

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

STANDING COMMITTEE ON LEGAL AFFAIRS

(Reference: annual and financial reports 2002-2003)

Members:

**MR B STEFANIAK (The Chair)
MR J HARGREAVES (The Deputy Chair)
MS K TUCKER**

TRANSCRIPT OF EVIDENCE

CANBERRA

TUESDAY, 2 DECEMBER 2003

**Secretary to the committee:
Ms J Henderson (Ph: 6205 0199)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents relevant to this inquiry which have been authorised for publication by the committee may be obtained from the committee office of the Legislative Assembly (Ph: 6205 0127).

The committee met at 2.05 pm.

Appearances:

Mrs JE Morters, Nominal Defendant

Mr B Wood, Minister for Disability, Housing and Community Services, Minister for Urban Services, Minister for Police and Emergency Services, and Minister for Arts and Heritage

Department of Justice and Community Safety

Mr T Keady, Chief Executive

Mr M Ockwell, Executive Director

Mr B Lenihan, Director, Resource Management

Emergency Services Bureau

Mr M Castle, Executive Director

Mr P Lucas-Smith, Director, Bushfire and Emergency Services

Mr D Prince, Acting Fire Commissioner

Mr K Paulsen, Director, Ambulance

Mr G Williams, Director, Finance

Mr S Bramah, Director, Support Services

Mr P Macdonald, Director, Corporate Administration

ACT Policing

Mr J Murray, Chief Police Officer

Ms M Newton, Acting Deputy Chief Police Officer

Dr T Murney, Director, Services

Ms P Mitton, Coordinator, Financial Services

THE CHAIR: Ladies and gentlemen, thank you very much for attending. Today is the first hearing relating to this committee's examination of the annual and financial reports. We'll be examining the reports of these agencies today: first the Nominal Defendant, then the Emergency Services Bureau and ACT Policing.

The transcript of the hearings will be sent to witnesses later this week for correction. It will be a rough draft. The Hansard staff are very good but occasionally they may not hear you, so please check the draft and put in whatever is missing or correct the text if you have been taken out of context. You won't have to change much.

Please also check the transcript for any questions that you have taken on notice, because it's very important that we get the answers to those. We have to report early next year so it's great we're having these hearings now. We wish to have responses to questions taken on notice by 22 December. If you have a difficulty getting information, we're quite reasonable and we will give you a short extension.

People who appear before the committee should understand that the hearings are legal proceedings of our Assembly and they are protected by parliamentary privilege. This gives you certain protections but also certain responsibilities. It means that you're protected from certain legal action, such as being sued for defamation for what you say at this hearing. It also means you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter. Do you understand that?

Mrs Morters: Yes, I do.

THE CHAIR: Great. I hardly think it is necessary as most of our hearings are not controversial, but we must give that warning anyway.

One of our committee members, Mr Hargreaves, was particularly interested in having the Nominal Defendant appear. I don't have any questions for you but Mr Hargreaves does, so I'll pass you over to him.

MR HARGREAVES: Thanks very much, Mr Chairman. Mrs Morters, can you first tell me whether your position as the Nominal Defendant is a statutory position?

Mrs Morters: The occupant of the position is appointed by the government under the Road Transport Act.

MR HARGREAVES: Right. As I understand it, if somebody has a vehicle accident or something like that and is injured, and the person who is at fault is not insured, the person who is injured takes action through you. You settle if it's justified and so on, and then try to recover the money from the other person in one form or another. Is that right?

Mrs Morters: That's correct. It also applies to unidentified vehicles that may be at fault in accidents.

MR HARGREAVES: I have been looking at the figures. I know of one case in which one of my constituents was at fault—I think he was at fault but I don't know. The Supreme Court found him at fault so as far as I'm concerned that's that. However, I understand that the figure was something like \$700,000 and that it was ultimately settled with your office somehow for about \$10,000. Where does the \$690,000 go to? Is that written off or is it recorded as a debt? How does it appear in these figures?

Mrs Morters: That amount is not recovered, obviously, and it's basically worn by the parties that are levied for the Nominal Defendant. Three parties contribute: the NRMA, the Commonwealth and the ACT government.

MR HARGREAVES: How can we find out what the outstanding liability might be? At a certain point in time, your office has paid out a certain amount to the aggrieved party and then you decide to just what extent you can recover the funds, either through Supreme Court action or through settlement, negotiation or whatever, so how can we see from these figures how much the outstanding liability is?

Mrs Morters: Are you talking about per claim or about the outstanding liability in total?

MR HARGREAVES: Even overall. It seems to me as though the financial information in here is almost like a record of cash transactions through the accounts as opposed to a statement of liability.

Mrs Morters: Yes. The liability can be determined. It isn't shown in here but the liability on each file is estimated and we do a reconciliation once a year. It's also independently audited by PricewaterhouseCoopers, so we are aware of what is outstanding against each accident year that we're currently holding on files.

MR HARGREAVES: Is that public information?

Mrs Morters: Not that I'm aware of, but that could be supplied if we received a request for it.

MR HARGREAVES: I'd be grateful if you would supply the list of outstanding liabilities for, say, the last three years.

Mrs Morters: That's fine. We can supply that.

MR HARGREAVES: How do you determine how much you can recover from somebody in a standard case?

Mrs Morters: What we do first of all is contact the debtors and deal with them. There are many ways we can recover funds. They may offer us an amount up front, for example. It is generally not the full amount, so if we say there is a \$50,000 debt, they might offer us \$25,000. We would determine what percentage that is and whether we could accept that. We may enter into instalment agreements with them, whereby they fill out what we call income and expenditure sheets. Many people will declare bankruptcy. Some people just disappear.

In cases of hardship, obviously we don't pursue the funds. Obviously, if there has been a death in the accident or something like that, or someone is ill or has a terminal illness, we do not pursue them. We may seek recovery through court proceedings if we get no response from the debtor. However, at all times we go to the debtor and try to come to an agreement with that person before we institute any sort of legal action against him or her.

MR HARGREAVES: Is there any way we can find out what percentages are recovered against those liabilities?

Mrs Morters: I imagine we could produce that.

MR HARGREAVES: Would you have a look at it please?

Mrs Morters: Yes.

MR HARGREAVES: It seems to me that the actual amount recovered is probably quite low, given the amount of cash that seems to be recorded here.

Mrs Morters: We probably recover about 2 per cent of what we're expending.

MR HARGREAVES: In terms of the legal aspect of pursuing people, I assume that you would engage legal counsel to do that on your behalf and you wouldn't have them on staff?

Mrs Morters: That is correct. We engage a legal firm to do that for us.

MR HARGREAVES: Do you pay them on a per case basis or a retainer basis?

Mrs Morters: A per case basis.

MR HARGREAVES: Are those the legal costs that are reflected in the last page here?

Mrs Morters: That's correct.

MR HARGREAVES: Would the legal costs outweigh the amounts recovered?

Mrs Morters: I'd have to look at the figures per year. In some cases, possibly yes; in other cases, no. I could provide that information to you.

MR HARGREAVES: Is there a standard period for which you have a go and then give up after that?

Mrs Morters: Basically, we try to recover and it just depends what happens. We institute very few legal proceedings because we generally come to an arrangement with the debtors or they declare themselves bankrupt, so there's nothing for us to pursue anyway.

MR HARGREAVES: How many occasions have you had where you've been required to go and, say, stick stickers on people's furniture and say, "This could be up for sale. We might have to sell this stuff and the house." Does that happen very frequently?

Mrs Morters: It doesn't occur to me that it happens very frequently. Mostly what happens is we either recover straight up, through either a lump settlement or an instalment agreement or, as I said, unfortunately people declare bankruptcy.

MR HARGREAVES: In your organisation, who makes the decision about whether to pursue somebody and whether the likelihood of recovering the money is slight or high? Somebody has to make a decision about the likelihood of success.

Mrs Morters: The recovery officer does the initial paperwork, as such, to contact the debtors and see what it is that they can offer us. The ultimate decision, about whether we will accept a lesser payment or whether we will still pursue people, is then made by me, as the Nominal Defendant.

MR HARGREAVES: Do you have offices here in Canberra?

Mrs Morters: We do.

MR HARGREAVES: Are all of the transactions done through here?

Mrs Morters: The recoveries are not done through Canberra. They used to be but, unfortunately, because of security problems and threats made against staff, we had to move that function to Sydney.

MR HARGREAVES: Don't they have the same problem in Sydney?

Mrs Morters: Not to the extent that we had here. We had people who would come into our office and identify staff and then, outside, in public, they would abuse those staff.

MR HARGREAVES: When did those threats peak?

Mrs Morters: There was no peak. It occurred over a period of time. It depended on the debtors and the other people involved. It does not happen with every debtor. It occurs only on rare occasions, but we believe it poses a security risk to our staff and that was the reason for transferring it.

MR HARGREAVES: What's the relationship with the NRMA?

Mrs Morters: The NRMA contributes to the cost of the Nominal Defendant and currently I believe the contribution is 98.87 per cent.

MR HARGREAVES: Does it have any administrative role, apart from coughing up the cash?

Mrs Morters: The claims are actually managed by the staff here, so the NRMA staff are managing the claims. Obviously, I'm also an employee of NRMA, and my personal assistant pays the accounts and that sort of thing. None of those costs are charged back to the Nominal Defendant. None of those admin fees are picked up by the Nominal Defendant.

MR HARGREAVES: If I get this right, if I'm the naughty one in this particular argument, my conversations will be held with your office here.

Mrs Morters: That's correct.

MR HARGREAVES: However, the actual processing of the claim will be done in Sydney.

Mrs Morters: The processing of the claim will be done here. The recovery will be done through Sydney, yes.

MR HARGREAVES: So if I'm the injured party, I'll go and see you here—

Mrs Morters: That's right.

MR HARGREAVES: because I'm going to be pleased as punch when I walk away.

Mrs Morters: That's correct.

MR HARGREAVES: However, the conversation with the other bloke, who's been at fault, is all carried out by people in Sydney?

Mrs Morters: No. The initial conversation regarding completing an accident report form will be done through my office. Any further contact we may need to have with that person in relation to the claim will be done through my office, if there's going to be a court hearing or something like that, but the actual recovery will be done through our Sydney office.

MR HARGREAVES: When you get to the point where you decide whether you are going to go down the recovery track, how do you determine that? Do you have an interview with the person and say, “Come in to talk to us because we want to talk to you about this outstanding matter”?

Mrs Morters: Each circumstance is different. Generally, because they are in Sydney, the recovery officers will contact the person involved by phone or letter. If people have a specific issue with recovery, we do ask them to come into our office to speak to us.

MR HARGREAVES: Okay. If I’m involved in an accident and hurt, and the other person has no insurance or has bolted, and I submit a claim to you for my medical expenses, how is the validity of that claim examined?

Mrs Morters: We treat such claims in exactly the same way as we treat the ones that we do for NRMA, as the compulsory third party insurer. Liability will be investigated and police reports will be obtained. It may be that a factual investigation has to be undertaken to determine the liability aspect. For medical claims, we obtain medical reports. It may be that the person who has been injured has to have an independent medical examination. Obviously, other things may be used to test the validity of the claim.

MR HARGREAVES: What sort of things are they?

Mrs Morters: Surveillance of the claimant, if we believe that the claim is not as legitimate as it seems.

MR HARGREAVES: What range of costs would be regarded as legitimate? If a person has to have—and I suppose this would happen fairly frequently—extensive physiotherapy after breaking loads of bones, is the cost of transport from the home to physio and back again a legitimate claim?

Mrs Morters: It can be. We tend to set a figure that we pay. Obviously, we wouldn’t just pay any figure. If people are using public transport, we may ask for receipts. In cases of serious injuries, we will sometimes supply the claimants with cab vouchers that they can use to get to and from treatment. However, all treatment is also assessed. We have injury management advisers on staff and these claims go through the same process that the NRMA claims go through to determine the reasonableness or otherwise of treatment.

MR HARGREAVES: Do you have a periodic payment process in which people submit claims on an ongoing basis or do you just say, “Okay, the payment will be made at one point or a couple of points along the line”?

Mrs Morters: Medical expenses are met as we go along. They’ll lodge the claim, we’ll investigate liability and, if the other party is liable, we’ll pay the medical expenses as we go, obviously as long as there is medical evidence to support that.

MR HARGREAVES: Regarding that liability information that you’re going to give us, would you be good enough to put that in future copies of the annual report please, so that we can have a snapshot of how much is outstanding?

Mrs Morters: Yes.

MR HARGREAVES: That would be helpful. Thanks very much.

MS TUCKER: I have a follow-up question. I don't quite understand: staff are being threatened—and you have some people in Sydney and some here—but, from what you just said to Mr Hargreaves, it appears that you're still dealing with recovery here.

Mrs Morters: The recovery recommendation will come to me and I will sign it off, but my front-line staff aren't involved in it any more. While my name is out there, the names of the front-line staff are not. They do have contact regarding the claim, but the uninsured driver obviously doesn't have an issue with them at that time. It's when we seek recovery that the issue comes to the forefront.

MS TUCKER: Is this because the defendants know what these people look like and that they live in Canberra, and see them, but from Sydney it is possible to do it long distance, without the defendants seeing them?

Mrs Morters: Yes.

MS TUCKER: Right. Couldn't you have just done that here?

Mrs Morters: We only had one person doing it here. If people are paying instalments, they see who they're paying because they come into our office to pay an instalment, and that was the issue.

MS TUCKER: How do they pay instalments?

Mrs Morters: They come in and bring a cheque or cash to us. They might be paying us \$50 a month for so long.

MS TUCKER: They vent their anger on you because you're there. They actually personalise it to that degree?

Mrs Morters: We have had that unfortunately, yes.

THE CHAIR: Thank you very much, Mrs Morters, for coming in and appearing before the committee.

Mrs Morters: Thank you.

THE CHAIR: Any witnesses who are with Jill may be excused too, thank you.

THE CHAIR: Thank you very much, minister and numerous staff, for appearing. I'm glad we have the AFP here too because I can read the same thing for everyone. As those of you who have appeared before the Assembly committees are well aware, I have to read this little blurb to you. Most of you have heard it before. Ladies and gentlemen, you should understand that these hearings are legal proceedings of the Assembly and are protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you're protected from certain legal actions such as being sued for defamation for what you say at this public hearing. It also means you have

a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter.

We've dealt with the Nominal Defendant. We're dealing with emergency services and policing today. The transcript of the hearing will be sent to witnesses later this week. It will be sent for correction. The minister is well aware of what happens with Hansard transcripts. Generally they're pretty accurate but if something you say is not heard there might be a gap which you will need to fill in,. Please do so accurately. Please check the transcript also for any questions that you've taken on notice. We'd appreciate having responses to those questions by Monday 22 December, which is a reasonable time frame. If there is some unavoidable, reasonable excuse for not having the answers back by then, please contact our secretary, Judith. We will be quite reasonable about that but I would think 22 December is a pretty reasonable time. Minister, a number of questions on notice were given to you so that we could get some things out of the way beforehand. I understand we don't have those answers?

Mr Wood: No, they're on their way, Mr Chair.

THE CHAIR: When will we get them?

Mr Wood: I would think tomorrow if I can possibly do it—tomorrow or the next day.

THE CHAIR: Okay. I'll put that to one side. The questions in relation to emergency services were asking you to provide a breakdown of the number, type and location of fire units. The second question was listing the precautions taken or to be taken for the coming fire season. I'll probably ask a couple on that now. There were several specific questions in relation to performance measures set out on page 95 in relation to the ambulance service, the bushfire service and timeliness measures. There were some further questions in relation to policing and I'll come to that then. We'll have those tomorrow. I'm very interested in the breakdown of the number, type and location of fire units.

Minister and gentlemen from the Emergency Services Bureau, I've got a few questions in relation to fire preparedness. Firstly, what precautions have been taken in the urban area, mowing, getting rid of bracken, things that might be a fire hazard in our green space? I've written to you, minister, a few times in relation to specifics.

Mr Wood: I've got a very large amount of very significant, very detailed material on that, but I didn't bring it down for the ESB stuff. I can provide you with the full list. That's a DUS matter but very extensive, and I have to say very detailed—I mean down almost to the last pine tree sometimes.

THE CHAIR: That's good.

Mr Wood: Obviously in the areas that are more critical I think Mr Castle has been much involved. On Oakey Hill for example, Mr Castle's advice has been sought on what are the key areas that are likely to cause the most problem if something happens. That's very extensive, with mowing—which we're going flat out trying to keep up with, with all this rapid growth at the moment—with clearing, taking out trees, pruning, thinning out trees, a great amount of work.

THE CHAIR: Right. Mr Castle, no doubt your bureau has done some specific work in relation to that. Perhaps if you could just elaborate on your preparedness in relation to the urban areas for the bushfire season?

Mr Castle: Our advice, as the minister said, was specifically sought for Oakey Hill. I and the chief officer of the bushfire service went out with parks and conservation to discuss the work that they felt needed to be done, and we gave our agreement to that work as well.

THE CHAIR: What about other areas? We can come back to that and perhaps members might have questions.

Mr Castle: Gossen Hill is one but specifically I don't have the list, because it is a DUS matter.

Mr Wood: It's DUS or Environment ACT or CUP doing that work.

THE CHAIR: It's a shame you don't have a breakdown of the number and type and location of fire units at this stage?

Mr Wood: Well, that's coming, I think. Yes, it's on its way.

MS TUCKER: Can I follow up that one in relation to Oakey Hill? You were asked to do that by Environment ACT? Okay. I'm just interested to understand the process there, because Environment ACT asked if community concerns were expressed and brought in an independent scientific expert to look at it. Were you asked before or after?

Mr Castle: I have no idea. Do you know? After.

MS TUCKER: You were asked after that, witness? Was your advice based on that report from that person? I am interested to know when you gave your advice to Environment ACT if you took into account the evidence from the expert that was brought in from Victoria or if you had your own separate assessment?

Mr Lucas-Smith: I didn't see the advice that came in from Victoria. We certainly had discussions with the Executive Director Environment ACT. We were there the day after the expert was in attendance at that site. So in a sense, although it was after the expert advice, our advice was still independent of that because I didn't really have that information at that time.

MS TUCKER: So was your recommendation to Environment ACT basically that all the gums should go?

Mr Lucas-Smith: No. Certainly our advice was that there was a level of risk associated with them. The potential was there for fire impacts or a number of possible ignition sources around there and it provided a narrow tongue of opportunity to bring fire right into the urban edge. The blue gums right up against or near the back fences of the properties there certainly increased the hazard and increased the level of risk to those properties. The thinning of those trees and some of the other trees and also the review of

how the access tracks, informal and formal, around that area were laid out were our recommendations that should be taken into consideration.

MS TUCKER: So your recommendation was to look at thinning and making the tracks, ensuring the safety of the houses in particular?

Mr Lucas-Smith: Yes, and also the blue gums. A number of the blue gums were mixed in amongst a number of other species, and the blue gums were the ones that were really causing the threat because of the cluster of them so close to the back fences of properties.

MS TUCKER: Yes, but your advice was about the trees particularly on the fences not on the hill?

Mr Lucas-Smith: No, I wouldn't say that. Our advice was certainly in relation to the blue gums, the fact that they were in on a western approach to the properties and the potential for ember spotting—ember or bark. Any bark and so forth being blown in from those trees was actually quite high in the relationship to the urban edge.

MS TUCKER: So I understand you saw that as a potential threat—I'm just trying to understand clearly—but you didn't say that every single blue gum should be cut? You were talking about thinning, I understand?

Mr Lucas-Smith: Well, we didn't look at every single blue gum. Certainly the ones in the area that we walked down, the area that we had a look at specifically, we were suggesting that they all should go. Whether there were more blue gums in the other areas we didn't look at. I'm not in a position to be able to comment on those.

MS TUCKER: So, is it your opinion then, as an expert in this area, that it would have been advisable to remove every single blue gum there or is it possible to reduce the hazard sufficiently by thinning?

Mr Lucas-Smith: I'd need to have a look at those that I didn't look at to be able to make that full assessment, but certainly in the area that we looked at it was our advice that they all be removed.

MS TUCKER: So, what was the purpose of your advice being sought? What advice were you asked for? For what purpose was your advice sought?

Mr Lucas-Smith: I think they were just ensuring that consultation occurred with all of the agencies, or all the stakeholders had some input into it. There is a level of expertise within the bushfire service in relation to these sorts of matters and I think it's appropriate within the ACT Government environments that we seek all the advice and information from those people who have the expertise or the skills to be able to make a judgment.

MS TUCKER: Yes, I don't disagree with that. So, did they come back to you to ask you about their final proposal? Did Environment ACT come back to you to say, "We're thinking that we're going to recommend this. What do you think?" Did they come back to you with that?

Mr Lucas-Smith: No, I haven't seen anything come back to me.

Mr Castle: We were asked to look around and they showed us the trees that were marked. That's what I understood we were looking at.

MS TUCKER: But you didn't actually walk around that whole site.

Mr Castle: We drove around it. It is an extensive area.

THE CHAIR: Going to the report now, and I'm well aware that the bushfire issue is before the Coroner's Court so I'm only going to ask you questions on what you've got in your report. On page 81 you refer to "The crews that responded to the stockyard spur fire found that the fire could not be accessed by vehicle"—this is on 8 January—"as the only track was overgrown and obstructed by fallen timber." Perhaps you could elaborate on that. My other question is, what attempts outside the urban fringe have Urban Services and the relevant authorities made since the January fires to ensure that tracks are not overgrown and there is proper access to potential fire risks outside our urban fringe?

Mr Wood: I understand there's been a lot of attention to tracks. I can't give you the detail of that because that comes out of a different area, so I haven't attended to that detail.

THE CHAIR: What area is that?

Mr Wood: Environment ACT, who do the nature park and Namadgi. I understand from what I've seen there's been a lot of attention to tracks but Mr Stanhope would be able to give you the detail of that.

THE CHAIR: Perhaps I might ask your officials in ESB, the people who are going to have to use those tracks if we have a fire. Gentlemen, are you aware of what work if any has been done to provide proper access so that fires can actually be fought outside our urban fringe since the January fires? If you can assist the committee by telling us to your knowledge what has occurred, or what would need to occur if you're unaware? We'd be very grateful for that.

Mr Lucas-Smith: It's hard to answer the question in relation to what constitutes proper access. You don't know where a fire's going to start. Generally, access trails are a form of access for people who have malicious intent and who can commit arson. So there are a number of mixed blessings associated with trails. The trail network has a number of constraints based on terrain, topography and where you can actually build things. A number of significant heritage sites and things like that need to be taken into account. It is often the best place to run a track but not the best place to disturb those sorts of sites. There are issues associated with where the risk lies and what benefit is going to be gained from the construction of the trail. So what needs to be done from a fire trail access point of view is to look at it from a risk management point of view. Do a risk analysis of the ACT to determine what the levels of hazard are and where the highest levels of hazard are and then to look at it from the point of view of whether or not the trail is going to ameliorate that hazard in any way, shape or form.

THE CHAIR: Has that happened?

Mr Lucas-Smith: It has happened in the context of fuel management but it hasn't happened as yet in relation to the context of trail construction. We go through the hazard assessment process and risk analysis process on our fuel management side of things, and we do that in a macro scale over the whole of the ACT. The land management agencies are the ones that have got to do it on a micro scale to really get down to the planning side of things to determine what's feasible and what's not. But from our point of view, we look at it from identifying what's the hazard, what are the levels of risk and making recommendations to the land management agencies as to what we believe is contributing to those higher levels of risk.

THE CHAIR: You've talked about fuel management. You talked about fighting fires, too. Have you made any recommendations, and if you have, are you satisfied with any responses you have so that we can feel fairly comfortable in the fact that at least you've addressed issues of fuel management, accessing and controlling that, and also that you have proper vehicle access to likely risk areas to help control fires before they get advanced?

Mr Lucas-Smith: In 1996 amendments were made to the Bushfire Act that resulted in making it compulsory for government land management agencies to produce fuel management plans for their area. At that stage we provided the land management agencies with detailed assessments in relation to fuel management hazards in the ACT. We've been doing it over the whole of the ACT since 1991, in a methodology that was adopted and has proved to be very successful for the ACT. So this has been an ongoing part of hazard identification.

As I said, in 1996 amendments to the legislation resulted in fuel management plans being prepared. We're now up to the addendum of the third plan, which was a recommendation of Ron McLeod through the McLeod inquiry into the January fires. Each time we go through this process of reviewing the plan, which is every two years, according to the legislation, we do another complete hazard assessment over the whole of the ACT, at the macro scale. We use that as the basis for identifying those areas of highest risk that need to have the efforts put in to some fuel management or some management strategy. We're trying to ameliorate the hazard, not necessarily reduce the fuel. If the fuel is an important component to some other ecological or environmental or even recreational pursuit, then maybe other management strategies can be put in place that reduce the hazard without necessarily modifying the fuel.

THE CHAIR: I would have thought that the fuel is a very important part of the process.

Mr Lucas-Smith: Absolutely.

THE CHAIR: What have you recommended? I appreciate another agency might have to do it, from what you say, but what have you recommended be done to protect Canberra in the 2003-2004 bushfire season?

Mr Wood: Where do we start answering that question, because across all agencies an enormous amount of work is being done. Maybe in your suburbs you can find a little local fire unit.

THE CHAIR: Minister, what has your Emergency Services Bureau recommended be done? I accept other agencies are involved.

Mr Wood: No, everybody.

THE CHAIR: These people have a fair bit of expertise. I'm asking them what recommendations have they made. I accept that they may not have control over what other agencies do, but I think it's important to see what they have recommended because in the report they mention a number of things and we're coming up to another season.

Mr Lucas-Smith: From our point of view there are four major components associated with bushfire management. Those four major components consist of land use management planning, land use management itself, fire control and community awareness. They're the four major components. Of that, the Emergency Services Bureau in real terms is only responsible for the fire control component of it and has quite a significant role to play in the community awareness aspects of it. However, that hasn't stopped us from contributing to the other components. We do that through the non-urban study, through the land use study that's been undertaken and through the urban edge review that's been undertaken in the bureau. The bushfire service has been heavily involved in those processes and involved in the steering committees associated with those to put our view and to express our view in relation to our fire management aspects in order to make sure it incorporates that across those areas.

When it comes to the land management side of things, be it through the Bushfire Fuel Management Committee and the Bushfire Fuel Management planning processes, we've had quite a significant input into the approaches that the land management agencies may take in addressing the fuel issues. As well, we're a member of the land managers fire liaison group—as an observer, because we're not a land manager in the ACT. We have a significant input into that in relation to what we can do to assist the land managers to ameliorate those hazards—whether that be in the form of providing resources for volunteers to carry out any hazard reduction burning or even the hand removal of fuels or in providing advice in relation to fire suppression capability.

So, it's been very wide-reaching, although, from our point of view, the only bit that we really do is the squinting and squirting. We're a fire combat agency and that's what our primary responsibility is. From the community education side of things there is obviously a level of expertise that we want to convey to the community, but we do that in conjunction with quite a number of other stakeholders. It's a combined effort of all of the stakeholders and has done an exceptionally good job, in my view, in preparing the ACT community for the fire season we're approaching.

THE CHAIR: I understand that. Have you, in your capacity, though, provided any written advice to other agencies as to what you think should occur? If that's the case, could we please have a copy of that advice?

Mr Lucas-Smith: Well, there's not a great deal of written advice. As I said, it's generally done through forums and discussion.

THE CHAIR: Okay, but is there any?

Mr Wood: The fuel management strategy is drawn up by various land managers. The land managers have the primary responsibility of that. So they have their forums, they have their meetings. Peter is part of that. It is very much a process of sitting, discussing and altering the maps and the plans—you've seen that very extensive document. That's the process. That's where the action happens. It's brought out a very comprehensive result.

THE CHAIR: Minister, do people keep notes of the meetings? Do we have records of those meetings? I mean, surely that would all help. I hope we're on the same wavelength trying to protect this community from another fire outbreak, and every agency doing every reasonable step to ensure that occurs.

Mr Wood: I'm not sure we are.

THE CHAIR: So, do you have notes of those meetings?

MR HARGREAVES: In respect of that sort of information, is that an agency that is scheduled to appear at a later stage? If so, it might be better moved later.

THE CHAIR: Maybe, but quite clearly these people are experts in the area.

MR HARGREAVES: Perhaps a list of those agencies might be helpful.

THE CHAIR: I would think if they have any documents that would assist—I mean, they make reference to it in an annual report.

Mr Wood: There's an addendum to the fire fuel management strategy. That is basically a within-government document that three of the four ministers have signed off on, and that addendum would contain all the work.

THE CHAIR: Can that be provided for the committee?

Mr Wood: And that's been working through since the fires.

THE CHAIR: Okay. Could that be provided to the committee? I would think that's probably relevant.

Mr Wood: Well, we'll have a look. It was a document for government. I think there's one minister yet to sign off on it, but we'll see what we can do.

Mr Castle: Some of that work has occurred, such as the burning of the wind rows.

Mr Wood: Nevertheless, it is the guiding document. The strategy and the addendum are now the guiding document.

THE CHAIR: Well, I would ask that you provide that to the committee.

Mr Wood: I think we should be able to, but I'll see if there are any protocol difficulties. I don't think there should be.

THE CHAIR: I hope you can. I'd be fascinated to see if—

MR HARGREAVES: Well if it hasn't been signed off, Mr Chairman, it can't be provided as a document.

Mr Wood: But we should be able to facilitate that fairly quickly.

THE CHAIR: It is now 2 December. I would think that the community has a reasonable expectation that they are entitled to know what the government and its agencies are doing to protect this community from further fires, given that we lost 500 houses and four dead as a result.

Mr Wood: Haven't you been paying attention to what's been happening in the past year?

THE CHAIR: I have been paying attention, Mr Wood. I'd just like a little bit of information, that's all.

Mr Wood: I could run through a vast amount of material. I'm almost weary of being on television talking about all the accounts of it.

THE CHAIR: Please don't talk over me. I would just like a little bit of information—

Mr Wood: Well, you talk over me while I'm talking.

THE CHAIR: I'm just asking for documents which I would think would be quite reasonable in terms of what you have in your report.

Mr Wood: Who does it first?

THE CHAIR: I indicated earlier I'm not going to go into things that are the provision of the coroner and I think there are probably several here.

Mr Wood: There's one other point I'd like to—

THE CHAIR: I've just got a couple more questions and then I'll open it to the rest of the committee and Mr Pratt.

Mr Wood: Talk over me, okay.

THE CHAIR: You have something to say, Mr Wood?

Mr Wood: Well, don't forget also that we've got all the McLeod report.

THE CHAIR: That's right.

Mr Wood: And we are implementing most of those recommendations. That's also part of the arrangements. Yes, I'm happy to listen to Mr Pratt.

THE CHAIR: Also I would hope in that document there'd be some information just in relation to fire trails. I hear what Mr Lucas-Smith says but I suppose any access route can be used by people with nefarious intent. Obviously it is terribly important that the relevant authority such as yourselves have access to fight fires and potential fires so if you've got any details of what's happened there I'd be grateful for that.

Mr Wood: I think Mr Stanhope as Environment Minister would be the best person to talk to on that.

THE CHAIR: Just a couple of things on the report—again on page 81 you referred to ground crews coming back to Bendora stockyard after not being there on the evening. They got there at seven and they commenced direct attack. For the purpose of the transcript what do you mean by direct attack? There will probably be a number of people who wouldn't necessarily understand what you mean by that.

Mr Lucas-Smith: There are a number of different attack methods in relation to fire. Direct attack means that we went directly to the fire front and attacked the flames directly, either with dry fire fighting techniques with constructing line and pushing the fuel back into the fire right on the fire edge or putting water right on the fire edge itself. We use indirect attack, parallel attack and two other methods are generally described. Parallel attack is where we construct our line not far away from the fire edge. The fire edge might be too hot to work on but it's not moving rapidly, so we construct a line not far away and then we burn out that little bit of area in between our control line and the actual fire edge. Indirect attack is something which is far more problematic and has a lot more risk associated with it because it means generally falling back a considerable distance, putting in a back-burn along your constructed control line and then burning out the areas between your back-burn and the main fire front.

THE CHAIR: Thank you, Mr Lucas-Smith. I have several more questions and I'll ask my colleagues if they want to ask any. On page 83 you mention that on the evening of 17 January crews from the ACT fire brigade and the ACT bushfire service conducted a successful back-burn around the village of Tharwa. Was that at the instigation of their local fire chief, Val Jeffrey? I assume he's probably part of the ACT bushfire service?

Mr Lucas-Smith: The southern district brigade, of which Val Jeffrey is the captain. It's certainly part of the ACT bushfire service. That back-burning operation was done under the umbrella of the bushfire service and was done in conjunction with the ACT fire brigade.

THE CHAIR: Right, so we're talking about the same?

Mr Lucas-Smith: Yes.

THE CHAIR: Thank you for that. My final question relates to a bit further down on that page, where it says in relation to the fires on Saturday 18th, that from mid-afternoon and for the next few hours—this is after the emergency was declared—fire crews responded where they best felt to lessen the impacts. I appreciate that there's probably more questions coming out of this but we have had some evidence already through various inquiries that some crews were standing by awaiting instructions. That part of the report would seem to indicate that the crews had a discretion to actually respond as best they

felt was required in the circumstances. There seems to be a bit of conflicting evidence there between what we've heard through the media and evidence given to the McLeod inquiry and which would seem to contradict that particular statement. I'd ask for your comments on that.

Mr Lucas-Smith: My comments on that would be that the unfortunate aspect is that the media did and still does often get confused between what's under New South Wales jurisdiction and what's under ACT jurisdiction. All resources that were inside the ACT and were under the command of the ACT fire fighting capability were given instructions to defend property. Life and property was the highest priority, and they were to use whatever resources they possibly could to defend life and property. There were some very good and positive results from those instructions. There were resources held back but those resources were reporting to the fire control centre at Queanbeyan—coming from New South Wales and Queanbeyan, nothing to do with the ACT. It did not deploy them into the ACT, held them back waiting to see whether or not the fire was going to go right through the ACT and out the other side. That is quite within their prerogative. As I said, unfortunately the media saw the fire event as one fire event, that of the ACT. In reality, there are two significant fire events occurring parallel to each other—that is, the ACT fire within the ACT jurisdiction and the New South Wales fire within the New South Wales jurisdiction. Resources were being assigned to both of those jurisdictions at the time.

MS TUCKER: I notice in your key achievements you say that you've contracted Fujitsu to enable the introduction of the CAD system. This has been discussed for quite a while and I can remember having conversations with Mr Castle about this in the past. I'm interested to know why it's delayed and what time you are predicting now that we will see it implemented.

Mr Castle: It's due to go live at this stage around about the February mark.

MS TUCKER: So what has this meant for your costs compared to the original estimation of the time frame for this?

Mr Castle: My understanding is we're still on budget for the implementation given the funding in more recent times.

MS TUCKER: What's the funding in more recent times?

Mr Castle: Last budget.

MS TUCKER: Last budget you were given extra funds for the CAD?

Mr Castle: Yes, to allow us to implement it.

MS TUCKER: To allow you to implement it in the last budget. How much money was that? Was it \$2 million extra?

Mr Paulsen: The CAD project was funded as part of the last budget to the tune of \$2.1 million capital and a small recurrent component which related to depreciation on that capital as well as some ongoing recurrent costs. At the last estimates committee we

were asked questions in relationship to that budget allocation and I think we provided a response at that time in writing.

MS TUCKER: I just need you to refresh my memory. You're telling me now February is the time that you're expecting it to be working? Is that what you told us last year?

Mr Paulsen: At the time, at estimates committee hearing, the project date for implementation was mid-December. That project time line has slipped at this point to mid-March.

MS TUCKER: So it's now going to be ready in mid-March, and you're saying that hasn't had any implications for the budget?

Mr Paulsen: No. The project is still within budget.

MS TUCKER: I'm also interested in understanding how much money—and I can't see it from the annual report—is being spent on operational training for the urban fire fighters?

Mr Castle: I'd have to seek that information.

MS TUCKER: Yes, you can take that on notice, thank you. Also I would be interested to know how much money is spent—

Mr Wood: We'll take that on notice if we can, Mr Chair.

MS TUCKER: Yes, and specifically also on notice the training money, operational training, for emergency services and the rural brigade volunteers.

Mr Wood: Okay, we'll get back to you.

MS TUCKER: I would also like to know how that compares to previous years, so if you can give us the amounts that were spent for those things in, say, the past three years if you've got that.

Mr Castle: Could I say that some of that training is at minimal cost.

MS TUCKER: You can say that, but I'm still interested to know how much money. Can I also ask how the work is going on the new radio system?

Mr Castle: We're working on the project plan with a view to employing a project manager at the moment.

MS TUCKER: So what's the time line for that?

Mr Castle: This financial year to employ the project manager.

MS TUCKER: So, what's the time line for ending up with an upgraded radio system?

Mr Wood: I think it was a three to four-year project in the first instance.

Mr Bramah: Four years.

Mr Wood: Four years.

Mr Bramah: The question relates to the radio project? I think there's a little over \$300,000 allocated in this financial year for the radio project, some of which has already been used on developing business case. We expect to spend more of that on project management between now and the end of the financial year, but we haven't yet engaged a project manager. We're in the process of doing that now.

MS TUCKER: So, is this something that's got greater emphasis on the fires?

Mr Wood: It was on the claims list for some little time. Certainly it got the tick. The ticking of it became unquestionable after the fires.

MS TUCKER: Why was that?

Mr Wood: Well, the inevitable difficulties, I would think. Problems with communications at the time of the fire with so much activity made it clear that we needed a new system, a more up-to-date system.

MS TUCKER: When this has been raised in the past in estimates you've said that it isn't a priority, basically. So the fires have—

Mr Castle: No. What I've said was the CAD was a higher priority as a step-wise process. Y2K was first, then the CAD project and then the radio system. That's been the natural progression to do that—establishing the base work in the communications centre to establish the radio system.

MS TUCKER: So, are you saying that after the experience of the fires you have given it a big tick, a greater tick than there would've been?

Mr Castle: That tick was given by cabinet at budget time.

MS TUCKER: I'm interested to know Mr Castle's view. Do you still see the priority just the same?

Mr Castle: To finalise the CAD implementation, yes, and then the radio system. The radio system is a significant investment, and originally a consultant said that we would get six to eight years out of the existing radio system, and was looking for the developments in technology. That's why the priorities were that way.

MS TUCKER: Can you just explain to me as a layperson on this, what did you learn from the fires about the current radio system?

Mr Castle: There are deficiencies in every radio system. There is no perfect radio system that gives you 100 per cent coverage. Anecdotal evidence from New South Wales also was that certain propagation bands were also affected by smoke. So the nature of the emergency is such that there will be instances where people have difficulty

communicating. The sheer size of the number of resources deployed also means there's going to be congestion on the net. That's also part and parcel of the CAD features. It will reduce the need for voice traffic, and split out the data. Currently a fair bit of time is spent radioing the communications to check the status of vehicles, to say, "I'm here" and "Where are you?" Ultimately, when the project's completed—both CAD and the radio—we will have automatic vehicle locating, which will reduce the amount of voice traffic on the nets and allow the more urgent traffic to occur.

MS TUCKER: I am still not quite sure. The minister has said that after the fires there was a big tick next to the budget for the radio system, implying that that is because you learnt something from the fires, or the experience of the fires meant that the government has—I'm imagining, with advice from you—decided that this is the priority.

Mr Castle: It was always a priority. It's now time to implement it.

MS TUCKER: So the fires have nothing to do with where it is as a priority?

Mr Castle: Yes, they do.

Mr Wood: I think the fires made it absolutely inevitable that it was going to happen, along with all the other measures that have occurred since the fires.

MS TUCKER: So, is that because there were problems with the radio system that became really obvious during the fires? Is that the basic story?

Mr Wood: Well, those problems were inherent in the system, as in any system.

Mr Castle: The fact that we're in different bands. It is an upgrading in technology that we will move to. The fires, the disaster that we had, said, "Yes, that confirms that we definitely need to move in that direction," but there are deficiencies in every radio system, that's what I'm saying.

Mr Wood: I'm advised that while the major funding was in the current year's budget, the \$300,000 mentioned as beginning work was in the previous year's budget. So it was coming along in that process that Mr Castle described.

MS TUCKER: So it wasn't something that you particularly focused on afterwards?

Mr Wood: We sure focused on these things after the fires.

MS TUCKER: Sorry, I'm just getting a confused message that's all.

Mr Wood: I don't know, it seems clear to me. Ms Tucker, we focused very heavily on all sorts of things after the fire.

MR PRATT: I just want to stick to the narrative of the January 2003 fire disaster, more so than going into what happened when and how, because we've already done that on a number of occasions. Could I pick up on the point raised by the chair earlier about the ESB strategic list of areas that it wants land managers to bushfire-fuel manage. Can I just get clarification, minister, on what you were saying? Do we have a list which is being

created by ESB—if you like, its wish list of what it requires land managers to tackle in the time leading up to the next fire season? Is that what you meant when you talked about that annex, minister?

Mr Wood: Well, I have the knowledge of the annex. That's what I meant. You're looking for separate notes or whatever the chair described on precisely what ESB might have been saying.

Mr Castle: We have gone through a process with the land managers, every one of the fuel management units that are listed in the current 2002 to 2004 plan, with a view to identifying additional works that could be undertaken. That work has been proceeding and that's what you've been seeing. As the Minister says, wind rows are being burnt and other areas being hazard-reduced. That is a comprehensive re-look at 2002 to 2004. It has been a systematic process that we have gone through with the land managers. So the list really is every fuel management unit that we went through. We started at map 1 and progressed through.

MR HARGREAVES: Can I just seek some clarification on that point please, Mr Pratt? The relationship between yourselves and the land management agencies is a collaborative one rather than a consultative one, is that right?

Mr Castle: Yes, it is.

MR HARGREAVES: So, the conclusions that come out of that collaboration would be the intellectual property of the land management agency, not so much your agency, is that right?

Mr Castle: No, it's their plans for what they propose.

MR HARGREAVES: Their plans? So if we wanted to find out about what they're going to do, it might be more valuable to ask them.

Mr Castle: There's not a list that we've gone through. As I've said, every one of the few management units are looking at what additional works could be done, what were the actual specific threats that were now posed.

MR PRATT: I'm glad Mr Hargreaves raised that, because what's not been so clear is whether there is a final bushfire emergency recommending authority that creates a list which it thinks needs to be attended to. Clearly that's not the case. My question is: do you think that that is what is required in emergency management within the ACT?

Mr Castle: I think it's embodied, to be quite honest, in the process that we currently use.

MR PRATT: That's a collaborative process, is it?

Mr Wood: It's what we have.

Mr Castle: We suggest this; they indicate in the discussion of the committee what's possible, what is realistic. Terrain sometimes impacts on what you can do.

MR PRATT: Just following on from the issues raised by Ms Tucker about communications, I'm a bit confused too about what is going on. I notice that page 93 of the report says that the next phase after the introduction of service of CAD will be attending to the communication system, "The next phase is the upgrade of the radio communications systems." Is this the same one that we've been looking at for a couple of years? Is this the command down to field command radio network, the operational net?

Mr Castle: It's all of the radio nets. A number of different radio nets are operated across the different services. So it's looking at the totality of the radio communications system, as opposed to the computer-aided dispatch system, which is in the communication centre itself—the means by which they communicate over a variety of means, including mobile phones, but a primary means of communication is hand-held radio.

MR PRATT: VHF and UHF?

Mr Castle: VHF, UHF.

MR PRATT: UHF, mobile, a complete integration. How long has this program been going for now?

Mr Castle: The total communications upgrade project started with Y2K.

MR PRATT: That's right. So it's been going a couple of years.

Mr Castle: 1999.

MR PRATT: That's right. How critical is this communications network for you guys to provide safety to the ACT community?

Mr Castle: A famous general once said, "All I command without communications is my desk." Communications is a vital means for us to get the information flowing both from the field and to the field to give directions—a variety of means. When you are remote, radio is quite important.

MR PRATT: I presume it's extremely fundamental to safety on the ground as well as good command control?

Mr Castle: It is, but there are various types of communication on the fire ground. There are talk-around channels that don't come back into the communications centre.

MR PRATT: Sure, but they are part of this overall—

Mr Castle: They are part of the overall system that we're looking at at the moment.

MR PRATT: And part of the overall communications upgrade?

Mr Castle: Yes.

MR PRATT: So what do you believe is now the target date for introduction to service of the completely revamped communications system?

Mr Castle: Three to four years. With a procurement time and a lead time to make a decision on what is best, because of digital and analogue bands, and also at the nascent level a desire to try to move towards greater interoperability.

MR PRATT: Is this only an acquisition question or is it much more than that? Is it more than simply tendering and trial?

Mr Castle: Oh, yes.

MR PRATT: It's also identification of capability, is it?

Mr Castle: It's determining the system, and particularly we want to improve the ability to communicate between all our services within the ACT as well. They are on different bands. Even though UHF is used by ambulance and fire brigade, they are at different ends of the spectrum.

MR PRATT: Is there any fast-tracking that you think can be done through the Assembly to try to speed up the process or is it a matter more of technical function than acquisition and tendering processes and trialling processes?

Mr Castle: I believe it's more technical specifications to determine what's best for the ACT, given that we're an island, not having interoperability, because that's what McLeod also said we needed to look at.

MR PRATT: Okay. But are you satisfied now that the basic communications system that you now have in place, whatever it is, approaching this summer, is good enough to get you through this summer?

Mr Castle: We are looking at improving, yes, some of the systems still at the moment, particularly with interoperability with New South Wales.

MS TUCKER: Can I just follow up? Why have you not started this basic understanding of what you want before this?

Mr Castle: We have.

MS TUCKER: So it's taken you since 1999 to get to the point where now you're going to tender to get someone to actually work out what you need?

Mr Castle: No. It hasn't been started. We haven't looked at the radio since 1999.

MS TUCKER: So my question is why not?

Mr Castle: Because it was a staged process and a step-wise sequential to upgrade. Trying to do that on a massive scale all at the same time, you have no baseline to work from. What interactions and processes are available in the communications centre are a crucial part to fitting in a new radio system. They're the building blocks.

MS TUCKER: Right. So now we're going to have February for the CAD system?

Mr Castle: March.

MS TUCKER: March? Sorry, yes, that's on my notes, March for the CAD system. And you are now tendering for a project officer, for the radio person, and that is going to be filled when, did you say?

Mr Castle: In the new year, I would suggest. Our focus right at this stage is to finalise the CAD, so that we go forward. There's a finite resource of people who work on the specifications as well, the technical expertise.

MS TUCKER: So you're saying that the radio upgrade is dependant on the CAD?

Mr Castle: Yes. As it was dependent on the Y2K.

MS TUCKER: So it's absolutely not been possible for you to improve the radio system or are you saying—which I think you've been saying—that the CAD system was the priority, not because it was impossible to look at radios without having the CAD systems in?

Mr Castle: They were all building blocks. You could go and buy a replacement radio system, but what we are trying to improve is the interoperability and the building blocks between the communications centre and the field. If you just replace what you've currently got, you've not upgraded. So, understanding the system in the communication centre that needed to be upgraded and put in place then gives us the technical basis to go forward and link in then a new radio system. It's all part of an integrated system. That's what we're trying to improve.

MS TUCKER: When did you contract Fujitsu?

Mr Castle: April 2003.

MS TUCKER: So April 2003 you contracted Fujitsu?

Mr Castle: Yes, because it's in this annual report.

MS TUCKER: One of your key achievements says "to enable the introduction of a state of the art system".

Mr Castle: Yes.

MS TUCKER: What does that mean? You've contracted them to work out how to do the CAD or you've contracted them to provide it?

Mr Castle: They're putting it in.

MS TUCKER: So you've worked out how to do it and now in April 2003, you're starting it?

Mr Castle: We tendered on specifications, looked at the bids that came in to provide such a system—third generation CAD—and Fujitsu with a consortium were the successful tenderers. They are the ones that are delivering.

MS TUCKER: With the radios, you are employing this person in the new year to look at how that upgrade can fit with the CAD?

Mr Castle: Yes.

MS TUCKER: How long is that going to take? You said three or four years to getting the radios done. Is that three or four years to think about it? How long is it going to take this person that you contracted to look at it to give you a report?

Mr Castle: It's a bit like any construction. It's the same process, it's a project. It's like any new computer system. It's exactly the same. There is time to devise the specifications, work up the technical specifications, let the tender and then decide, so it's the same process.

MS TUCKER: When do you think you'll let the tender?

Mr Castle: I don't know at this stage.

MS TUCKER: How long are you employing this person for?

Mr Castle: Ongoing till it's completed.

MS TUCKER: So this person is employed indefinitely—but you think it's three or four years—to work out what you want, what's going to be appropriate with the radio, then put it out to tender to provide it? You only know it's three to four years and that person will be contracted for as long as it takes? You're saying, if I've understood you correctly, that that understanding of what is the reasonable way to provide a radio system that works and is best practice could not have commenced until you have this CAD system worked out? So you seem to be saying that possibilities for how the CAD system would be put together left it so open that you could not have started the work on the radios? Is that correct?

Mr Castle: It's both a resource and a building block.

MS TUCKER: The building blocks are so uncertain though, that you really had to wait.

Mr Castle: But that's no different than building a house. It's no different than building a major building. You look at the floor plan and then you move to fit it out.

MS TUCKER: That's right. But you usually have an idea what a house looks like with the building blocks, so you don't have to wait until the floor's built before you think what the roof will look like.

Mr Castle: But we've already started. We have an idea about the broad parameters we need. Now it's getting the detailed specifications. How many radios, who communicates

with what, what band we're going to operate, is it digital or analogue? They're the range of decisions that need to be made. They are technical decisions and experts in these will be engaged to do that. But being able to say what do we need to interface it with? You can't go out and write the specification if you don't know what you're interfacing with, and we're only contracting this year for the CAD.

MS TUCKER: I don't know if it's right but I understand your argument. I'm not expert enough to say you're wrong. I'll show it to people who are and see what they say.

Mr Castle: It's quite complex. You can go and buy a radio in isolation if you tell them what band, but the decisions that need to be meshed in are what channels, what frequencies, how it needs to communicate, how many you need to put in and who needs to communicate with what in strategic, tactical and operational.

MS TUCKER: Can you understand how from the lay person's point of view it seems hard to understand if you've got emergency service people in dangerous situations not able to communicate with each other? You would think, no matter whether it means you have to do some changes later, that would be the priority—that one person can communicate with another in a dangerous situation. I've raised this with you before in previous estimates and I know you haven't agreed. but can you understand how people still think it's a lack of responsibility?

Mr Wood: You made your point.

Mr Castle: I can understand the difficulty that the lay people have in understanding the complexity of a radio system.

MS TUCKER: And the service people who fight the fires agree with me. So it's not just lay people.

MR HARGREAVES: That's not a question, Ms Tucker.

MS TUCKER: That is a statement but I have to clarify that it's not just lay people saying they think the priorities should be to ensure the safety of the people fighting the fires and that the radio system is not good enough.

Mr Castle: And we would agree.

MR PRATT: Chair, can I just say that I have to echo Ms Tucker's question. I think it's a very good question. For the record, I think it's a perfectly understandable point that a lot of people won't quite understand why it's taking so long. If this program has been around for a couple of years, do I presume that the events of January 2003 focused on what you need and therefore speeded up the process in getting this command and communications and network in place?

Mr Castle: I don't think it's helped in sorting out what we need because of the variety that is available in the various levels of technology. If we look at the New South Wales system, some of those elements would send us backwards.

MR PRATT: I'm sorry?

Mr Castle: Some of the technology elements of the New South Wales system would send us backwards, so we want to go forward. That's the problem, and that's not a criticism of New South Wales. Technology leapfrogs and nobody's at the same stage of technology development.

MR PRATT: But if it's leapfrogging we need to be very careful it doesn't keep rewriting the plot in what is a one or a two-year acquisition cycle.

Mr Castle: The aim is to improve the interoperability, but interoperability is not only a technological solution; it is a procedural solution as well.

MR PRATT: Have the issues and concerns raised by urban firemen and bushfire fire fighters 12 months or even 15 months ago about the equipment they are using on the ground been waylaid? Have you taken stop-gap measures—even though we know you're going through this longer cycle—to meet the concerns of those men and women on the ground?

Mr Castle: Extra radios have been purchased in that respect.

MR HARGREAVES: Sounds like a yes to me.

MR PRATT: What I read from page 83 onwards of the summary of January 2003 is a straight narrative about what occurred, what the events were. Why is there no summary in this report of the lessons learnt out of January 2003 about the ESB's organisational and operational strengths and weaknesses? I know McLeod has attended to some of that, and other inquiries have too, but why does this report not summarise some of those important lessons? I thought an annual report would have done that?

MR HARGREAVES: Perhaps it hasn't been finished.

THE CHAIR: No, let him finish.

Mr Wood: Well. I think you've said it. Certainly a large number of lessons have been learnt. McLeod, and as the process goes on, the coroner's inquiry, are spelling out those lessons. Now, they're pretty clearly known. There's the government response to McLeod. I suppose we could have put that in as an appendix. The material is there. We could have repeated it in this report but we didn't.

Mr Keady: Well, I just make the point that McLeod reported after the report date. This report's for the year up to 30 June. At that time Mr McLeod was still inquiring. His report hadn't been received. The coronial inquiry was still in prospect. This does present a dilemma for an agency like ESB in the wake of an event of the magnitude of the January fires. Given that its actions were clearly under scrutiny in those independent inquiry processes, it creates difficulty for the department and the agency who's part of the department to be anticipating such high-profile inquiries and be attempting in a report of this kind to be laying down its own agenda. So, the reason for the absence of any reference to McLeod is that the report wasn't available. It appeared after 30 June, the report date, and is something one would expect to be reflected in the next annual report.

MR PRATT: But regardless of what McLeod was anticipated to report on, wouldn't the department see fit to make its own statements about how it felt things had gone in what was a major event for the emergency services family altogether? Surely the report might have made a comment about that, its own views?

Mr Keady: It might have, but in the context of these circumstances and the controversy surrounding a number of critical decisions which are still subject to inquiry, I guess it decided the wiser course was to leave those questions to be addressed in those independent processes.

MR PRATT: You didn't seek to make any reference at all in this summary about the Benson audit report of May 2003?

Mr Keady: No.

MR PRATT: That report would have been out. Why is there no reference to that? Whether or not ESB or JACS agreed or disagreed with the audit report and its outcomes, why would you not have at least referred to that report and said you don't agree with it? Why is it not the landmark comment?

Mr Keady: Well, merely because it was bound up and caught up, indeed overtaken, by McLeod and those other processes. We could have attempted to go through it point by point, however ESB's actions were overtaken by the McLeod inquiry and the coronial inquiry. We'll be responding through government to the audit report. The usual way in which audit reports are responded to is, first of all, a government response tabled in the Assembly. That's in the case of the particular report that has been delayed because of the overtaking of the audit report by the subsequent inquiries. So normally we wouldn't expect departmentally to be first announcing a response to an audit report. Normally that would be done through government tabling a response.

MR PRATT: Are you also saying that the outstanding inquiries did not allow you to make a statement of ESB equipment and asset losses coming out of the January 2003 disaster—unless it's somewhere else in this report? Do you have a summary of equipment losses?

Mr Keady: No, I don't think we do. That could have been included but it's certainly on the public record in other ways. It's not as if this information but for that reference in the annual report will be unavailable to the public. It's in the public record in a number of ways.

MR PRATT: Sure, I appreciate that, but you say you wouldn't think that the annual report needs to summarise some of those findings which are detailed in other places, other documents of other inquiries?

Mr Keady: To be frank, I think there's a fairly cautious attitude taken to those things which were related to the January fires and which were subject to scrutiny by external inquiry processes. We regard those processes as fundamental to the accountability the Emergency Services Bureau and other agencies have to render for its actions through this period. So there was some caution with which those events were dealt with in this report

until those inquiry results were known. As I have indicated, as at the report date that this report deals with, that is 30 June 2003, none of those inquiry processes had yet reported.

MR PRATT: If I can go to page 84 of the annual report. At the top of the page is the comment about the steady rise in demand for ambulance services. It talks about an 8.3 per cent increase in case load over the previous period. Was there an increase in staff or is there likely to have been a consideration to increase staff to meet that increase in service activity?

Mr Paulsen: Firstly, the trends in ambulance workload, the ACT Ambulance Service has year in, year out, seen an increasing demand for ambulance services to the tune of about 8 per cent per year. This increase in demand is not inconsistent with demand nationally for ambulance services. Some jurisdictions experience a little less demand than that. Others such as Queensland have recently experienced high demand. So, from the ACT Ambulance Service perspective, there has been a focus on the increased demand and therefore a need to increase the resources in the service. The service, over the past five years certainly, has experienced steady growth in the available resources within the ACT to meet this demand, including the addition of two additional stretcher paramedic ambulance units and two single response units.

We continue to monitor demand and look at the resources we may need into the future to meet that. Because of the national trend in this area, there's a national project going on at the moment under the auspices of the Convention of Ambulance Authorities, which is looking at the national trends in ambulance demand with a view to what strategies may be available. In other words, what's driving that demand and what strategies may be available to us to try to mitigate that or reduce that demand and, finally, what funding strategies may have to be looked at in the future to fund any potential increase in resourcing.

MR PRATT: If we can go to page 85, the ACT Snowy Hydro SouthCare. Considering the additional missions flown in January 2003, what funding is anticipated for contingencies for this coming bushfire season? Who's taking care of that?

Mr Castle: I can speak on behalf of the Snowy Hydro SouthCare. I can't speak on behalf of the bushfire helicopter requirements because they're separate entities. Last season, when Snowy Hydro SouthCare became involved in bushfire activity, fundamentally there was a recovery process to recover the costs associated with Snowy Hydro's involvement in that activity which meant the increased activity levels.

MR PRATT: Is there an anticipated emergency budget set aside for this season?

Mr Castle: We have received funding to participate in the national area fire fighting strategy and that sees another medium helicopter being located in the ACT for a six-week period as part of that national strategy.

Mr Keady: I should add that that strategy permits the ACT to call on the national helicopter pool, to call it that, should additional aircraft be required outside that six-week period.

MR PRATT: Page 86, interstate support. There's a description halfway down that page on the effort put in by the ACT Bushfire Service to assist New South Wales and the South Coast. Tell me if this doesn't have a role to play within this annual report, but if it does, what sort of cost did we incur for that task?

Mr Castle: I don't know off the top of our heads, but the process is exactly the same as the other arrangements. It's fully recovered.

THE CHAIR: Gentlemen, thank you very much. I remind the minister that we would like that information that the committee has requested. Also, minister, whilst my colleague the deputy-chair has suggested we write to the Chief Minister on this, which we will do, he has made an excellent suggestion that we need a list from land management agencies of what is to be done by them in relation to bushfire prevention and fuel management.

MR HARGREAVES: No, that's not the suggestion at all, Mr Chairman, with respect.

THE CHAIR: What is it?

MR HARGREAVES: With respect, it was that we merely need a list of those land management agencies so that we can ask them at the time. We don't need to write to them, they will appear.

THE CHAIR: I thought you meant this committee would need what they had done.

MR HARGREAVES: It's a list of those land management agencies and then we can see whether or not we wish to write to each of them and get the same information, because we don't know who they are.

THE CHAIR: All right. Well, I think it would be sensible if we knew who those agencies were and what they were doing. That is something we could take up with the Chief Minister.

Mr Wood: The land management agencies?

THE CHAIR: Yes, and just what they're doing.

Mr Wood: All right. Environment ACT, ACT Forests, CUPS.

THE CHAIR: What they're doing actually. But if you're not able to do that, minister, that is something we can take up with the Chief Minister.

Mr Wood: It is entirely within my capacity.

THE CHAIR: Is it? Good. So if we could find out from you then what they're planning to do in relation to bushfire management and prevention. That would be very helpful and if you could provide that along with what else I have asked you to provide. Thank you for your attendance and we will adjourn now for 15 minutes and come back with the AFP.

Meeting suspended from 3.37 to 3.55 pm.

THE CHAIR: Ladies and gentlemen, thank you very much for your attendance. I think everyone was here when I read out the general caution about the rights and responsibilities of those appearing before this committee, so I won't say that again. Welcome back, Minister, and Tim Keady. We have a new face at the table, John Murray.

A number of questions were sent to the minister on 24 November. I don't believe we have any responses yet. They're coming tomorrow, too, are they, Minister?

Mr Wood: As soon as possible, Mr Chair.

THE CHAIR: That is a bit vague. The questions basically related to a point on page 91 of the report, one on page 81 on work-life diversity, and also asking for a breakdown of the number and the rank of the police at each police station in the territory as at 1 July 2002, the start of the reporting period, and 30 June 2003, the end of the reporting period. A similar question was asked about the percentage of probationary constables at each station on those two dates and on the number of cars available per shift for the area covered by each particular police station.

Minister, you were saying you don't have the answers to those questions today?

Mr Wood: That's right.

THE CHAIR: When could we reasonably expect to have them?

Mr Wood: They are important so by this time tomorrow.

THE CHAIR: That's reasonable. I admit that that is reasonable and quick but can I ask why they weren't available today? It would have been helpful to the committee.

Mr Wood: They did come to me and I sent them back because I got raw figures which, on their own, just left more questions to be answered. They needed quite a deal of context and you'll see, when the figures come back, that there is a lot of context, a lot of additional information, to give meaning to those figures. The figures are still the same but you'll understand what they are all about when you see the words around them.

THE CHAIR: All right, we'll have to take your word on that. Obviously, though, if there are further questions relating to that more detailed explanation of the figures, you'll provide those to the committee?

Mr Wood: Yes. If you want any more, yes. However, if we'd just given them to you as they were, you would have sent them back and asked why this, why that, why something else.

THE CHAIR: All right, so we'll have them by about this time tomorrow. Thank you for that.

I have a number of other questions and then I'll pass you over to my colleagues and then Mr Pratt. Before I get to a couple of pages in the report where I've made some notations,

I want to ask this question. I, and no doubt other members, have received over the last six months, especially, a number of complaints from the public about trying to ring various police stations—I think it applies to any police station—and the phone has rung out, which is very frustrating for people wishing to report matters. One person complained that he rang for about 40 minutes and could not get through.

Minister, are you aware of those problems and what are you doing about overcoming those problems, which are causing angst in the community?

Mr Wood: Yes, I'm certainly aware of it because I've had people saying the same thing to me. It has been a matter of discussion between me and the ACT Policing and Mr Murray can tell you how it has been solved.

Mr Murray: It's a fair question and a valid concern. Just to put it in context, we receive 500,000 calls a year, half of those to the communication centre and the rest to police stations. We're aware of the problem, particularly at Belconnen where phones were ringing out. We'd received several complaints. The plain fact was that the police officers at the station were occupied, sometimes preoccupied, with the people visiting the station and didn't have time to get to the telephone. In some instances, if the telephone was busy, it would simply ring out anyway without them hearing the telephone ringing out, so there was a technical issue as well.

On 28 November, we introduced a new scheme whereby all the telephone calls at Belconnen went to a central receiving area in Winchester. Our intention is to increase that to include Woden police station. Early indications are that this process is working extremely well. The idea is that all calls to Belconnen, and subsequently to Woden—and if it works there, too, we might stretch it across the whole of the territory—are being answered, bar a few which have rung out within a few seconds. In effect, almost all calls are answered now and we haven't had a complaint since 28 November, as I understand it.

THE CHAIR: Thank you for that. It's early days but that at least is pleasing to hear.

On page 13 of the annual report, I see you have annual targets in relation to this topic and the measure is the level of crime. The first measure is the number of offences against the person reported or becoming known per 100,000 population and the target is less than 822. In this instance, while you have met most of the targets, the financial year result is actually at 26.6 per cent over what you actually hoped to get, in other words 1,041 complaints, so you didn't achieve that target. Can you perhaps elucidate on that and why that is so?

Mr Murray: I'd hate to sound defensive in an answer like this, but there are a couple of areas that do indicate why there was a rise in offences against the person. You're aware, no doubt, of the family violence intervention program which has an interventionist policy. It is not an arrest policy, it's an interventionist policy, which in the first instance encourages people to make a report. In former times they might not have been inclined.

The reason for the increased reporting year is the fact that it's a multidisciplinary group which enjoys more respect than previously. It's not just a police issue: it's an area which now enjoys a better reputation and consequently attracts a better level of reporting. To

some extent, you can say that is successful. In some areas where you have a higher reporting rate, you can say that it is because we were doing the job better. As I said, I hate to sound defensive, but that's one reason.

A natural parallel to that is the area of sexual assaults, the number of which rose considerably during the period, by something like 33 per cent. We were advised by other people who deal with victims of sexual assault that one of the reasons for the increase in reporting is the fact that women, in particular, are more inclined to report because they feel the service is more sensitive to their needs. Also in that area, we're aware that you can have one person report many offences. We have an instance where a person reported quite an old matter which involved numerous offences which obviously have distorted the data as well.

THE CHAIR: Thank you for that. There are only two others, where there are noes, which I have questions on. I note that there was literally only one complaint, right down the bottom so I'm not going to question that. I think that is a good statistic. We're not talking about very many people there. However, there are two other areas.

First, while we have a very satisfactory response under fear of crime in relation to most areas, there is a negative—and this is measured against the national average—and that is the percentage of persons who are concerned about being a victim of housebreaking, the national average being 74 per cent but we are at 78.5 per cent. You have a 6.1 per cent variation from target. Would you explain why that doesn't seem to add up with the 74 per cent? Also, are there any reasons for that being an area where more people in the ACT are concerned than the national average?

Dr Murney: Could I answer that question? The reason the percentage doesn't appear to add up is that it's not a straight subtraction of the two percentages. There's an audit office requirement about the way we express differences which means that the difference between the two percentages has to be expressed as a percentage of the original figure, and that's why you end up with something that looks like a smaller percentage coming out as a slightly larger percentage. It's just the way we're required to report it.

THE CHAIR: Yes, go on.

Mr Murray: Are you happy with that answer?

MR HARGREAVES: It's just an accounting approach.

Mr Murray: Yes.

THE CHAIR: So it is an accounting approach that produces that 6.1? It's just that it would be 4.5, I would have thought.

Dr Murney: Yes. It's the way you have to express the figure against the base year, though, so it's not just the straight difference between the two percentages, it's the percentage change over the first year.

THE CHAIR: It's still higher than the national average, whichever way you do it. Do you have any comment in relation to that?

Mr Murray: I feel strongly that it is a good indication of what we should be concentrating our attention on. You will know that, in the last year, the purchase agreement has been considerably changed to move away from quantitative assessment to qualitative assessment, and one-third of the performance indicators do cover how people feel about things. To balance it, you might also consider that, in the comparison between 2001-02 and 2002-03, another relevant issue is the percentage of people who feel safe or very safe at home during the day or during the night and we're above the national average on both of those.

THE CHAIR: Yes, but this is about housebreaking.

Mr Murray: Yes, I know, but I'm just trying—

THE CHAIR: I take it that it's not necessarily violent housebreaking, but just a straight housebreak?

Mr Murray: Putting it in context, people feel relatively safe.

THE CHAIR: Yes.

Mr Murray: However, they feel apprehensive about their houses being broken into. I'm not getting away from it, you're quite right.

THE CHAIR: No.

Mr Murray: The incidence of property offences rose in the past year as well.

THE CHAIR: I've said it on a number of occasions over many years and I reiterate it now: I have immense confidence in the men and women of the Australian Federal Police Force in the ACT and that goes back to my days as a prosecutor and has never really faltered since then. However, I do note that, for the percentage of people satisfied or very satisfied with police services, we're slightly below the national average at 71.5 per cent, a minus 1.7 per cent variation there. If you have any comment in relation to that I'd be interested.

Would that possibly be because of phones ringing out and things like that?

Mr Murray: I'd imagine so. The media always plays a large part in how people feel. I've been in this job now for three and a bit years and in the first two years the media coverage we got was nothing short of exemplary in that it reflected a very positive aspect of policing. That's changed in the last year. I'm not blaming the media but there seems to be a different emphasis in the media now.

THE CHAIR: Okay. This will be my last question and then I'll hand over to my colleagues for a while. On page 18, you note in relation to crime in the ACT overview, in the second column there:

ACT Policing entered the 2002-2003 year from a position of record breaking successes over the previous two years which saw the first significant crime

reductions in over a decade. ACT Policing was able to capitalise on increased staffing levels to achieve a “shock” effect on increasing crime trends in the Territory which had continued unabated since 1989 ...

The start of self government. Your report continues:

The impacts of major operations during the previous two years saw a significant disruption to criminal activity as a result of key Territory based offenders spending periods of time in remand or serving prison sentences.

Later on in the report you make mention of how operations Anchorage and Halite assisted. Have operations such as that played, and will they continue to play, a significant role in reducing the numbers of certain types of offences and have the provisions of section 9A of the Bail Act, which were introduced in May 2001 and August 2001, had a significant impact as well?

Mr Murray: By the then Attorney-General, I recall.

THE CHAIR: Yes. There are two points to that question, regardless of who was in government.

Mr Murray: The answer is that, in 2000, the level of property offences—that includes both break and enters and vehicle thefts—was a record high for the territory. We then introduced Operation Anchorage, which focused on recidivist offenders. The result of that operation, assessed through an independent analysis we conducted through the Australian Institute of Criminology, was that 83 per cent of the people arrested were in some way affected by drugs and usually addicted, so the recidivist aspect was quite clear.

The changes to the bail laws which reversed the presumption onus had a significant effect. At the time, though, I appeared before cabinet and mentioned that, while the success of Anchorage was dramatic and it completely turned the trend around for the territory—from what was a record high to a record plunge—one day in the future it was going to rise again unless we took more long-term measures to cure, such as crime prevention and changing people’s behaviour.

We attempted that but we saw, again, another rise in the rate of crime in both these areas of property crime and motor vehicle thefts. In October last year it peaked again to the extent that we were getting back to the levels of 2000. That caused us considerable concern so we introduced an operation called Operation Halite. The difference in Halite was that it drew on the experience of Anchorage, in that it attempted a more long-term solution, rather than a short-term job.

There were two arms to Halite: one was again to attack the recidivists, realising this time that one of the reasons why our figures had peaked again was that some of the people we had arrested were now back on the streets, having done their time in prison, and it coincided with a higher level of heroin on the streets. The two things came together which gave that rise.

The first arm was attacking the recidivists. Again, we identified this as a worthwhile solution. However, at the same time we gave equal attention to crime prevention and that crime prevention was in two parts. The first part was education and target reduction,

giving time to people who were identified as being in potential hot spots. However, the more interesting challenge was to go to people who had the propensity to commit crime. This area is sometimes called youth at risk and is now called young people with complex needs. The reason for that, Mr Pratt, being that—

MR HARGREAVES: No, not juvenile delinquents, Steve.

Mr Murray: No, the reason for that is, and you may not agree with this, that labelling is a big issue with such matters.

MR HARGREAVES: It's a groovy acronym, though.

MS TUCKER: What is it an acronym for?

THE CHAIR: Let's not have cross-table talk. Mr Murray is actually answering a question. Please give him a go.

Mr Murray: With our crime prevention people, we attempted to identify young people who had the propensity, as we saw it, to commit crimes. I realised also, in doing this, that police alone would not be successful. I sought the help of, and joined with, other agencies in a multidisciplinary approach, which gave rise to—and I'm not saying I am the sole reason for this, because it was a joint effort—a program called Turnaround, which has the purpose of identifying young people with complex needs in the context of their family and to tackle that as a problem, rather than a pure legal matter.

Having done all that, what we've found now is that another record has been broken. As we speak, we've significantly reduced the numbers of break and enters to a record low for this time compared to any time in the past. Unfortunately, motor vehicle theft still remains high and it's still climbing. That confuses me because our previous experience has been that motor vehicle theft is always invariably used for the commission of an offence. We can possibly assume from that figure that joy riding is assuming a higher dimension and, anecdotally only at this stage, our finding is that younger people are now stealing cars.

As shocking as this may sound, there are people as young as eight years of age taking cars just for the sake of stealing a car. Other experiences show that, if you have a group of people stealing cars, they're not inclined just to steal one, they'll steal bunches of cars so there are spates of crimes.

That is my answer to your question, long though it might be. The fact is that, yes, last year the crime rate did rise and yes, in October last year it peaked, but the operations, particularly Operation Halite, which has been in place now for a long time, are having a significant effect.

THE CHAIR: You've answered the last part of my final question already as it was about why levels of motor vehicle theft have basically been the same, at a 0.7 per cent drop. Do you intend to have similar operations to Halite in future, together with those other measures you're looking at to reduce crime? You may or may not be able to comment on this: in relation to section 9A of the Bail Act, I have heard that there have been some problems with the court letting out people who, one would normally expect,

would be covered by that section. You may or may not have heard that. It's something I've heard anecdotally.

Mr Murray: Yes. Your question was in two parts. The answer to the first part is that Halite will continue because it is a mid to long-term project, recognising that you can't divert young people away in the short term. It's a long-term process. In relation to the second part of your question, I have heard something along same lines. I don't know whether our judicial people have spoken to the DPP yet. I honestly don't know that, but I have heard that, yes.

THE CHAIR: Thank you for that.

MR HARGREAVES: I heard you say that one of the reasons that Halite had to come along was that Anchorage was successful in cutting down crime rates, targeting recidivists and all that, but some of the people now on the streets are people who've done their time and come back.

Mr Murray: Yes.

MR HARGREAVES: Two questions: does that mean then that sending them to jail hasn't worked at all, and are they coming out better at knocking cars off and that sort of thing than when they went in, according to the experiences of your police officers?

THE CHAIR: Most of them haven't been in jail, they've just been in custody.

MR HARGREAVES: They have not. They're out in the streets. He just said that.

MS TUCKER: He said that's after they've come back.

THE CHAIR: Yes, but he also said they've been on remand or in custody, and not many people go to jail here so some of them probably haven't got to jail.

Mr Murray: The short answer is yes, but let me attempt to explain why. I regard the majority of the offences of break and enter and so on—83 odd per cent—to be linked to a socio-health problem. Therefore, the incarceration of someone is not going to cure that. It requires something else. That's why, in Halite, we address the problem more from a socio-health point of view. For example, in the group that I work with, we have people from youth affairs, health, mental health, drug and alcohol services and welfare to tackle the problem.

The anecdote I like to use to demonstrate the benefit of a multidisciplinary approach is this. In former times, you had a young person who might be undernourished at home, with a mother who has a drug addiction and is separated from the father. A welfare institution might come along and offer him welfare, health might come along and offer the kid some form of nutrition and drug and alcohol services might come in and do something else. Each one has a single perspective on that situation. When the kid goes to school it has a learning difficulty, so the Education Department says that the kid has a problem with learning. Then, when the child gets home from school and breaks a window, the police come and say he's a juvenile delinquent.

Each one of these groups is looking at it from a single perspective, which is not good enough. What we're attempting to do with this Turnaround program is to recognise it as a problem which each of us can look at in the contexts of our various skills, and also as a problem rather than a legal issue, or as simply a health or other issue.

MR HARGREAVES: So what you're saying then, just so I can encapsulate it in my mind, is that the police officers' time would be most valuably spent in participating in this holistic approach to dealing with the social reasons for people doing this, to stop having to lock them up, than it would be actually locking them up, because that's not solving the problem. Perhaps there is a greater role for police in the prevention of this problem in the first place. Is that a better way of approaching it?

Mr Murray: Most certainly. The word I used at the time, prior to the Bail Act changes, was our people were regarding it as futile to lock someone up six times within a month. That's what was happening. We were turning people around from the court who had been given bail—within an hour we'd arrest them and put them back before the court again. That problem is much bigger than simply a legal problem.

MR HARGREAVES: Thanks for that.

THE CHAIR: That's why the Bail Act has been successful: the second time round they are at least remanded in custody until their matters are finalised.

MR HARGREAVES: Is that the revolving door act?

Mr Murray: It stops the revolving door but it doesn't solve the health problem or the social problem.

THE CHAIR: No. No, we're not talking about the final problem. However, it is very difficult for those people to commit a robbery, is it not, once they're remanded in custody. At least it stops that.

MS TUCKER: On page 30, you talked about the introduction of the diversion program and you said, "Police are concerned that restrictions on referrals may be too rigid and an assessment has commenced to determine whether there is scope for relaxation of these restrictions." I'd like you to elaborate a bit more on that. I would also like to know whether, anywhere in this report—I haven't been able to find it—there is a section that gives us a sense of the relationship between substance abuse and crime. I can't find the figure that you've just given—83 per cent. I also didn't see it in your release of the blueprint for crime reduction. Is that it was called?

Mr Murray: The blueprint, yes.

MS TUCKER: Yes. I couldn't find it in there either and, in light of what you've just said, it's very important information for assisting people to understand the nature of crime in our community. I'm wondering why you don't make it more obvious in your annual report, unless it's here and I haven't found it.

Mr Murray: If I can remember, I'll take you through those one at a time. In terms of diversion, sometimes the bureaucracy by itself can halt a process and make it less

effective. In the current process, the people have to be taken to a police station. I intervened in this just recently when I saw that the figures, leading up to a reporting quarter, were not going to meet our goal for the number of diversions. So I asked some questions about that and one of the reasons was that police decide that they may as well fine them rather than divert them, because it's easy, they just pay the on-the-spot fine and that's that.

What I've asked for is for the diversionary team to go back through cases where we have imposed a fine which, by the criteria test, suggests that a diversion might have been more appropriate. In those cases, where appropriate they're going to undo the fine and take part in a diversionary process. I'm agreeing with you that there's not enough being done about it and there should be more done about it. I think the process difficulties have been part of what has made that happen. That's the answer to your first question: I've intervened in that.

You might have to remind me what the second question was.

MS TUCKER: We don't see in your annual report or in, say, the blueprint document, the relationship clearly spelled out between substance abuse and the nature of crime in the ACT.

Mr Murray: Yes, okay, I take your point. Perhaps it should have been spelt out more clearly here but we don't pretend to be authorities on the influences on crime, whether they are health or other issues. However, we do contribute a point of view. It's long been held that police have got a valid point of view on these issues. The document that does seem relevant is that of the tactical group looking at drug abuse in the territory, to which ACT Policing does contribute as a member. That's perhaps a better document in which to indicate that sort of opinion or view. For police to do that might well be taking it too far.

MS TUCKER: Okay. I'm just not clear what we're talking about. You said before that about 83 per cent of offenders have an issue with substance abuse. Did I hear you correctly?

Mr Murray: That was in one operation, yes. We arrested 232 people and 83 per cent of them had a drug addiction.

MS TUCKER: Yes. That's the sort of information I'm asking you to put in here because, if this is an annual report about the nature of crime and how you're responding to it—and you have talked about the holistic way in which you're approaching it and your social health way perspective on it, which is great, and that is clear in the report—what isn't clear in it is the frequency of the occurrence of a relationship between substance abuse and property crime. It's really a suggestion as much as anything.

Mr Murray: Yes. Dr Murney wants to explain the data issue, yes.

Dr Murney: The basis of the assessment that was done in that operation was highly qualitative. We don't have solid data about offenders' addiction habits. What we asked investigators to do was try to make an assessment based on what they thought they knew about the offender, so it was to inform us, rather than to inform the public.

We don't regard the data as especially reliable because they do involve qualitative judgments that we can't substantiate beyond the level of saying that, out of that group of offenders, we believe that around 80 per cent of them—the actual figure was 83—had a drug addiction problem. It's a very qualitative measure, unlike a lot of the other data we have, which are rock-solid, highly quantitative figures.

However, it was very informative as an estimate of what might be driving particularly property related crime in the territory. That was the sole purpose of it. It was highly contained and really quite a soft measure.

MS TUCKER: It is interesting though. It still would be interesting to people reading your report, even if you qualify it with that description of the method that was used. I've heard of similar figures from courts, too, so it is obviously a problem. Does Corrective Services have anything on that, Mr Keady?

Mr Keady: Yes, I think they could certainly give you an estimate. Some of the problems that they have would be a little bit simpler than those to which Dr Murney has referred. The kind of evidence that they acquire is largely anecdotal. It is not scientifically valid, but it could give you quite a good estimate, which I think would be in the range that has been suggested, about the number of people in that group.

MR HARGREAVES: On that question, when people's post-release programs are created—we're getting to the stage now where we're creating post-release programs for individuals—I wonder whether the information which sustains the thought that there is that strong connection, on an individual basis, between a crime committed and a drug addiction contains quantitative data which would be available to us so we can judge over time whether we're attacking the root cause, which is probably drug addiction.

Mr Keady: Corrections data are interesting because they are based, to a large extent, on self-reporting. There is a phenomenon where people will often say what they think will assist them. However, corrections files are used routinely for research projects and, following Operation Anchorage, the Institute of Criminology has been engaged by my department to undertake some research into the offender group that was identified by Anchorage, and that included an examination of Corrective Services files. So the drug issues, and in some cases mental health issues, were identified as primary contributors to criminal behaviour.

MR HARGREAVES: That report has been finalised and is with you?

Mr Keady: In fact, a draft report is in the process of being finalised by the institute. It is an overview that picks up the research results of two previous studies we commissioned. I think we've provided this committee with the previous reports. If not, they would certainly be available.

MR HARGREAVES: Will the current draft report be available when it's finished?

Mr Keady: Certainly. They will be public reports. I think there was an earlier one, which built on Operation Anchorage and which identified in the ACT a hardcore group of recidivist property offenders who are thought to be responsible for the majority of

property offences. That's why a lot of policy making has tended to concentrate on that cohort. The work that the Chief Police Officer just mentioned, which has resulted in the turnaround in the youth offence area, is looking at that very group.

MR HARGREAVES: I'd appreciate a copy of that report when it's finished, if you would be good enough. That would be terrific.

MS TUCKER: Me too. Did you say that it looks at mental health?

Mr Keady: That group was found to have a fairly high number of mental health issues. I don't think the data were able to diagnose the particular issues, except that they did identify mental health problems as a characteristic of many in that offence group.

MR HARGREAVES: I've heard a couple of times that we've said that some of the operations that have been done by police over the last few years have been groundbreaking, and have come up with some rather startling positive figures. Is that recognised among your colleagues in the other police commissions around the country, and if not, why not?

Mr Murray: In 2000, I know that it caused a bit of astonishment across the country, because we clearly led the country at that stage. From my understanding of crime reports across the country now, a lot of other jurisdictions have turned around crime rates themselves and the ACT's performance is not quite so startling. In other words, there's a trend across the country that sees crime rates dropping.

Mr Keady: On that point, the Institute of Criminology did develop a trends and issues paper which picked up the ACT Policing results in Operation Anchorage. It is a public document and it treated that whole operation as fairly innovative and groundbreaking.

MR HARGREAVES: Does the percentage of that drop in the crime rate correspond with the increase in the number of people being locked up?

Mr Murray: Yes. The more people locked up, the more the crime rate dropped. While I'm on a high—

MR HARGREAVES: Thank you. At a cost of \$75,000 a year.

THE CHAIR: Also at a cost of lot of people not losing their lives and being injured, John.

MR HARGREAVES: I wasn't asking you, Mr Chairman, I was asking the witness. I know what you say.

THE CHAIR: Then don't put words in his mouth, just ask him the question.

Mr Murray: Can I just mention a couple of things that follow on from what Mr Keady said? We deliberately asked the Institute of Criminology to join with us when we were setting up the terms of reference for this, so it could follow through the study in terms of research and then report afterwards. The benefit of that is manifold. Obviously, in terms of empiricism, it is more likely to be accepted. I could say that the operation did a great

job, but it is obviously much better if an institute like the Institute of Criminology does that.

However, it went further than that. The Home Office in the UK picked it up as well and reported the success of Anchorage. Again, it did that mainly because the operation was reported in an authorised and refereed journal. It was followed, by the way, by another study which looked at displacement, because sometimes you can cure crime in one area and blow it out in, say, Queanbeyan. The study found there was no displacement and that the operation actually reduced crime, per se.

MS TUCKER: I have questions about the key performance indicators. I notice that you have a measure which is the number of offences against the person reported. You spoke before, though, about the offence of sexual assault, in particular. I'm interested to know whether you could break down your measures in the annual report more to include gender crime and potentially domestic violence. Is it possible to have that, to help us get a picture of where these offences are coming from and what the situation is? I noticed that you have a community survey out at the moment about gender crime, which I'm assuming is trying to gather more data on gender crime. Is it possible for you to give us that in your annual reports?

Dr Murney: In response to that question, there is additional detail in the appendices to the report. I'm just looking for it now. Appendix 2 gives a more detailed breakdown of offences. A more detailed breakdown of the sort you refer to, particularly about issues like family violence, is more difficult because that is trying to categorise a set of offences. If you're dealing with family violence, you are actually dealing with an assault or various grades of assault and we're talking about the circumstances in which that assault occurs.

We can and did do research which supports Mr Murray's earlier comments on the family violence intervention program. When we first saw assaults increasing in the territory, our concern was that this might be indicative of a more common public order problem, for example, with assaults occurring in public places. We were able to get closer to that by not only doing cross-tabulations on the basis of the relationship of the offender to the victim, but also by producing information on where the offences occurred. We were able to show that the majority of the increase was actually occurring at private residences in the ACT, and that the nature of the relationship between the victim and the offender tended to be that of partner or spouse.

We can produce more detailed information of that sort, but classifying individual categories of activity as domestic violence would be more difficult, because there are judgments involved. That form of cross-tabulation is something we could include in a report. Regarding gender offences, I would need to know more about the sorts of information you were considering. It would be very difficult to produce other than what we produce here, so we would need more information.

MS TUCKER: Okay. You have information in this appendix on sexual assault, so you obviously don't have a problem making that clear.

Dr Murney: No, not at all.

MS TUCKER: I accept that it's in the appendix. I guess I was just interested to know if it could be put up front with the performance indicators.

Dr Murney: It could be made a separate area.

MS TUCKER: Yes. I understand what you're saying. The gender violence question is really about, like your survey here, trying to understand how much particularly gay and lesbian people suffer violence in the community as a result of their sexual identity. This is about heterosexual people too, as is your survey. It is another interesting indicator about our community in lots of ways. Equally, you could look at elder abuse. If you could break that down, it would help us understand the community better—what the issues are and where the pressures are.

Dr Murney: Yes, I understand.

MS TUCKER: Thank you.

THE CHAIR: This is a difficult one. Ms Tucker has made a good point about a further breakdown of stats and it is important, I suppose, to have proper statistics. One complaint that's been made to me on several occasions by members of the service is that they seem to be spending an inordinate amount of time compiling statistics, which makes it difficult for them to concentrate on their real job of policing.

First, I wonder, Mr Murray, if you're aware of those problems and, Minister, is anything that being done to alleviate that problem while still ensuring that proper statistics are provided to relevant agencies? It has certainly been mentioned again in the last three months that this is a real problem, that so much statistic taking and compilation is taking away from officers' time to do other jobs, to the detriment of protecting the community.

Mr Murray: First, yes, I have heard that and I agree with it. I will start off the answer and Dr Murney might follow me. What Commander Newton has done is to conduct a complete breakdown of all the matters that we attend, to produce a process and practices review. What we are going to find from that is that we probably attend a lot of things that perhaps we shouldn't attend, we probably spend more time than we should on certain offences or incidents, to the extent that we should change how we do things.

Within that context, I have already found that the computer data entry is sometimes long, sometimes complex and sometimes, in my view, unnecessary, so we are reviewing that. The short answer is yes, we're reviewing that.

MR PRATT: I have a quick question about stats on page 13, Minister and Chief Police Officer. That's a pretty good list of stats, but is there anywhere in this report that reflects on public confidence or fear of crime as a key performance indicator, in shopping centres by day and by night, for example, with regard to bag snatchers. Also, do we have those stats that are reflected in this report about how confident small business feels?

Dr Murney: The statistics you're seeing there are based on a survey that is conducted of the ACT and that covers 2,000 households. They have to be contactable households so ACNielsen does the survey on our behalf. There are commonly many more households contacted—it can be up to double that number, so it's a very good survey.

For comparability purposes, the survey is based on common questions asked across all Australian jurisdictions. The questions you're referring to aren't covered in that survey because they're by agreement. There are different questions that aren't covered here however. For example, in relation to public confidence and police, we'd agreed to report on satisfaction with police services, the professionalism of police and also the fairness with which people are treated. There are some other questions that reflect the community's attitude towards the police service in that survey.

MR PRATT: I've seen some of those surveys expressed elsewhere through the report, but you don't see as necessary to report on the areas I asked about?

Dr Murney: There is no reason why we couldn't do it. Certain issues, such as the confidence of various elements of the community, such as shopping centre owners and so forth, are very difficult because, in many cases, they're corporate. This is also not included in the structure of the existing questionnaire so we would have to gain agreement on it. It is quite a tedious process to have the survey changed, even though the working group is in the process of reviewing that survey, because you have to get the agreement of all of the other participating jurisdictions. It has taken some years to develop the survey to its current point.

Mr Murray: To some extent it is done, in the sense that we will look at groups of people, small business, for example, that are brought to our attention by the chamber of commerce. For example, the people of Fyshwick had a breakfast meeting which something like 100 people attended. I addressed the group and understood very clearly from the group what its concerns were. These, in turn, were passed on to our crime prevention people.

They were instructed to bring about a crime prevention program particularly for the traders in Fyshwick. It is a unique area, by any test, in that 99 per cent of the people there are non-residential. In the lead-up to Christmas, the inevitable was going to happen and smallgoods and liquor were going to be stolen again, because of the Christmas period and an attractive market, so I instructed that a special program of crime prevention be put in place for the people of Fyshwick.

MR PRATT: On page 22, in the section about Operation Halite, I notice there's a comment which refers to police resources being stretched. I wonder whether there's an inference there that the crime rate is causing police resources to be stretched. Where did the staffing for Operation Halite originate? It's my understanding that you already had task force police teams doing other things, even before Anchorage, so has Halite meant that you've had to suck a lot of police teams away from police stations, or was that task force capability already there?

Dr Murney: What happened was that, in the lead-up to Operation Halite, we did form strike teams which were concentrated in the territory investigations group. What happened after Operation Anchorage was completed was that we dispersed those teams to patrols in the form of proactive teams. We were basically experimenting. We wanted to see what would happen if the patrols had the type of autonomy to follow through on offences at a local level. What we observed—and you can see it in the chart on

page 22—was that, while that was occurring and we were receiving some very positive results in the community with that type of approach, crime started to resurge.

So we withdrew those resources, which were the same strike team resources just being used differently, and we reapplied them in a centralised way to the Operation Halite task. The interesting thing about the resurgence that you see on page 22 is that, in the same period, we had a major resurgence in heroin overdoses in the ACT, which indicated that the heroin drought was ending its first phase. That resurgence in heroin stopped, in effect, but a further resurgence started about four months ago. That has also been mirrored by an associated increase in crime.

MR PRATT: In the report we see, via the comments and stats on pages 22 and 23, that, while Halite was successful in reducing the number of burglaries, there was an increase in the number of property crimes of about 1,500, from 32.2 to 33.9. What measures do you think would be taken to achieve an ongoing reduction in property crime rates, the resolution of cases and the apprehension of offenders, while also increasing and maintaining staffing resources in police stations? How are you going to make sure that, if you suppress this, if pops up again? With existing resources, can you also aim to reduce general property crime?

Mr Murray: The history has shown that it has peaked and troughed. An ideal solution would be a continual drop in crime rates. That's a circumspect way of answering the question. The more recent data indicate that we have turned it around again and the most recent figures, for the beginning of the new financial year, say it's working again. However, I take your point: it has peaked and troughed, where a more ideal solution in the long term would be a continual downwards trend.

Ms Newton: I might just make a couple of comments, because property crime also relates to motor vehicle theft.

MR PRATT: Yes, I guess that's what it mainly is.

Ms Newton: We've been doing considerable work on motor vehicle theft, mainly in the area of whether there is a direct correlation between the theft of motor vehicles and the burglaries that are taking place. That correlation isn't particularly strong at the moment and we actually haven't identified a specific pattern among those people committing serious motor vehicle offences.

A lot of them are ride offences, rather than those in which the vehicle is used for a particular purpose. We have identified some groups of people and the members of our operations committee, which is the combination of all of the senior sergeant groups which run the stations, have been working together to identify groups of people who might be stealing vehicles. We're also going to known offenders and talking with them in suburban areas, to try to get them to assist us in the identification of other people.

One of the major factors that we have considered in relation to the vehicles that are being stolen—because we're profiling those vehicles—is that vehicles made before 1992 are the major target of vehicle thefts because they don't have immobilisers. At the moment, we're working with a number of other agencies and we are meeting with them this month to work through the issue of vehicle immobilisers. We are pretty much adopting the

Western Australian model of using vehicle immobilisers in vehicles made prior to 1992 to reduce the number of stolen motor vehicle offences considerably.

We have to work with Urban Services and the insurance industry to decide the best strategy for reducing the insurance costs over a period of time, and maybe to support the community and put vehicle immobilisers into their vehicles. Everywhere else that has had a major effect. However, there are no specific activities that we can undertake at this time that will reduce motor vehicle theft by a large amount, because there isn't a particular group involved.

MR PRATT: Okay, thanks.

MS TUCKER: I am interested in neighbourhoods perceptions of crime on page 36. There's a section on people who feel that graffiti or other vandalism is a major problem in the local area. I'm trying to understand the figures: we were at 14.2 in the ACT and the Australian average was 19, and it's about the same or a little bit more—14.5—now.

Regarding the incidence of graffiti, I'm interested to know how you relate to the graffiti clean-up team. I have asked the minister this question. I don't know if you want to answer it. I've sent you a letter but maybe you do not have it yet or maybe it's in the pipeline. I want to know how you work with the graffiti clean-up team.

Mr Wood: I got all that material you sent me from a New South Wales council.

MS TUCKER: Yes, Warringah Council.

Mr Wood: Yes, I'll comment on that another time.

MS TUCKER: Yes, okay.

Mr Wood: It doesn't do much more than say what's happening here, in some respects, without perhaps discussing the more intense work that you're asking me about with people.

MS TUCKER: Yes, but in that letter I also did ask you about how exactly the graffiti clean-up team works. I wondered if the police are working with them.

Ms Newton: ACT Policing doesn't have a strong link with the graffiti clean-up team and we don't meet on a regular basis in regard to the clean-up. Part of the activities of the reconciliation process with some of the offenders has been their own involvement in community service and having to clean-up graffiti. It's not an area in which we've had a strong role, other than in identifying quite often where there graffiti is consistently being done. That is part of our intelligence process. We might put specific patrols into areas over a period of time to try to reduce the likelihood of graffiti occurring.

MS TUCKER: Is the policing response more about catching them?

Mr Murray: No.

MS TUCKER: I'm wondering how it links to the youth at risk team.

Mr Murray: It does, because there is a whole series of programs which is based on the hypothesis that kids with a bit of time on their hands would be more inclined to do this sort of thing. We have a series of programs, including RecLink, the recreational link, where young people are taken by police and youth workers out onto the fields to play sport. We take the sport to them sometimes: there's a particular vehicle with sporting equipment on it.

We also have things like the PCYC where we occupy young people's minds and divert them away from this sort of activity. Through all of this, there's a measure of not lecturing, but still conveying standards to young people. Without knowing about it specifically, I imagine that graffiti would be a part of that.

MS TUCKER: Okay. It's not necessarily going to help these people if you make them play sport when they're not that kind of person, so I've suggested to the minister that he look at how he can—

Mr Murray: Sure.

MS TUCKER: Anyway, it's my comment. Now I have a question, so I will stop.

Mr Murray: It's what I attempted to do. I hope I didn't sound defensive. What I was attempting to say is that we don't just chase people after they've committed the crime. We spend a lot of time and money in crime prevention.

MS TUCKER: But you're saying that you sent them to RecLink and such places, but I have some problems with that as well. That's fine, though, as this isn't the appropriate place to raise those.

Mr Murray: Okay.

MS TUCKER: On page 48, you talk about "diverting at-risk young people, including juvenile offenders" and "engaging the community, government agencies and non-government organisations in the development and delivery of crime prevention services and strategies". On the next page, I notice that you have a negative measure for the percentage of people satisfied or very satisfied with police support for community programs. I want to know why that is. Last year I did ask whether you were working with, for example, the Youth Coalition.

What is this negative result about? Who's not happy and what can you do to improve that?

Mr Murray: I do remember you raising this last year. Dr Murney might add to this answer, but there has been disruption in staffing, again, this year within crime prevention. It has been down on numbers at one stage and down on experience in another, which hasn't allowed us to give full attention to some of these programs.

Dr Murney: Yes. In response to the question about who is dissatisfied, we are concerned about this result. It's showing that our links to community programs are not working as

well as they could be. We can't find the detail in the survey, though, that would tell us where the level of dissatisfaction lies.

One matter that we're looking at from a jurisdictional point of view is seeing whether we can get the other jurisdictions to agree to ask some questions that would give us insights into the cause, for an answer. The answers to the questions that we get generally describe a problem, but we want some follow-up questions that ask, "If you said no, why did you say that?" and ask for that kind of information. We can't get too far below the surface on that. We have certain suspicions, but they're highly qualitative.

MS TUCKER: Can't you just meet with them? There are not that many service providers in Canberra. I could tell you.

Dr Murney: No, the data are from two sources, though. This is a survey of 2,000 households, so it's broader than, say, a survey of vested interest groups that might have a particular focus.

MS TUCKER: Okay.

Dr Murney: That's 2,000 people in the community giving us a response and it's coming in low, so our concern there is to find out what a cross-section of the community is thinking about why they're unhappy with that. We need to be able to dive into those data.

MS TUCKER: Don't you think it is also a case in which you should talk with community organisations themselves?

Mr Murray: We have done that. Can I just tell you what we did possibly less than 12 months ago? The police board, which is chaired by Professor Biles, encouraged us to become involved in a First Contact workshop. The First Contact workshop comprised people who would normally have dealings with the police or with drug and alcohol, youth affairs or domestic violence people, and so on, and 30-odd people turned up. It allowed us to gauge how those people believed the services were provided to the respective clients—people addicted to alcohol or drugs, or young people with welfare or nutrition problems.

The most interesting thing about that was that their first perception—this might be relevant to the matter as well—was that police don't help very much. It wasn't until there was considerable dialogue amongst us that that view changed. For example, an indigenous woman said, "You always pick on us." When I asked her to explain why that was the case, she said, "Our year 12 were having an end of year function and the police came along because they were Aboriginal," and one of the other First Contact group said, "Hang on, my school had exactly the same problem." What she'd perceived then was that her people had not been picked on because of their colour or their culture, and then she said, "I see your point of view."

It was these first impressions which the group collectively shifted around. Through the contribution made by me and Superintendent Lyons, we were able to give a point of view which addressed a lot of the issues they had. The point is that, if those people had been consulted prior to that workshop, their feelings would have been very similar to

that. After the workshop—and Professor Biles will confirm this—there was considerable enlightenment. Admittedly, it wasn't perfect but there was considerable enlightenment about what police said and a better understanding of how they did it.

MS TUCKER: I know we're running out of time. You said that you had staff problems and so on and that you couldn't spend the crime prevention money or do all that work—

Mr Murray: No, we spent the money eventually but there was disruption to the people there. It's not—

MS TUCKER: You spent the money but there was disruption in terms of what you provided as a service in crime prevention.

Mr Murray: Yes. That's been corrected at this point. We have had similar problems earlier in this financial year but it's being addressed. It's not a popular area for policing.

MS TUCKER: Not a popular area for policing?

Mr Murray: No, it's a cultural thing.

MS TUCKER: Isn't that why you would be trying to outsource it more to the community groups?

Mr Murray: There's a considerable outsourcing as it is. We work with dozens and dozens of groups. We never pretend we can do it ourselves, in fact, it would be counterproductive if we tried to do it ourselves. With each of these projects there is invariably and critically another part of the community working with us.

MS TUCKER: Okay. I couldn't find here anywhere—but maybe it is here somewhere—mention of your work on mental health, about how you're working with mental health services and integrating the fact that many people with problems have a mental illness.

Mr Murray: Sure.

MS TUCKER: Where is that here? Is it here?

Dr Murney: I don't know.

MS TUCKER: You have a whole-of-government approach in one section, but I couldn't see that mentioned and it seems to me to be a bit of a serious omission.

Mr Murray: It could well be because we're just about to sign a memorandum of understanding with mental health authorities and—

MS TUCKER: You've had one before.

Mr Murray: A later issue has come up with hospitals and the transportation of mentally ill people, which we disagree on.

MS TUCKER: You already would have thought you were working with an MOU with mental health.

Mr Murray: I'm sorry, I'm not sure of that. We may have one.

MS TUCKER: Can you clarify that for the committee? Now I'm getting concerned. We want to see whether there is a memorandum of understanding—

Mr Murray: No, I'll clarify that.

MS TUCKER: And what it looks like now, because I know there was one a while ago.

Mr Murray: Yes.

MS TUCKER: Regarding the relationship between substance abuse and property crime in Canberra and the extent of your time that is taken up with that, are you supportive of the notion of a trial of the medical prescription of heroin or do you think that the other drugs that are now popular—amphetamines, steroids or whatever—are equally a cause of crime or is it still basically heroin?

Mr Murray: To answer the second part of your question, there has been an inextricable link between drugs and property crimes. With heroin, the incidence is patently higher for some reason. I'm not sure why. The answer to that question is categorically yes. Insofar as my view on programs of the type you mentioned—

THE CHAIR: I don't know if you can give it really.

Mr Murray: I'd prefer not to give it, yes. I have a personal view but it's probably not valid because this is coming from my office, which might well have a different view.

MS TUCKER: What about the other drugs—amphetamines, steroids and so on. What do they mean for policing?

Mr Murray: Amphetamines give rise to property crimes as well, but to a smaller extent. The by-product of amphetamine crime is not so much property crime, but crimes of violence usually accompanying the use of amphetamines.

MS TUCKER: Yes, that's what I was wondering. So amphetamines means more street violence?

Mr Murray: It gives rise to a high level of violence, yes.

MR PRATT: Right. I will go to police numbers and police strengths from page 81 onwards. What I can't squeeze in here I will provide to you on notice, Minister. I refer to the steering committee for the review of Commonwealth-state service provision, which I will refer to as the steering committee, and the 2003 productivity commission survey on police numbers and strengths.

I notice that, in 2001-02, the ratio of sworn police in the ACT per 100,000 people was 181, against the Australian average of 218. What did that increase to in the following

financial year, that is the year of this report? I can't see that figure anywhere, unless you can point it out to me.

Dr Murney: Where in the report are you coming from, Mr Pratt? Is there an area I can look to see where your question's coming from?

MR PRATT: I'm referring to—

Mr Wood: Table 3.1, staffing profiles.

MR PRATT: Yes. I don't see—and I'm prepared to be corrected—that sort of figure in this report.

Dr Murney: So what you're asking is what is the ratio of sworn police to population in the ACT for the reporting period?

MR PRATT: Yes, per 100,000. Do you happen to know that if it's not in your report?

MR HARGREAVES: While you're looking for that, does that mean then, if our policing is more effective than the national average, we need less police per 100,000 than the rest of the country does?

MR PRATT: I don't think so. Nice try.

MR HARGREAVES: I wasn't asking you, Mr Pratt.

THE CHAIR: Can we do one at a time?

MR HARGREAVES: I was asking Mr Murray.

THE CHAIR: You can ask him that after Mr Pratt's three questions.

Mr Wood: It was the subject of some discussion in many quarters: does the nature of the ACT population bring different needs? I'm sure everybody will have a different view about that.

MR PRATT: That's perhaps a different question and a different debate. Do you have an answer on this question?

Dr Murney: The specific answer to your question, doing a quick calculation, is that it's approximately 186 sworn personnel per 100,000 people in the ACT for that reporting period. When I say that, when you do a calculation for the Productivity Commission, it's different to this. This uses the same calculation method except it's calculated at a point in time, which is 18 June. When the Productivity Commission does a calculation on police numbers for national purposes, it takes the number that you had at 1 July and the number you had at 30 June, adds the two together and divides it by two. The intent there is to try to smooth out the curves that occur with attrition and recruitment throughout the course of the year.

We, for example, would not maintain 817 personnel in total for the whole year. We'd move around that figure fairly substantially.

MR PRATT: In relation to that, in terms of the experience mix within the police line-up, the information I have from looking at some data—and I don't think the report necessarily reflects this—is that 72 per cent of operational constables have less than two years' experience.

MR HARGREAVES: What's the source of that please, Mr Pratt?

MR PRATT: That's a figure which I think is from an AFPA source.

MR HARGREAVES: It has to be right then.

THE CHAIR: Just ask your question and let's not have interruptions in the middle of the question, please.

MR HARGREAVES: Remind me to say good afternoon to you, Mr Chairman.

THE CHAIR: Continue please.

MR PRATT: Are we okay to proceed, Mr Chair?

THE CHAIR: Yes, please proceed.

MR PRATT: The question was in process and you stopped it, Mr Hargreaves. How do you describe the experience mix particularly at the constable level compared to that of the sergeant and higher ranks?

Mr Wood: Some of that information is in the answer that is coming back to Mr Stefaniak, which refers specifically to the question about probationary officers, which is at the moment fairly—

MR PRATT: Does that answer the question that I've just asked?

Mr Wood: No. I'm about to pass to Dr Murney, but I did want to indicate that the answer to that question indicates that, at that level of probationary officers, the ratio is very high, higher than would generally be the case, as there's quite a bubble in the system. Dr Murney will go into the detail of the answer.

MR PRATT: Thanks, Minister.

Dr Murney: In terms of the specifics about the proportion of personnel we would have with two years or less experience, I do not have that information on me so I can't tell you what it is.

I can describe the general situation that has affected the staffing of ACT Policing over the past four years. In 1999, we had a large group of fairly experienced officers, people who were long-serving officers who had been with the AFP for a long period of time, and we had a comparatively small proportion of people who were very junior or had

short-term experience. The AFP had recruited only a very small number of people in the previous five to six years so the workforce was pretty static. There were senior constables who had many years' service, hadn't moved up, hadn't moved sideways, and they were part of ACT Policing. These were all highly experienced, highly skilled officers.

What occurred during that period was that many of these people reached retirement age and they left the AFP. We had another phenomenon develop—

MR PRATT: Basically, the baby boomers.

Dr Murney: Yes. We're seeing a lot of them passing out of the policing system now so there was that element. However, at the same time we also saw an expansion of the Australian Federal Police, which resulted in opportunities then being provided through internally advertised positions. People in ACT Policing, as with people in other parts of the AFP, would apply for positions and we saw movement in that direction as well.

The situation regarding probationary constables, in terms of the work we've done so far for Mr Stefaniak's answer, is that we do have a concentration of fairly junior personnel in patrols. We have concentrations of these people in certain parts of the organisation and in certain of our patrols as high as 47 per cent and 49 per cent.

However, in other parts of ACT Policing, where we have a greater requirement for specialist skills—and I'm talking about areas like the territory investigations group, traffic operations, prosecution and judicial support, crime prevention and so forth—there is zero percentage of probationary constables in those areas. It's the way a police career develops: you get your basic grounding in patrols and then you move on to the other specialised areas of policing, as you learn.

The general position is one of, right now, having to invest in the future of the organisation and this is the bubble the minister refers to. We had that more senior group move out to two different locations: out of the workforce and into other parts of the AFP. That generated a backfill requirement and we now have a large number of fairly junior personnel. However, the average age of these people, unlike in previous years—10 years ago, if you were recruiting police, you would recruit 21 or 22-year-olds—is generally about 28 years of age. The vast majority have tertiary qualifications. These are fairly major differences in terms of the sort of skill level that we bring in at the starting point.

They also undergo probably one of the best recruit training regimes in the country, so it's a different sort of regime. They are, however, on a learning curve and the organisation has to invest in them now to develop them as future police officers.

Mr Wood: Yes, that's important because it's recognised that we need to develop that level of experience.

MS TUCKER: Can I follow that up? On page 89, you say that you have an increase in complaints because you have inexperienced personnel. What's the resource implication there in terms of training people?

Mr Wood: Page 89?

MS TUCKER: Yes, in your complaints section. It says the result of the increase “is attributable in part to the large number of new members working in the ACT”. It’s because of the new personnel that you have an increase in complaints. How do you accommodate this new block of people in terms of extra training? Do you have an extra budget to deal with that? Do you need more support to deal with that when this is the result?

Ms Newton: I will discuss that. We’ve been looking very closely at the complaints about the ACT region and, when you look at the long-term statistics for complaints, you will see that they have stayed for quite some years at a fairly stable level. The sorts of complaints we are getting, though, are on minor practices and procedures where some of these people aren’t au fait sometimes with some of the actions they need to take.

Some of the training that we’re undertaking at the moment has to be determined by those issues, so we’ve asked our professional standards area, which is part of corporate AFP, to draw apart more of the information to determine what sorts of practices and procedures issues are of concern, what sort of incivility issues are of concern or whether complaints are about customer service issues. We consider customer service as a major component of how people speak to offenders or somebody they might pull over in a vehicle.

Part of the process at the moment is getting far better data and information on the detail and then addressing that with those people through our training and development program at the police college. One of the components of that training will definitely be customer service and how you talk to people.

The people who have just come out on the road from our national areas are being buddied with some senior people who we’re taking out of our traffic area, our specialist response and security area and prosecutions, the areas where we don’t have any probationary people. We are putting them on the road with those people so that they work for a couple of weeks with someone who knows how to talk to people, so it reduces the likelihood of complaints.

However, overall, the level of complaints has remained quite constant so the problem is managing it. We’re saying now that we don’t think it’s acceptable to have that level of complaints coming in. We also want a better analysis of substantiated complaints, and of issues that might not have been substantiated but with regard to which there might be an underlying issue for our staff.

Management practice also contributes. Our high level managers are making sure that they address those issues with the staff, and our executive steering committee group of superintendents and coordinators will be working on that.

MR PRATT: Despite the age of new constables coming in and that maturity trend which I recognise, I presume that you still agree that the time in policing experience is still a critical factor in getting that capability up. Is there, to your understanding, any impact on how police feel about this experience level? Is it imposing overstretch stress?

Ms Newton: I might comment on that. The last set of results of our SOAR results, from our employee survey process, which came out in the last few months, showed

a significant increase in satisfaction in all of our staff in the ACT to do with their work, their work environment and management related issues. There are still areas that we need to improve on there and we have a set of issues that we will work through to improve staff perceptions.

We have determined that our senior constables on the road are carrying a high workload associated with having to teach other people all the time. We will be holding a couple of breakfasts in the next few weeks for the people who have to do the training all year, so that we can thank them for their contribution and let them know how important they are to us in the role that they've been performing.

We're also working at putting people who are on probation into some of our traffic-related and SRS areas, so that all of the workload doesn't just rest with general duties, because those people pick up general duties work as well. As long as they meet the requirements of their workbooks for their 18-month probationary period, they can move into those areas and work with more experienced people.

MR PRATT: Okay, and I will put the rest of my questions on notice.

THE CHAIR: Thank you very much. If there are any other questions, they will be put on notice. I thank the emergency services people and you, Minister, for turning up today. Some questions will be put on notice and we might ask further questions as a result of your answers to those on notice.

The next meeting of this committee in relation to these annual reports will be at 2 pm on 3 February 2004. Mr Keady, your bail is extended until that time.

The committee adjourned at 5.13 pm.