

## UNCORRECTED PROOF ISSUE

Thursday 26 June 2008 - Estimates Committee B (Cox) - Part 2

**CHAIR** - Welcome back and I trust that the event you attended over the lunch break was of value to the community.

**Mr COX** - Any event where the police and the media all turn up is always -

*Laughter.*

**CHAIR** - We already talked about the value of letting the public know what is happening.

Minister, you have some information you want to share with the committee.

**Mr COX** - I have Madam Chair, thank you very much. A have an answer to a question that was asked previous about overtime?

In 2006-07, there were 57 188 hours worked at a cost of \$3 095 001. In 2007-08, there were 53 298 hours to the tune of \$3 029 583 which equated to 3 890 fewer hours and a drop of \$64 417.

**Mr DEAN** - I should say I do not begrudge the police officers getting overtime; that is not what it is about.

**Mr COX** - No. That is the response to your question.

**Mr DEAN** - The other one was the overtime worked at the courts.

**Mr JOHNSTON** - We cannot get that straight away.

**Mrs JAMIESON** - Why it is necessary to have so many hours of overtime? Is it due to staffing levels?

**Mr WING** - It is a necessary requirement until we get volunteers.

*Laughter.*

**CHAIR** - Minister, I can assure that the member for Launceston is just trying to assist the department in any way he can.

*Laughter.*

**Mrs JAMIESON** - In the meantime, do we have an answer to the question?

**Mr JOHNSTON** - The generalised answer is that police officers often start something during the course of their shift and have to continue until they complete it. Detectives often come on early to start at 5 a.m. or 6 a.m. in the morning with a view to going out to do searches et cetera. There is a whole raft of those sorts of operational things, obviously.

**Mr WING** - They are probably in the middle of an investigation and they need to continue.

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**CHAIR** - Minister, I am well aware that we would like to try to wind this up at some reasonable hour today so I will ask members of the committee to focus on output group 3.

**Mrs JAMIESON** - I was interested to read in the annual report about self-assessments and people recording their comments about drink driving and wearing seat belts and other things. How do people do self-reported driver behaviour, for example? How do they go about doing that?

**Mr COX** - I understand this was a Morgan poll that was done in March. People were asked questions and these were their responses to those questions. These answers have been put under the heading of self-assessment.

**Mrs JAMIESON** - Can police be involved in that sort of thing as well or is there a way of tracking police being able to self-assess?

**Mr JOHNSTON** - The answer is we do not have a mechanism for them to do it directly. It would cost us a lot of money to add that. Every question that is asked in the survey costs the department a lot of money because every question is asked nationally. The survey company, Morgan, ask exactly the same questions nationally so that they get a comparable statistics of the number of people who claim to have been speeding and so on. So, to do that nationally to get police to become reporters in the system, we would need to get other police agencies to engage with us and encourage them to do the same.

**Mrs JAMIESON** - I had not realised that, thank you. I wonder also, how many red-light cameras do we have in Tasmania and have we figures of the number of police offenders, for example, versus the general public?

**Mr COX** - We have this somewhere for you.

**CHAIR** - Police offenders would be zero, wouldn't they, Minister?

**Mr COX** - No, it is not. Comparatively it is very low, but it just shows that police, like everybody else, are human.

**CHAIR** - If the number were not zero, Minister, the target would be zero.

**Mr JOHNSTON** - Madam Chair, whilst the minister is informing himself in relation to the number of my police officers who were detected speeding, the red-light camera issue - the simple answer is there are no operating red-light cameras in Tasmania to day. Those that we had are no longer operating for a raft of reasons and some of them were contractual. Quite simply, they were not efficient, they were not effective and there was more down time than there was operating time. There were more challenges to legitimacy of the photographs and things like that. Of course, in Hobart, the most photographed vehicles going through red-light cameras were either fire engines or ambulances, as you would expect, with their lights flashing as they were going past because it was on the route that they would normally use.

**CHAIR** - So I was right, it is zero, in fact?

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**Mr JOHNSTON** - In relation to the red-light cameras you were right, it is zero.

**Mr COX** - Your other question was about how many police. For the 2007-08 year to 31 May 2008, a total of 77 traffic infringement notices have been issued in the name of Tasmania Police which equates to an infringement every 163 000 kilometres. A total of 21 infringement notices issued were subsequently withdrawn. So they were obviously on duty or there was a reason for that. So we take the 21 away from there and we are left with 56. Those withdrawals can only be made for police duty reasons. Those that were withdrawn obviously had a reason for being withdrawn.

**Mrs JAMIESON** - Can I extrapolate that out to the ordinary, everyday person, if I say I am on duty?

**Mr COX** - No, you can try. As of 31 May, the fleet has travelled and I think this puts it into perspective, 10.1 million kilometres. So I think when you look at that, it is not too bad.

**Mr WING** - So they are figures for police officers who have been detected speeding on duty?

**Mr COX** - Twenty-one of those were, yes.

**Mr WING** - All of them on duty, not in private cars?

**Mr COX** - Correct.

**Mr WING** - Any statistics for private cars?

**Mr COX** - No. We do not track them when they are out of uniform.

**Mrs JAMIESON** - I would appreciate your comment on the plethora of signs that we seem to have on our roads these days - not the speed signs, but advertising signs and tourism signs. Yet, we see in our statistics that distraction is one of the main causes of accidents. So here we are, driving along, reading the signs.

**Mr COX** - I will put my old hat back on for infrastructure for 10 seconds and tell you that it is now illegal to put those type of signs on roadsides, the readout ones, unless it is relevant to road safety. Legislation went through for that. DIER also seriously look at any roadside signage that is a distraction and have it removed. So they are well aware of that.

[2.00 p.m.]

**Mrs JAMIESON** - Does that include political signage when it comes to election time?

**Mr COX** - Yes.

**Mrs JAMIESON** - Who is going to enforce this?

**Mr COX** - I will guarantee if you put one up it will not be there long.

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**Mrs JAMIESON** - I am pleased to hear that. I would be also be interested in the number of covert vehicle police vehicle movements in their efforts to maintain law and order on the road. We see the obvious ones, the overts.

**Mr COX** - We have that.

**Mrs JAMIESON** - Do we have we got the number of covert and -

**Mr COX** - Marked and unmarked is probably what we would call it.

**Mrs JAMIESON** - Was there any truth in the story I heard the other day about a flat-tray running up and down the Midland Highway at 80 kilometres encouraging people to line up behind and then fining somebody when they went over the white lines?

**Mr COX** - That's certainly not the one I heard, Mrs Jamieson.

**Mrs JAMIESON** - You have not?

**Mr COX** - No. It sounds like an urban myth to me, but anyway.

**Mrs JAMIESON** - I cannot prove it.

**Mr COX** - Your question - there are 430 operational vehicles, 253 are marked and 177 are unmarked.

**Mrs JAMIESON** - And the efficacy of the unmarked cars, do they pick up more people than the marked cars?

**Mr COX** - I cannot tell you that. It would be based on a combination of both. No.

**Mrs JAMIESON** - I just wonder about the effectiveness of the hooning legislation. I appreciate that might come further down.

**Mr COX** - It does. Can we deal with it later on, if you do not mind.

**Mrs JAMIESON** - Yes, thank you. I think that is about it, thank you, Madam Chair.

**Mr DEAN** - I was just looking at the statistics that we have been provided with here. Minister, if our strategies were right, if we were doing this right, we would not see this continual increase, for instance, in drink driving offenders charged. It is disappointing that it continues to rise. It is like speeding offenders continues to rise. Crash reduction continues to rise. I would have liked to have seen the graph going the other way and I think we all would. Do we have our strategies right? It is a difficult one. I will then talk about drink driving as a separate issue.

**Mr COX** - The answer to that is how long is a piece of string? People are well aware of what the law is. People are well aware - and you used speeding as an example - and I think people now look at it and say, 'It's not going to happen to me'. The other night in Devonport was a prime example that you have so many stupid people who go out and drive when they are over the limit. I do not have a simple solution to that.

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I spent many years, as you would know, being involved in the road safety aspect of government and I used to wake up and just about bash my head on the wall because I could not work out how you deal with people who do not want to be dealt with.

**Mr DEAN** - It is a difficult area, but I just wanted to raise it.

**Mr COX** - The perfect point of that is that cameras - and just on the subject of cameras - the one that everyone knows is there is the one that picks up the most people, so if you ever work that out let me know.

**Mr DEAN** - I can work it out for you, Minister, because that is in situ 24 hours a day whereas the cameras in the other areas are only there spasmodically, so that is one answer for that.

**Mr COX** - It is one, but the fact that people know they are there -

**Mr DEAN** - I have no doubt. I am glad to see that the camera is not in Campbell Town as much as it used to be. That is pleasing because it is obviously out in the areas where it is more likely to have an impact on road safety, and that brings me to my next question.

**Mr COX** - Can I add my enthusiasm. The one in Perth has not been there for a while either.

**Mr DEAN** - It is good to see.

**Mr WING** - And the one in Howick Street has not been there for a while and it need never be there.

**Mr COX** - It may have been there by request, Mr Wing. Some residents may have asked for that - you never know.

**Mr DEAN** - The area of fatalities, Minister, is a concern still because per head of population we are still the highest in the nation for fatalities. We have talked about road safety already today and some of the strategies that are in place as to whether or not there is more that we can do. I talked to the deputy commissioner a while ago this morning about more signs out there - and I know what the member for Mersey just said. There are signs in some of the other States to tell you that you are doing  $x$  speed. I know we have a portable sign and wonder whether some of those down the Midland Highway strategically placed would not have an impact.

**Mr COX** - Mr Dean, again, this is to do with DIER and the Minister for Infrastructure but -

**Mr DEAN** - Yes, but I am just wondering of the police view.

**Mr COX** - I am very happy to judge on this. I spoke to AAMI in Melbourne because no-one had thought of using corporate money. They are the signs that you now see on the side of the road saying, 'It's not a challenge it's a limit'. My personal view is that if you look at the map - and I do not know whether you have ever seen these, I imagine you would have in a previous life - which shows you where the accidents occur and the cause of those accidents. Unfortunately I have now reached the opinion that I do not think it would matter what you did, at least half of those people would still have died. It simply would not make any difference. There could be signs, police cars on the road 24-hours-a-day - they are on a mission and you know what is in

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there. We cannot release that because it has not been before the coroner so we cannot share that information, which is a shame.

**Mr DEAN** - Will the police have any input into DIER's placement of the new portable speed limit signs that they will now be able to put out in the accident-reduction zones such as where slippery conditions apply? What input will the police have into the positioning of the electronic signs that somebody mentioned recently?

**Mr COX** - The only one I am aware of - and the Commissioner can expand on this - is that there was consultation with the police at Round Hill in Burnie. I am not sure about some of the others but I know that one for a fact.

**Mr JOHNSTON** - They have been talking about West Tamar Road.

**Mr COX** - West Tamar Road as well.

**Mr JOHNSTON** - Once a month the deputy commissioner and the two assistant commissioners meet with senior officers from DIER and amongst the things on their agenda are issues such as those you are talking about.

**Mr DEAN** - These are the signs where they will be able to change the speed limit depending on the circumstances.

**Mr JOHNSTON** - The talks are not always specifically about each sign and where it will go or not go. We are informed about what it is they are thinking about doing and where they are looking at doing those things.

I come back to the other point you made about the Midland Highway. As you quite rightly pointed out, the Deputy Commissioner has a strong view about the benefits of those speed-awareness trials and he is in the process of talking with our Director of Corporate Services at the moment about whether or not we can afford to buy some more to do the sort of thing you mentioned. In addition to that, I have recently had discussions with Greg Goodwin from the RACT about a raft of strategies that they think would be useful on roads like the Midland Highway. These include things like speed-awareness information boards, fixed placement of cameras and maybe sites we could alternate cameras through and things like that. From my point of view I am more than happy to discuss with them, and with the Road Safety Council, any of those new initiatives that might be within our purview to implement, and I am definitely not going to tread on the toes of our colleagues at DIER on their responsibilities.

**Mr COX** - We are all in the same program here, everyone at this table is trying to achieve the same outcome.

**Mr DEAN** - I want to raise the current position in relation to intercepting drivers - and I know that there is a national position in place in relation to how police will go about that. I will very quickly relate a position to you where a couple recently, late at night, were travelling in a rural area when a car came behind. It was a police car but they did not know it was. They had the lights in the grill, the lights flashed and these people were very upset because it just continued to stay behind. They travelled at the speed limit or below, but it would not go past. To cut a long story short, they were absolutely beside themselves, really frightened because they thought it was hoons. They were pursued for 42 kilometres into Rocherlea where the police had radioed ahead

and put up a road block which stopped these two people, a husband and wife. They were told by the police, 'You were very lucky you stopped because we had the road spikes to throw out in front of you'. That is the situation with the police now, as I understand it, they follow, they will not go past. These people even pulled off to the side of the road to let them go past and they still would not go past. They were booked for failing to stop for police but that was later withdrawn and I thank the Commander of Police in Launceston for seeing commonsense and withdrawing it.

Is that strategy going to be looked at, Minister, because they had the Falconio case on their mind. They referred the public statements being made, 'Don't stop for anybody unless you know it's the police'. Is that going to be looked at or considered?

**Mr COX** - I am obviously going to defer that one to the commissioner because I am not aware of it. I am not too sure the commissioner is either.

**Mr JOHNSTON** - No, I am definitely not aware of it. I would be more than happy for us to review our operational skills training to see whether or not that is something that they are now being taught. If that is the case, I personally would like to see that it is reviewed. Quite seriously the application of commonsense is far more important than any of those things. If you have two drivers in the car in front of you and it is safe to pull them over, I cannot see why they would not. Please, let me have a look at it and I am more than happy to address it.

**Mr DEAN** - I might add in this instance they were given a breathalyser, they are tea totalers, so there was no recording at all.

**Mr JOHNSTON** - You might recall that we installed flashing lights in all of our operational vehicles for just that reason. We used to try pulling people over and we did not have any means of identifying that we were police vehicles. Now we have at least done that much, but unfortunately some people still do not recognise us.

**Mr DEAN** - The unfortunate thing is they had never seen an unmarked car with lights and a grill.

**Mr JOHNSTON** - I can understand that. Of course there are the safety elements that police officers focus on at the moment, but I am more than happy to address it.

**Mr DEAN** - I appreciate that comment, commissioner.

**CHAIR** - I would like to take this opportunity, Minister, to welcome to the public gallery Jennifer Lee, the Program Manager and five participants from the second intake who are members of the Tasmanian Leaders program. It is fantastic to see you visiting the Parliament today and I hope that you can aspire to being in this House at some stage in the future. It is a wonderful place and we welcome you.

**Mr FINCH** - Having a look table 10.7 on page 10.9, the financial figures look very good. There is a steady increase year on year, which is always good to see and the performance targets look good too, but more always needs to be done on road safety. We might have touched on some things concerning road safety for the coming year. If not, please tell me about some priorities for the coming 12 months.

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**Mr HINE** - There are a number of priorities, as you recognised. We are looking at every opportunity to improve road safety through the traffic secretariat. We are a member of the Road Safety Taskforce and members of the task force are coming to our traffic secretariat so we can coordinate our strategies better. In pursuit of high visibility, mobile patrols are always going to be an issue for us as they get police officers out on the roads. To coordinate across districts, we will continue our statewide lockdowns where we have in place numerous a police interventions.

We have communication strategies with members of the public to give the message that if you break the law you have every opportunity to get caught. Intelligence-led traffic policing is something we are going to concentrate on, as well as gathering information where people had their last drink, where hooners may be gathering or members of the public are breaking the law. We are going to have a much more intelligence-led focus on traffic policing. We will be looking at various laws we can have input into to explore opportunities.

We will also be working with partners including the Road Safety Council, the task force and various local government areas as well. We will also continue to look at the causal factors of serious injury and fatal accidents and how we can better target those issues. That is a very quick thumbnail sketch of some of the things we are going to concentrate on in the next twelve months.

**Mr FINCH** - You mentioned hooning, I want to talk a more about that. I am curious about the parameters that the department operates within in respect of reporting hooning. Guide me here, does a police officer need to be the person who sees an offender hooning for that case to come to court and for the car to be confiscated through? What is the procedure?

[2.15 p.m.]

**Mr HINE** - There are a couple of procedures. If a member of the public witnesses hooning, as in the spinning of the wheels, racing, sustained loss of traction, it still is an offence and it can be reported by a member of the public. We can only confiscate the vehicle if a police officer has witnessed that hooning and then we can confiscate the vehicle within 10 days.

If a member of the public witnessed the act and reports to the police, we do not have the power of confiscation but the offence is still committed and if that member of the public is willing to go to court, we can still take that matter to court.

**Mr FINCH** - Is there any suggestion that the legislation might be changed to allow video evidence or if somebody has a mobile phone and can capture that offence? Could that be used as evidence and allow the police to confiscate a car?

**Mr HINE** - That has been discussed at various forums. It is not in legislation at the moment but we continue to have those discussions about what is effective, what is not effective, where there is an opportunity where a police officer is not involved to set the situation up, where it might not be quite as difficult because you have it on a mobile phone - you have to look at the legitimacy of how that was captured and all those issues. We have not advanced beyond discussions.

**Mr FINCH** - Particularly in rural areas, the police cannot always be in situ to see the offence take place but members of the public who are awakened at night and harassed by hooners are probably looking for methods by which they can take some action, perhaps through recording the offences that take place.



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**Mr JOHNSTON** - Mr Finch, we have done that. At a couple of country towns, we have put in covert cameras to catch them doing that, for the purpose of prosecution, not for the purpose of seizure of vehicles.

**Mr HINE** - But the person who captured that still has to give evidence. If they come to us with the film, we can prosecute that offence so it is great evidence, but we still need the person who captured the film to come to court and say, 'Yes, this is what I have', so we can prove that in court.

**Mr FINCH** - Good, because it is the next step, isn't it, in this hooning. Obviously the legislation was good and it has caused a crackdown on people doing it; and we have had the offenders punished and the best way is to take their car away from them.

**Mr COX** - Mr Finch, can I say I must apologise because I was going to defer this to a later time - because I think your question was pinched.

**Mrs JAMIESON** - I think so too.

**Mr FINCH** - Yes, sorry, I did go through the chair though, to get permission.

**Mr COX** - I will take the blame.

**CHAIR** - I am doing my best but I cannot anticipate every member's question.

**Mr COX** - No, I was the one who did that, Madam Chair. Can I say, on the survey that was done, 90.1 per cent of the Tasmanian population believed that there is a speeding or hooning problem. If it is that high then obviously it is high on the police radar. They need to do something and they are doing it.

I want to give you a couple of stats to give you an idea here. There are 834 vehicles that have been confiscated, 80 were motor bikes, 23 of those 80 motor bikes were unregistered - and that is another problem and we know that -

**Mr DEAN** - I had the question here but anyway.

**Mr COX** - I thought you might. Of the motorcycles 15 were trail bikes, one motorcycle was a pocket rocket and if you think that the age group is restricted to those in their teens then the range is from 10 to 75.

**Mrs JAMIESON** - Hey, there is still time for me.

**Mr COX** - So there is still a chance for you, Mrs Jamieson.

**Mrs JAMIESON** - Thank you.

*Laughter.*

**Mr COX** - However, the majority of those offences - in fact 700 of them - were 16 to 26 year olds. It is a priority for police, it is a priority for the people of Tasmania; it is not one that is easily fixed for the reasons that the deputy gave.

**Mrs JAMIESON** - Is there a way of breaking down the speeding offences when you are driving, say 11km over the speed limit when we have had so many speed reductions and people get caught out, inadvertently sometimes, even though there may be a sign. You may drive through and think, 'Oh, yes, that is still a 60km zone', when in fact it is 50km.

So do you have a breakdown of the range of speeds?

**Mr JOHNSTON** - No.

**Mrs JAMIESON** - Okay, could you take it on notice. I would interested to know how many were in that lower range, who were 10km over or whatever.

**Mr JOHNSTON** - The vast majority are in the lower range -

**Mrs JAMIESON** - Which raises the question with the general public: is this a revenue-raising exercise?

**Mr JOHNSTON** - It may be but the reality is they are breaking the law and they should be attentive enough to know what speed they are driving at although we all - and I emphasise all - make mistakes.

**Mr COX** - We will move right on from that point, Mrs Jamieson. Just on that : the 50 kilometres has had an effect -

**Mrs JAMIESON** - I am not saying it -

**Mr COX** - It may be the lower end but I am sure if your grandchild, niece, nephew or daughter ran onto the street, and was hit by a car doing 50 instead of 60, they would be more likely to survive. That is why we did what we did and, again, I was responsible for doing that and I am proud of it.

**Mrs JAMIESON** - When you are looking at the cause of accidents and fatalities in particular, do you separate what is a suicide or a potential suicide or clearly a suicide?

**Mr COX** - Yes.

**Mrs JAMIESON** - Do we have those statistics?

**Mr COX** - We may not be able to do that.

**Mr HINE** - They have to go to the crimes court and if they are then deemed to be suicide they come off the fatal statistics.

**Mr WING** - But you want to know how many say in the proceeding 12 months?

**Mrs JAMIESON** - Yes, the proceeding 12 months or two years ago when they went to court.

**Mr HINE** - Those figures are available but we do not have them here.

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**Mrs JAMIESON** - Could we have that on notice then? It would be interesting to have an indication of what are suicides and clearly have been determined as suicides.

**Mr COX** - I will find out whether I can give you last year's stats for the State and let you have a look at them and see what caused what and why they occurred.

**Mrs JAMIESON** - If there is a clear indication that there is an increase, one has to ask what you can do about that.

**Mr COX** - I think this ties in with a comment I made earlier that if you see what caused accidents, sometimes they weren't accidents. If you see how those fatalities occurred I think you would be quite shocked, horrified actually. So I will get you a copy of that and we will also get you stats for suicides.

**Mrs JAMIESON** - Thank you, very much appreciated.

**Mr WING** - In terms of deterring and detecting hoon drivers, can you give me some idea of the number of police officers on duty in the CBD in Launceston on an average night between about 8 p.m. and midnight? It seems to mean that there are very few we hardly see any but there is plenty of hooning.

**Mr JOHNSTON** - It is a difficult question to answer in the context of the CBD of Launceston because the shifts that come to work in Launceston of course will work more broadly than just the CBD itself. The days of having dedicated beat police who walk the Brisbane Street beat or the St John Street beat or whatever it might have been do not happen any more although we do have a very heavy emphasis on the delivery of beat policing in Launceston. On the Launceston shifts, allowing for the general uniform personnel, the traffic personnel, the public order response team personnel on, say, a Wednesday, Thursday, Friday and Saturday in the hours that you are talking about, I would be surprised if there are less than 20 and probably even more.

**Mr WING** - That is surprising. I do not know where they get to because from my experience say after the theatre at 10 o'clock or 10.30 it is very seldom you come across a police officer but very frequent that you see examples of hooning on a regular basis and I think those who engage in that feel there is very little risk of detection.

So there are probably two possible ways of handling that: having more uniform officers on duty to deter hooning or alternatively have you considered having plain clothes officers on duty?

**Mr JOHNSTON** - That has been done.

Mr Wing, can I make a couple of observations being someone who lived and worked in Launceston for a long time? This is a problem that existed in Launceston over 30 years ago and I do not think that it has abated at all in the period since then and that is the people doing the blockies in and around Launceston. I know the former commissioner on one occasion was sitting outside the hotel in the corner of St John and York streets having a meal on a summer's evening and was astonished because he had never had that experience in Launceston that you and I and I know Mr Dean have had over that period of time. So it is something that we regularly talk to the northern commander about. We want them to focus on it because as the minister said so many of the community are concerned about this issue.

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**Mr WING** - It probably needs a task force if previous methods have not abated that.

**Mr COX** - I think it is almost a Launceston tradition and I can take that back many years.

**Mr FINCH** - But it was also a Hobart tradition, too, and I could go back many years. It is interesting to note that it was stopped in Hobart. If that is not occurring in Hobart -

**Mr JOHNSTON** - It is in Hobart. It is slightly different because in Launceston, if I recall correctly, the route is constant. You and I know exactly the corners they are going to turn around. Mr Wing and I were talking earlier about this and one of the major problems - and again this is an issue of perception - a lot of these people are not breaking the law. What they do is accelerate from zero to 50 kph but they do it quickly, so they are not breaking the speeding law but they give the impression that they are speeding. Their driving, in my view, is significantly inappropriate. A lot of them make a bit of noise but, in doing that, comes that subjective evaluation of 'was it undue noise?' Then the police officer who heard that has to take the matter to court and has to establish beyond reasonable doubt. Back in my day the courts were extremely positive in accepting the evidence of a single police officer, but that is not so now. The reality is that the world has moved on a little. These people are not necessarily breaking the law but they are taking the law right to the very nth degree and that causes public concern.

The final point, Mr Wing, is you are talking about a task force. Our public order response teams are there to tackle this issue in big numbers. They are supposed to be highly visible, they are supposed to be on the streets of Launceston on a regular basis at the times when the community expects to see them.

**Mr WING** - It is not terribly apparent.

**Mr JOHNSTON** - I am more than happy to take your observations back to the acting commander of the northern district and ask him to address that issue. I will also take them up with the newly-appointed assistant commissioner and ask him how he got promoted if he has let Launceston get into such a mess.

**Mr WING** - Allow it to continue to be in such a mess in that respect, but that respect only.

**Mr COX** - Mr Wing, on a positive note, there has been a 23 per cent reduction in the vehicles that were confiscated so the message is getting out to them. It is very embarrassing to lose your motor vehicle.

**Mr WING** - I am not sure, there probably needs to be an increase to get rid of the problem.

**CHAIR** - There appears to be quite a bit of pushing the envelope here this afternoon.

**Ms RITCHIE** - I have two questions. One relates to your random breath testing and your forecast. I noticed in 2006-07 there were 702 000-odd random breath tests and projected 680 000. Is that not a final figure? Are you expecting to end up with having carried out more than that?

**Mr JOHNSTON** - There will be some more of course before the end of the financial year but I am not expecting as many as there were in previous years because we have changed some of our focus in relation to where we do random breath tests and how we do them. The whole idea is

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that we will change on a regular basis. As the deputy commissioner said, as we analyse what the problems are we will adjust our policing strategies to suit and adjust our target numbers.

**Ms RITCHIE** - So more effective targeting requiring less testing?

**Mr JOHNSTON** - That may require less, yes.

**Ms RITCHIE** - I recently read in a report produced by the Department of Health and Human Services in 2008 that the leading cause of death for young men in Tasmania is road crashes. I am aware that obviously other agencies and departments come into play here, but I am wondering what discussions, if any, police may be having in regard to that very significant factor that young males are playing in relation to our road deaths?

**Mr JOHNSTON** - DIER has the lead responsibility when it comes to that from the point of view of the road trauma and fatal crashes element. Our job is the deterrent bit and the law enforcement and catching. We feed our views into those who would make those judgments about the State Road Safety Strategy, for argument's sake.

**Ms RITCHIE** - And the Road Safety Council. They have had dialogue with you. Have you had that discussion with these other organisations about that particular issue?

**Mr COX** - Police have representation on both those bodies.

**Mr DEAN** - The question that was asked by the member for Pembroke was a good question. The headline again - too many people drink-drive. I have raised this question at Estimates for the last three years about the effectiveness of the RBT programs and if they were doing them more effectively we would catch more drink-drivers. That could well be the answer for this occurring because we have probably no more drink-drivers on the road than we had two or three years ago. I am very pleased to see that that is happening. RBTs will drop off because there is not the high volume of traffic in the areas that these drink-drivers use because they know where the RBTs are being done.

[2.30 p.m.]

**Mr COX** - After bagging the media on a couple of other things perhaps we could praise them for that one because those are the sorts of headlines that may deter them. I reckon if you went out the next weekend you would not get anything like that so we are square now.

**Mr DEAN** - My other area is in relation to the motorbikes, which has been partly covered already, and the unregistered trail bikes and the pocket rockets and so on that are unfortunately constantly in areas of Ravenswood, Rocherlea and Mayfield, for example. The police are doing an excellent job. I will use a name here - Neil Vanveldhuizen is really one of the greatest community police officer we have, working his guts out, if I can use that expression.

**CHAIR** - I would endorse that.

**Mr DEAN** - Thank you. He keeps telling me the numbers they have confiscated which is excellent. What more can we do in this area? We had at one stage here in Rokeby or Clarendon Vale a special task force brought in for a period of whatever it was and they cleaned it up, I understand. Could we expect something like that, Minister, in the northern suburbs?

## UNCORRECTED PROOF ISSUE

**CHAIR** - Perhaps we could clone him, Minister? He is a very good officer.

**Mr COX** - It would be a big clone, wouldn't it?

**CHAIR** - It would be a huge clone but it would be well worth the effort.

**Mr COX** - This is an element of frustration to everyone, you are quite right. There is not a simple solution to it. I reckon Mr Wing was probably going to ask about off-road bikes too so can I pre-empt your question because I have no doubt you have got one.

**Mr WING** - Yes, certainly.

**Mr COX** - The other day we were on the other side of the river and you would not be surprised to know that there is a garage there that is full of confiscated motorbikes, absolutely chock-a-block full. The police vehicles are sitting out in the yard because they cannot get them in there. They are just trying to catch up.

**CHAIR** - When is the sale?

**Mr COX** - I do not know there will be a sale. You will have to ask the commissioner that one.

**Mr JOHNSTON** - One of the questions is do we want to put them back into the community.

**Mr COX** - Exactly.

**CHAIR** - With a note of responsibility with them. Why not?

**Mr JOHNSTON** - Because they are not roadworthy.

**Mr COX** - No, some of them should not be ridden, even on a property. Can I go to the point Mr Wing would raise and I am not pre-empting or trying to pinch your question but I know you were going to raise this.

**Mr WING** - Mr Dean and I have worked on this together.

**Mr COX** - Okay, it is a very serious matter. We have had discussions in the past with members from the hospital, from doctors at the hospital.

**Mr WING** - Dr Fettke in particular?

**Mr COX** - He was one, he certainly was. I also had contact from Bernie Einoder and this goes back to my time again with DIER. The question was what can we do or what could DIER do about unregistered bikes; how can we deal with the injuries that were sustained; and what would the police - this is where it is at now - do about it. We wrote to Dr Fettke, and I am happy to give you a copy of the letter. I think I have already given it to you.

**Mr WING** - You have done in correspondence, thank you, I appreciate that.

## UNCORRECTED PROOF ISSUE

**Mr COX** - I understand that Mr Wing is now going to look at putting a strategy together to see how this can perhaps be fixed.

**Mr WING** - I am moving for the appointment of a select committee on road safety including that item as a term of reference.

**Mr COX** - I have no simple solution to this. I know the commissioner has no simple solution to this. We are more than happy to support that select committee and we would be extremely interested in the recommendations you are able to come up with. I guess that is my way of saying I do not know how you fix this at this stage. If you can come up with a solution through your select committee -

**Mr DEAN** - I cannot.

**Mr COX** - Do not say that yet. That is why you are having the select committee. We have a very open mind. The police are doing a fantastic job. It is a thankless pain in the wherever and, again, it needs people to back up their complaints. I know sometimes they do and sometimes it does not work out and there are problems there but generally we need a bit of support. If you can come up with something from the select committee then we would endorse it.

**Mr DEAN** - Good to hear your support for that.

**CHAIR** - Mr Finch, do you have a question?

**Mr FINCH** - This might cut across to DIER as well. On 10.9, looking at some of the figures that are in the performance information, the total number of serious injury crashes, there is a decline in the number of serious injuries through 2006-07 -

**Mr COX** - Down 27 per cent.

**Mr FINCH** - I am thinking that there are probably two factors involved here. There may be an improvement in driver behaviour but there is still a probably a fair way to go, and probably an improvement in vehicle safety like better brakes, better handling, maybe crash protection and so on. I am just wondering, Minister, if you would care to comment on those two factors and are there are figures that separate the two which is causing more of an issue for road safety people?

**Mr COX** - I do not know that the cause would be given, Mr Finch. I know there is a separation in the statistics as to what was what. I suspect that there are three components, and the one you allude to about safer vehicles is probably right. It is one that I think we should drive very hard and one I have supported very strongly before. Considering we are an island, the majority of our new vehicles go back into second-hand vehicles in the State so if we can buy the best vehicles now, the ones with the electronic stability control and air bags, they are the ones that will go back to make the next generation safer. I think part of that is happening now.

Are people more aware? Possibly. A reduction in some of the speed zones I think has perhaps helped but I cannot put my finger on it and say there is one specific reason. I will say the wire-rope barriers should get a discussion going. I think they will be a definite reason. To pick up one of my favourite little subjects, Vision Zero state that there will always be accidents and inevitably there will be accidents. The purpose of Vision Zero is to reduce the damage caused

## UNCORRECTED PROOF ISSUE

when that accident happens and things like wire-rope barriers I think already are having an impact in that area. So it is all of the above. The good thing is that it is down.

**Mr WING** - Dual carriageways in the future or more of them.

**Mr COX** - History will show that that is not necessarily the solution and it will tell you that those that are now building the dual-lane highways are creating bigger and faster highways and people are killing themselves at a greater speed. The trick is now to separate the highways or to separate the roads.

**Mr WING** - That is what I intended to convey with these dual highways so that you do not have vehicles coming from opposite directions, say, at 110 kilometres an hour each and if one moves 2 feet or 3 feet then you have a head-on collision and that is what is happening too frequently these days.

**Mr COX** - If you look at the stats in this State the number of head-on crashes is just beyond belief. There was an instance about 12 months ago on the north-west coast and a motorbike hit the wire-rope barriers and there was criticism about the wire-rope barrier but the only thought I had at that stage was that had that vehicle travelling in excess of 200 kilometres an hour not hit a wire-rope barrier it would have looked pretty awful sitting in the back of someone's car with their children in the back seat.

**Mrs JAMIESON** - Gorse bushes are the answer, I can assure you. Nobody wants to hit gorse bush.

**Mr COX** - I do not think they would stop a motorbike at 200 kilometres, with respect, Mrs Jamieson.

**Mrs JAMIESON** - I was going to ask the question about the drug testing for illicit drugs. Can those random drug tests also pick up anybody who might be combining illicit with licit - say, Valium or any of the other type of drugs? Are there any figures that show with the drug testing that licit drugs are as much as a problem as illicit drugs?

**Mr COX** - It looks at six or seven different drugs, from memory, Mrs Jamieson.

**Mr JOHNSTON** - Could I make a couple of observations. The first thing is the saliva drug-testing devices are pretty expensive and therefore they have to be used quite selectively, based on an intelligence-led model. We now have legislation that allows us to use wipes from an ion scanner and you can use each wipe up to 20 times I think, wipe it on a steering wheel, stick it in a machine and five seconds later it will tell you if there are traces of illegal drugs detected on the steering wheel. If there is you then move to the next step of giving them a saliva test, so we would expect a significant increase in the number of saliva tests done following on from this significantly greater number of tests using the wipes. When those tests prove positive they have a blood test. The blood sample is sent to the forensic science laboratory. I can tell you that I have recently given instruction that they are only to test for illicit drugs and not for pharmaceuticals unless there is a serious injury crash or a fatality in which case the coroner will be interested in knowing whether someone's driving was impaired. The other exception is in the event that the driving behaviour of the person tested indicated that they are affected by something, in which case they can have a look at pharmaceutical drugs because it is an offence to drive under the influence of any drugs.



## UNCORRECTED PROOF ISSUE

**Mrs JAMIESON** - What if it is a combination?

**Mr JOHNSTON** - We think we are looking at all the major elements that you are talking about, trying to increase our capacity to have a look at those that are illicit.

**Mrs JAMIESON** - Do you have current figures? I know they are in your annual report but that is out of date now.

**Mr JOHNSTON** - I can give you some numbers. Over a three-year period 1 088 oral fluid tests were conducted, 332 drivers were directed to undergo blood testing, so 30 per cent. That signifies the targeted nature of what we did. Of the 332, 47 blood samples are still waiting to be analysed and illicit drugs were detected in all but 13 of the remaining 270. This was a very high hit rate, for want of a better description. The drugs commonly found were methamphetamine (speed), THC from cannabis, MDMA (ecstasy), morphine in a few cases and cocaine in one.

**Mrs JAMIESON** - This is interesting because morphine seems to be becoming the drug of choice. What about the cost? You indicated the saliva tests are expensive. Is there a way of comparing the actual cost?

**Mr JOHNSTON** - The saliva test devices now are about \$40 each and the wipes are 20 cents.

**Mrs JAMIESON** - Would you anticipate using them?

**Mr JOHNSTON** - But the machine that the wipes are used in costs \$40 000.

**Mrs JAMIESON** - How many machines do we have then?

**Mr JOHNSTON** - We have one and another on order. We are hopeful that, if we have some savings during the year, we will go for a third.

**Mr DEAN** - The drug question has already been answered for me. Minister, in relation to the police crashes although this came out yesterday and I have read the paper and so on. What are the main causes of our police crashes? I accept with the number of the vehicles on the road and the kilometres they do, they will have crashes.

**Mr COX** - A large percentage were during reversing. I think there only one or two that were relatively serious. Animals were involved, not at the same time -

**Mr DEAN** - I thought that would be it, animals.

**Mr COX** - Yes, reversing, animals, rear-end connection, one not giving way to the right and I think that is about all.

**Mr JOHNSTON** - The odd one happens when people fall asleep, which was recently the case at Pipers Brook.

**Mr DEAN** - Sad when that happens.

**Mr COX** - That was probably one of the more serious ones.

**Output group 4**

**Protection of primary industry and fisheries resources**

**4.1 Poppy security -**

**Ms RITCHIE** - In relation to table 10.10, the number of interferences to poppy crops, by interferences, do you mean people were charged for those interferences? What do you mean by interferences? Also, subsequent to that, what have we identified as the way to improve the delivery of security to the Tasmanian poppy industry?

**Mr HINE** - Interferences are basically stealing, taking the poppy heads. That is what an interference is. We work with the industry very closely.

**Ms RITCHIE** - Is that related to people who have been charged with stealing the poppy heads?

[2.45 p.m.]

**Mr HINE** - In 2007-08 one person was charged for the year. There were only eight interferences, with a total of 820 caps stolen from the poppy industry. That is down about 8 500 from the previous year, a significant decrease. Although the acreage is increasing there has been a significant decrease in poppy thefts and interferences.

**Ms RITCHIE** - Only one person charged?

**Mr HINE** - Yes.

**CHAIR** - If the total is only seven, why have you set the target as 20 in the next year?

**Mr JOHNSTON** - As soon as you increase the acreage you increase the potential. The challenge for us is always to make sure that our deterrent and preventative strategies are sufficient.

**CHAIR** - That is more than double, though.

**Mr JOHNSTON** - As I say, if you look historically we have had quite a few. We used to have 38, 35 interferences per annum when the acreage was about the size that we were expecting it to be.

**Ms RITCHIE** - Coming back to the policing measures that have seen that significant reduction, can you tell us what you have done that has made policing more effective?

**Mr HINE** - We have a task force specifically to target the security of poppy crops. It is intelligence led; we gather intelligence, target that, analyse that and actively pursue those who may be involved with it. We work closely with industry and the farmers.

**Ms RITCHIE** - Obviously that task force has proof of their successes and you would link that back to them.

**Mr HINE** - Yes, we have had the task force for a number of years. We are getting better at intelligence leads, targeted policing and working with the farmers so it is starting to pay dividends.

**Mr FINCH** - The diversion of poppy crops to the illicit market, can you give us an overview of what is going on there? Is it still occurring? If so, to what extent?

**Mr JOHNSTON** - Minister, there is a very simple answer. There are so few caps stolen that by the time that they are processed to do anything with them other than individual use would suggest to me that there is no market, in the last year in particular.

**Mr FINCH** - Did you say personal use?

**Mr JOHNSTON** - Yes.

**Mr FINCH** - Okay. Is there much of that?

**Mr JOHNSTON** - Yes, there used to be. There is not so much now and since the introduction of the thebaine crop, which can potentially kill people if they use the product from it, I think some of those who were diverting are starting to wake up to the fact that it may be not a good thing to do.

**Mr FINCH** - They might have all died out in the bush there somewhere, with the foxes.

*Laughter.*

I am having a look at the performance information on page 10.11. The target figures for 2007-08 and 2008-09 seem to indicate an expectation nearly doubling the rate of interference. Is this a gloomy outlook, or is something happening out there?

**Mr JOHNSTON** - As we tried to indicate to Miss Ritchie, this is reflective of the increase in acreage that we expect to be planted over that period of time. We would be silly to predict a low number and then embarrass ourselves by getting it wrong with an increase in acreage.

**CHAIR** - Members are very concerned about the potential impact of poppy crops that are going to be coming on in the area. We seem to have covered that well in that.

#### **4.2 Fisheries Security - State and Commonwealth**

**Mr DEAN** - In relation to fishing, where are we with the new police vessel at this present time?

**Mr COX** - I am glad you ask, Mr Dean.

**Mr DEAN** - This is not a Dorothy Dixier ride?

**Mr COX** - It could be. We had another look at it with the Commissioner the other week - do we have photos?

*Laughter.*

## UNCORRECTED PROOF ISSUE

**Mr COX** - It actually was turned over the other day. All the gear is being fitted into it, as we speak.

**CHAIR** - Not literally.

**Mr COX** - Yes. When a vessel is built it is laid with its behind in the air, and the keel and everything is put on then. We brought the crane in and the vessel was turned over.

**CHAIR** - There has been a suggestion, Minister, that there could be a select committee into assessing whether it would be suitable for the purpose that it is going to be used for.

**Mr COX** - I can assure you it will. If you would like an invitation on the day we launch it, Madam Chair, you just give me a wink and a nod and I will make sure you get one.

**CHAIR** - I would hope I do not need a wink and a nod to get an invitation, Minister.

**Mr COX** - I just want to make sure that you really do want it.

Seriously, the work was to the point where the vessel was turned over the other day. It is now the right way up, keel to the bottom, and fitting-out has started. All the electronics, engine and everything was ordered whilst the base was being constructed. If you doubt it I can show you some photos. The intent is to have that in the water in late July and I see no reason at this time why that will not occur.

**CHAIR** - Did it come in under budget or on budget?

**Mr COX** - It is not finished.

**CHAIR** - Will it come in on budget?

**Mr COX** - I believe it will. I have seen or heard nothing to indicate that that will not be the case.

**Mr DEAN** - I have received some advice again - this mystery advice comes to me occasionally - to indicate that perhaps this vessel will not deliver what it was meant to deliver. I understand it has been surveyed to 200 nautical miles off shore and that it may well not have the capacity or the capability of performing to anywhere near that position.

**Mr COX** - All the advice that we have is that it will be. The commissioner has made sure that there are experts involved in the construction of this vessel. All the advice we have received then and now is that the vessel will serve the purpose and do that job.

**Mr JOHNSTON** - Three separate - and I call them independent, but highly qualified - naval architects have said that it will be. The bloke who is going to be the skipper of the boat, who goes down and strokes the construction welds every day I think just to see that they are progressing well enough, is confident that it will be. When you put those four elements together, together with the bloke who is building the boat, and they tell us they are confident that it meets all of those requirements, specifications and aspirations, then to me - as someone who actually gets seasick standing on Constitution Dock - we can really only take their advice.

**Mr DEAN** - This time next year the members here will test to that.

**Mr COX** - I am sure they will. I would like to think we have been to sea by then.

**Mr DEAN** - The next question goes to the figures in table 10.10 and I just want to look at total marine offenders detected. Are we saying that this year there will be 2 800 detections? That is a huge number.

**Mr COX** - Part of the spike in that, Mr Dean, would be as a result of the changes in the marine laws. You now have to have your life jacket on and you are not allowed to take alcohol on the boat. There has been an increase in policing in those areas and I suspect that is the reason for that spike. It is an area that is relatively new as far as police operations go and it has certainly had an increase in the number of -

**Ms RITCHIE** - You have had less inspections, though. Am I right that fewer inspections are picking up the same number of offenders so is that more-effective inspections? That is what I would glean from that; am I right?

**Mr JOHNSTON** - The simple answer is yes.

**Mr DEAN** - So total sea inspections this year, 2007-08, and I guess we are on line with that, is 30 000?

**Mr COX** - So I believe, yes.

**Mr DEAN** - That is good.

**Mr COX** - It is.

**Mr DEAN** - The other one I raise is total marine land inspections. There is a reduction there and the note identifies reduced Tasmania Police activity required under marine safety and related legislation.

**Mr JOHNSTON** - This is the safety legislation. If you recall we had a very heavy emphasis on checking vessels. I think Mrs Smith mentioned this at last year's estimates -

**Mr DEAN** - And checked it three times.

**Mr JOHNSTON** - and maybe the one before, but she did mention if I recall correctly that they were really nice to her when they checked her on the water.

To give effect to that legislation we spent a lot of hours checking to make sure that boats had the right equipment and that people were using it properly. Now we can ease back from that because there is a very high level of compliance so it now gets back to an ordinary policing regime.

**Mr COX** - It was obviously successful. It was not that long ago that you could go to a boat ramp and people really did not care that much. They would throw the life jacket in but now everybody is so responsible that it has changed dramatically.

**Mr DEAN** - You do not see it on the news much now - people falling out of small boats and drowning. Has there been a huge reduction in that area?

**Mr COX** - Yes a huge reduction.

**Mr DEAN** - Do you have figures on that?

**Mr JOHNSTON** - I do not have the figures with me but it really is down. It is probably one of the really good news stories of legislative reform. That change was made and now there are so many more people still alive in Tasmania.

**Mr DEAN** - I think you went through the summer period with very few drownings from boats.

**Mr COX** - Exactly. It is over 12 months without a fatality so it is a pretty sign for the legislation.

**Mr FINCH** - There some comparison figures that might be useful if the media are picking up on this good news story.

**Mr COX** - MAST would have those figures, not police, but there were no fatalities as a result of drowning from or misuse of a boat in the last 12 months.

**CHAIR** - For the Minister's information, the husband of the secretary of our committee gets checked almost every weekend as he goes out on his boat.

**Mr COX** - By MAST, I hope, or police.

**CHAIR** - And by his wife as well.

**Output group 5**  
**Emergency management**

**Mr FINCH** - Table 10.2 note 2 notes that the completion of the Tasmanian disaster mitigation program is a factor in the decrease in the State Emergency Management Services' allocation for next year. That is a program that I do not know much about so I am wondering, Minister, if you would be able to elaborate on that?

**Mr COX** - When this was all put together there was no Commonwealth funding at that stage. That was last year and the Commonwealth had not committed any funding, so as a result the State did not pursue it. I have to take some advice on this but I suspect that there will be a request to the Treasurer to match it or be part of it. The reason it did not appear was that at that stage there was no Federal funding but the Commonwealth has now made money available.

**Mr FINCH** - So your expectation is that they will now -

**Mr COX** - They have put up money so now there is an expectation that the State will have to match or put up part as well.

## UNCORRECTED PROOF ISSUE

**Mr FINCH** - So that will come from you, Minister?

**Mr COX** - From Treasury.

**Mr FINCH** - But will you put the request forward for that?

**Mr COX** - I won't but I suspect the Treasurer is well aware of it.

**Mr FINCH** - I would like some understanding of what this Tasmanian disaster mitigation program is about and what it is intended to do.

**Mr COX** - In three years, 55 Tasmanian projects received funding under these programs. The fundings were to Northern Midlands Council for construction of that Longford flood levee; Glenorchy City Council for fire threat reduction activities in Wellington Park; West Coast Council for flood mitigation and levee enhancements near Strahan; George Town Council for flood mitigation work on Pipers River Road - and on it goes.

**Mr FINCH** - From those programs and that sort of work will others be activated with this extra funding?

**Mr COX** - Yes.

**Mr FINCH** - Have we had submissions from councils or will you alert councils to the fact that more money is now available?

**Mr COX** - Yes and yes.

[3.00 p.m.]

**Mr FINCH** - How does it work?

**Mr JOHNSTON** - The answer is there is no more money available just yet. Councils are being alerted by the State Emergency Service who administer these funds that there are opportunities to submit. They will get those proposals and then they will be evaluated. Once we know what the evaluation is and whether the projects are worth doing or not we will then put a proposal back to the Government about the matching funding. That is the process that we take.

**Mr FINCH** - What is the sort of time line for some expectation that money will be available and these projects can be activated?

**Mr COX** - The ones I read out to you were done over three years and there were 55 projects done in those three years.

**Mr JOHNSTON** - There are still ongoing projects and there is \$700 000 that we still have to push out the door in relation to those ongoing projects. It is not as though it is finished.

**Mr FINCH** - Okay. There seems to be an increase in emergency events involving floods and storms that we seem to have with climate change. The number of SES call-outs is predicted to increase in the coming financial year. Is this a justified perception?

## UNCORRECTED PROOF ISSUE

**Mr COX** - I do not know whether there will actually be increases. For their sake I hope there are not but we never know. The winds in the last couple of days obviously would have brought them out again. Mr. Finch, you want to know what they have done?

**Mr FINCH** - No, it is just a perception and noting this increase and that it is likely to occur and that it is on the agenda that there could be some sort of increase. Is it just a safeguard that that situation is covered and has been taken into account?

**Mr COX** - Yes, they are planning for an increase. They are working on the fact that there will be more.

**Mr FINCH** - Okay. With the SES volunteers you mentioned earlier in your leadup to our program today -

**Mr COX** - \$100 000 for new uniforms?

**Mr FINCH** - For new uniforms.

**Mr COX** - And equipment, not just uniforms; let me clarify that.

**Mr FINCH** - Yes. SES volunteers are from the community and that sort of allocation will be encouraging for them. I am wondering about the reasoning for the uniform. What sort of outfits are they?

**Mr DEAN** - Orange.

**Mr FINCH** - And the reasoning behind it?

**Mr COX** - Mr. Dean just answered it, orange.

**Mr DEAN** - He is on the deaf ear, orange.

**Mr COX** - They are more of a dress uniform. That was the formal answer, it is more of a dress uniform. And the reason it was done was exactly for the reason you are saying, for the respect that we have for them and it also gives them a pride in the work and the opportunity for them to wear something that gives them the distinction of being who and what they are. So it was a case of we recognise you, stand out and let us have a look at you because we are proud of you. That is what it was about.

**CHAIR** - Minister, the number of volunteers for last year compared to 2005-06 is about 50 less. Can you tell me why that has happened?

**Mr COX** - No, I cannot tell you why; the commissioner may but I cannot. There has been a slight reduction and I know there is an attempt to bring those figures back up again.

**Mr JOHNSTON** - The real reason is, like all of these things, people are volunteers but then their interest wanes but they are still on the register of volunteers. In the last year there was actually a process to review the numbers and whether they were active or not. That led to a reduction in the number available. It was also the catalyst though for making SES focus on



## UNCORRECTED PROOF ISSUE

needing to make them more engaged when they are volunteers so that they stay in the community of volunteers and it highlighted the need to start recruiting some more.

**CHAIR** - Are you aware whether that 600 target that in the next few days will need to be assessed is near that 600 figure?

**Mr JOHNSTON** - No. My guess is that it is somewhere around about 540 for now. There is still work to be done there. I would expect that the steps that the Government have taken in things like giving them more ownership of what it is they do will encourage more volunteers to join and to help keep those who are there.

**Mr COX** - Can I put on record also, Madam Chair, the response for what Mr. Finch was asking before. State Government funding for 2003-04 was \$1.216 million, for 2008-09 it has been \$2.357 million - that is up 94 per cent. That funding increase includes an allocation of \$668 000 per annum and it assists in training and equipping. Over the last four years - and this is in line with the question you asked - it has delivered 19 new vehicles, 6 all-terrain vehicles or quad bikes, 6 trailers, upgraded protective overalls, sun hats, cold weather jackets, wet weather gear, radio handsets - there is a whole list - replacement of rope, upgrade of ladders. I am not going to read it through because I do not want to take up the time but in addition to that, SES also received a \$50 000 increase to \$204 000 in funding from MAIB.

**Mr DEAN** - What about \$25 000 from the Launceston City Council that Clint Saarinen got?

**Mr COX** - That is right.

**Mr DEAN** - It is ongoing.

**Mr COX** - And \$25 000 from Launceston City Council.

**Mr FINCH** - I remember during our budget Estimate processes in those years, we were critical of the lack of attention that was being given to SES. The Government should be commended because you have responded to that. I know Commissioner McCreadie did respond and provided more funding. I think he took it more under the umbrella of Police and has really lifted the profile and the support for SES.

**Mr COX** - I forgot to read on the bottom of that, Mr Finch, 'In response to criticism from the Legislative Council'.

*Laughter.*

**Ms RITCHIE** - A quick question relating to the volunteer group. Do you have an age profile? I would expect demographic change to make a difference. As people age their ability in some cases to be part of the SES volunteers diminishes. I am happy to take it on notice and come back to us.

**Mr COX** - Would you settle for gender? I cannot give you age but I can give you gender.

**Ms RITCHIE** - I am interested in gender as well and I can maybe look at age later.

**Mr COX** - Okay, 406 males and 132 females, which is pretty good.

**Mr JOHNSTON** - Madam Chair, can I build on that answer because there are two elements to it. One is that I went to Agfest and met one of the most competent ladies who was a leader of an SES unit. Her pride in her role of leadership and responsibility was nothing short of exceptional. She had bought her own dress uniform. To me that epitomises what they are about. At Smithton when the minister and I went there to visit what I considered one of the best equipped SES units that you would find anywhere in the State, there is a man who is in his mid-seventies who runs that - Snow; I cannot think of his other name. This man is out cutting wood all week to sell to raise funds for the SES unit and, because they are so committed, the local council is also so committed to match what they are doing and that then creates an upward spiral of enthusiasm and energy for that particular unit.

I have to say they were nothing short of brilliant and they made me pretty proud.

**CHAIR** - As they are all around the State.

**Mr HINES** - That is right, absolutely.

**Mr JOHNSTON** - I only mentioned him as an example.

**CHAIR** - It is always very bold to do examples, isn't it?

**Mr JOHNSTON** - Yes, I am bold.

*Laughter.*

**CHAIR** - You are, and I am too.

**Mr JOHNSTON** - Some would say crazy.

**Mr COX** - Can we move on, please. I am concerned where this is going, Madam Chair.

**Mr DEAN** - Madam Chair, may I put on the record the high esteem with which Clint Saarinen was held in the northern part of this State in his command of the SES in that area.

**CHAIR** - See, you could go on and on, but absolutely, Mr Dean.

**Mr DEAN** - We have the number of registered volunteers. Are we pretty right throughout all of the regions or do we have some areas less fortunate than others?

**Mr COX** - No, Mr Dean, I do not have a breakdown around this. Are you talking about region by region?

**Mr DEAN** - Yes.

**Mr COX** - I do not have that.

**Mr DEAN** - This is just the regional numbers.

**Mr COX** - No, I don't have that.

**Mr JOHNSTON** - Madam Chair, I can indicate that this changes on a regular basis and it is one of the activities that the director of the State Emergency Service is regularly addressing, the issue of available volunteers in each of the volunteer units around the State.

I am pretty sure that when the fire service come along to this table a little bit later, they will tell you that they have exactly the same issues about maintaining the numbers and keeping up with what is happening.

**Mrs JAMIESON** - I have a question regarding training for the SES. Is there a mandatory period for the SES of say, 10 years, after which members have to update their training? Is there a regular time when they must update their training, to maintain their skills?

**Mr JOHNSTON** - It is an ongoing program. It is regular; there are requirements for people to maintain their skills all the time.

**Mrs JAMIESON** - Is that paid for by the system?

**Mr JOHNSTON** - Yes, it is all part of the system.

**CHAIR** - Minister, the table on page 10.12 indicates that 2 per cent of the emergency management plans in that area are not current. Can you tell me what those 2 per cent consist of?

**Mr JOHNSTON** - As the State director, I have to sign off on all the plans. All it means is that this is the 2 per cent a rolling basis that have not been completed at a particular point in time. Work will be done on them, they will be completed but others will remain to be completed. It is really not a matter of concern to me.

**CHAIR** - Is there any relevance in having this in your table?

**Mr JOHNSTON** - If the numbers drop below 98 per cent I would start to get worried. I think it is relevant that people should see whether or not we are at about that number.

### **Output Group 6 Support to Judiciary**

**Mr WING** - With prosecution being shown separately here, is that regarded as a separate unit within the police force?

**Mr JOHNSTON** - Only since we have had a number of lawyers employed under the Safe at Home program and working in the prosecution sections, has there been this changed emphasis.

**Mr WING** - I suppose the majority of prosecutors around the State would be police officers not trained lawyers. How many lawyers are engaged with that home safety program?

**Mr JOHNSTON** - There are six on the Safe at Home program.

**Mr WING** - I see. Where are they based?

## UNCORRECTED PROOF ISSUE

**Mr JOHNSTON** - Two in Launceston, one on the north-west coast and the remainder in Hobart.

**CHAIR** - Can you tell us what the Safe at Home program costs the department?

**Mr JOHNSTON** - We have a costing on the funding we get for Safe at Home. We do not have a costing on what it costs us deliver policing services under the same program.

**CHAIR** - What about time?

**Mr JOHNSTON** - We capture a raft of data on a monthly basis, as we mentioned earlier, in our normal reporting processes. I am more than happy to share that data with you. It is under family violence and it is all there; the number of reports, the amount of time, how many breaches there are, how many repeat offenders. I can happily go into -

**CHAIR** - Perhaps you would like to table that information.

**Mr JOHNSTON** - In fact, I would love to table several copies.

Just to finish, it is probably worth going back to Mr Wing's point; the funding is \$1.874 million. That includes our victim safety response teams as well as the prosecutors, our administration and a component for overtime.

**CHAIR** - You indicated earlier that there have been some suggestions on how the legislation may be improved for this Safe at Home family violence legislation. When do you anticipate that you will bring those amendments to the legislation into the Parliament?

**Mr COX** - I cannot give you a time.

**Mr JOHNSTON** - That would be the Department of Justice.

**Mr COX** - Yes, the Department of Justice will bring that legislation but I cannot give you the time as to when that will happen.

**CHAIR** - You, as Minister, won't drive that agenda?

**Mr JOHNSTON** - There is another review that needs to take place. One has been done and that was in the media recently. There has to be another review, I think this year, into other elements of the legislation. I would be surprised if there were recommendations going forward to Cabinet in the absence of that second review.

[3.15 p.m.]

**CHAIR** - My next question concerns table 10.14, juvenile offenders. There is a significant increase in 2006-07. I think we touched on this earlier in the day.

**Mr JOHNSTON** - Yes, we did.

**CHAIR** - Could you expand on that, Minister? It increased by about a thousand.

## UNCORRECTED PROOF ISSUE

**Mr COX** - It is not quite that many, I do not think. From July 2007 to July 2008 - 3 755 compared with 3 222, about 500.

**Mr WING** - Still on that table 10.14; there seems to be a very large number of juveniles dealt with by the police. In the current financial year were there 4 000 altogether?

**Mr COX** - There were 3 755 to 31 March, so that would be very close.

**Mr WING** - I see. It shows here as 4 000.

**Mr COX** - This was to 31 March.

**Mr WING** - Yes, that was the target. That seems an extraordinarily large number of young people, that is under 18, who come into contact with the police during a year.

**Mr COX** - It does sound like a large number, Mr Wing. I suspect it is a large number.

**Mr WING** - How would that compare, on a per capita basis, with other States?

**Mr COX** - I do not know whether the Commissioner has that.

**Mr DEAN** - No, any impression? Do we have more here?

**Mr COX** - Pro rata, you really could not make the comparison, I do not think. There are bigger jurisdictions.

**Mr JOHNSTON** - Mr Wing, I will make one observation. Our numbers include diversion strategies.

**Mr WING** - I was going to ask whether the 1 175 was included in the 4 000 target.

**Mr JOHNSTON** - We have a far greater number of restorative justice approaches than other jurisdictions. My assessment would be that, whilst I cannot make a comment on the actual numbers per hundred thousand of the population, I can indicate that we have more of these alternative programs. I refer you to page 33 of our performance report that gives the breakdown of formal cautions, community conferences, informal cautions and prosecutions.

**Mr WING** - The difference between juvenile prosecutions in 10.14 and the actual and targeted numbers would not mean that the difference was made up of diversionary successes. Some would be diversionary procedures, some warnings and others.

**Mr JOHNSTON** - If you look at the total number, of that about 1 500 are prosecutions, nearly 500 are community conferences, another 900-plus are formal cautions and another 1 500 are informal cautions.

**Mr WING** - Right so what page was that?

**Mr JOHNSTON** - Page 33.

**Mr WING** - That will have all the information that I require, thank you.

## UNCORRECTED PROOF ISSUE

**Mrs JAMIESON** - One fact it does not have, Minister, is the number of people who may be recidivists. These, I take it, are individual contacts so it could be the one person who has appeared 20 times.

**Mr JOHNSTON** - Yes, you are right.

**Mrs JAMIESON** - We do not have that breakdown, do we?

**Mr JOHNSTON** - No. We do research on repeat offending. We do not keep that data because it is not easily collated so these are single interventions.

**Mrs JAMIESON** - Surely if there are a whole lot of the same offenders out there you would work it out?

**Mr JOHNSTON** - I am more than happy to discuss it with you later, but it is not an easy task.

**Mrs JAMIESON** - That is interesting, with technology.

**Mr JOHNSTON** - Even with technology it does not come cheap.

**Mrs JAMIESON** - I appreciate that.

**Mr COX** - Your theory is probably right.

**Mr WING** - With family violence and bail, there are quite a large number of family violence matters. Would they all have involved bail or just some police investigation?

**Mr JOHNSTON** - No and they are the juvenile as an offender in the family violence context. Under the family violence legislation we have to report where there are juveniles affected by family violence incidents. So a juvenile might be present during the course of a dispute between mum and dad. We have to report that and that is that number of juveniles who are affected.

**Mr WING** - Not the number of husbands or wives involved?

**Mr JOHNSTON** - No.

**Mr WING** - Do dealings with, say, the alleged perpetrators of family violence come within this item?

**Mr JOHNSTON** - Not in relation to juveniles because very rarely is the partner a juvenile. More often than not they are adults.

**Mr WING** - Regarding the adults who are charged, does the question of bail come under this item?

**Mr JOHNSTON** - Yes.

## UNCORRECTED PROOF ISSUE

**Mr WING** - How many men were bailed, who were charged with breaches of domestic violence regulations?

**Mr COX** - Mr Wing, while the commissioner is looking there, this might not be exactly what you are after but this, again, is to 31 March. Police attended approximately 374 family incidents - it is a very frightening figure - per month statewide which makes 4 887 for the period. There were 3 465 family violence incidents, as defined under the Family Violence Act. That is approximately 71 per cent of family incidents attended. Of those, 1 300 were family disputes - that is, no family violence offences were disclosed and no issues of risk and safety were identified. The police issued approximately 1 900 police family violence orders for that period and a total of 588 applications by police were made to the magistrates for family violence orders. They also had 642 calls received on the family violence response and referral line. Of the calls, 59 per cent were received between 9 a.m. and 6 p.m. and 20 per cent of the calls were between 6 p.m. and midnight. Not good figures.

**Mr WING** - Thank you. When the family violence legislation was in Parliament, the bail provisions were controversial because, to some extent, they involved a reversal of the onus of proof. I have not heard of any particular cases where people have complained about the application of that recently, although I did in the past. Have there been problems associated with that, involving complaints by people who were unable to get bail because they needed to satisfy the court that there was really risk of repetition?

**Mr JOHNSTON** - I am only aware of one in recent times, where I received a letter from a firm of solicitors representing someone that they considered had been inappropriately handled in relation to that matter. But that is the only one I have been aware of in probably six months and I am not aware of any others.

**Mr WING** - There have been several hundred matters during that period and only one complaint?

**Mr JOHNSTON** - Yes. If I could refer you to page 36 of that same performance report, you will find a range of statistics there that will probably be of interest to you and, Mrs Jamieson, you might notice that is one area where we do record recidivists.

**Mrs JAMIESON** - Further to the question of Mr Wing, I was wondering how many were frivolous complaints in first place and then subsequently withdrawn. Do we keep that figure at all, where the police have been called to an event and a violent situation?

**Mr JOHNSTON** - We do not record them in that way, Minister. But I have a very high regard for our operational police officers in this context and I think they have the ability to weed out frivolous matters that are brought to their attention and to deal with them appropriately at that time.

**Mrs JAMIESON** - I was not thinking from the police point of view, I was thinking, say, if I was the one who rang and made the complaint and then decided that it was not worth bothering with and I have withdrawn my complaint.

**Mr JOHNSTON** - The police will still attend because sometimes pressure is put on someone who complains to get them to withdraw their complaint and we would like the police to be the judge of whether or not that complaint is withdrawn voluntarily instead of under duress.

**Mrs JAMIESON** - Are you aware of any of that happening?

**Mr JOHNSTON** - I am not aware of any specifically, but I am sure there are.

**Mr DEAN** - Minister, I am taking this from the statistical document we were provided with and it is a perennial question for me. Family violence reports are currently on 4 821. There seems to be a bit of a plateauing of it but if our Safe at Home strategies are working, why do we continually see this either increasing or just plateauing? Should we not expect to see a drop-off in this sometime? The previous commissioner used to tell me this was because of our new strategies and the great publicity that we were going the way we were, but that has to run out sometime.

**Mr COX** - Mr Dean, all I can do is share your concern and your wish. I would love to see it plateau out or drop off. I think it is an absolutely appalling figure.

**Mr DEAN** - Do we accept then that this is now not just through better and easier reporting and the changes in the law and that we have a serious problem out there that is continuing in this State?

**Mr JOHNSTON** - It is a serious problem because any instance of family violence, in my view, is a serious problem, irrespective of the number of instances of it. It is too early to say yet but I would be hopeful that we have reached the pinnacle. This first strategy, as the former commissioner said, was to give people who are the victims of family violence the confidence to report it and the confidence, when it is reported, that something would be done about it. I would like to think that we have done that and reached that particular point where we now can identify the true extent of family violence in our community, and I think that is where we are at. Then one would hope that all the programs that we have in place will now start to take effect to drive down the level of instances of it, not just the reporting of it. I definitely do not want to reduce the amount of reporting of family violence but we do want to reduce the instance of it. I have a sense - and again, it is very early to say and I could be sitting here next year saying how badly wrong I got it - and I would hope, from the bottom of my heart, that this has now turned the corner.

**Mr DEAN** - If I happen to be here next year, Commissioner, you can rest assured I will be asking some questions on it.

**Mr JOHNSTON** - I have no doubt about that.

*Laughter.*

**Mr COX** - I think we agree, Mr Dean, the positive aspect is that people now have the courage to report it, which they may not have done in the past. I am sure the Commissioner is correct.

**Mr DEAN** - My next question is in relation to the time that a police officer is involved in a family violence reporting. I recently spoke to some police who outlined a case to me, Minister, and to me it did not appear like an absolutely serious case, where they said it took them eight hours from the time they attended the scene until the time this person was remanded in custody. For them to go right through the process it took them longer than eight hours. Included in that was about six hours' overtime because it happened two hours before the end of their shift. Minister, is there anything that can be done? That was just an example they gave me. They said,



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'This is an ongoing problem for us' - the time that they have to put into doing this. I thought that we were bringing other people into this process where it could be handled by other people as well? It must be a concern to the Commissioner that a lot of his police time is taken up in these areas. Are they serious? Of course they are, but to me it seems there has to be some other way.

**Mr COX** - Is the Commissioner concerned?

[3.30 p.m.]

**Mr JOHNSTON** - The answer is of course I am. There are two elements to the answer. We are spending too much time doing some of these things simply because our processes are wrong. Why are the processes wrong? Maybe because the design of the system that we had in the first place was not right. When I say 'system', I do not mean an IT system, I mean the approach that we brought to it. For argument's sake, there was our original intention after the legislation came in that with the introduction of police family violence orders, the police would attend, for argument's sake, at the home where the incident happened, where both parties would be present and the police there and then would be able to write out a police family violence order to put conditions on the ongoing relationship in the short term and hand it over. But unfortunately, because we built a computer system, our police officers starting take the people from the home back to the police station to fill in the same form and to have it validated and then took the person back home. Of course that adds effectively an hour or more to that particular process. There are others that are equally as dysfunctional that cause frustration to operational police. We asked for a review to be done by one of our very competent very skilled sergeants in this area, one who has a lot of background in this area. She has consulted widely with other police officers who are doing these tasks with a view to identifying all the bits of the system that can be addressed to reduce the amount of time without impacting on the efficacy of our approach to family violence. Now that report should be somewhere near the deputy commissioner's desk because I am pleased to say that it is his responsibility to manage the ongoing issue of that. I would hope that will lead to some very positive changes before the end of this current calendar year.

**Mr DEAN** - Minister, it is pleasing to hear that because some of these investigates are taking longer to resolve than a murder case.

**Mrs JAMIESON** - I can vouch for the fact that I have had two or three cases brought to my attention in Devonport which have taken more 10 hours. They have been repeats and very difficult, very complex cases that have involved kids as well.

**Mr JOHNSTON** - But let me emphasise the reason for this is that our police officers have been trying to do exactly the right thing and have it spot on in the interests of the victim. That is what it is all about.

**Mr DEAN** - There is no suggestion that they are wasting their time or that they are putting in extra time that they should not do.

**Mr JOHNSTON** - One of the positive signs is that the overtime in relation to family violence incidents has reduced by about a third over the last couple of years. That would suggest that there is a reduction in the amount of excessive time being spent.

**Mr FINCH** - In respect of special training that might have been afforded your police force now, they are dealing with this new initiative of the Safe at Home policy and enforcing that. We knew that there were difficulties early in the piece in getting the changeover to the new operations

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and the new way of handling things. Has there been extra training undertaken for police officers to deal with this specific way of handling these issues? Is there any training in psychology in respect of this particular issue to increase the knowledge and empower police more in the issue they are dealing with?

**Mr JOHNSTON** - The answer to your first question is, yes, there is specific training. There is a much higher level of training for those in the victims safety response teams, who are dealing with this all the time. Operational police officers have all received additional training in relation to family violence legislation and how to handle incidents. It was delivered by an outside provider and I can say it was of a very high quality. That is ongoing. All our recruit courses have the same training as they come into the system. We spend around \$115 000 to \$120 000 a year on training and administration as part of our approach to family violence. An element of that, of course, is the psychology of how to handle people and incidents as opposed to psychology per se.

**Mr FINCH** - And how to recognise that they are being misled or if there is a false accusation -

**Mr JOHNSTON** - I would like to think that is part of their ordinary training, Mr Finch, but we don't always get that right, I might add.

**Mr DEAN** - I do not think the member for Launceston's question quite covered the number of alleged offenders who are taken into custody and then those cases are not proceeded with.

**Mr WING** - I did not ask that. Mrs Jamieson did.

**Mr DEAN** - Thank you.

**Mr FINCH** - On this safe at home situation, I am wondering if there have been complaints to police in respect of implementation of the safe at home policies, the conduct of police and false accusations. Have you received complaints from the community about the way things might have been misjudged or things that have gone wrong or not been handled correctly?

**Mr JOHNSTON** - We certainly have. When I was the deputy commissioner I was dealing with some of them. I cannot tell you the number because it is not something that I have in my head or here in front of me. They are not very many in the total context of the gross number that we deal with in a year but, yes, of course there are.

**Mr FINCH** - Do you have a program in place for compensating people if the police get it wrong or do you have an apology mechanism? Is there a way of dealing with these people who may not be dealt with correctly - according to them?

**Mr JOHNSTON** - There is no compensation mechanism available other than the general law available to anybody in this context. We have an apology system, of course. If we get it wrong we will apologise and we will -

**Mrs JAMIESON** - Sometimes.

**Mr JOHNSTON** - We have learnt some lessons over time. The biggest difficulties are those cases where it is hard to actually make a definitive determination in relation to error or otherwise. Unfortunately, these are usually very emotive issues and people's understanding of them is very

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difficult to deal with at times. Quite simply you can rest assured that, while I am the commissioner, if we have got it wrong I am happy to apologise to people, as I did this morning when I quite happily pointed out to Mr Dean that we got it very badly wrong in relation to that matter at Bellerive.

**Mr FINCH** - Have any qualified practitioners - and I am probably thinking about people in justice, counselling or psychologists - voiced any concerns about the way that the Safe At Home law has been applied and is being applied?

**Mr JOHNSTON** - I am not aware of any but that is not to say that there have not been any. Normally if there had been some I think I would be aware of it. Of course they would not always complain to police; they would complain to people like the Department of Justice, who administer the legislation. They would also make their views known to people who conduct the assessments and reviews, such as the company called Erebus. They did one review recently and the Institute of Law Enforcement studies have done another review, so there are different entry points for people who have those concerns. They would not all necessarily come to the police - or even any.

**Mr FINCH** - But you do not have an understanding that there are complaints coming through to your desk?

**Mr JOHNSTON** - Definitely not at all.

**Mrs JAMIESON** - My question is about the success or otherwise of interagency meetings and collaboratively working around some very complex issues, and also about family conferencing, individual youth conferencing. Have you any comment to make?

**Mr JOHNSTON** - Let me say two things. The issue that should never be lost sight of is that Tasmania Police are totally committed to alternative resolutions to these things. We are very strongly committed to restorative justice principles. We actually look for every single way that we can to ensure that community expectations are met about properly dealing with people who offend against the laws of our society while at the same time keeping young people out of the criminal justice system for as long as possible.

I think we have a world-leading approach to this, to be honest with you. The interagency support teams that exist in every municipality around this State, some of which are led by police and others where the police are active participants, bring together all of the players in that local community at the right level to deal with the people who are offending in their local community or who are at risk of offending. We not only focus on those who break the law; we actually try to prevent people from becoming law breakers down the track.

We are really supportive of that. We use exactly the same partnership and collaborative principles on family violence. Once a week there is a meeting of all the relevant stakeholders to discuss all the family violence incidents that have happened in their area over the last week.

**Mrs JAMIESON** - Do you have an opportunity if there is an absolute crisis to get together with two or three agencies?

**Mr JOHNSTON** - Rest assured that that is exactly the case.

## UNCORRECTED PROOF ISSUE

**Mr DEAN** - I just want to talk a little bit about the service of summonses and warrants. Certified mail is still there and warrants by police. There was once quite a backlog in warrants in that area. I take it we are on top of all that?

**Mr JOHNSTON** - The answer is, no we are not. We receive more warrants per year than we can execute. We are hopeful that those numbers will now start to decrease with the implementation of the fines enforcement system. That will reduce the number of warrants quite dramatically and give us an opportunity to then blitz it, to try to get rid of the backlog in warrants that we have.

**Mr DEAN** - Minister, I take it this is an unusual situation and I wonder how often it applies. I do not want to name the station in this instance, but police rang an offender, I suppose, and said to him recently that they had a summons for him and demanded that he come and pick the summons up. He quite promptly told them that he was in no hurry to do that and that they would not see him. He came straight in to see me, to see whether he had done the right thing.

**CHAIR** - Did he bypass the station to see you?

**Mr DEAN** - I said, 'You have certainly done the right thing' particularly when he said that he did not commit the offence. That is an unusual situation and I take it that is not happening very often.

**Mr COX** - It is the first time I have ever hear of it and I can tell by the commissioner's reaction that he -

**Mr JOHNSTON** - If I were him I would go and get it because I would be forever looking over my shoulder waiting for the policeman to tap on my shoulder and say, 'Here is a summons'.

**Mr COX** - The short answer is, no, I have never heard of that and I hope it is not a common practice.

**Mr DEAN** - At one stage, police were having lots of difficulties in the area of processing their summonses and getting them out and particularly from infringement notices that were being issued. Obviously the new process is there and will help tremendously. Are they on top of that; are there any comments in relation to that?

**Mr JOHNSTON** - You have answered the question, Mr Dean. I would think that with the new system where we will not be issuing summonses unless people opt to go into the court system, it will have a huge impact - probably in excess of 40 000, in my view, will be reduced.

**Mr DEAN** - That is good. It allows the police to do the work they should be doing.

### **Output group 7 Ministerial support and information services**

**CHAIR** - I understand that the firearms service operating procedures are currently in review. It had June 2008 as the target for completion. Has this been achieved?

**Mr COX** - Can we take it on notice?

**CHAIR** - Firearms services operating procedures.

**Mr COX** - Gun control audits you are talking about?

**CHAIR** - Yes and it indicated -

**Mr JOHNSTON** - That has been done. Can I indicate that since it has been done, it is the subject of ongoing review so it will be continually assessed as issues come forward.

**CHAIR** - I also noted, when I had a look at this area, that when officers are issuing gun licences, they can assess the mental capability of a person applying for the licence. Do the officers get training in that area or am I not of a complete understanding of how the process works?

**Mr JOHNSTON** - What happened was that the Auditor-General expressed concern that there was no process for carrying out one of the requirements of the act, which was about the mental stability of the applicant being assessed. The applicant has to complete a form that basically says, 'I am okay'. But because there was no other process to test this, we established a requirement for a police officer to speak to each individual applicant, so if there were any obvious signs, they could take some action to require a follow-up medical or a follow-up assessment of some other character. It is about the best that we can do in all the circumstances.

**CHAIR** - I would have thought that that would be a difficult thing to assess from the look of somebody and that is purely a personal observation.

**Mr JOHNSTON** - They do not just look of course, they sit and have a chat for a short time. Quite seriously, we all know some of those who come to see each and every one of us from time to time, the alarm bells would go off straightaway, but there would be others where that would not be evident. We do not seek to claim that we are going to identify all of them.

**Mrs JAMIESON** - It is an issue with people with dementia because they can present so normally and yet they cannot recognise or reason.

**Mr COX** - And the one-day TAFE course is going to be done soon.

**Mr JOHNSTON** - Do not forget that health-care professionals, if they come across someone who fits this character, have to advise us. There are a number of mechanisms to capture them - we will not get them all but we would hope to get a vast majority.

**CHAIR** - Can you provide me with the number of licensed gun owners?

**Ms RITCHIE** - It is 42 200.

**Mr COX** - If you think that is right, Ms Ritchie.

**Ms RITCHIE** - I just read it somewhere and I was trying to find it.

**Mr DEAN** - Just say, 'Yes, Minister'.

## UNCORRECTED PROOF ISSUE

**Mr COX** - It just worries me. I learnt long ago that is not the right answer in this situation.

**CHAIR** - I am happy to take Ms Ritchie's answer on that.

**Mr COX** - I think Ms Ritchie may have got it out of there and I think she would be correct.

**CHAIR** - I did notice that there was a total of 9 951 inspections carried out. Would there be a target to inspect all gun owners over a period?

**Mr COX** - There are random inspections done - there were 848 done last year.

**Mr FINCH** - Minister, I would be interested in our new commissioner's response to this - I have long had concerns about the policy of police carrying guns. When I was a young person I do not think I ever saw a police officer with a gun but I always was aware that they either had them in the glovebox or had them hidden on their person. I get a bit concerned about this process we have been through of removing guns from society, destroying them and working diligently to try to keep them out of society so that they are not a focus yet our police officers are wandering around with these huge guns. I will never forget in Melbourne one time, walking up behind a young constable and I do not think he suspected there was anybody walking behind him, he was walking through the street and I am sure he thought he was in El Paso. It was like *High Noon* and he looked as if he was about to draw his gun and shoot somebody. It was the most confronting body language I have ever seen from a police officer. We have this policy of removing guns from society, yet here are police with these huge weapons on their person. I am not averse to police having guns, that is not an issue, because there are villains out there, but I would appreciate it much more if they were not visible.

**Mr COX** - It is probably a very difficult request. I do not know that we disagree with you but if you have an officer in the summer walking with a shirt and the big belt on with all the gear I am not too sure where you suggest they put the gun - and I probably do not want to know.

**Mr FINCH** - There are leg holsters to wear underneath their trousers.

**Mr JOHNSTON** - Unfortunately from an occupational health and safety point of view they are not suitable. I am sure some around this table would have heard the anecdotes of the old leg holsters years ago when the detectives went to the odd dance or cabaret and their firearm scooted across the dance floor. I am sure we do not want that happening any more - if it ever happened then, I might add.

**Mr FINCH** - It was the situation in the UK where it was understood that police did not carry guns. Those circumstances may have changed.

**Mr JOHNSTON** - I think the simple answer, Mr Finch, is, as the Minister said, irrespective of our personal views around these things, I felt the safety considerations and the risk assessment would suggest that even if we wanted to there would be no way of disarming Tasmania Police to the extent even to which you have alluded. We have had the shooting of a police officer in recent times unfortunately and I am sure that just adds weight to the argument that says whilst it is undesirable, whilst we would love to be in a society where they do not have to carry them, it is not the case at the moment.

**Mr FINCH** - But they do not need to be in a situation where they have to go the quick draw.

**Mr JOHNSTON** - I am sure that a lot of my operational police would argue with you, Mr Finch. They want to make them accessible at the time of need instead of being shot and then having to crawl their way back to a car to find it in the glove box where it may not be stored in accordance with the legislation.

To assuage part of your concerns, the Deputy Commissioner recently issued a directive to all of our plain clothes personnel that they are not to walk around with exposed firearms in public places. So even in the summertime a detective walking down the street to get a cup of coffee will have to ensure that his firearm is concealed.

**Mr FINCH** - And uniform police?

**Mr JOHNSTON** - No unfortunately.

**Mr COX** - They can't do it.

**Mr JOHNSTON** - As the Minister said, they have nowhere to conceal theirs. Maybe if I put them all back into tunics like the one I am wearing where it would go over the top of the gun that might change, but gee that would cause a debate.

**Mr COX** - It is probably not a problem I want as Minister, thank you Commissioner.

**Mr FINCH** - I would probably suggest a way of arming a police officer but without it being quite so visible; whether there was a way of more concealment, even on the belt that they carry. It just looks very confronting to see our police officers in Tasmania, which is a fairly law-abiding State, have this overt show of firearms.

**Mr WING** - We can only hope that it will not be necessary for police officers to have automatic rifles and guns as they do in Whitehall in London and many other countries.

**Mr COX** - We share your wish, Mr Wing.

**Mrs JAMIESON** - I want to raise the question of capsicum spray. What counts as a threat in Tasmania and how often has it been used?

**Mr JOHNSTON** - I cannot remember the numbers but I can assure you that the use of capsicum spray is on the increase and I think I should be pretty happy about that because it usually means that there are fewer physical acts of violence either to members of the public or from members of the public on the police because it creates an at-length response. So it works very well.

**Mrs JAMIESON** - To your knowledge, have there been any reported allergies to it? Have people come back and said, 'Hey man, I am allergic to it'?

**Mr JOHNSTON** - Not here. I know there are very limited numbers in other States but I am not aware of any here.

**CHAIR** - Minister, in the interests of everyone being able to stretch their legs and have a cup of tea we will take a very short break and return to the table at about four o'clock.

**Mr COX** - Can I suggest, with respect, that maybe we could finish this output group because we have Fire Service people, we have local government people. They were not anticipating being here until this time and I suspect they have other commitments that they may have to fulfil so at our inconvenience and rather than inconvenience them unless you particularly need to go just now -

**CHAIR** - I will check with my committee, Minister. They are happy to try to wrap up this particular output in the next 10 minutes.

**Mr DEAN** - Madam Chair, I do have a lot of other questions on other issues that I could not ask before so I will be asking if this matter could be recommitted anyway.

**CHAIR** - Absolutely, thank you, and that is obviously your right and opportunity, Mr Dean.

**Capital investment program -**

**Mr FINCH** - I notice on page 10.17 that \$18.9 million has been allocated to Devonport, Bellerive and Glenorchy to refurbish the headquarters over four years. It seems to be a fairly drawn out - and I realise that is a lot of money to spend - refurbishment program and it would seem to preclude any refurbishment elsewhere.

**Mr COX** - It is specifically for those three buildings.

**Mr FINCH** - But will there be money available in budgets within the next four years for refurbishment of stations elsewhere?

**Mr COX** - That is a distinct possibility but at the moment the request was for those three. I went with the commissioner and we had a look at the stations and they are three that urgently need some work. They are probably the three priorities. This money is specifically for those three stations. Will there be ongoing work in future budgets, probably, but I am not going to commit to what may or may not be in a budget in the future.

**Mr JOHNSTON** - There is also funding in the other side of the budget, outside of the capital investment program, for ongoing maintenance works on other police stations.

**CHAIR** - And minor capital works in that area, Minister?

**Mr COX** - Yes.

**Mr FINCH** - With it being spread over a four-year period, I am curious about how disruptive that is going to be to the staff.

**Mr COX** - It is deliberately spread over that time to minimise the disruption. The initial period will be to do the plans, get approval and go through all the processes that you would be aware you have to go through. There is a plan to have as little disruption as possible. At Devonport, for instance, there is a possibility that part of the staff can be relocated while another part of the building is being done. It is spread over that period so that if some work needs to be done at one place and that has to stop for relocation, we can move somewhere else. It may take the four years; it may not take that long.



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**Mr FINCH** - Will all three be worked on now at the same time?

**Mr COX** - It is possible.

**Mrs JAMIESON** - Obviously you are going to refurbish the Devonport one rather than go to a greenfield site, which was one of the preferred options at one stage.

**Mr COX** - There is still a request that that occur but the intention is to refurbish the existing site.

**Mrs JAMIESON** - It is a really difficult intersection to get into and out of at Oldaker Street.

**Mr COX** - You have been talking to the mayor, haven't you?

**Mrs JAMIESON** - No, no, that is from own personal experience. You have the fire and the ambulance boys; co-location of the service was in fact the preferred option.

**Mr COX** - Mrs Jamieson, if somebody can come up with a site that will be cost-neutral, we just put forward our \$6.4 million and if they want to find the rest I am sure the commissioner and I would be very happy to discuss it.

**Mrs JAMIESON** - So you are not absolutely set in refurbishing?

**Mr COX** - They are the provisos. If you can find me another site and the additional funds, the commissioner and I will be down for lunch.

**Mr DEAN** - My question has been partly answered about Devonport, whether it was going to be rebuilt on its current location. I guess Glenorchy is the other one.

**Mr COX** - Yes, Glenorchy lends itself to be done. It desperately is crying out for refurbishment but it is structured in such a way that that can be done with minimum disruption.

**Mr DEAN** - It was rebuilt when I first came into the CIB, so that tells you my age.

**The committee suspended from 3.58 p.m. to 4.10 p.m.**

### **DIVISION 24**

(State Fire Commission)

**CHAIR** - Minister, thank you, this will be the last part of the session.

**Mr COX** - At the table we have John Gledhill, Chief Fire Officer, Mike Brown, Deputy Fire Officer and Mike Gallagher, Director of Corporate Services and Yasmin Kelly, adviser from my office.

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**Mr DEAN** - The first question was in relation to the road rescue program within the fire service, Minister, as to how that is proceeding. Are there any issues there that are causing concern?

**Mr COX** - Without going into the history of it, you are aware when it transferred over to fire?

**Mr DEAN** - Yes.

**Mr COX** - I think it would be fair to say that it is going very well. I do not know that there is any specific problem in any one area.

**Mr DEAN** - The relationship between fire service and the ambulance service has been a good one, a good marriage, a good relationship?

**Mr COX** - I understand the relationship is very good. I understand that they are working extremely well together. I do not know whether Mr Gledhill or anyone wants to make another comment. My understanding is that it is an arrangement that is working well.

**Mr DEAN** - I read in the paper this morning that vehicle fires are on the increase currently. Minister, from your point of view, are there any concerns about the time that that consumes for the fire service?

**Mr COX** - I cannot give you the time that it consumes, Mr Dean, but I suspect that some of those may be deliberately-lit fires.

**Mr BROWN** - The number of vehicle fires has not, in fact, increased in the last three years. We did some statistical analysis only two or three months ago. It was instigated by a member of the media, in fact. We were averaging about 60 motor vehicle fires in a month and that figure has been fairly static for about the past three years. What it was before those three years, I am afraid I have not done the research back that far. Whether or not 60 motor vehicle fires is an acceptable figure is open to debate as well.

**Mr DEAN** - The house fires, the building fires, what is the position there? Are they increasing or static?

**Mr BROWN** - In structural fires there is a slight decrease across the board.

**Mr GLEDHILL** - Over the last 10 years there has been a reasonably even decrease in preventable house fires. When we say preventable, I mean not deliberate. I am talking about accidental ones, but ones that should not have happened. They are ones that we can do something about. There is a pretty good success story there and it has continued. It is a fairly modest decrease but it has been a decrease of about 30 per cent over 10 years.

[4.15 p.m.]

**Mr DEAN** - That was going to be my next question in relation to the safety audits that are done by the Fire Service. Included in that is the way we are selling the fire alarms. You read in the paper from time to time where people have them installed but do not have them operative. Is there anything there that needs to be done? It is a critical issue and fire alarms ought to be absolutely compulsory in every house.

**Mr GLEDHILL** - They are compulsory in all new houses and whenever there is any significant building work done in a house it has to include the fitting of a hard-wired smoke alarm. We are a little reluctant, and have been reluctant, to push for mandatory retro-fitting. It is expensive and we are also aware of new technology that will make it - and I believe it is here but perhaps not quite affordable - where wireless technology will enable them to be fitted a lot easier. There is still a requirement, even in a hard-wired one, for battery replacement because they do have a back-up battery. We are making inroads. It seems so often that we attend a fire and there is no working smoke alarm and it is disappointing to us. We target that area heavily. In fact, our new winter campaign is doing just that. I think next week the minister may be launching a new initiative which will highlight smoke alarm usage again. We keep on about it because it is one of the most effective ways of providing safety in the home from fire.

**Mr DEAN** - This is the time of the year where people have heaters on all over the place and fires going.

**Mr COX** - It is always a good thing for members of parliament, Mr Dean, to do in your newsletters, to pop a little note in when you drop it in the letterbox, 'Renew the batteries in your fire alarm'.

**Mr DEAN** - Okay, I will remember that if I ever do that again. My last question comes to an obvious area and you would be expecting a question from me on it, and that is the levy. There were increases this year. Is the Fire Service budget so situated that we will not be getting an increase in the coming year? Can we be guaranteed of that because of the pressures currently put on ratepayers?

**Mr COX** - Mr Dean, I share your concern with this. When we had a look at this, obviously it is in this year and there is nothing we can do about that. I have had discussion with members of the Fire Service and we are going to put a review committee to look at how this is done. I have asked for that to happen. The review committee will review the consistency of information provided by councils to the State Fire Commission over the last three years and, where necessary, to reconcile that information with the lands value provided by the Valuer-General. I found that some of the figures that were provided by some of the larger councils were interesting - and I will leave it at that. I have asked them to verify that the State Fire Commission has consistently and appropriately applied the Valuer-General's index factor to council valuations, to confirm that the State Fire Commission has determined the Fire Service contribution requested to be collected by councils for the past three years has been in accordance with section 81 of the Fire Service Act 1979 and to report and where appropriate make recommendations on its findings through the chair of the State Fire Commission to me by no later than the end of July this year. Mike Gallagher is the chair of that and I do not know whether Mike wants to make another comment about this. He has been actively involved with us in getting it to this point. Mike, if you have anything you want to add, please do so.

**Mr GALLAGHER** - We are certainly working with local government with a representative from the Clarence Council as well as the Local Government Office. We are going back through all the information. At this stage there are a number of questions we are looking to answer and those in the terms of reference, but in terms of the fluctuations they are probably the main areas whereas a 5 per cent increase this year does not necessarily mean a 5 per cent increase for every person. That is what we are trying to work out, why there are those fluctuations. We have had

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one meeting and we have another meeting scheduled for next Monday. We have provided a lot of information to the committee.

**Mr DEAN** - That is a good start, Minister, that you are looking and I thank you.

**Mr COX** - It shook me a bit and there are some people who are ratepayers in more than one area, Mr Dean.

**Mr DEAN** - You are right.

**Mrs JAMIESON** - Minister, are home fires more intense and/or more hazardous now because of all the plastic and unnatural fibres? Also, do you have a program aimed at promoting fire retardant materials within people's homes for somebody seeking advice about building their house?

**Mr GLEDHILL** - Generally, there has been an increase in flammability of materials in houses particularly within furnishings and plastics. Compared to 50 years ago there has been a huge change and we all appreciate that. When fires occur they burn probably more intensely than they would have in the days of cotton and wool textiles and timber, but I think there are also advances in technology such as smoke detection and sprinkler systems to counter that as well as an increased awareness.

On the other hand, there may be a decreased awareness. A hundred years ago candles and lighting fires were much more part of life, whereas these are foreign to people now. They are not home skills so accidents happen that should not happen because of that ignorance. Generally, I think technology has probably provided better solutions rather than made the situation worse.

**Mrs JAMIESON** - Do you have any information promoting fire retardants for consumers?

**Mr GLEDHILL** - There are certain standards that apply to clothing materials and furnishings.

**Mr BROWN** - Not so much with fires; it is more effective to get early warning systems. They are more accessible and cost effective. They are also understood and it is simple to get early warning systems into domestic properties. Building regulations and codes do call for fire resistant materials in some types of structures, for example health-care buildings so it is picked up in that environment but not necessarily in the domestic environment.

**Mr FINCH** - In table 24.2 note 3, on the subject of grants, there are two special operations appliances which are budgeted for to the tune of \$500 000. Can I get an explanation of what they are?

**Mr BROWN** - We have taken on additional responsibilities over recent years for some special operations activities. The Commonwealth has provided us with additional funding and equipment in the counter of terrorism arena so it is chemical, biological and radiation equipment. Between ourselves and police we handle most of the equipment for that sort of role. It is also urban search and rescue, so collapsed structures and being able to respond to those. Those vehicles are now part of the response mechanism that we use. Also there is an intention to use those vehicles for road accident rescue in the future, but at the moment that is under review.

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**Mr FINCH** - These two appliances?

**Mr BROWN** - Yes.

**Mr FINCH** - Are they big appliances, like a fire engine?

**Mr BROWN** - They are 13 tonne trucks.

**Mr FINCH** - They are substantial; will we recognise them if we see them driving around?

**Mr BROWN** - You will see them as a red truck. A lot of people may not identify them as being anything much different from the fire appliance, but they do not have water on board and pumps.

**Mr COX** - With respect, Mr Finch, you will not know the difference.

**Mr FINCH** - Those of us who wanted to be a firemen when we grew up, we would be pleased to know that those sort of vehicles are out there.

Are they based in Hobart?

**Mr BROWN** - The first two vehicles were for Burnie and Launceston, I believe.

**Mr FINCH** - The two that we are talking about in respect of this \$500 000, where are they to be?

**Mr BROWN** - One is in Burnie at the moment and the intention is, once the second one is finished, it will be in Launceston.

**Mr COX** - The other one is currently under construction.

**Mr FINCH** - Fuel efficiency tends to be neglected in emergency service and in the armed services, but with the Tasmanian Fire Service will you be looking at and implementing fuel efficient vehicles and appliances in your replacement program?

**Mr COX** - It is hard to get a hybrid fire truck.

**Mr GLEDHILL** - It is a concern that we have and no doubt everyone has. What the fire vehicle of the future we will be using is certainly uncertain. At this stage we are working very fast towards having a totally diesel-powered fleet for a number of reasons and fuel economy is one of them but there are other operational reasons for choosing diesel. We are very much constrained by the options available to us and at this stage, particularly in our four-wheel drive trucks, there are only two or three manufacturers and only half a dozen models to choose from. As far as fuel type is concerned, we prefer diesel and it will remain that way exclusively for the foreseeable future.

**Mr FINCH** - Table 24.2 also looks at the sales of goods and services by the Fire Service. I know you can buy fire rakes and things like that, but how does the Fire Service obtain more than \$4 million from this category? What are the services?

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**Mr GLEDHILL** - We have two units that operate on a commercial basis, one being TasFire Equipment which does the extinguisher sales and service and light fire fighting equipment around the State which is one of the business units. We have a training unit TasFire Training that provides commercial emergency response and safety training to industry and commercial enterprises. That would constitute the majority of that revenue but there is another side of the ledger that you would need to look at. Whilst that is shown as revenue my Director, Corporate Services might like to talk about the accounting side of it.

**Mr GALLAGHER** - Just to give you a breakdown; sale of fire safety equipment services was \$1.6 million, inspection fees charged \$800 000, avoidable false alarm charges about \$100 000, commercial training about \$800 000 and rentals about \$700 000. That makes up that \$4.3 million.

**Mr FINCH** - What do you mean by rentals? Rental of what?

**Mr GALLAGHER** - Alarm rentals. We monitor the fire alarms and charge a fee to premises that are directly alarmed back to the station.

**Mr FINCH** - That is a good figure to be bringing back into the Fire Service.

In that same table, under the 'Less Expenses' column, there are borrowing costs of \$400 000 for this year and that is increasing in the forward Estimates. That category does not come up in the budget papers very often. Can I get an explanation of what the borrowing costs are?

**Mr GALLAGHER** - Borrowing costs are broken down, we have about \$4.6 million worth of loans. About 11 years ago this figure was \$12 million but that \$4.6 million has been there for a fair period of time, five years at least. These are loans which the commission took out. We have refinanced those, we are not in a position to pay them off. Approximately \$300 000 of that is the cost of those loans. Why is it going up? Interest rates are going up so we are in the process of renegotiating one of our loans. The other is because of the fall in the insurance premium two years which really hit us on a cash basis. You will see in our cash flow statements that our overdraft costs us about \$93 000 to \$100 000 a year. That is what those figures are made up of.

[4.30 p.m.]

**Mr FINCH** - Are they not good situations to have on the books, having a loan of that magnitude to the fire service? Would it not be better to extinguish those, to use fire terminology, so that you do not have this expense of \$400 000 a year?

**Mr GLEDHILL** - As the chair of the State Fire Commission I can certainly say that this is a topic of interest to the commission and has been for a long time. Whilst the commission would agree wholeheartedly with you in wanting to extinguish the loans, we simply have not had the ability to do it and keep the business running. It has been their preferred strategy to continue with the loans. As Mike said, we did renegotiate them and they are at a reasonable interest rate. When the opportunity arises the commission will get rid of them, but it will take a windfall from somewhere. We did have a windfall a few years ago and we have dropped them down a lot on what they were. They represent borrowings back in the 1980s, but because they have been renegotiated they are not costing us a lot in interest. We simply have not been able to afford to get rid of them.

**Mr COX** - It is not a make or break line.

**Mr FINCH** - If I were in business and I had a loan from the 1980s then I would be looking to move on that and try to eliminate that where possible. It is a little bit of a concern to me that there is overdraft as well. I would have thought that to run a good business you might not be looking at an overdraft situation.

**Mr GALLAGHER** - Many years ago, back in the 1990s when our State Government contribution was cut, certainly not by this party, we were told by the Premier that everyone was running on overdraft and the commission had to fall into line. We have not changed since then. As I said, because of the fall in insurance two years ago, we are only just starting to get close to what we were getting two years ago. The dollars are not there. We are caught between a rock and a hard place. We cannot pay the loans off. We are in overdraft more than we would like to be. Part of the reason is that funding of the fire service contribution comes in quarterly, so we have peaks and troughs. In the first quarter, once we get the money in, we are flushed with cash, but over the next two months we will run it down and go heavily into overdraft, and then back up again. The other forms of funding are a lot easier for us because they come in on a monthly basis.

**Mr Wing** - Who gave that advice?

**Mr GLEDHILL** - It was the Rundle Government back in the early 1990s.

**Mr FINCH** - I hope that I have done my job in budget Estimates in highlighting that operation to the minister and maybe that could come under the microscope. It is just interesting that you have a loan from the 1980s and you have a bank overdraft. I think I would be scrutinising those very carefully, if I were running the operation.

**Mr GLEDHILL** - Can I say that we have had discussions with Treasury about this. Treasury are well aware of it. The Auditor-General certainly made some notation about this very issue in his report last year to Parliament. The facts remain that our cash flow is subject to quarterly input from councils and we do not have the cash reserves that we used to because, on the instruction of the Government of the day, they were run down and intentionally so. We run much closer to the wind than we would like and than certainly the Auditor-General suggests. But that is the way it is. We are still solvent some of the time.

*Laughter.*

**Mr COX** - No, it is not that bad.

**Mr GLEDHILL** - Sorry, that was probably a rather flippant remark. On balance, we are in the black.

**Mr COX** - The Treasurer is doing a review of funding of the fire service and that it is as a result of this year. So we are aware of what you are saying. We have had discussions with the fire service and there will be a review of how we do it and what we have done.

**Mrs JAMIESON** - On major initiatives I notice you have a fire station building program. Can you comment on the distribution? This year it is \$640 000. Is that going to a particular station? Likewise, next year it is \$950 000. How are you distributing the money? Are you doing just one station at a time? It is on page 24.2.

**Mr COX** - I have not got the breakdown in front of me, Mrs Jamieson.

**Mr GLEDHILL** - Over the last few years and into the future it is likely that we will be addressing one major station each year and apportioning other money on a needs basis to stations that need addressing. There is a range of stations. If you look at Gravelly Beach, this year there is a considerable extension going on there. It is quite a large structure and a significant building, whereas somewhere like Weldborough has a tin shed stage and you cannot even walk around the truck. It houses the truck but it does not house the people of the brigade, which we know is rightly important. Over the last 20 years or so we have had an ongoing program to upgrade the accommodation of all of our brigades but particularly volunteer brigades. It is continuing, but not continuing at the same pace as it was a few years ago. There is an amount of money apportioned each year to the building program to address some of those outstanding small rural stations and probably in most years it will address one significant station.

**Mrs JAMIESON** - Can you indicate the prioritisation?

**Mr COX** - Yes, I can give them to you. Fire station build program major works for 2008-09 include the St Marys fire and emergency services facility and substantial upgrading of the Gravelly Beach fire station. Additional allocations for 2008-09 include the construction of fire stations at Parattah and Weldborough, and upgrading of Beaconsfield fire station and station amenities at Ellendale, Broadmarsh and Jericho. A number of smaller volunteer brigade building projects are also going to be undertaken.

**Mrs JAMIESON** - So by 2011 we have a million, or is that an aggregate amount of money?

**Mr COX** - That would be aggregate, I suspect.

**Mr DEAN** - This issue was brought up by some of the volunteer fire officers some time ago and I think a lot of this came out of the east coast fires. I might say, Minister, the volunteer brigade is an excellent brigade, with excellent volunteers and people working -

**Mr COX** - You will get no dissent from that remark from anyone at this table.

**Mr DEAN** - I did not think there would be. There was some concern that, where they were called out and needed in wildfire situations, they were away for long periods of time without really getting any remuneration or support for losing time from work and all of those issues. Has that now been rectified? Do we have a position moving forward or not?

**Mr GLEDHILL** - We do, and the position is unchanged. Essentially, volunteers are that; they are volunteers. We support our volunteers as much as we can, making sure that they are well accommodated and well provided for with food and so on when they on campaign, but their time is for them to negotiate with their employer. I have a very strong position on this because it is a very sensitive area; volunteers and money do not mix well. Money can potentially corrupt the volunteer system. We ensure that people are looked after but from time to time we do hear of people who are put under quite extreme hardship because of their volunteering activity. In most cases when we know about them we try to provide a helping hand. It is not encouraged because we know that as soon as we start making payments for firefighting to compensate for lost wages, many of our people would much prefer to be firefighting than going to work. Across the country this is not an inconsistent position. It is not encouraged but in hardship cases there are mechanisms to enable people to be reimbursed for lost wages. We do house them, accommodate



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them. In the case of the east coast fires last year where we brought them in from all over the State they were accommodated in the best accommodation we could find close by, which can be a problem too.

**Mr DEAN** - I refer to when a fire officer in the Ravenswood unit who had a family of three or four children was away from his work for a number of days. His employer was unable to cover the period that he was away. He brought people in and therefore the fire officer lost salary. He mentioned it to me and it was a sad situation.

**Mr GLEDHILL** - It is, but there are reasons that we do appear to be fairly hard on that. As a matter of principle volunteers are told that their first loyalty has to be to their employer. They need to ensure that they have the required permission from their employer before they undertake work for us. That makes it more difficult for us but we recognise that it can be a significant personal impost and we do not want to put people into that position. Unfortunately from time to time people get themselves in that position and we have on rare occasions, given them some assistance.

**Mr COX** - - Generally the employers are very, very supportive of the volunteers and there are always exceptions for whatever reason.

**Mr GLEDHILL** - And there are plenty of our people who are self-employed and they are the people who suffer more than anyone.

**Mr COX** - Exactly.

**Mr DEAN** - Thank you.

**CHAIR** - Last question to Mrs. Jamieson. I am aware there is a general need to move somewhere else.

**Mrs JAMIESON** - I have one very quick one. Do we have an actual number of volunteers, around the State as a figure and the junior fire cadets?

**Mr COX** - We have it Mrs. Jamieson.

**Mrs JAMIESON** - Thank you.

**Mr COX** - Volunteers - in 2007-08 there were 4 872.

**Mr GLEDHILL** - That number fluctuates a little and you will notice if you look at last year's figures, at the same time it was 4 985 so we are down some 140 or so but they fluctuate. I think a little bit like SES, yes, retention and recruitment is a vital issue for us. Generally speaking across the State, our brigades are pretty right for numbers. We are not short of volunteers. We are conscious of the ageing community and what that is going to mean to us. At this stage they are good. There are localised places where, for all sorts of reasons, the numbers will fall and we try to support those places in getting people recruited. It is something we are conscious of but it is not an issue.

**Mr WING** - So the numbers are fairly constant because in another context I have a record of Fire Services in 2001-02 as 4 901.

**Mr COX** - Well there you go, you see. Thank you for backing up Mr. Gledhill's comments.

**Mrs JAMIESON** - Any junior cadets from the program?

**Mr WING** - That is in the volunteer police.

**Mr BROWN** - There are approximately 500 juniors and cadets and I think about 60 of our 230 brigades support junior cadets.

**Mrs JAMIESON** - Good, and there is no figure as to whether these juniors go on to become senior volunteers or firies?

**Mr BROWN** -No.

**Mr GLEDHILL** - We do not have the data. It was something that happened informally, unofficially with the juniors. It is something we have now given formal recognition to. We are now capturing data and I think some of those sorts of questions we will be able to answer in the future but at this stage we do not have the data.

**Mr BROWN** -What we are finding too is that people leave as juniors. They often go to education and other fields and come back later, perhaps as late as 10 years later.

**Mr WING** - That is quite a remarkable number really, isn't? Nearly 5 000 people who are prepared to volunteer their services. That is really great.

**CHAIR** - Minister, all of this table I am sure support and acknowledge the value of the volunteer fire service and what the State Fire Service does for the community of Tasmania. We would like to thank you for being here today and I realise that you have to be somewhere in the north of the State.

**Mr COX** - Very important. They are going to present the Fire Service medals up north.

**CHAIR** - We wish you well and safe travel.

## **DIVISION 10**

(Department of Premier and Cabinet)

### **Output group 7**

#### **Development of local government -**

[4.45 p.m.]

**Mr COX** - We have here the Director of Local Government, Jessie Byrne, and Alastair Scott, and from my office is Jen Butler.

**CHAIR** - Plenty of support behind you, Minister.

**Mr COX** - It is always good to have support behind me unless it is the Speaker.

## UNCORRECTED PROOF ISSUE

**CHAIR** - In this particular output group, Mr Dean, I know you are chafing at the bit to ask the very first bold questions in relation to local government.

**Mr DEAN** - I had some very bold questions because of the Attorney-General's report but, having read the paper today and been involved in discussions most of the day, I think just about all my areas are -

**Mr COX** - We had a fair crack at it yesterday.

**Mr DEAN** - I did. You are right, you did have a fair crack at it yesterday.

**CHAIR** - The answers might change today.

**Mr COX** - I can assure you they have not.

**Mr DEAN** - We know there is concern there currently with the number of local governments. I want to look, first of all, at the project, Stronger Councils, Better Services. What is happening in that area and, looking at local government, is it successful? Stronger councils, better services?

**Mr COX** - I cannot get the crystal ball out because it has not actually started.

**Mr DEAN** - Oh it is only happening, is it?

**Mr COX** - Yes, the allocation is there for it but we have not actually started so this is a brand-new process.

**Mr DEAN** - How will it work, Minister? Can you explain how it is going to work and what you are going to do?

**Mr COX** - Can I get Jess Byrne to run through this?

**Ms BYRNE** - Sure. \$200 000 has been put forward in the budget for the Stronger Councils, Better Services program. It is a project of the Premier's Local Government Council so it will be run jointly by the State Government and by local government.

How we will run it is working together from the local government division with the Local Government Association of Tasmania so that they will be putting proposals to the Premier's Local Council to be considered under the program. The program's major aim is to build stronger councils, as the name suggests, and to do that under four major sub-projects which deal with governance, financial sustainability, service delivery and, as part of that, a review of the Local Government Board to make its activities, we hope, more strategic in serving a very healthy and vibrant local government sector.

Under that there will be projects that will be considered pilot projects that can be rolled out perhaps elsewhere across the State so that good practice in one area can be applied, as appropriate, in other areas. So it might be anything to do with resource sharing to better reporting under national frameworks for asset management, to information and training for councillors and non-elected people within the sector, for example.

## UNCORRECTED PROOF ISSUE

**Mr DEAN** - I just need to go back to the other issue of 18 councils trading in the red, 5 in dire trouble. If we look at the other reports that were done last year and the year before around Australia, and one of those reports that had been done specifically on local government here in this State also did not paint a good picture of local government.

**Mr COX** - It was the Access Economic one that LGAT had done?

**Mr DEAN** - Yes, that is right; the Access Economics report going into the future, Minister. Just what has the State Government immediately got in mind to address some of these issues right now?

**Mr COX** - Let me make it clear; this has only come out in the last few days, as you know.

**Mr DEAN** - Yes.

**Mr COX** - This is brand new. The Access Economics one came out and it was by LGAT. That was not published. That was not a published document. So regarding the information that is now out there, probably today in the media was the first time, I think, that most of these councils would have been aware of the situation, or certainly people in those councils. I have, over the last few weeks, been around I think about 16 of the councils so far. I was not aware of this as I was travelling around them. I was aware in my own mind that things would have to change into the future. I have always held a belief, certainly more so in recent times, that some of the councils would find it more difficult to survive as we move forward. I have not changed from that view. Actually, this report has not changed my view on this at all. The discussion that I have had with those councils were restricted to mayor and general manager; it was not a full council, I need to make that clear. On every one of those occasions each of those mayors and/or general managers made it very clear to me that they also had a similar line of thought to myself and some - I am not prepared to name them - were looking at how they could move forward at this time. That varied from resource sharing, personnel sharing, and to the point of how they could get the best outcome into the future. What that specifically means I am not a hundred per cent sure. I think there is a benefit by being able to go and talk to them. It was interesting; I heard a former minister on radio this morning, Denise Swan, and members here would be well aware that Denise was the very brave minister who took on amalgamation and I suspect it was one of the reasons that she lost her seat.

**Mr FINCH** - Where is she now?

**Mr COX** - Exactly. She made the point this morning on radio - I think I am right from memory - that one of the disappointments for her was that she had not been able to go and speak with councils. She had not been able to go and converse with them and there was not that direct contact with minister and with council. That has encouraged me even more to continue this dialogue with them. So we will keep doing that. It is not my intention to go and get the big stick and tell them this is what they are going to do. We have made it very, very clear as a government that we would not force amalgamation. You would be aware that a couple of years ago there was very close to an amalgamation on the north-west coast between Burnie and Waratah-Wynyard and for whatever reason, that fell over at the last hurdle.

My personal belief is that there are councils that will look at working closer together and, again, I am not sure which of those it will be, but I think that for the future of their own councils

and the people they represent they need to do it. That is probably a very long answer to your question.

**Mr DEAN** - Minister, I just want to expand on that a bit further. If I could draw the analogy with the Education department currently, and I think there is an analogy I can draw there with the schools' difficulty in that area with dropping students et cetera and incentives going to be handed out to have some schools combined, could we be looking at that here with the State Government? It is a critical issue. Local governments are struggling, many of them. The ratepayer, at the end of the day, is the one that is paying for this. They are providing the funding and as far as I can see it, the State Government only has really two options - that is the one of talking to councils and offering them incentives to come together more, because I do not think you will have too many that will do that if that does not occur, and/or the State Government is going to have to have a responsibility to provide greater funding to local government, by a portion of or a part of the GST that comes in, and that is often talked about as you would be aware. There is nothing new about that. I believe that they have really only got those two options at this present time because if we look at local government, the reason the water and sewerage situation came about is the inability of some local governments to fund that infrastructure in their areas. That brought us to the position that we have with water and sewerage.

**Mr COX** - I think you have hit the nail on the head and I think post water and sewerage this is where the bite is going to be with some of these councils. They have gone down the path of water and sewerage collaboratively, and I think nearly every council, I will not say all, has embraced it enthusiastically. It was done with the support and organisation of LGAT - and I thank them for that. I think you are quite right. They have not done it as yet so I cannot pre-empt, but I would think that if a submission is put to government that there are two councils, we would show some enthusiasm toward assisting.

**Mr DEAN** - Will the Government categorically consider assistance to local government or will State government provide a greater amount of funding to local government to help it get through this period?

**Mr COX** - It would be something I would have to take to Cabinet, which you would understand, and I would never pre-empt a cabinet decision. Without going into the finer detail of it, off the top of my head my first preference - and I would need to get some advice on it - is that we would assist two councils merging.

**CHAIR** - Minister, I would like to follow that up a bit further. You talked about visiting 16 councils over the past weeks and yet at the recent LGAT conference there was a majority vote not to support compulsory voting and yet you obviously did not listen to what they were saying when you went out to the community because the Government has come out now with a position of supporting compulsory voting. Can you tell me how you have arrived at that decision when supposedly, from the outside looking in, you have not been listening to the majority of councils?

**Mr COX** - It is a very interesting process. I did the review of the Local Government Act. I think there were four or five specific questions that were put at that time and one of those questions was: do you believe that we should have compulsory voting? At that time I put on the record that I believed we should, but I was not one of the people who was voting so I did not have the option. I was extremely surprised that the decision was made by council at that time not to have compulsory voting. I supported it then and I still support it. Interestingly enough, I believe that the majority of people in this State do support it. The interesting thing is that the three big

## UNCORRECTED PROOF ISSUE

councils supported it. The smaller ones did not - and I am at a loss to understand why because they should not have anything to fear; it should assist them. My personal view always has been, still is, that I like compulsory voting.

**CHAIR** - But if we are talking about listening to what local government is asking for, obviously the smaller councils either have a view about the impost of cost in having compulsory voting or some other mechanism. Will there be assistance in the compulsory voting compliance from the State Government?

**Mr COX** - That is not something that has yet been finalised. If there was financial assistance given - and I am not saying there will be because I am not aware that the Premier has said that; I do not believe he has - then I would not be surprised to see them change their mind. That is my view.

**CHAIR** - So there could well be financial assistance for councils to comply with compulsory voting should it be brought in?

**Mr COX** - I have not discussed that with the Premier. I have not spoken to the Premier on this matter since he made the statement.

**CHAIR** - Given that you are the Minister for Local Government and it is a government position today -

**Mr COX** - It is not a done deal yet. It was a suggestion.

**CHAIR** - It was announced at the LGAT conference.

**Mr COX** - He did not say it was going to happen, he said he would take it to State conference.

**CHAIR** - And so you have had no input?

**Mr WING** - So who is going to decide? The Labor Party conference or the Government? That is not a good method.

**Mr COX** - I think we would be interested to see what other people say.

**Mr WING** - Well, it was not put that way, was it? It is not a good basis for decision making.

**CHAIR** - Why would the Government take a local government decision to a Labor Party conference?

**Mr COX** - I have not discussed it with the Premier so I cannot give you the answer to that.

**Mr WING** - The faceless men and women.

**Mr COX** - They are not faceless, believe me, Mr Wing. That is that other party; we never know who belongs to what in that one.

## UNCORRECTED PROOF ISSUE

**CHAIR** - I would imagine that given that you are the Minister for Local Government, you would have had some discussion with the Premier about his position before it was announced at LGAT.

[5.00 p.m.]

**Mr COX** - I know what his position is, it is the same as mine. The detail has not been worked out.

**CHAIR** - And yet there is no whole-of-government position.

**Mr COX** - There is no detail worked out on this. If there was a council that found difficulty, I would think we would look at how we could best endeavour to make that work. But I am not going to commit him to something that I have not discussed with him.

**CHAIR** - I have been asking members all day to ask questions but this is a statement. I would suggest that any decision on compulsory voting would go to local government and not to the Labor Party conference. That is purely a statement.

**Mr COX** - My statement in response is that this has not gone to Cabinet as yet and Cabinet may have the same view as you.

**Mr WING** - Does it not seem to be inconsistent to say we will not force any council to amalgamate unless they want to, but we are going to force people who do not want to vote to vote in a democracy? There is an inconsistency and a lack of democratic principles in forcing people to vote, surely?

**Mr COX** - I will share a little inconsistency with you, Mr Wing. Regarding some of the mayors and general managers I have spoken to, whilst their councils opposed it, they did not.

**CHAIR** - And yet an understanding that I have is that there was not any debate in some councils. I know that is for another day but if I was the minister for local government I would be concerned about the level of debate around a council table in regard to such a significant issue. Is that something that you will look at, thoroughly examine the level of debate there has been?

**Mr COX** - I will be extremely interested to know where this goes but, as I said, it is not a done deal. It is not finalised. It has not been discussed, it has not been to Cabinet - and this is as a result of a statement that the Premier made. Let us get the details on the table, let us find out what Cabinet thinks and then, if that is the way it is going to go, let us put it together and get all the pieces in the jigsaw.

**CHAIR** - I absolutely agree -

**Mr COX** - So would I do that? Yes.

**CHAIR** - that we need a discussion with local government and not specifically with the Labor Party conference. I have said my piece.

**Mr COX** - The discussion will be with local government, I can assure you.

## UNCORRECTED PROOF ISSUE

**Mr WING** - I just wonder how many government policies are going to be formulated by the Labor Party conference?

**Mr COX** - No, you have got it wrong, Mr Wing. Let me make that very clear: it will purely be a motion or a debate. The decision that is made there, whatever it is, is not something that will necessarily be accepted, as is the case whichever party you may attend, and I am sure you have attended some in the past -

**Mr WING** - Not for about 20-odd years.

**Mr COX** - I did remember that, I was alluding to that, and I would think that you would agree that any decisions that are made at those conference are not necessarily going to become law for this State.

**Mr WING** - Not the ones I went to.

**Mr COX** - And it is the same with the ones I go to.

**Mr FINCH** - Minister, there is an argument going on in Launceston over which level of government is responsible for fixing some of the problems in the Tamar estuary. Some on the Launceston City Council seem to think it is the responsibility of the Federal member for Bass to continually argue for money from Canberra. Others say it is a State government responsibility. As the Minister for Local Government I want to flesh out your view on this situation of silt in the Tamar basin.

**Mr COX** - There is too much of it. That is my opinion.

**Mr FINCH** - Whose responsibility do you think it is?

**Mr COX** - In no way am I going to get involved in a mud-slinging match over who is right and who is wrong. I thought it was a bit of an assassination attempt and I do not intend to be part of it. The matter involves the Department of Primary Industries and Water. You would be aware that the Government has committed \$13 million, along with a commitment of \$13 million from Launceston City. You would be aware that the Government has put money up for that silt program for a study to be done on that. We have committed funds for that. I am not going to go down the path of who is doing the job and who is not. I met with the general manager and the mayor - Mrs Butler was with me at the time - and the Premier met again and my colleague, Michelle O'Byrne, also met with them. Not long after that the Premier met with them and offered money for the study. As far as I am concerned, that is our role at this stage. Let's see what the study brings out and then we will move to the next step. As for who is right, who is supporting what, and who should do it - no, not involved.

**Mr WING** - I would like to ask some questions on that subject. Bearing in mind that 92 per cent of the flood plains outside the Launceston City Council boundary and just about all the silt comes from outside the boundary, Minister, I would like to know if you would agree, as the minister for local government, that the ratepayers of Launceston should not have significant responsibility for funding the removal of the silt from the Tamar? As just about all of the silt comes from areas outside the boundaries, would you agree that it is mainly the State Government's responsibility to fund that rather than the ratepayers of Launceston?



## UNCORRECTED PROOF ISSUE

**Mr COX** - A good try, Mr Wing - a very good try - see, I am in both.

**Mr WING** - You are which?

**Mr COX** - I am in both.

*Laughter.*

**Mr COX** - That is what the study is designed for. This is the request that was made to Government by the Launceston City Council. We are honouring that request, we are being part of that request. The request is for a study to bring in an expert to find out what you are saying. Is it true? Is it not true? I do not know. I know a little about a lot of things but I know very little about where silt comes from and what the cause was. If I listen to every story that I have been told - and I think have about 30 different reasons - it is a bit like road safety, there is an expert around every corner.

I am very comfortable, as I know the general manager of Launceston City Council is, that his request to the mayor was for funding for a study. We have agreed to do that and I think, at this stage, we will wait and see what that study finds.

**Mr WING** - Do you agree that the only way to remove the large build-up of silt in the Tamar now is to physically get it out of the river?

**Mr COX** - Again, I am not an expert. The only dealings I have had with anything like this were with the St Helens barway and I heard so many different theories as to how to do it. I was told that was the only way to do it. When we brought the experts in, they showed us a different way. I am smart enough not to make a commitment.

**Mr WING** - I think there is a consensus on this but we won't pursue it at this stage.

**CHAIR** - We won't today, thank you.

**Mrs JAMIESON** - I was interested in changing the subject to partnerships with the Government. Have any partnerships been dissolved and/or not renewed?

**CHAIR** - Probably there will be fairly soon.

*Laughter.*

**Mr COX** - No, they are clambering, they love it.

**Mrs JAMIESON** - Also, how many partnerships are there in existence?

**Mr COX** - There are 28 partnerships in existence. There is one that has not been signed. There is one that looks like coming up for the third time - that would be down your way. At the present time bilateral partnerships are being implemented with seven Tasmanian councils. Of the remaining 22, 19 are in the process of negotiating their second agreement. One council is considering an historic third agreement and one is yet to agree to development of a second agreement.

## UNCORRECTED PROOF ISSUE

**CHAIR** - Would you like to name that one?

**Ms BYRNE** - No, not at this point but our second agreement is Hobart City Council.

**Mrs JAMIESON** - Further to that, in our notes I see that some of the agreements have been delayed because of the introduction of the water sewerage installation. Is that hindering any of the others?

**Mr COX** - I am not aware of that. Alastair Scott has some knowledge of this.

**Ms BYRNE** - I can speak to that. It was a general view, over the last year, that a lot of the delay was to do with negotiations over water and sewerage which were of most concern to local government. On that basis, having come to an agreement, albeit with a difficult implementation period, we expect that there will be a greater number signed this year. We are predicting six or seven in this coming year will be signed as opposed to just one this financial year.

**Mrs JAMIESON** - Are you expecting any complications with the regional water agreement that they have on the north-west coast, for example?

**Ms BYRNE** - None that I expect at this point and none that have been highlighted to us.

**CHAIR** - In the partnership agreements and the ones that have been revisited, have there been significant changes in those partnership agreements? Given that there is no way that everyone's expectations could be met, have there been significant changes in the number of partnership agreements and what is in the agreements, Minister?

**Mr COX** - I think it has changed. I made this point yesterday, I think initially when we went into the partnership programs there was a great deal of enthusiasm from councils and I will read one in a minute. Again, my personal belief is that perhaps some councils asked for too much and we agreed to that, there was fault on both sides. A lot of the things did not get implemented or took longer than was anticipated. I think now there is a more realistic approach from councils and Government, so I put us both in the same tin on this. Now the achievements are realistic and there is a belief that we will actually get outcomes. That is borne out by the fact that we still have these partnerships ongoing.

**CHAIR** - I want to move on to the transitional funding for the water and sewerage reform. There was always an expectation, Minister, that the \$5 million would be shared, \$1 million for each region, and the remaining \$2 million shared equally amongst the remaining councils. Can you tell me where the negotiations are in regard to each region and the LGAT peak body with this transitional funding?

**Mr COX** - I cannot because I have not done the negotiations. The negotiations are being done by Minister Llewellyn and the Treasurer.

**CHAIR** - So you have had no input through LGAT in any of this process?

**Mr COX** - No. LGAT did the involvement with them so it was not a local government issue.

**Mr DEAN** - Minister, would you support constitutional recognition for local government?

## UNCORRECTED PROOF ISSUE

**Mr COX** - Why would you ask me that, Mr Dean?

**Mr DEAN** - Because I know very well that ALGA - the Australian Local Government Association - are pushing very strongly for constitutional recognition -

**Mr COX** - Have been for a long time.

**Mr DEAN** - believing that if we get constitutional recognition local government will be much better off. That is the reasons for it.

**Mr COX** - I would not dare commit at this stage but I think it is ALP policy to support it.

**Mr DEAN** - As I understand it, the Federal Government are giving some support to it.

**Mr COX** - I am of the same view.

**Mr DEAN** - Okay, I just needed to know that.

**Mr COX** - I was waiting for the hook in it, I wondered where you were going.

**Mr DEAN** - I had no intention of going any further. There is nothing hidden in that at all, I was just feeling out your position on it.

**Mr COX** - You get cautious after a while, Mr Dean, but not with you.

**Mr DEAN** - You know I would not do that.

I do not want to be unfair to you on this or have you commit to something that you cannot commit to, but you would be aware that I have moved a motion in relation to local government with a number of points that I would like to have a look at. I do not know whether you have seen that motion, Minister. Points of reference are fairly clear. I ask if you would give any indication as to whether or not you would likely, in view of the current position, to give some support to moving forward an inquiry to determine where local government should be going into the future and in particular looking at point 3, the capacity of local government to achieve ongoing financial sustainability having regard to revenue raising capacity.

**Mr COX** - I will give you an honest answer. I have an obligation to take this back to my party. I will do that and I certainly have a view on this. I am not saying I am totally opposed to any of it but I need to take it back. That is an agreement and that is how we work. I am very happy to take your motion.

**Mr DEAN** - Thank you very much.

**Mr COX** - I will do that.

**CHAIR** - You might have just shut the member for Windermere down with that answer, Minister.

**Mr COX** - No, I did not. I just told him I would take it and I will. Well, I agreed to Mr Wing's motion earlier today so, you know, you might have got me on a charitable day.

[5.15 p.m.]

**CHAIR** - I have still got a couple left to go so hopefully I can get a win as well.

**Mr COX** - Gee, I was only going to hand out two today, too.

**Mrs JAMIESON** - This is completely different. Minister, with regard to the plethora of local government rules and regulations as far as building goes and the fact that we have a crisis - what are you shaking your heading for - I have not got there -

**Mr COX** - Keep going.

**CHAIR** - Finish your question, Mrs Jamieson.

**Mrs JAMIESON** - and with regard to the crisis also that we have with affordable housing and the fact that we have \$60 million sitting there and we cannot get on to spending the \$60 million because we have got all the rules and regulations to contend with. Is there any way at all that we can fast-track or have some other way of overcoming the problem that we have with bureaucracy and planning and getting these buildings up?

**Mr COX** - It is not ours, but if you want to mention something about -

**Mrs JAMIESON** - It's local government.

**Mr COX** - No it is not.

**Mrs JAMIESON** - No, I know, but the rules and regulations.

**Mr COX** - Unless it is planning, it is not ours.

**Mrs JAMIESON** - Well it is planning.

**Mr COX** - Do you want to comment?

**Ms BYRNE** - I could make one comment. Planning is not the minister's, however the Premier's Local Government Council has agreed to work with the State Government and the local government together on housing affordability issues, recognising that the best way to advance the numbers of affordable housing units across the State is to work together. Some of that discussion will likely be on the issue of regulation and development applications and those things but of course that discussion is still to be had and the decision was only made in April to work together on housing affordability.

I also understand that part of the work that will be done is to see how State governments can assist or work with local governments who have applications under the Commonwealth Government's housing affordability fund, which you'll know was announced earlier this year, to see if Tasmania could access a fair amount of that money that is coming through from the Commonwealth. So there is that cooperation.

**Mr FINCH** - As Minister for Local Government, have you had any direct input into the writing and rewriting of the State policy on the protection of agricultural land?

**Mr COX** - No.

**Mr FINCH** - So you do not have an involvement there even though there is a strong local government concern and involvement in this?

**Mr COX** - No.

**Mr FINCH** - So you have not been part of any of the input into that at all.

**Mr COX** - No.

**CHAIR** - Minister, I would like to ask about the Local Government Board, to have some understanding of its current membership and how many reviews were undertaken in the last year.

**Mr COX** - The Local Government Board comprises five members. Current board members, you want?

**CHAIR** - Yes, thank you.

**Mr COX** - Mr John Gibson is chair - all very familiar names, these. Ms Mary Binks, Mr Brian Inches and Mr Graeme Yeoland, who is the substitute member who replaced Helen Cooper following her death. Alastair Scott is the Director of Local Government and there is a panel of substitute members also maintained.

**CHAIR** - Can you tell me if you have an understanding if all those board members reside in the State of Tasmania?

**Mr COX** - At a glance, they do, unless someone has moved. Alastair?

**Mr SCOTT** - My understanding is that they all live within Tasmania.

**Mr COX** - I am familiar with all those names.

**Mr SCOTT** - I cannot think of any who would not, no.

**Mr COX** - No, I know, and just let me go back a little. John is the chairperson, Mary Binks is Local Government of Tasmania's nominee, Brian Inches is the nominee of the Local Government Managers Australia with the Tasmania Branch, and Graeme Yeoland - well, Graeme has been around forever, hasn't he?

**Mr WING** - Is he still on the staff of the local government office?

**Mr COX** - No, and he has not been for quite a while - probably three or four years.

**Mr WING** - So he has retired.

**Mr COX** - I think this keeps him out of trouble, Mr Wing.

**Mrs JAMIESON** - How often do they meet, Minister?

**Mr COX** - Can I just finish that and then if you have any additional questions for Alastair.

You asked, have they completed?

**CHAIR** - How many reviews?

**Mr COX** - Original targets - they have finalised two reviews for 2007-08. The original target was four. It has finalised two council reviews in 2007-08. They completed the board's first cycle of general reviews of all 29 councils in September 2007, also commencing reviews of five local government-related authorities during the year. They have probably been pretty busy actually.

**CHAIR** - Can you tell me what the time frame was for completing the whole cycle of reviews for the 29 councils?

**Mr COX** - Can I refer that to Alistair because he is on there. So if anyone knows, he does.

**Mr SCOTT** - The cycle started I think from memory in about 2000. Under the act the board is required to review councils at least every eight years. I have not got the exact date but it started around 2000 and completed that, as the minister said, in September last year. The board has now moved on to reviews of five authorities and those reviews are just being completed.

**CHAIR** - Minister, out of that review process, are there any common elements that the board has highlighted to you as a minister that need addressing either through legislation or through a change of policy that you have any understanding of?

**Mr SCOTT** - Some of the thematic issues that come through are council governance, how the councils operate themselves; financial and asset management has been an ongoing area where the board has made recommendations and my perspective would be that the board has contributed to a gradual improvement in performance in those areas. I guess the other areas the board has looked at are regular basis community consultation and how the councils report back to their communities. But they would be the main areas. We do have a register of all the recommendations and in this annual report the board highlights areas that it has made recommendations on each year.

**CHAIR** - Minister, can I just finish this line? Have you, as local government minister, acted on any of those recommendations that have come from the board, seeing that we have completed a whole cycle of reviews for the whole, since 2000?

**Mr COX** - Since I have been back in this role I do not think I have had any. No, I have had no requests.

**CHAIR** - There have been no requests for recommendations?

**Mr COX** - Keeping in mind I have only been back in this role for six months and in that six months I have had no requests.

**CHAIR** - Are you aware that there have been any recommendations that would require action?

## UNCORRECTED PROOF ISSUE

**Mr COX** - No, other than the comments that Alistair has made, no.

**Mr DEAN** - Mine is in relation to legislation, quite obviously, and there has been a call by I do not know how many local governments, in relation to requirement for them to convene public meetings under certain circumstances. So, Minister, I do not know what your position is on that but currently you can get signatories outside a council area which enforces a local government to carry out a public meeting. It is a huge concern, a huge issue and commits councils financially for moneys that are not budgeted for. Do you have a position on this?

**Mr COX** - I do not disagree with you at all. I think it is a massive impost on some of the smaller councils. The Local Government division commenced a limited review of the Local Government Act and we have asked for local government to make submissions for that. One of the things that I am expecting them to make a submission on will be that matter.

**Mr DEAN** - Fine. So it may well be supported? Once again I do not commit you but you are looking at it? At this stage you are aware of it, you are looking at it, you are considering it obviously?

**Mr COX** - The decision basically will be made by what they do and where they go and what they want. As I said, I was surprised last time at some of the things. But no, there is an opportunity for that. I am just trying to find the time frame for it. It has started anyway.

**Mr DEAN** - Fine, thank you.

**CHAIR** - Mr. Dean, that is it?

**Mr DEAN** - Other than the obvious question that will follow on - when is all this likely to happen again and I guess it will be a drawn-out process, which it should be but I wish you to get it right?

**Mr COX** - I can give you an answer to that. The review has actually started and it will be finalised this year.

**Mr DEAN** - Excellent.

**Mr COX** - No good dragging something like this out.

**CHAIR** - Minister, I wanted to draw your attention to the Auditor-General's report of June 2008 No. 1, where there was a recommendation relating to section 90 of the act in reference to setting the general rate. I would like to have an understanding of whether you have had any discussions with LGAT or any specific councils about amending the current legislation to provide for councils to change their practices and comply with legislation.

**Mr COX** - As far as I know there have been no requests to do that. There is a legal framework that has been put in place by government. For councils that have varied the ways they deal with their rates, the only obligation on them is to seek legal advice. I understand that those that have done it are within the law.

## UNCORRECTED PROOF ISSUE

**CHAIR** - Minister, would it not be appropriate for you to have some discussions with LGAT? If there was a legislative change then they would not need to seek legal advice; they would already be acting within the law. Would you see that as a role for you as minister?

**Mr COX** - No, I do not, because they do not all want to do it.

**CHAIR** - I am not saying that everyone has to do it but if there was a legislative change then they would be complying without having to seek legal advice.

**Mr COX** - Chair, I do not want to be argumentative but why would I do that when the rules are very clear: if they wish to then that is the obligation and they are abiding by it. The rest of them have the opportunity to do so if they wish. I cannot see a benefit in it.

**CHAIR** - A proactive minister.

**Mr COX** - They are the master of their own destiny. We give them a legal framework and they are abiding by the rules, so I am reluctant to change the rules.

**CHAIR** - It is a question from someone who has a keen interest in local government.

**Mr COX** - I know, and a very good one.

**CHAIR** - The State Fire Service was talking about the issue with their debt and the fact that they can only get paid four times a year from local government, which affects their cash flow. Will you, as minister, look to have a discussion with Treasury on being able to streamline that process?

**Mr COX** - We have already done it. You missed my comment, Chair, that the review is already in place. There will be a review of the fire service.

**CHAIR** - But that was a discussion directed at Treasury.

**Mr COX** - Treasury are implementing the review, and I am aware of it.

**CHAIR** - I am looking at your input into that.

**Mr COX** - I had input into the whole process and I will have input into that.

**CHAIR** - Thank you. I am sure the State Fire Commission will be interested to hear that the Minister for Local Government supports their request.

**Mr COX** - I am also their minister.

**CHAIR** - Minister, on behalf of the committee and its members and our support team, I would like to thank you sincerely for your time today. I know it is an onerous job to bring all this information together but you can rest assured that it is certainly most appreciated by the members of this committee and other members of our House who look at this information at a later time and look for us to give them feedback on what has taken place. We appreciate it and thank you for your time and effort and look forward, Minister, to seeing you at the table next year.



## UNCORRECTED PROOF ISSUE

**Mr COX** - Can I congratulate you on a very good job in chairing the committee. It was a comment that was made by everyone who has been at the table today, so thank you and thank you to the members of your committee. As much as we love coming to these, it is always much more of a pleasure to come to the one in the Legislative Council. You are very organised and always very friendly and you have a better class of biscuit, so I thank you.

**The committee adjourned at 5.29 p.m.**