and from Health's perspective—that if you have drugs in your system you do not drive. Full stop. We have got to keep that message up.

We have got to start younger. We have got to start in schools, with the 15 to 16-year-olds, so that by the time those kids get behind the wheel of a car it is ingrained in their head. If you look at our generation, drink-driving was probably a thing that occurred in the 1970s and 1980s. Through education, people stopped doing it. If we look at the number of people now being charged, stopped and convicted of drink-driving, it has definitely reduced over the last 20 years because of that education, so we need to keep that going.

**Mr Gentleman:** Can I say, too, that that is measured against the growth in population and use of vehicles on roads as well.

**Asst Commissioner Boudry:** In terms of the data, over the past year we saw 55,079 random breath tests undertaken and 2,366 roadside drug tests undertaken in the 2022-23 financial year. If you have a look at that in terms of the random drug tests conducted, that is a 16.8 per cent increase over the previous year. What we are doing from a policing perspective is to actually try to increase the number of tests—

**MR HANSON:** But that was a record low during COVID, wasn't it?

**Asst Commissioner Boudry:** That is correct. Obviously, COVID had an impact, and we are starting to increase that number again. With our current technology for roadside drug testing, we are testing against three illicit drugs, including meth, MDMA and cannabis. We are now looking at technology that will expand that into substances such as cocaine. We will expand that testing technology but also look at making submissions around legislative change to bring cocaine into the schedules around impaired driving.

As the CPO said, there is also that proactive campaign about trying to get education into place to make sure that impaired driving is in the front and centre of the mind of our drivers in the ACT. We are also making sure that where we are seeing a mix. Where we have a mix of alcohol and drugs in the system, it is particularly concerning for police. So we are trying to make sure that we cover off on cannabis as well.

**MR HANSON:** Specifically with cannabis, there has been an increase in the use of cannabis, from the data that comes from the water testing. It is up 26 per cent, I think. Are you concerned by that?

**Dep Commissioner Gaughan:** For about the last five years, there has been a steady increase. I think we are just over a 20 per cent increase in the last five years. Obviously we are concerned, particularly when we link it to driving. Again, it is the education piece that we need to make sure we continue to get out there in the community.

I also add in relation to the testing for drug driving that we have recently changed our procedures within the territory whereby the number of members who can now do drug side testing has increased substantially in that it is not just our road policing members that now have the ability to do that; it is pretty much across all our mobile patrols. I suppose the message to the community is you can be drug tested now 24/7.

**MR BRADDOCK:** You were describing the 10 fatalities last year and the three fatalities this year who had drugs present in their system. Was that testing in terms of impairment levels or just simply presence?

**Dep Commissioner Gaughan:** No. They were deceased; so we cannot test for impairment. But it does raise the question of impairment more broadly. Certainly a topic in conversations I have had with the Chief Magistrate over the last 3½ years is that we do not test for impairment. There is no test at this stage in relation to drug testing for impairment, and it does not exist internationally. When the minister and I were overseas, we had conversations with a number of law enforcement agencies, including international chiefs of police, and that is something that is not on the radar yet. I did actually speak to the chief of police down in Melbourne a couple of weeks ago and I indicated that work is underway in relation to that in Europe. If there is anything that comes out of that, Mr Braddock, obviously we will be interested in the outcome.

**MR BRADDOCK:** Okay. Looking at property offences, theft and burglary, and their longer term decline, do you have any reflections as to reasons behind that?

**Dep Commissioner Gaughan:** It is a good question. It is interesting that it is in decline in every jurisdiction in the country. It is not just Canberra; it is across the board. There are probably a few reasons for that. I think one of it is that people are much more attuned in relation to their home security and they are actually ensuring that they protect their goods. The other thing is that the type of things that used to be stolen, say, 10 or 15 years ago from burglaries, such as CDs, coins, cash and TVs are no longer worth stealing. CDs probably do not exist for starters and you cannot fence a TV now, so to speak. The only thing we are seeing stay static—and this is again consistent across the country—is stealing cars and then using those cars to be

involved in another crime.

As you heard last night from Crime Stoppers, we are going to do a bit of a thing on that next week in relation to ensuring people secure their car keys, because the cars are then used for other crimes such as theft from shopping centres, drive-offs with fuel, ram raids et cetera. Overall, property theft is definitely on the decrease across the country, which I think is a good thing, and I think the community has a lot to say for that because they have taken action to prevent theft.

**Mr Gentleman:** We do, of course, bring a community awareness program every year with ACT Policing on being aware of property theft and car theft and ask people to not make visible their car keys, for example, from vision through a kitchen window. Nevertheless, it still occurs. But we will continue that awareness program.

**MR HANSON:** You say that you will take action if you see someone with a needle in their arm. So you have considered, I imagine, what your procedure is going to be now if you observe drug taking.

**Dep Commissioner:** Yes.

**MR HANSON:** I also saw some sort of comment that you had made—and I do not have the direct quote in front of me—where you said people might use coke in front of officers and there is not much we can do about it, or something. What are you going to do if you observe someone taking drugs? What action do you actually then take?

**Dep Commissioner Gaughan:** In a practical sense?

**MR HANSON:** In a practical sense, if you see some in Civic taking a pill or you see someone with a needle in their arm—that might be the most extreme example, but in Garema Place or something, you see people using drugs—what do police officers then do in that—

**Dep Commissioner Gaughan:** In a practical sense?

**MR HANSON:** In a practical sense.

**Dep Commissioner Gaughan:** I think we would be happy to share the guidelines. I am just looking at Mr Whowell.

**Mr Whowell:** I think we can do that.

**Dep Commissioner Gaughan:** We are happy to share the guidelines with the committee. The way that we are actually managing this is that the drugs will be seized. We still have the power to demand a name and an address of an individual, but the drugs will be treated the same way that we have historically treated drugs. They would be seized, exhibited, tested et cetera. The name and address of the individual would be obtained. They would be then asked two things: do you want to go to a diversion program or do you want an offence notice? At this stage, the vast majority of people are going down the diversion path. Then that person is basically on their

way. That is a very simplistic overview, Mr Hanson.

**MR HANSON:** How do you work out whether the amount that they have on them exceeds the prescribed amount in the legislation? If they are observed taking a drug, do you then just take that drug or do you search them? What do you do?

**Dep Commissioner Gaughan:** Every circumstance would be different. Obviously, if we suspect that they are dealing, then we still have a power of search under the legislation. I think two or so days after the legislation came in, we observed a car acting suspiciously in Mort Street and the car was stopped. There were a lot of drugs found there. The officers working in this particular area—which is primarily the city, obviously, where most of this occurs—know what 1.5 grams of a drug looks like. It is basically a sachet about the size I am showing you. Anything bigger than that is probably going to be for more than personal use. But it is a judgement call. Are they going to know if it is 1.4 or 1.6? Probably not. Discretion is really important here. Officers have always had discretion in relation to utilisation of their powers. We are a month in, and I have got to say that, at this stage, the feedback from the officers is that we are not seeing any areas of particular concern.

**MR HANSON:** How many people have been given a fine and how many people have been told they have got to go to diversion?

**Dep Commissioner Gaughan:** Someone will correct me if I am wrong, but I think it is 26 people have been—

**Mr Whowell:** I will provide an update, if I may, Between 28 October and 20 November 2023, ACT Policing issued 29 drug diversion referrals and one simple drug offence notice, being the fine.

**MR HANSON:** With diversion—and correct me if I am wrong—the legislation requires you to turn up, sign your name and you can leave.

**Dep Commissioner Gaughan:** That is a matter for Health. Our role in this, Mr Hanson, is very clear on this. We take the details and we then provide those details to SupportLink—and then, the same with a fine, as far as we are concerned, SupportLink and Health will deal with the referral and Support Link and Access Canberra will deal with the fine. Our involvement stops.

**MR HANSON:** If I want to then find out who is actually participating in diversion and who is just signing the book and leaving, how do I find that out? Can you guys get that information, or do I have to go to Health?

**Dep Commissioner Gaughan:** Health.

**MR HANSON:** Have you seen any frequent flyers? Of those 26 or whatever the number was, have you seen any people who are repeat offenders?

**Mr Whowell:** I have 29. I am not aware that there have been repeat offenders within that group.

**Dep Commissioner Gaughan:** We will take it on notice for certainty, but I would have thought that, if there had been, it would have probably been brought to our attention.

**Mr Whowell:** I agree.

**Dep Commissioner Gaughan:** As far as we are aware, that has not occurred at this stage. But, to be sure, we will take it on notice so we can provide a more fulsome answer.

**MR HANSON:** Just on the practical aspect, there is the federal legislation that is open for your officers to—

**Dep Commissioner Gaughan:** Yes.

**MR HANSON:** How is that managed? Has anyone been prosecuted under the federal legislation?

**Dep Commissioner Gaughan:** No.

**MR HANSON:** So it is all ACT. Who is making that decision? The officer on the ground—the sworn officer?

**Dep Commissioner Gaughan:** Ultimately, the way the practical guide has been developed, the preference is that the territory law is utilised in the territory. I receive a ministerial direction from the minister in relation to certain ways that I am asked to manage the police force, and I respond. One of the things we are focusing on is how we actually deal with issues where there is a conflict between the commonwealth and the territory law.

**Mr Gentleman:** If I could just follow up on the previous question, whilst there is commonwealth law and territory law, there are also regulations within AFP and ACT Policing. So you have general orders and station orders and orders that are written for each operational duty that occurs in an operational program, such as the ones we have seen for TORIC and those sorts of events. Officers have some good direction on how they should operate within those areas.

**MR HANSON:** CP, you have raised concerns about narco-tourism, and I quote you:

... it would be naive not to think people won't come down, even for a weekend, to get on the coke and not worry about the cops ... it's a reality we can't ignore.

Mr Pettersson said that the claims of drug tourism were “laughable”. Is it laughable or is it not laughable?

**Dep Commissioner Gaughan:** He is entitled to his opinion.

**MR HANSON:** Of course, he is. I am just asking for your opinion.

**Dep Commissioner Gaughan:** It is a matter for him.

**MR HANSON:** I am asking: is it laughable?

**Dep Commissioner Gaughan:** I am not going to say whether it is laughable or not. The reality is that we are a month into this new legislation, and I think it is too early to make a call one way or the other as to what is going to occur. I do note, however, subsequent to the legislation here in the territory being passed, that there has been some very serious discussion in New South Wales around potential changes to their legislation as well, which will not probably be to the same extent that it has here, but very similar, in relation to small penalties for small amounts of personal use. My comment was made well and truly before that particular issue in New South Wales was raised. I also do note that, if I look very closely at the legislation as it currently exists in places like South Australia, it again is not that far removed from what we have now enacted here in the territory.

We do have a major music festival this weekend. We will be paying very close attention to what comes of that. We police those fairly, and we will continue to police those fairly. There have been 40,000 or so tickets sold for that event. We know historically that music festivals do have a fair amount of drug use, and we will be keeping a very close eye on that particular festival.

**MR HANSON:** When these laws were bolted together, the health minister—you probably heard the recording that was released in the *Australian*—made it clear that it was done through a Labor backbencher so it could avoid the complexities of government and, obviously, avoid people like yourself and Mr Glenn. Are you cranky about that?

**Dep Commissioner Gaughan:** Mr Hanson, I have been a senior officer of law enforcement for about 16 years, and I am not going to make any commentary about that whatsoever.

**THE CHAIR:** We will need to finish on that note. I thank our witnesses for your attendance today. On behalf of the committee, I do want to thank you, Chief Police Officer, your staff and the police for the very valuable work they do for our community, often at risk to their personal safety. It is much appreciated. Thank you.

**Dep Commissioner Gaughan:** Thank you, Mr Cain. I would like to thank the committee for their interest in what we do. We appreciate the conversation that we had, and I do wish you all a good Christmas.

**THE CHAIR:** Thank you very much. If any questions were taken on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*. Thank you.

**Hearing suspended from 10.01 to 10.15 am.**

Appearances:

Gentleman, Mr Mick, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services

Justice and Community Safety Directorate

Glenn, Mr Richard, Director-General

Johnson, Mr Ray, Acting Deputy Director-General, Community Safety

Krajina, Ms Danielle, Chief Operating Officer

Phillips, Mr Wayne, Acting Commissioner, ACT Emergency Services

Scott, Mr Rohan, Chief Officer, ACT Rural Fire Service

Shonk, Mr Matt, Acting Chief Officer, ACT Fire & Rescue

**THE CHAIR:** Welcome back to the public hearings for the committee's inquiry into annual reports for 2022-23. We welcome back Mr Gentleman MLA, in his capacity as Minister for Police and Emergency Services, and officials. The proceedings today are being recorded and transcribed by Hansard and will be published. The proceedings are also being broadcast and webstreamed live. When taking a question on notice, it would be useful if witnesses could use these words: "I will take that question on notice." That will help the committee and witnesses to confirm questions taken on notice from the transcript.

I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement. Witnesses must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. Please confirm that you understand the implications of the statement and that you agree to comply with it. Excellent; thank you.

Since we are not taking an opening statement, I will proceed with the first question. Minister, regarding bushfire preparedness, on page 89, the annual report discusses the preparedness for the 2022-23 season. The 2023-24 Bushfire Operational Plan was finally released on 2 November this year. If the bushfire season begins in September, why was there a delay in issuing the Bushfire Operational Plan?

**Mr Gentleman:** The season begins in September. That is the storm and bushfire season, and we allocate resources according to the needs that are occurring at that time. With regard to the BOP, there was quite a bit of work that was occurring at the time. As you would be aware, we had quite a delay in dealing with some of the fuel load in our parks across the ACT—over the last couple of years actually—and, with all of the rainfall, they found it difficult to get up into some of the parks and difficult to find times to do cultural burns or fuel load reductions due to the moisture content in the park. But I am very pleased that we have been able to proceed with the Bushfire Operational Plan and its percentage of completeness to date. It will continue, though. We do not stop at this time line; we continue right through the season to ensure that we can make the area safe for Canberrans. It has been a real challenge with that rainfall, but now we have been able to do a little bit more work.



**THE CHAIR:** With the 2022-23 BOP, you mentioned that only 84 per cent was completed, or was that to do with the 2023-24?

**Mr Gentleman:** It was 2022-23.

**THE CHAIR:** The statement was about only 84 per cent being completed. Could you expand on that?

**Mr Gentleman:** Yes, that is right: 84 per cent was completed due to the weather conditions that occurred during the period, as I have just explained, and of course this plan continues. We continue to remove fuel loads and we continue to make access to the fire trails for operational vehicles. That work continues right through the season, as well as of course the training for our frontline responders.

**THE CHAIR:** Thank you.

**MR MILLIGAN:** On page 110, table 20, it shows the percentage of ESA-led emergency plans that were not able to meet the 100 per cent. Can you provide more details of which plans failed to meet that target?

**Mr Gentleman:** Thank you, Mr Milligan. We will just go through to our operational commanders to give you the detail of the plans that were put in place and those targets.

**Mr Phillips:** Thanks, Minister. Sorry, Mr Milligan; can you just refer to that question again?

**MR MILLIGAN:** The targets were not met at 100 per cent and I would like to know more details on what plans failed to meet that target.

**Mr Phillips:** Can I take that question on notice?

**MR MILLIGAN:** Yes, certainly. Can you also take on notice why these plans did not meet the target, what is being done to address that shortfall for those plans, and how this will impact the 2023-24 plans? Can you take all those on notice?

**Mr Phillips:** Yes, I will take all those on notice.

**MR MILLIGAN:** Thank you.

**Mr Gentleman:** There are some notes at the bottom of the page, Mr Milligan, which do give you some explanation of where targets were not met. For example, note 5 says that “the low 2022-23 outcome compared to the target can be attributed to larger home sizes with more open plan layouts and contents with higher combustibility”. So, in some of the material that they used to build the homes, they have synthetics as opposed to natural products as well.

**THE CHAIR:** I know you have taken it on notice. Obviously notes are notes; so it would not hurt the committee to have a fuller explanation.

**Mr Gentleman:** Yes, of course.

**THE CHAIR:** Thank you.

**Mr Glenn:** Chair, if I may—to your question about what is happening in relation to those plans; those plans continue in their review and development cycles. That is monitored by the Security and Emergency Management Senior Officials Group, SEMSOG, which I chair. We track the progress of the review of those plans. The bulk of them are tracking for completion this calendar year; a couple will move into next year. In terms of impact on the coming season, they do not impact on preparedness of the services, but they do go to the governance arrangements that we have, so that is where SEMSOG pursues it.

**THE CHAIR:** Mr Braddock, a substantive question.

**MR BRADDOCK:** Yes, can you tell me: what is the area of land and hectares that have been burned in fuel reduction exercises in both the 2021-22 financial year and the 2022-23 financial year? What is the projection for the 2023-24 financial year?

**Mr Gentleman:** Yes, Mr Braddock, we might have to take the detail of that on notice. Can I just be clear: are you after the total amount of fuel reduction, or individual amounts of fuel reduction in regard to bushfire preparedness, cool burns and cultural burns as well? Or just bushfire preparedness?

**MR BRADDOCK:** I am going to say bushfire preparedness—anything that is reducing the fuel load, I suppose, is what I am after there.

**Mr Gentleman:** Okay, yes.

**MR BRADDOCK:** Thank you.

**MR MILLIGAN:** Just on that, have you met the targets in terms of bushfire preparedness or burns? Have you met those targets over this calendar year or financial year?

**Mr Gentleman:** No, not quite, Mr Milligan. We have not due to the conditions that have been provided by the weather; however, what we have done is taken more opportunities to remove fuel load in different ways. So, we have done a lot more strategic grazing, strategic slashing, and road verge grass removal as well, on the edge of those trails that go up into Namadgi National Park. Where we cannot always get into a burn because of the weather conditions, and the safety of our firefighters as well, we try and do, wherever we can, another operation to remove the fuel load—so, the slashing and grazing, where there are much higher percentages of work per hectare, or the number of the hectares of fuel load reduction, in grazing and slashing than in fuel burns.

**MR MILLIGAN:** Have you met the targets or are you short? Have you got a percentage?

**Mr Gentleman:** Yes, we will find that for you.

**MR MILLIGAN:** Okay. And cultural burns—is the government doing cultural burns? Are there targets for that? Have you met them? Who is involved?

**Mr Gentleman:** Yes, indeed. We do cultural burns through PCS, so that is in my other portfolio that we talked about the other day. And, of course, we involve our Aboriginal caring for country group in those cultural burns. Whilst it does reduce some of the fuel load, it is more to induce the reproduction of particular plants and control of animals, which goes back in Ngunnawal culture and other Aboriginal culture for 45,000 years, I think. We take on board the expertise that those particular people have, with our Parks team, to do those cultural burns.

**THE CHAIR:** A substantive question, Mr Milligan.

**MR MILLIGAN:** The Joint Emergency Services Centre in Gungahlin—where is that refurbishment up to? What has been the spend? Has there been an overspend or underspend? What is the status on that?

**Mr Gentleman:** We will be able to give you some details on the financial side of it, Mr Milligan. I can say I visited the JESC just a few weeks ago in regard to police operations, with a number of new police operating there—and to provide better facilities for them. Whilst understanding that we are trying to move our volunteer services to a new operation in Mitchell, I have also visited with the SES people over at the northside operation as well. There has been quite a bit of involvement with our volunteers on the planning for the new site at Mitchell, but at this point we still have not have Health move out, so we cannot repackage those groups into the site at this time. We hope to have that available very shortly. In the meantime, we are trying to provide some portable accommodation for those teams, but it is an ongoing program, and we are committed to it.

**MR MILLIGAN:** I have had some reports from people in the RFS, who stated that they have been instructed to set up shop out in the car park at the Joint Emergency Services Centre. There was an election commitment back in 2004 by Jon Stanhope to build a fit-for-purpose centre for them; then in 2016, there was also another announcement that the government would work with the RFS to ensure that they would get the fit-for-purpose service. Can you give me an update as to whether it is accurate that the RFS been moved out the carpark?

**Mr Gentleman:** Yes, we will certainly give you some details on that. But I will just reflect on your comments in regard to 2004, because I do remember, vividly, the opening of the JESC. We thought it was a great opportunity. Of course, Gungahlin had a very low number of people then, a low population at the time, and it was fit for purpose with the amount of people that we had in the JESC at that time, but it has grown to a suburb area of 90,000 people now. So, with that, we have tried to do the best we can to-date to accommodate our first responders in those areas, and this is why we are now growing the operation across into Mitchell and refurbishing the JESC, but also looking at new opportunities up in Casey, for example, as well.

Mr Phillips, might be able to give you some detail on those movements.

**Mr Phillips:** Thanks, Minister and Mr Milligan. First of all I want to start by saying

that there is no operational impact on the RFS at Gungahlin whatsoever. The ESA and the chief of RFS have been very mindful about having no impact, particularly leading into the bushfire season and high-risk weather season.

In regard to the temporary accommodation for the RFS, and that of the Gungahlin SES, we are actually supplying a demountable unit, which is 12 by six metres, going into that car park area of the JESC. We use other demountables in other parts of the ESA as well. We have got a demountable at the ESA training centre at the moment for firefighter recruits, so it is not unusual to use a demountable temporarily.

The actual square meterage size that we are providing the SES and the RFS, initially, is greater than the area they have. We have had extensive consultation with both the RFS and the SES, particularly in the last six weeks, to ensure a smooth transition. Once we have got that move into that demountable building, for both the SES and the RFS, that will allow the works to really get underway to expand the police footprint at the JESC, knowing that the cascading event of Health moving out of the Mitchell site, as the minister alluded to, will allow us then to have more certainty about the time frame and we can get into the Mitchell site for the Gungahlin SES and RFS.

**MR MILLIGAN:** The Mitchell site being for the RFS and SES to move into?

**Mr Phillips:** Correct.

**MR MILLIGAN:** Do you have any idea in terms of when they can expect that move? You are waiting on Health, but is there any indication?

**Mr Phillips:** We have an indication of mid to late January, at the moment—that we take over, for want of a better word, vacant possession, I suppose. Once we get in there the time frame of the build would probably be better answered by CWI or within JACS. Once we get that clearer path of Health moving out, we will have much clearer time frames for the SES and the RFS. The good thing is that there will be no interruption to our operational service between now and March, which is our high-risk weather season, so the move to Mitchell will probably be towards the spring of 2024.

**Mr Gentleman:** I am very pleased that we have been able to involve the volunteers in the planning of this move, and in the new opportunity at Mitchell as well, and we will continue to involve them all the way through on accommodation for those volunteer services across the ACT.

**THE CHAIR:** Thank you. A substantive question, Ms Castley.

**MS CASTLEY:** I have a specific question about the Gungahler Grasslands Nature Reserve. I had a lovely elderly lady contact me, very concerned. She has lived there and backed onto that for many, many years. I just would love information. She said that this is the first year she has never noticed cattle. There have been no cattle out near her area keeping the grass down for fire hazard reduction. I am just wondering if you can give me an update on that particular grassland?

**Mr Gentleman:** Yes. I do not have the information on Gungahler, in particular. We might have to take that on notice. It is probably more in my Parks and Conservation

portfolio, but we are certainly happy to get the answer for you.

**MS CASTLEY:** Sure. I will just put them all on notice, then. There are quite a few questions. She is very concerned.

**Mr Gentleman:** Yes.

**THE CHAIR:** So, you have no coverage at all of that grassland area in this current portfolio?

**Mr Gentleman:** In a fire response we do, Mr Cain, but usually it would go through the portfolio of PCS. They manage rural services, as I have just mentioned, in strategic grazing, slashing and fuel reduction burns in our parkland areas.

**MS CASTLEY:** I do just have one follow-up: what interaction do the rangers have with the RFS?

**Mr Gentleman:** It is a continual interaction. RFS work with our PCS crews across the ACT in preparing for fuel load reduction, doing controlled burns and, of course, in working with our rural service people at the same time in that strategic slashing and grazing area as well.

**MS CASTLEY:** Would the rangers be the ones advising RFS, “No, don’t do burns yet,” or if we should wait? How does that communication work?

**Mr Gentleman:** ESA are the controlling body in looking at fire preparedness for the ACT. They take advice from our Parks and Conservation people, as well as the Rural Fire Service, and work together to ensure we can provide that operational safety into the future.

**MS CASTLEY:** Okay. I will put them on notice, thanks.

**THE CHAIR:** I have a supplementary question on that. Has the risk of a fire at this grassland come to your attention with a heightened assessment of the risk of a fire because of the lack of grazing?

**Mr Gentleman:** No, Mr Cain. We have had quite a lot of rain over the last couple of years, and, indeed, just the other day we saw that a little bit of rain will now be coming for the next few days as well. The advice we had from the Bureau of Meteorology to the police and emergency ministers’ meeting was that we will see that cease. It will be a very hot summer, a hot and dry summer, and we do expect fuel loads to increase, particularly in the grassland areas, so we will have a focus of addressing those particular areas. I am not sure if staff have any updates on that particular area. Rohan, could you give us some detail?

**Mr Scott:** Good morning. I acknowledge the privilege statement. The grasslands you are referring to are to the north of ACT. They also form part of the Mulligans Flat area as well. Working with the Parks and Conservation Service, who are the managers of those national parks in the ACT, the RFS and PCS—as we refer to them—monitor the fuel loads, the grass curing, and we also look at the potential fire runs in those

areas.

At the moment, we have come out of that wet period, so we have got an average fire potential for this season, but we are constantly monitoring those threats to the ACT. Referring to the grazing options and hazard reductions and physical removal to reduce risk—that is part of those bulk of activities that are a 12-month cycle as well.

**THE CHAIR:** Minister, could you refresh the committee on the terms of reference for the Walker review, and give us an update on the timeline, stakeholder engagement and your methodology for consultation?

**Mr Gentleman:** Yes, certainly. That was done via Justice and Community Safety, so I will ask the Director-General to give you an update there.

**Mr Glenn:** Thank you, Minister. The beginning of your question, Chair, was the terms of reference for the review?

**THE CHAIR:** Just to refresh the committee.

**Mr Glenn:** The review was conducted as an alignment review using the Australian Public Service Commission’s capability review framework. It was conducted within that methodology, so, in effect, that forms the terms of reference. You were then interested in next steps, Mr Cain?

**THE CHAIR:** Yes—the timeline, the stakeholders you are engaging with, the consultation methodology and when the expected finalised report will be released.

**Mr Glenn:** The finalised report was released earlier in the year, and my response to it was released at around the same time, which accepted the recommendations that had been made by the review team. In the work that has gone on since then we have established an oversight committee with an independent chair, and a range of other members, to be able to assist the acting commissioner to guide the work and to provide some assurance to me around the steps that are being taken.

The executive team at ESA and the oversight committee have worked to develop a forward plan for the implementation of the recommendations. They are going to occur in tranches over a period. It is probably a 12- to 18-month period in which that is going to occur. The executive team have been meeting regularly around those issues and have been working very productively to form the plan of action that they are going to take.

The oversight committee has met at least twice, as I understand, and has been providing me with reports on progress, which have been really positive. Just last week, I met with the entirety of the executive team, the chief officers and the assistant commissioners and the acting commissioner, to talk about how the work is evolving, and the sorts of methodology for different parts of it. There are a range of different elements that are going to have to be pursued. Some are relatively speedy in that they are about the development of particular artefacts, which can be done quite quickly. Others are about a longer-term conversation within the group and with staff and others about the operation of the agency.

In terms of consultation, there is a subgroup of the oversight committee that is designed to facilitate consultation with staff and other stakeholders, and we will have our ordinary consultative mechanisms with relevant unions to be able to engage with them.

**MR MILLIGAN:** What is the progress on the recommendations from the Walker review? Have any been completed or are they still in the process? What ones will you be responding to?

**Mr Glenn:** They are still in progress. Some will be earlier than others, like the publishing of all the charts and those sorts of things, which will happen faster than others. The team has also done some excellent work at reflecting on the recommendations and augmenting them. They have identified other actions that could be taken that will be beneficial and would supplement the recommendations. That has come back to me via the oversight committee, which is an incredibly positive response from the team, to say, “Here’s a range of things we have been recommended to do and we think we can take it further.” They have done that work really effectively.

**MR MILLIGAN:** Do you have an expected timeframe to hopefully have all this completed by, or are you just progressively working through it?

**Mr Glenn:** It is an iterative process. I would expect that it is at least a 12- to 18-month journey to go through all of the recommendations. Some will fall out sooner than others, as I have suggested. But, as a broader change program, it is going to be a longer-term exercise.

**MR MILLIGAN:** Have you engaged with the different union groups as of yet?

**Mr Glenn:** I have not directly, although we have a constant engagement with our union groups through the ESA. As I say, the consultative mechanism that is being set up to support the oversight committee will have that engagement as well, if the relevant unions choose to participate in that way. Some may choose to participate through the ESA structures.

**Mr Gentleman:** So the group has staff, volunteers and unions involved in the consultative group, and that will inform the work of the change implementation oversight committee.

**MR BRADDOCK:** The Bushfire Operational Plan says that there are 150 staff days allocated to repair access to trails relating to the 2020-21 storm damage. Why is there still outstanding priority repair jobs from these storm events given the time that has elapsed, and when is it going to be finally completed?

**Mr Gentleman:** Thank you, Mr Braddock. I did expect this question so I have prepared some earlier work for it. We have actually done quite a bit of that work. The access roads now up into the central part of Namadgi and to Cotter Hut are now repaired. I have some photographic evidence to provide for the committee—before and after pictures—of those particular trails, which I will table for you to have a look at. So I am very pleased with the work they have done to date. Whilst there was a bit

of communication about whether or not we would have access prior to the fire season, I am pleased to say we now have complete access up into the difficult areas of Namadgi.

But, of course, the work does not stop. Whilst we have done this bit of work, particularly around Parks and Conservation and their roading team, that will not stop there. There is then the funding from the Black Summer fires insurance work, to allow us to build these roads back even better. These are much more permanent repairs than we have done previously. Previously we would have simply graded over the erosion areas and compacted. Now we are building back better. We are building erosion control into the repairs and we are building water flow into the repairs so that the creeks can now channel their stream underneath the roadways and not damage the roadway itself. That will be ongoing, though, because some of that funding does not actually come into play until early next year. So we will continue that right through the summer period where we can. It will be a better outcome for access into the park.

**MR BRADDOCK:** When you use the word "access", access for what—a mountain goat, a fire truck or something in between?

**Mr Gentleman:** No; all-wheel drive vehicles and delivery of firefighting appliances up into the park, including floats and—

**MR MILLIGAN:** Do you have a list of fire trails that needed repairs and upgrading, and do you have a list of what has actually been completed and what is still to be completed?

**Mr Gentleman:** Yes. Most have been completed. We can provide a list.

**Mr Scott:** Yes. The fire trail network—which I think we need to give PCS credit for—is one of the best in the nation. They have a quite comprehensive list of works that are prepared throughout the year for maintenance and also for the repairs. We need to note that there were three years of significant rain and part of those repairs, as the minister eluded to, are building bigger, better and stronger back. There were also some significant ecological considerations before they started to do some of those works, and they actually needed to repair those lower level crossings before they could work on those high altitude ones.

They do have a very comprehensive list of their trails and they are doing a review of their current trails. They have been working with us in consultation to see what trails could be added or what trails could be widened or improved for better access across the whole estate of the ACT.

**Mr Gentleman:** The key ones up into the central area that were raised as concerns were the Cotter Hut Road, the Yaouk road and Bimberi Creek road, and they have all been repaired, as I can show you in the photographs.

**MR BRADDOCK:** Mr Scott, you mentioned a review. When will that review be completed, and is it possible that it be made publicly available?

**Mr Scott:** That review, which we are having input into, is being conducted by the



Parks and Conservation Fire Management Unit. It has already started. That would be able to be sourced through EPSDD.

**MR MILLIGAN:** Are you able to take on notice to provide specific details in terms of the fire trails—the status of each one, where each one is up to and whether it has been completed or is still to be completed? You mentioned that you are considering additional trails. Are you able to provide more details on those additional trails, whether on notice or here?

**Mr Scott:** The trail network information would have to go to EPSDD because they own that dataset. I am not too sure if they can release the review findings yet because we have not completed that. But I am pretty sure that, once that has been completed, it will be publicly available. We are looking at where those strategic trail networks may need to be increased or widened. But, as I said, the trail network in the ACT is one of the best in the nation with the standards that we have currently got.

**Mr Gentleman:** There is always a concern as we look at providing more access up into the park. Where we see it as for emergency services and fire response, there are other groups that do not see it that way, particularly environmental groups that do not want to see more access up into the park. Unfortunately, we do see people getting up into the park and creating more damage, particularly with four-wheel drive vehicles. It has been a real challenge, particularly at the top of Bulls Head road, Mountain Creek Road and Ginini Gate.

Ginini Gate allows you to come from the top of Namadgi National Park down towards Cotter Hut. It is a really big piece of infrastructure with big steel bolts either side, only to allow access for Parks and Conservation groups. But, invariably, we see people going out there with petrol-powered angle grinders and cutting it up so they can get their four-wheel drives in for entertainment, and they do a lot of damage up there. So we are really trying to be very careful about extra access roads and making sure that they can be available for the fire service and our environmental groups but not for the recreational people.

**MR MILLIGAN:** Can I get some more detail on the Casey proposal—some information on the announcement that you made recently?

**Mr Gentleman:** We have made an announcement that we would like to see an operational station for Fire and Rescue and our ambulance service in Casey. We are just going through the pre-planning for that at this time, and I will ask officials to give you the details that they have to date.

**Mr Glenn:** Mr Milligan, you will recall there was funding of \$1.851 million provided in the 2023-24 budget to undertake the planning and design for the Casey station. The milestone status is we are working through that preliminary sketch planning—that is up to 30 per cent—is underway in consultation with the services is being undertaken and that is expected to be complete by December this year. We would expect then to be in procurement for people to be engaged to do the 100 per cent plan in January 2024, with draft design of the 100 per cent plan by October of next year. Of course, those plans will then facilitate decision by government as to the timing of construction.

**MR MILLIGAN:** Why did the government choose Casey as a location? Was there a particular reason that you have put urban fires and an ambulance service in Casey?

**Mr Gentleman:** From a planning perspective, we look at the opportunity to provide emergency services across the ACT and we look at the growth of suburbs in that as well and possible response times to emergencies from particular stations. Of course the area involved needs to be suitable as well. The Casey area was deemed suitable to build a joint station. There were many other requests for the use of land in that area at the same time—I can say that with my planning hat on—but we have secured the site and are very pleased that we will be able to work on that and provide that opportunity for emergency response from that location.

**MR MILLIGAN:** Is Casey the right place for an ambulance service? Have you done approximate times and travels to get from one area of Gungahlin to the other? It is not really central and I am wondering how that might impact response times for emergencies, particularly for paramedics.

**Mr Gentleman:** It is an important question. Whilst we see these opportunities as a base for the ambulance service, it is almost rare that ambulances will actually depart from there to go to a job. They are normally on a job already and they are triaging the opportunity to if you like, drop off a patient at the hospital and to move to the next job. So, whilst we want to provide the best accommodation we can, we understand that they are busy and they are on the road most of the time. So the response times you see are usually from where they are located at the last job to the next job. But, of course, they will need to go back to the station to change shift and to refit the ambulance with the appropriate equipment that is needed. Our ambulance people go through that operational planning and provide the detailed information to us on where they would see a site that would be suitable—for example, a first response.

**THE CHAIR:** On page 93, the incident response times, mentions that the ACTAS continue to lead the nation in response times. However, according to ROGS, these response times have increased from 12.9 minutes to 16.8 minutes for priority 1 calls at the 90th percentile in the last 10 years—in fact, a further increase in time even from last year. Could you explain why that has occurred?

**Mr Gentleman:** Yes, certainly. There are a number of factors that draw ambulance services across the territory and increase time lines. It is usually population, the number of calls and traffic arrangements at the time. But I will ask our directorate officials to give you some detail on that.

**Mr Phillips:** Response times do vary from year to year depending on the caseloads for ambulance services—and I will veer into the fire side as well. The general tracking of response times has not shifted too much for it to be a cause for concern for us. In saying that, we are looking at, with the ambulance service now, a different roster for next year to match peak demand hours to keep Canberrans safe at times where ambulances are more likely to be called.

**THE CHAIR:** Similarly for the 50th percentile, it has increased every year from eight minutes to 10 minutes, going up each year. Can you explain why that is the case?

**Mr Gentleman:** There are similar pressures, Mr Cain. There is a growing population in the ACT. Whilst we have population growth and we are providing better infrastructure in roads, there are more vehicles on the road in the ACT as well and, of course, ACTAS officers have to navigate through that. So there are all of those pressures. At the same time, we are increasing the number of our emergency services staff to try and match that wherever we can. As we have indicated, though, they are the fastest response times in the country. We will continue to invest in more staff and more support services to try to hold back that delay in responses. Mind you, it is still the fastest in the country.

**THE CHAIR:** Okay; thank you.

**MR BRADDOCK:** Who in the ACT government is actually responsible for the fast water rescue within the ACT?

**Mr Gentleman:** Police.

**MR BRADDOCK:** I understand that that potentially is the Counterterrorism Unit, which might be called off site or to other jobs around Australia. Who would be responsible if they are not around?

**Mr Gentleman:** We have an opportunity for our SES to work with police on fast water rescue. We have actually had this conversation just the other day with our fantastic officers in SES. They do an amazing job in supporting Canberrans. It is actually a legislative position that we find ourselves in in the territory, where police have the legislative responsibility but often will use SES to assist in fast water rescue. We will certainly look at that to see whether that can be grown. If there is an opportunity to provide a faster service, the government should be looking at it.

**MR BRADDOCK:** So there is no capability or skills reason why the SES should not be able to fulfil that function?

**Mr Gentleman:** In fact, they train in that area and we see competition amongst SES groups across Australia training in fast water rescue. So, yes, they are well trained for it.

**MR BRADDOCK:** So what is the legislative reason that the police have fulfilled that function?

**Mr Gentleman:** I will have to take that on notice as to the specific piece of legislation. It was provided to me just the other day the reason that police take the responsibility. I must say, though, that the base services do a fantastic job in supporting Canberrans. As the population grows and we have more hot weather, we are going to see more need, I think, for this. So we will certainly be looking at it.

**MR MILLIGAN:** On page 166 it states that the gender pay gap is at minus 7.3, giving the appearance that the female workforce is paid more than the male workforce; however, on page 172, table 64, the truth is that this measure is based on the difference in pay of judicial officials. If you take that out of this employment, then the total is very different. What is evident on this table is that there is a massive 7.9

per cent gender pay gap for ambos, though the numbers employed are most equivalent—we have got 135 females and 15 males. Can you explain why you have decided to report it in this way, given the very false or misleading truth?

**Mr Gentleman:** We might have to ask our officials in JACS to—

**Mr Phillips:** Ms Krajina, who is online, might be able to assist us.

**Ms Krajina:** Certainly. Good morning, everyone. I acknowledge the privilege statement. The data as presented is actually produced as part of the *State of the Service* report. It is a way of representing gender pay gap classification across the service. So it is not meant to be misleading in any way; it is the standard way of reporting.

**MR MILLIGAN:** So in what way are women officers paid more than males in the ambulance service?

**Ms Krajina:** There may be other considerations within that data. I can take that on notice, if that would be helpful, to determine what the differences are. It may be that we have a number of ambulance officers who are retired or who have been on maternity leave. There could be a range of contributing factors.

**MR MILLIGAN:** Okay. It appears that there is also a pay gap between Fire & Rescue officers of 4.8 per cent.

**Ms Krajina:** I could take that one on notice as well. That may also have to do with the levels of those officers. As you are probably aware, we are certainly supporting more females coming into those workforces, which will have an impact over time.

**Mr Phillips:** I would just add that, generally speaking, family and maternity leave impacts a woman's salary over her career and the total value of your end of year earnings. If that ambulance officer or firefighter who has also given birth has been off work, that will impact their total year's savings. Therefore, in our reporting, it will come out that there is a gender pay gap, which acknowledges that there is a gender pay gap, because that is what happens.

**MR MILLIGAN:** While we are on this topic, what is the recruitment going like for Fire & Rescue? I know you are focused on bringing more women into those roles. What has been the uptake?

**Mr Gentleman:** I might ask Matthew Shonk to come and talk about uptake in the firies. He is our Acting Chief Officer at the moment.

**Mr Shonk:** Thank you, Minister. Good morning. I acknowledge the privilege statement. ACT Fire & Rescue female numbers are now sitting at around seven per cent. The Women in Emergency Services Strategy, which was being used for quite some time, made a big difference to our numbers. That strategy ended and we continued on with a support structure where we would provide support for prospective female employees—actually any employees—who wanted to come in and get help with the physical aptitude side, which is where a lot of our female applicants were

falling down. We are pretty proud of where we have ended up there. Our final female participation in most of our colleges has mirrored almost exactly the number of applications that were provided. So, if 10 per cent of applications were from females, we have generally ended up with 10 per cent of the college being constituted by females as well. So I think that is a pretty good result.

As far as the pay gap that came up before, station officers get paid more than firefighters, commanders get paid more than station officers and superintendents get paid more than commanders. Historically, there have been fewer females in Fire & Rescue. We have a very set promotion time line: seven years before you become a station officer, another two before you are commander and then it is competition going up from there. Those higher levels are generally filled by males at this point. We are getting females through into those roles. But, if you look at the service as a whole, there are more female firefighters than there are in managerial ranks. That will contribute to the pay gap, given that all station officers, regardless of gender, are paid the same—and it is the same with commanders.

**Mr Gentleman:** Mr Milligan, we have been able to move quite dramatically from the early days of the fire service in Canberra where you had physical abilities that you had to show and expand on in your training. Just to get in it was a four-inch chest expansion, was my memory; more than five foot seven inches tall; and the ability to run between the beep test at a certain speed as well. What we have been doing is where women have been approaching the fire service to join but have not been able to initially match physical aptitude, we have been able to assist them in the process of getting ready for that physical aptitude, and those previous conditions no longer exist. There is still of course a physical aptitude condition, but it is much more relaxed than it used to be.

**MR MILLIGAN:** Thank you.

**MR BRADDOCK:** Extending further in terms of the fast water rescue question I asked earlier, are there any other functions that the police are legislated to do that could actually be done by the SES or another ACT government service?

**Mr Gentleman:** That is certainly something we need to have a look at, Mr Braddock. We have seen an opportunity to engage other emergency services in the work that policing did traditionally. With attendance at vehicle accidents across the ACT, for example, Fire & Rescue can now assist in that and, indeed, provide the rescue operation in those circumstances.

We are happy to have a look at where we can expand the services, particularly the Fire & Rescue, or SES supporting ACT Police or doing a particular role. But police of course have the opportunity, being sworn officers, to enforce the law on the spot, where our other emergency services cannot. So, on occasion, whilst they are able to assist, they do not have the legislative power to do a particular function that police might. But, every now and again, we do use special constables for certain circumstances. The government would be very happy, and I think ESA would be happy, to have a look at where we can provide that sort of response.

**MR BRADDOCK:** Could that include the coordination of missing persons searches?

**Mr Gentleman:** Certainly searches. They work together at the moment. I might ask Mr Johnson to give you some details on how that operates.

**Mr Johnson:** Searches for people are traditionally undertaken by policing across the country. I guess there are different levels of searches for missing people. There are people who have been missing as a result of a report of an absence from a hospital where you might actually conduct a physical search of a location. That is something that policing engage with SES with to assist with those searches—just physical bodies and so forth on the ground.

There are other types of searches where they have gone missing in different circumstances where a physical search of a space or a bit of land is not necessarily the response you want, and obviously a missing person may well turn into something that is more nefarious where police would have some responsibilities. So, nationally, the responsibility for dealing with missing persons still lies with policing. But, inevitably, in pretty much all jurisdictions, including our own, the support we get from SES and other volunteer services is invaluable in being able to do that on-the-spot physical searching. There is capability in the SES to support the coordination as well. It is quite an integrated capability.

**MR BRADDOCK:** Thank you.

**Mr Gentleman:** We have been doing some exercises across all groups, Mr Braddock. I think it was the year before last we did Birrigai, where we had SES groups, the Rural Fire Service, police and even educators from the location in a 24-hour operation where we provided emergency response in a test sense, if you like. It was quite a successful operation and I think everybody enjoyed the opportunity to work across the different groups.

**MR BRADDOCK:** Thank you.

**Mr Phillips:** I would just add that ESA works very well with ACT Police with regard to missing persons or a search for missing persons. The SES provide a valuable service in people power to be able to do that and train people in search and rescue functions. We also have our volunteer mapping unit as well, who have been able to assist police in grids on the maps—search areas and grids. We have some real expertise in our mapping area, and ACT Police have acknowledged that that has proven to be very successful recently in searches for people.

**MR BRADDOCK:** Thank you.

**MR MILLIGAN:** It would be good to know exactly where the Molonglo Fire Station is at?

**Mr Glenn:** You will recall that the 2023-24 budget allocated \$65.9 million in funding for the Molonglo station. In March this year, the 30 per cent preliminary sketch plan and documentation was finalised. We expect the development application will be submitted in November of this year and we would have further consultation with the services on the 80 per cent preliminary sketch plan. By December this year, we would

expect the 100 per cent plan to be finalised and in January, after the break, the RFT for the construction contract to be released to the market, and we would anticipate that to be awarded in April next year.

**MR MILLIGAN:** Audited did you say?

**Mr Glenn:** Awarded.

**MR MILLIGAN:** Is there an expected timeframe for construction and completion? How many people will it house?

**Mr Glenn:** I am sorry, but I do not have the construction time line with me. If I can find that, I will bring that back on notice. In terms of the number of appliances and staff to be housed—

**Mr Shonk:** For Fire & Rescue we will be housing an urban pumper there and there will also be a facility there for an urban fire zone interface zone appliance that will be cross-crewed for the majority of the time but, in high fire danger times, there will be dedicated crew.

**MR MILLIGAN:** Will that facility have training opportunity options at the Molonglo—

**Mr Gentleman:** Our main training facility is at Hume.

**MR MILLIGAN:** Yes. Will this include any form of training facility as well, potentially?

**Mr Phillips:** I will take that question on notice, Mr Milligan, and for the staffing and operational capability on the ambulance side. Unfortunately, my chief officer could not come today, so we can get you some details about the ambulance side as well for Molonglo.

**MR MILLIGAN:** Okay; excellent.

**Mr Glenn:** Mr Milligan, certainly the gymnasias and other physical training facilities for staff will be available in the centre. I have just been nudged: the project plan has completion of construction in December 2025.

**MR MILLIGAN:** Okay. Obviously Hume is under the pump all the time—right? Pardon the puns. But it is always being used to get access to for proper training. Has the government considered another venue for training services, particularly on the northside of town?

**Mr Gentleman:** No, not at this point, Mr Milligan. Certainly I have had briefs provided to me on the pressure we see at Hume. It is because we are recruiting more people than ever before that we see that. It is actually the training of the new recruits that is the pressure point for Hume. There is an opportunity, I think, to expand at Hume. We will have a look at that and see as we move forward if there are any other opportunities for other locations. The opportunity, though, to bring people together for

the one training area means that other people can pass on training attributes to those people who are training there. Mind you, you might be in a different area of training at the time. It is quite a socially active area as well. We will certainly look at it.

**MR MILLIGAN:** Maybe an election promise next year?

**Mr Gentleman:** Chair, I can just give you some updates on some of the questions earlier on.

**THE CHAIR:** Just before we do that, we are still running our substantive lines.

**THE CHAIR:** Mr Braddock, substantive?

**MR BRADDOCK:** Just an update on the Acton Fire Station construction.

**Mr Gentleman:** Construction has begun, as you have probably seen driving past.

**MR BRADDOCK:** The expected operational date?

**Mr Glenn:** The chartered date is actually in the fourth quarter of next year for operational commission. Current efforts at the moment are around groundworks, and we would expect construction to start relatively soon.

**Mr Gentleman:** Would you like me to give you that information now?

**THE CHAIR:** Yes; thank you.

**Mr Gentleman:** Under the swift water rescue we have some requirements under section 44 of the Emergencies Act. The main function of ACT Fire & Rescue is to protect and preserve life, property and the environment from fire in built-up areas. Fire & Rescue also has an additional function to respond to rescue incidents in the ACT. By virtue of the 2019 MOU between Fire & Rescue and the Australian Federal Police, responsibility for swift water rescue is divulged to AFP, as I mentioned earlier. ACT SES also has an additional legislative function to support other agencies in rescue activities. Under section 57 of the act, the main function of ACT SES, or the emergency service, is to undertake planning and response operations for storms and floods. SES also has the additional function to undertake assistance operations to support the other entities in the exercise of their functions under the act and to undertake assistance operations to support the other entities in relation to searches.

On the search question: under the National Search and Rescue Manual and the Intergovernmental Agreement on National Search and Rescue Response Arrangements, paragraph 1.1.26 says:

The Australian Federal Police is the SAR Authority for the Australian Capital Territory, the Jervis Bay Territory and other populated Commonwealth territories.

So they are responsible for coordinating that search and rescue function. Paragraph 1.1.28 says: “Whilst the police are the emergency authority for SAR, they



may be assisted by state emergency service under that NATSAR manual if it is agreed that the SES will provide manpower and equipment to enable SAR operations to be carried out; and the level of expertise and equipment available will vary between states and individual SES assets.” That is a legislative requirement.

**Mr Johnson:** Chair, perhaps I can quickly add, on the question about the swift water rescue capability within the AFP, that the capability exists primarily to support ACT policing. It is broadly not useful to the AFP in other contexts because it is based in the ACT. It was set up specifically as part of the enabling capability under the purchase agreements or to act to support the ACT community. So, whilst there may be a suggestion that they may not be available, I think we would rely on them being available, as you would expect policing capability to be available to a jurisdiction.

**THE CHAIR:** On behalf of the committee, I would like to thank our witnesses for your attendance today. If you have taken questions on notice, please provide your answers to the committee secretary within five business days on receiving the uncorrected proof *Hansard*. Minister, I want to thank all of the officers in our emergency services for the valuable support they provide to our community, particularly in times of grave need. Thank you very much.

On behalf of the committee, I would like to thank witnesses, who have assisted with their knowledge and experience. We also thank Broadcasting and Hansard for their support. If a member wishes to ask questions on notice, please upload them to the parliamentary portal as soon as practicable and no later than five business days after the hearing.

**The committee adjourned at 11.14 am.**