

GENERAL PURPOSE STANDING COMMITTEE NO. 4

Friday 22 August 2014

Examination of proposed expenditure for the portfolio area

FAIR TRADING

CORRECTED

The Committee met at 9.00 a.m.

MEMBERS

The Hon. S. Mitchell (Chair)

The Hon. A. R. Fazio
Dr J. Kaye
The Hon. T. J. Khan

The Hon. C. J. S. Lynn
The Hon. L. J. Voltz

PRESENT

The Hon. Matthew Mason-Cox, *Minister for Fair Trading*

CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS

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

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

CHAIR: Welcome to the public hearing for the inquiry into the budget estimates 2014-15. Before I commence I acknowledge the Gadigal people who are the traditional custodians of this land. I also pay respect to elders past and present of the Eora nation and extend that respect to other Aboriginals present.

We are conducting this hearing in the Government party room because the Jubilee Room is not available due to building works. On behalf of the Committee I thank the Government for making this room available for today's hearing. I welcome Minister Mason-Cox and his accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolio of Fair Trading. In accordance with the broadcasting guidelines, while members of the media may film or record Committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I also remind media representatives that you must take responsibility for what you publish about the Committee's proceedings.

It is important to remember that parliamentary privilege does not apply to what witnesses may say outside their evidence at the hearing. So I urge witnesses to be careful about any comments you may make to the media or to others after you complete your evidence as such comments would not be protected by parliamentary privilege if another person decided to take an action for defamation. The guidelines for the broadcast of proceedings are available from the secretariat.

There may be some questions that a witness could only answer if they had more time or with certain documents to hand. In these circumstances witnesses are advised that they can take a question on notice and provide an answer within 21 days. Any messages from advisers or members' staff who are seated in the public gallery should be delivered through the chamber and support staff or the Committee clerks. Minister, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers seated at the table behind you. Transcripts of this hearing will be available on the web from tomorrow morning. Finally, I ask everybody to turn off their mobile phones for the duration of the hearing.

All witnesses from departments, statutory bodies or corporations will be sworn prior to giving evidence. Minister, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament.

RODNEY STOWE, Commissioner, NSW Fair Trading, sworn and examined:

CHAIR: I now declare the proposed expenditure for the portfolio of Fair Trading open for examination. For your information, Minister, there will be no Government questions and therefore the questioning of the portfolio will run from 9.00 a.m. until 10.00 a.m., with half an hour of time allocated to each of the Opposition and the crossbench. As there is no provision for a Minister to make an opening statement before the Committee commences questions, we will begin with questions from the Opposition.

The Hon. AMANDA FAZIO: I want to raise a very important issue on behalf of all consumers in New South Wales. It has been widely reported that Fair Trading Commissioner Rod Stowe was vacant from his position between 4 and 10 July 2014. What events transpired which led to Commissioner Stowe being vacant from his office during this period?

The Hon. MATTHEW MASON-COX: I would like to go through in some detail the circumstances surrounding the issue of USBs and, indeed, the dangers inherent in USBs that the commissioner, Fair Trading and I have been dealing with over the past few weeks.

The Hon. AMANDA FAZIO: Point of order: I have separate questions that I will direct to you on that issue. The question I put to you now relates to the absence of Commissioner Stowe from his position between 4 and 10 July.

The Hon. TREVOR KHAN: To the point of order: The Minister had only begun to answer the question. Clearly, he is obliged to be generally relevant but at this stage I suggest that it is not possible to come to a conclusion that he is not being generally relevant and he should be entitled to answer the question within the normal bounds as he sees fit.

The Hon. LYNDIA VOLTZ: To the point of order: The Minister clearly said that he was going to the issue of USBs. He must be relevant to the question that was asked. He was asked about Mr Stowe. I ask that you direct the Minister to the relevant question.

The Hon. TREVOR KHAN: Further to the point of order—

The Hon. LYNDIA VOLTZ: As usual, the Hon. Trevor Khan is wasting time.

The Hon. TREVOR KHAN: One would have to be living under a rock not to recognise that there are clear links between the issue of USBs and the matter that is being asked. The Minister should be entitled to answer the question.

The Hon. LYNDIA VOLTZ: The Hon. Trevor Khan is not making a point of order and he should be brought back to order.

CHAIR: Order! I uphold the point of order that the Minister should be generally relevant to the question. However, he can answer the question how he wishes.

The Hon. MATTHEW MASON-COX: As members would be aware, on or about Thursday 23 April 2014 Ms Sheryl Aldeguer tragically lost her life from electric shock at her home in north Gosford. At the time of the incident Ms Aldeguer was using a number of electronic devices. She was charging her smartphone through a USB-style battery charger connected to a power supply.

The Hon. AMANDA FAZIO: Point of order: I did not refer to the tragic death of Ms Aldeguer or USB chargers in my question. My question is solely about the absence of Mr Stowe from his position between 4 and 10 July, and that is the only issue I am questioning the Minister about at this time.

CHAIR: Order! I uphold the point of order. The Minister needs to be generally relevant to the question asked by the member.

The Hon. MATTHEW MASON-COX: To the point of order—

The Hon. LYNDIA VOLTZ: You cannot dispute the Chair's ruling.

The Hon. MATTHEW MASON-COX: Commissioner Stowe was on leave for three days: the Monday, Tuesday and Wednesday of the week to which the Hon. Amanda Fazio referred.

The Hon. AMANDA FAZIO: Commissioner Stowe, why did you clear out your office on Saturday 5 July 2014 if you were only on leave for three days?

Mr STOWE: The tidiness of my office is not particularly relevant to consumer protection in New South Wales.

The Hon. AMANDA FAZIO: It has been widely reported that you cleared out your office on Saturday 5 July 2014, and that that was because the Minister had dismissed you as commissioner. I am seeking information as to why you cleared out your office on Saturday 5 July.

Mr STOWE: I think the Minister indicated that I proceeded on leave from the evening of 4 July, and it is not unusual for me to clean the office and leave.

The Hon. AMANDA FAZIO: Minister, what is your understanding of why Commissioner Stowe cleared out his office on Saturday 5 July if he was merely on leave? Would that not suggest to you that he believed he would not be returning to his position as commissioner?

The Hon. MATTHEW MASON-COX: The reality is that matters relating to the commissioner's employment are not matters for the Minister. The commissioner has my full confidence and is here with me today. I am pleased to have him here with me. At the forefront of our minds is what we can do to ensure that consumer protection in New South Wales is paramount and protected at all times by the activities of NSW Fair Trading.

The Hon. AMANDA FAZIO: In question time in the Legislative Council on 12 August you revealed that Fair Trading became aware that a USB charger might have been involved as the cause of Ms Sheryl Aldeguer's death on Thursday 19 June and your office was subsequently informed on Thursday 26 June. How frustrated or annoyed were you that Fair Trading took nine days to inform your office? Why did Fair Trading not inform your office immediately?

The Hon. MATTHEW MASON-COX: This is a serious issue. A range of events led up to my office being informed. Of course, I was disappointed that my office was not informed instantaneously when somebody's life had tragically been lost in relation to a product that was tested under the Electrical Safety Act—an Act for which I have responsibility as Minister. In that regard it is worth understanding the context in which this arose. People would be aware from the media reports on the incident that Ms Aldeguer was using a number of electronic devices and it was not clear at the time exactly what happened and, indeed, what device may have been responsible. The USB charger cord appeared to have been wrapped around her right index finger, and it is believed there was a short circuit between the 240 volt AC input side and the 5 volt DC output side of the USB charger.

As I said, under the requirements of the Electricity Consumer Safety Act 2004, Ausgrid was required to report the death to NSW Fair Trading. This occurred on Tuesday 13 May 2014, which I mentioned in my response to the House. Given NSW Fair Trading's background and experiences in examining electrical products, on Monday 26 May 2014 NSW Fair Trading offered its assistance to New South Wales police who were conducting an investigation into Ms Aldeguer's death. I can report that Fair Trading visited Gosford police station on Tuesday 3 June 2014 to assist New South Wales police with their investigation. The Dell laptop was examined at this time. This item was initially thought to be the cause of the electrical fault leading to Ms Aldeguer's death. NSW Fair Trading subsequently commenced preparation of a brief to inform me of the incident on the basis that the cause of the incident was not determined at that time.

Dr JOHN KAYE: When did they do that?

The Hon. MATTHEW MASON-COX: That was shortly thereafter. On Tuesday 17 June the NSW Police Force advised NSW Fair Trading via email that the USB charger may have been involved in the incident. This advice was provided by email. The officer to whom it was sent was absent that day. The email was first read when the officer returned to work on Thursday 19 June 2014. Having read the email on Thursday 19 June

NSW Fair Trading contacted NSW Police and were told that a friend of the deceased thought the USB charger may have been bought from a store in Campsie.

On Friday 20 June NSW Fair Trading visited the Campsie store and under its compliance powers seized the non-compliant products. As the shop owner did not speak English the officer liaised with the property manager. Later the same day, Friday 20 June, my office received a briefing regarding the April incident and Ms Aldegu's death but not of the cause—let me emphasise: but not of the cause. The briefing did not identify the involvement of the USB charger as this was not known when the briefing was prepared. On Monday 23 June 2014 Fair Trading interviewed the shop owner, with the assistance of an interpreter.

On Tuesday 24 June 2014 a brief was commenced by the Home Building Service Division of Fair Trading recommending a product safety warning announcement regarding USB-style charger products. On Thursday 26 June the commissioner received a briefing linking Ms Aldegu's death to a faulty USB. The brief recommended a warning be issued to protect other consumers. On the evening of Thursday 26 June my office was informed of the proposed product safety warning to be issued in relation to USB-style chargers generally. Subsequently that evening Fair Trading issued a statewide product safety warning to the public in relation to USB-style chargers urging the public to only purchase and use approved and compliant electrical products.

The Hon. AMANDA FAZIO: How frustrated or annoyed were you that Commissioner Stowe released the first public warning regarding these potentially faulty USB chargers instead of your office?

The Hon. MATTHEW MASON-COX: These things are done either by the commissioner or by my office—that is the normal standard operating procedure.

The Hon. AMANDA FAZIO: Did the delay in informing your office about the issue of USB chargers cause you to lose confidence in Commissioner Stowe?

The Hon. MATTHEW MASON-COX: I was concerned about the delay. Naturally this was a very serious matter and, tragically, Ms Aldegu lost her life. Clearly I wanted to know the issue, the concerns and the circumstances as soon as possible.

The Hon. AMANDA FAZIO: Since you became Minister have you or any other individual—either employee of the department or the Minister's office—ever approached the Minister for Financial Services or his staff to discuss Commissioner Stowe or the removal of Mr Stowe from his position as commissioner?

The Hon. MATTHEW MASON-COX: Matters in relation to the employment of the commissioner are not a matter for me. Indeed, I do not think it is appropriate, particularly with the Commissioner here by my side and with my full confidence, detailing any conversations that are confidential and a matter of trust—just like conversations I have with the Minister or with the Premier. I simply believe that it is inappropriate to discuss those issues.

The Hon. AMANDA FAZIO: I believe it is an appropriate question to ask. Are you in a position to advise me whether you, since you became Minister, or any other individual has approached the Minister for Financial Services or his staff to discuss Commissioner Stowe?

The Hon. TREVOR KHAN: Point of order: The Minister has been asked that question and has answered it. He is entitled to answer as he sees fit.

CHAIR: Order! I uphold the point of order. The Minister has already answered that question.

The Hon. AMANDA FAZIO: What reviews into the operation of the commissioner or his office have been undertaken in the past year by you or any individual, either employee of the department or the Minister's office?

The Hon. MATTHEW MASON-COX: I can respond in relation to my time as Minister, which is just over the past three months. In that regard, an internal review has been commissioned in relation to consumer protections, consumer warnings, and that review is being undertaken as we speak.

The Hon. AMANDA FAZIO: Who was directed to undertake that review?

The Hon. MATTHEW MASON-COX: It is an internal review through our internal Audit Office in the department, which is standard operating procedure. It is part of the continuous improvement culture of the department and, of course, when incidents occur we always look at our procedures and our systems in order to assess whether we can do things better and how we might go about doing things better. I am certainly of a view that that culture is to be applauded and continues in Fair Trading.

The Hon. AMANDA FAZIO: Who drafted the terms of reference for the review? Will you provide the Committee with a copy of them?

The Hon. MATTHEW MASON-COX: As I said, it is an internal review. It is done in relation to the systems and procedures of Fair Trading in this important area of consumer protection.

The Hon. AMANDA FAZIO: I understand that, but if you have a review you must have a document that you are reviewing performance and services against.

The Hon. MATTHEW MASON-COX: The Commissioner might mention some details in that regard.

Mr STOWE: The terms of reference have been determined within the department for the review. I am more than happy to supply them to the Committee.

The Hon. AMANDA FAZIO: You said the review is being undertaken at the moment. Will the Minister commit to making the results of that review public?

The Hon. MATTHEW MASON-COX: It is an internal review. We will have a look at that. I am really not involved in the review itself. As I said, it is a continuous improvement process the department embarks upon on a regular basis. Let me take that on notice and I will come back to you.

The Hon. AMANDA FAZIO: I want to confirm that, since you have been Minister, only one review has been undertaken?

The Hon. MATTHEW MASON-COX: To the best of my knowledge, yes, unless the department has initiated something without speaking to me about it. But I do not believe that would be the case.

The Hon. AMANDA FAZIO: Has anybody within the department ever approached or communicated to you the need to replace Mr Stowe as commissioner?

The Hon. MATTHEW MASON-COX: As I said before, that is a very inappropriate question and I simply will not dignify it with any response.

The Hon. AMANDA FAZIO: Minister, what has changed in the way that Mr Stowe has been operating as commissioner since his return to the position on 10 July 2014?

The Hon. MATTHEW MASON-COX: Mr Stowe has my complete confidence as Commissioner for Fair Trading.

The Hon. TREVOR KHAN: He never left the position, as best I know.

The Hon. AMANDA FAZIO: It is not your time to take questions. You are not the Minister so do not give us your inane comments.

The Hon. TREVOR KHAN: I probably never will be. In fact, I think I can certainly say that.

Dr JOHN KAYE: The Minister is presumably capable of answering his own questions.

The Hon. MATTHEW MASON-COX: I think you would be an excellent Minister.

The Hon. AMANDA FAZIO: Minister, at any time were you warned against speaking out about the events that led to Commissioner Stowe taking three days leave?

The Hon. MATTHEW MASON-COX: As I said, the Commissioner has my complete confidence and he is doing an excellent job in relation to protecting consumers in New South Wales.

The Hon. AMANDA FAZIO: Were you in contact with Commissioner Stowe during his three days leave?

The Hon. MATTHEW MASON-COX: As I said, the Commissioner has my full confidence, and he sits next to me today.

The Hon. AMANDA FAZIO: That is not the question. During the three days leave that Commissioner Stowe took between 5 and 10 July, which included a weekend, were you in contact with the Commissioner?

The Hon. MATTHEW MASON-COX: Yes.

The Hon. AMANDA FAZIO: How many times and on which dates?

The Hon. MATTHEW MASON-COX: I do not divulge my discussions with the Commissioner nor the times, the dates or what we discussed. As I said before, those are matters of confidence between the Commissioner and me. I think that line of questioning is entirely inappropriate.

The Hon. AMANDA FAZIO: You may think that these matters are confidential but, given the level of public concern about the events around 5 July and the ongoing concerns of people about that matter, can you please tell the Committee how many times you were in contact with Commissioner Stowe and on which dates?

The Hon. MATTHEW MASON-COX: As I said, the Commissioner has my full confidence and I will not divulge conversations between me and the Commissioner—as I would not divulge conversations between me and the Premier or any other Cabinet Minister. They are matters of confidence and I simply will not divulge them. It would be totally inappropriate. It is a matter of convention as well.

The Hon. AMANDA FAZIO: Do not talk to me about convention.

The Hon. MATTHEW MASON-COX: Well, it is; it is a matter of convention otherwise how does government work, for heaven's sake?

The Hon. AMANDA FAZIO: Obviously you do not know.

The Hon. MATTHEW MASON-COX: The reality is you need to have a moment to think about your line of questions.

The Hon. AMANDA FAZIO: Minister, I do not want to be lectured by you. I have better things to do with my time. I have questions to ask you. Why is your Assistant Commissioner, Robert Vella, not here today?

The Hon. MATTHEW MASON-COX: Assistant Commissioner Robert Vella is on secondment to the Department of Resources and Energy.

The Hon. TREVOR KHAN: I thought he was going to say he was on leave.

CHAIR: Order!

The Hon. MATTHEW MASON-COX: Department of Trade and Investment, sorry.

The Hon. AMANDA FAZIO: Trade and Investment or Energy?

The Hon. MATTHEW MASON-COX: Department of Trade and Investment.

The Hon. AMANDA FAZIO: And who requested his secondment?

The Hon. MATTHEW MASON-COX: The Department of Trade and Investment.

The Hon. AMANDA FAZIO: Would you be able to provide the Committee with copies of the paperwork relating to the secondment?

Mr STOWE: Yes, I would be happy to do that.

The Hon. AMANDA FAZIO: Thank you, Commissioner. Did Fair Trading receive any complaints about unsafe or non-compliant USB chargers prior to the death of Sheryl Aldeguer?

Mr STOWE: It is not unusual for Fair Trading to detect unapproved electrical items. There are 56 declared articles that must be approved before they can be supplied in the New South Wales markets so from time to time we have detected unapproved USB-type chargers as well as other types of electrical devices so it is not uncommon for us to detect those sorts of things. Those general marketplace investigations take place.

The Hon. AMANDA FAZIO: Had this been a particular problem in the lead-up to the sale of the charger that unfortunately was involved in the death of Ms Aldeguer?

Mr STOWE: There have never been reported any fatalities in respect of this type of device in New South Wales. NSW Fair Trading receives, as a matter of course, reports of every electrocution that happens in New South Wales and to my knowledge we have never had a similar event in this State.

The Hon. AMANDA FAZIO: There had been reports though that these sorts of chargers had caught fire or overheated. How many complaints had Fair Trading received about that sort of incident prior to the unfortunate death?

Mr STOWE: To my knowledge none.

The Hon. AMANDA FAZIO: I will now move on to Service NSW. Minister, according to the 2011-12 Fair Trading annual report there were 203,630 Fair Trading related counter inquiries. This figure plummeted by 43 per cent in 2012-13. This is a clear indication that the introduction of Service NSW has led to a reduction in front-line services. Why is this the case?

The Hon. MATTHEW MASON-COX: The simple reality is that Service NSW is doing that work on behalf of Fair Trading so those numbers then go into the statistics that they would collect in relation to front-of-house or counter inquiries.

The Hon. AMANDA FAZIO: And do you think it is appropriate that they do not keep records of what sorts of inquiries they are receiving?

The Hon. MATTHEW MASON-COX: I imagine they do keep records.

The Hon. AMANDA FAZIO: Then why can you not factor them into your consumer inquiries?

The Hon. MATTHEW MASON-COX: You would have to ask them what records they keep but we keep extensive records of counter inquiries, indeed all contacts by consumers or the public to Fair Trading, as you would expect, and they are a very productive source of information for the agency. Indeed, they inform our compliance and enforcement in a whole range of areas. As to Service NSW, we obviously support the implementation of Service NSW, which is a key reform of the New South Wales Government. Following the commencement of Service NSW from 1 July 2013, Fair Trading centres have ceased providing counter services as Service NSW is progressively rolled out across New South Wales.

NSW Fair Trading currently offers counter services at eight locations—Albury, Armidale, Bathurst, Broken Hill, Coffs Harbour, Goulburn, Grafton and Hurstville. NSW Fair Trading will continue to provide information services, enhanced complaints handling services, community education and compliance programs. These services are currently undertaken at 12 locations—Dubbo, Gosford, Lismore, Newcastle, Orange, Parramatta, Port Macquarie, Tamworth, Tweed Heads, the mighty city of Queanbeyan, Wagga Wagga and Wollongong. In regional locations NSW Fair Trading will maintain a presence in all current locations, even where a Service NSW centre is open.

In the Sydney metropolitan area the resources of each closed centre have progressively transferred to a NSW Fair Trading office at Parramatta, which will save taxpayers in the order of \$610,000 in lease costs

per annum. You would know that in the next tranche of Service NSW offices being rolled out, a number of the Fair Trading offices will close and indeed the expectation is that all of those offices will close for counter services and they will then be conducted through Service NSW, which is the Government's agenda and objective in that regard.

The Hon. TREVOR KHAN: Brilliant idea.

The Hon. AMANDA FAZIO: Minister, will you take on notice to provide to us the number of consumer inquiries each Service NSW centre is receiving over the counter?

The Hon. MATTHEW MASON-COX: I am sure that information would be available from Service NSW. We will ask for that information and get it to you.

The Hon. AMANDA FAZIO: How many Fair Trading counter-related inquiries were made by consumers in 2013-14?

The Hon. MATTHEW MASON-COX: In 2013-14 it was 22,014.

The Hon. AMANDA FAZIO: That is a significant reduction from the 2011-2012 year.

The Hon. TREVOR KHAN: Point of order: Is this a question?

The Hon. AMANDA FAZIO: It is none of your business. It is a question to the Minister.

CHAIR: Order! The member is asking a question.

The Hon. MATTHEW MASON-COX: You are absolutely right. It is a significant reduction and it is explained by the fact that Service NSW is doing that work on our behalf.

The Hon. AMANDA FAZIO: Can you provide statistics on the average time a consumer has to wait to resolve a Fair Trading related counter inquiry at a Service NSW centre?

The Hon. MATTHEW MASON-COX: At a Service NSW centre? I think you would need to direct that to the Minister for Finance and Services or the Premier who have responsibility for that provision of service.

The Hon. LYNDIA VOLTZ: Can you take on notice and give us a breakdown of where those 22,014 inquiries were received?

The Hon. MATTHEW MASON-COX: Yes, we can do that.

The Hon. AMANDA FAZIO: Minister, Fair Trading related counter inquiries surely are a matter for the Fair Trading portfolio so why are you not able to provide us with the average time it takes for a consumer in New South Wales, for which you are responsible, to get a Fair Trading counter inquiry at a Service NSW centre resolved?

The Hon. MATTHEW MASON-COX: As I said, that information is warehoused, if you like, in Service NSW. We can certainly make that inquiry for you but as I said before that information would be in the purview of the Minister for Finance and Services and the Premier, who would have responsibility in regard to Service NSW. We do have referral from Service NSW for a range of inquiries as well in more complex areas such as licensing and the like. Indeed, when you look at the whole complexion of requests for service that Fair Trading provides, you will see that there has been a significant increase, a 6 per cent increase over 2012-13, in requests for service over the last financial year—requests for service of 6,742,826, and that is probably a more meaningful statistic in that it looks at the demand for our services across the whole agency rather than looking at specifically counter inquiries that are being done for Fair Trading by Service NSW. I think that is probably the statistic that gives you a much better impression and understanding of what Fair Trading does and how it responds to consumers.

The Hon. AMANDA FAZIO: Thank you, Minister, but I just want to clarify that you will take on notice to try to find that timing?

The Hon. MATTHEW MASON-COX: Absolutely.

The Hon. AMANDA FAZIO: Could you also provide the average wait time compared to the average wait time to resolve consumer inquiries that are lodged at the counter in Fair Trading offices so we can get a feel for the comparison of the service delivery between the two modes?

The Hon. MATTHEW MASON-COX: Yes, I will certainly refer that question to the Minister for Finance and Services and the Premier.

The Hon. AMANDA FAZIO: Minister, I am sure you are a person who values transparency, so why did it take until mid-May 2014 to publish the 2012-13 Fair Trading annual report? Do you believe the delay in publishing the report was reasonable?

The Hon. MATTHEW MASON-COX: I became Minister on 7 May. It is in the week I became Minister, or perhaps early the next week, that we published that report.

The Hon. TREVOR KHAN: It just shows how transparent you are, Minister.

The Hon. MATTHEW MASON-COX: I note the interjection, I did move quickly.

Mr STOWE: It must be noted that what we call the "Year in Review" is not Fair Trading's annual report. Our contribution to an annual report is part of the Office of Finance and Services' annual report and there is a statutory responsibility on the department to have the report prepared and tabled in Parliament and to my knowledge that responsibility has been discharged. The "Year in Review" is an optional publication that Fair Trading makes available because we think it is important that there is an ongoing record of what we do. It is not a statutory responsibility, it is a publication we produce because we think it is useful for the public to be able to see what we do on an extensive basis rather than the small amount of information that would appear in the department's overall annual report.

The Hon. AMANDA FAZIO: Can you advise us when you will publish this useful Year in Review for 2013-14.

Mr STOWE: It is very close, I have a draft in my hand.

The Hon. LYNDIA VOLTZ: You can table that if you like.

Mr STOWE: It is not completed yet.

The Hon. CHARLIE LYNN: Can you express post it, they are sweating on it.

The Hon. AMANDA FAZIO: "Close" is a month or two?

Mr STOWE: Yes.

The Hon. MATTHEW MASON-COX: It is a good news story because Fair Trading is doing a wonderful job in the marketplace.

The Hon. AMANDA FAZIO: You could do with a few good news stories, that's for sure.

The Hon. MATTHEW MASON-COX: I can tell you that we have lots of good news stories and I am pleased to report—

The Hon. LYNDIA VOLTZ: Keep talking yourself up.

The Hon. MATTHEW MASON-COX: —that of the 45,108 complaints about marketplace transactions 93 per cent were successfully resolved by Fair Trading. That is just one statistic: 93 per cent.

The Hon. AMANDA FAZIO: We are not having dixer today.

The Hon. LYNDIA VOLTZ: The Hon. Trevor Khan will ask you those later.

The Hon. AMANDA FAZIO: Minister, you talked earlier about the compliance checks that were undertaken regarding unsafe USB chargers; can you provide us with how many compliance checks or investigations were undertaken and which locations were investigated?

The Hon. MATTHEW MASON-COX: This is compliance checks more generally?

The Hon. AMANDA FAZIO: I am just after USB chargers.

The Hon. MATTHEW MASON-COX: I can. Since the issue of the product safety warning for USB chargers on Thursday 26 June NSW Fair Trading has embarked upon a comprehensive inspection blitz of businesses across New South Wales covering metropolitan, suburban and regional areas. In total 2,124 articles were inspected at 1,166 premises. Of these 160 were found to be noncompliant and were removed from sale. I can report to the Committee that Fair Trading issued 17 penalty notices and two investigations are continuing. We have used this opportunity to work with e-commerce sites such as eBay to ensure these items are not offered for sale in Australia.

Since our blitz compliance officers have continued to monitor traders who have previously stocked faulty chargers. Just this month we have been working with Officeworks and NSW Fair Trading's Victorian counterpart in relation to a voluntary recall of another USB device that had been linked to overheating. We are still in the marketplace and will continue to be in the marketplace to ensure that any products that are not compliant with safety standards and have not been certified as fit for use under the Electrical Safety Act are removed from shelves and that consumers understand the dangers of USB products, other electrical products and other products, given the tragic events that have occurred.

Dr JOHN KAYE: Minister, on 4 July did you at any stage meet with Commissioner Stowe?

The Hon. MATTHEW MASON-COX: As I have said, my meetings with the commissioner are between the commissioner and me. I am not going to be divulging meetings or conversations to you.

Dr JOHN KAYE: You will not tell us whether you saw the commissioner on 4 July?

The Hon. MATTHEW MASON-COX: That is American Independence Day, isn't it?

Dr JOHN KAYE: Friday 4 July, the day of or the day before Mr Stowe went "on leave"; can you tell us whether you met with him? Did you see him at all?

The Hon. MATTHEW MASON-COX: As I have said, I will not give a running commentary on what day I saw Commissioner Stowe, what I said to him, whether I had breakfast or dinner with him: I really think it is an inappropriate line of questioning.

Dr JOHN KAYE: Mr Stowe, did you see the Minister on 4 July?

Mr STOWE: As the Minister has stated, meetings and discussions with the Minister are not made public.

The Hon. LYNDIA VOLTZ: They are in estimates.

Mr STOWE: That has been my practice for each Minister I have served.

Dr JOHN KAYE: Mr Stowe, did the Minister ever say to you that he had lost confidence in you?

Mr STOWE: The Minister said a minute ago that he has complete confidence in me.

Dr JOHN KAYE: That was not my question. My question is: did the Minister ever indicate to you that he did not have confidence in you?

Mr STOWE: I answered earlier that conversations between me and the Minister are confidential and not for public discussion.

Dr JOHN KAYE: Maybe they are, Mr Stowe, but you would appreciate that on the weekend of 5 and 6 July, your position, a respected position—

The Hon. TREVOR KHAN: Point of order—

CHAIR: Order!

Dr JOHN KAYE: I am allowed to preamble my questions.

The Hon. TREVOR KHAN: My point of order is that this is not an opportunity for the member to make speeches. He is entitled to ask questions and that is what he should do, ask a question, and not make a speech.

CHAIR: Order! There is no point of order. The member is asking a question.

Dr JOHN KAYE: Are you aware that on the weekend of 5 and 6 July there were significant media inquiries about where you were and what was happening to you?

Mr STOWE: I read the papers, I listen to the news and I am sure there were a lot of things covered over that particular period of time.

Dr JOHN KAYE: Is it not true that what happened to you on the weekend of 5 and 6 July and the week of 7 and 8 July is a matter of public interest?

Mr STOWE: There was speculation in the media, I believe.

Dr JOHN KAYE: There was speculation in the media. Do you not think it is appropriate that either you or the Minister resolve that speculation by explaining what happened on 4 July that caused you to leave your office?

The Hon. MATTHEW MASON-COX: I have stated a number of times that we have resolved that, Dr Kaye. I have had a press conference with the commissioner. I have had the opportunity to answer questions in Parliament and the opportunity today to answer further questions. As I have said consistently, the commissioner has my full confidence; we are hell-bent on ensuring that Fair Trading is the robust—

Dr JOHN KAYE: Has he held your full confidence continuously?

The Hon. MATTHEW MASON-COX: I have said a number of times he has my full confidence

Dr JOHN KAYE: Was there ever a moment when he did not have your full confidence?

The Hon. MATTHEW MASON-COX: The commissioner has my full confidence.

Dr JOHN KAYE: So there was a moment he—

The Hon. MATTHEW MASON-COX: If I can finish my answer.

CHAIR: Order!

The Hon. MATTHEW MASON-COX: The commissioner and I are hell-bent on ensuring that NSW Fair Trading protects consumers under all circumstances and, indeed, is the best consumer protection agency in this country, if not the world.

Dr JOHN KAYE: Mr Stowe, were you ever asked at any stage to justify your position or to show cause as to why you should not be dismissed or otherwise terminated?

Mr STOWE: As the Minister said, discussions relating to my employment are between me and my employer, they are not for public discussion.

Dr JOHN KAYE: With respect, Mr Stowe, do you not think I am one of the representatives of your employer?

Mr STOWE: My employer is the Office of Finance and Services.

The Hon. TREVOR KHAN: No.

Dr JOHN KAYE: Which is accountable to the Parliament and as a member of Parliament I am asking you: were you ever asked to show cause?

The Hon. TREVOR KHAN: Point of order: Mr Stowe has been asked this question and has answered it, boring repetition will not change his answer.

Dr JOHN KAYE: To the point of order: Mr Stowe has not answered that question. Mr Stowe said it was not a matter of relevance.

The Hon. TREVOR KHAN: That is his answer, Dr Kaye.

The Hon. MATTHEW MASON-COX: Madam Chair, I think it is inappropriate that the member is asking—

The Hon. LYNDA VOLTZ: We are in a point of order and you do not have a right to speak.

The Hon. MATTHEW MASON-COX: To the point of order.

Dr JOHN KAYE: You cannot speak to a point of order.

CHAIR: Order! I will rule on the point of order. You have asked the question, Dr Kaye, and the commissioner has provided an answer. Witnesses are able to answer questions as they see fit. I suggest you move to a new question.

Dr JOHN KAYE: You have a media unit?

Mr STOWE: Yes, correct.

Dr JOHN KAYE: On the weekend of 5 and 6 July why did your media unit not respond to requests from the media? I have had a number of members of the media say to me, "What happened to Mr Stowe's normally very responsive media unit? Why suddenly on the weekend of 5 and 6 July did they cease answering questions?"

The Hon. TREVOR KHAN: They might have been on holidays.

Mr STOWE: As you are aware I was on leave during that period of time. I understand that there were staff dealing with media inquiries. There was a media contact available during that period.

Dr JOHN KAYE: Was that media contact in your office or the Minister's office?

Mr STOWE: I was not on duty during that period of time so I am unable to indicate.

Dr JOHN KAYE: But you are aware that there was somebody answering questions?

Mr STOWE: My understanding is that there was media contact during that period. There was an officer available to take those inquiries.

Dr JOHN KAYE: A Fair Trading officer or an officer in the Minister's office?

Mr STOWE: An officer who had been delegated to deal with media inquiries relating to Fair Trading.

Dr JOHN KAYE: Delegated by whom?

Mr STOWE: I believe it was the acting executive director of the Office of Finance and Services.

Dr JOHN KAYE: So you know who delegated that responsibility but you do not know where that person was. Were they in your office, in the Office of Fair Trading or in the Minister's office?

Mr STOWE: I am not sure.

Dr JOHN KAYE: Can you take that question on notice?

Mr STOWE: I am happy to do so.

Dr JOHN KAYE: Can you also advise on notice the instructions given to that media officer in respect of your absence? Mr Stowe, I understand that you have a substantial fossil collection.

Mr STOWE: I do.

Dr JOHN KAYE: Did you pack up the entire collection on 4 or 5 July?

Mr STOWE: I think I indicated earlier that the tidiness of my office is not relevant to consumer protection in New South Wales.

Dr JOHN KAYE: With respect, I think it is inasmuch as it goes to the point of what happened to you. Your position is relevant to this portfolio—

The Hon. MATTHEW MASON-COX: That is why he is here and he has my full confidence.

Dr JOHN KAYE: That is why I am asking you whether you cleaned out your entire office, including your fossil collection.

Mr STOWE: I do not believe that is relevant.

Dr JOHN KAYE: So you decline to answer the question?

The Hon. MATTHEW MASON-COX: He has answered it three times.

Dr JOHN KAYE: He has not answered it. Mr Stowe, are you now declining to answer the question?

The Hon. TREVOR KHAN: Point of order: Mr Stowe has been asked the question and has now answered it at least three times. As with other questions, I suspect he will not change his answer if he is asked the question a fourth, fifth or sixth time. This is tedious repetition.

CHAIR: Order! I uphold the point of order. The witness has answered the question.

Dr JOHN KAYE: I direct my question to you, Mr Stowe, but the Minister might want to comment. I discovered on the Fair Trading website when I examined the media releases that during June there were 34 media releases, of which eight came from the Minister and 26 came from Mr Stowe. When I examined the site last night—20 days into August—I found that only seven media releases had been issued this month, of which six came from the Minister and only one came from the commissioner. If I extrapolate that forward for the rest of the month there will be about nine from the Minister—more or less the same as the previous month—but only two from the commissioner. What has changed between June and August? The commissioner is normally present in the media and makes very useful contributions. I say this with huge respect for his work; he does a wonderful job communicating. Why has he suddenly disappeared from the media? The Minister is now dealing with 90 per cent of the media.

The Hon. MATTHEW MASON-COX: I think Dr Kaye is misinterpreting the situation. The commissioner was on Angela Catterns' program on Wednesday for half an hour or so. The reality is that I speak to the commissioner first thing every morning about what media is coming up and we allocate responsibilities to ensure the smooth running of the portfolio. That is very important in ensuring that we maximise the impact of consumer warnings. The order of the day might be a scam or raids involving counterfeit products. As Dr Kaye knows, Fair Trading is responsible for a wide range of issues. As I said, I speak to the commissioner at 7.00 a.m.

each day and we review the day ahead. We have a one-hour meeting with the executive team at 8.00 a.m. or 8.30 a.m. each Monday and go through the media events coming up and operational issues. We have a hands-on approach and the commissioner and I work as a team in that regard using whatever means we can. We use the most appropriate means to raise Fair Trading's profile and to ensure that consumers are protected.

Dr JOHN KAYE: Did you have daily conversations with Mr Stowe prior to 4 July?

The Hon. MATTHEW MASON-COX: We are back to American Independence Day. As I have said, we communicate very regularly.

Dr JOHN KAYE: Did you do that prior to 4 July?

The Hon. MATTHEW MASON-COX: Communication is at the hub of what we do.

Dr JOHN KAYE: Absolutely.

The Hon. MATTHEW MASON-COX: We need to be the best communicators we possibly can.

Dr JOHN KAYE: Let us go to the issue of communication.

CHAIR: Order! The Minister is answering the question.

Dr JOHN KAYE: No, he is not.

CHAIR: Order! He will be allowed to continue.

The Hon. MATTHEW MASON-COX: While I will not comment on the content of that communication or reveal the time of day that it occurs—

Dr JOHN KAYE: You just did.

The Hon. MATTHEW MASON-COX: Any time of day—

The Hon. TREVOR KHAN: Point of order: The Minister is entitled to answer the question without interruption.

CHAIR: Order! Yes. I uphold the point of order.

The Hon. MATTHEW MASON-COX: There is the odd day when I am at a breakfast or the commissioner is busy. From the very start we have tried to ensure that we have very strong communication across the board, between my office and Fair Trading generally and, of course, with the commissioner's office. Communication is the touchstone when dealing with such sensitive issues. That has been a very strong personal perspective of mine and I know that the commissioner shares it.

Dr JOHN KAYE: Mr Stowe, do you accept that it is strange that you have issued only one media release in August?

Mr STOWE: No.

Dr JOHN KAYE: I could not find another month during which you issued only one or two media releases. You are normally a prodigious media release communicator, as you should be; that is most appropriate given your job. Have you been asked, told or instructed by anyone to reduce the number of media releases you issue?

Mr STOWE: No.

Dr JOHN KAYE: Have you been given any instruction or indication by anyone that you should not be in the media as much as you were?

Mr STOWE: No.

Dr JOHN KAYE: So nothing has changed as far as your media performance is concerned?

Mr STOWE: It would probably be helpful if I said from the outset that it has always been the case in this portfolio that the key spokesman or spokeswoman is the Minister. On each occasion we look to issue a media release or to respond to the media there is a discussion between the media team and the Minister's office about who is the most appropriate person to make a statement and we agree on the content of the statement. As the Minister said, we work together to determine under whose name that media release is issued. At the end of the day, I am not particularly interested in whether it is mine or the Minister's; it is the message that is important.

Dr JOHN KAYE: Absolutely. However, you would appreciate that you and the Minister issued 34 media releases in June and only seven—or as extrapolated, nine—in August. Is August a particularly uninteresting month? Is everyone very safe in August?

Mr STOWE: No. I am sure the Minister will agree that when it comes to making media statements we are responsive to what happens in the marketplace. We do not invent these things. If there are dangers or issues that we need to bring to public attention, we obviously do.

Dr JOHN KAYE: Bizarrely, after your brief holiday—

The Hon. TREVOR KHAN: Point of order: Is this a question or an editorial comment?

Dr JOHN KAYE: Is it true that fewer things are happening in your portfolio or that fewer things are worthy of a media release than in June?

Mr STOWE: No, I do not believe so.

Dr JOHN KAYE: Why were there fewer media releases?

Mr STOWE: Because we are responsive to what is happening in the marketplace and other events that we want to bring to people's attention. It is business as usual; nothing has changed in August.

The Hon. MATTHEW MASON-COX: The number of media releases is not a good measure of Fair Trading's media presence. Members may be aware that the commissioner has a regular spot on a number of radio shows. They might also be aware that we regularly use a range of other outreach methods to contact consumers across the portfolio. We also have a presence on Twitter and we have 40,000 followers on Facebook. We are actively engaged in social media on that front. In addition, we often do TV and radio interviews without issuing a media release; in fact, that is very common. I have been on *A Current Affair* a couple of times during the past week and on *The Project*. We do not issue releases very time we appear in the media; we issue them as needed or when particular issues need to be brought to people's attention. It is an extremely important avenue of communication. If we were to throw things at the media all the time we would desensitise the communication. It is very important to us at Fair Trading that we use the media effectively to ensure our message is communicated.

Dr JOHN KAYE: Were you desensitising in the media with 34 media releases in June?

The Hon. MATTHEW MASON-COX: The commissioner is an excellent media performer.

Dr JOHN KAYE: He is possibly better than you, Minister.

The Hon. TREVOR KHAN: That is just offensive.

CHAIR: Order!

Dr JOHN KAYE: I thank the Hon. Trevor Khan for that interjection. I appreciate that.

The Hon. MATTHEW MASON-COX: Dr John Kaye is an excellent media performer, and I look forward to his television interviews when they occur.

Dr JOHN KAYE: Thank you, Minister. Commissioner, have there been any changes in the staffing of your media unit, the personnel in the media unit, within Fair Trading?

Mr STOWE: The staff are the same as they have been.

Dr JOHN KAYE: So the staff in your media unit are the same as they were prior to, say, 4 July?

The Hon. MATTHEW MASON-COX: The department.

Mr STOWE: The officers who hold positions in the media role are the same. Those officers are continuing to work in that area.

Dr JOHN KAYE: They continue on a day-to-day basis to be working in that area?

Mr STOWE: Yes, they are working in the media unit in the department.

Dr JOHN KAYE: In the office or in the department?

Mr STOWE: One officer at the moment is working in the Office of Finance and Services in a media capacity. She continues to hold a substantive position in Fair Trading. The other officer at the moment is offline preparing a media training document for the agency. She continues to hold a position in the organisation.

Dr JOHN KAYE: How many people did you have in your media unit prior to 4 July?

Mr STOWE: Two.

Dr JOHN KAYE: So those are the people who were working in your media unit and are no longer working in your media unit now?

Mr STOWE: No, as I said before they are still holding substantive positions in the media team. One is working in another part of the department at the moment. We have done a swap with an officer from that area. They continue, as I say, to maintain media roles in the department.

Dr JOHN KAYE: Why were they moved? Why are they no longer your media staff?

Mr STOWE: They are. They have substantive positions in—

Dr JOHN KAYE: Why are they no longer online in the office of Fair Trading?

Mr STOWE: They have positions, as I said, in Fair Trading. They have substantive positions in Fair Trading.

Dr JOHN KAYE: But one of them is off working, I think you said, in Finance and Services, in the "mother" department of your office. The other is no longer doing direct media activity. He or she—and I do not wish to identify the names—

Mr STOWE: No, we should not.

Dr JOHN KAYE: He or she is doing another task. Let us review this, Mr Stowe. You have two people working in Fair Trading and you go on leave under what can only be described as unexplained circumstances but what seem to be related to media matters. When you return, the two people who were working with you have gone, are no longer working with you. They are working in other parts of the department. They are no longer doing frontline media for you and your media output, in terms of media releases, has plummeted. Do you want to give us an explanation as to what is going on?

Mr STOWE: All I need to say is that we have an obligation to ensure that we get messages across to the public. That is continuing. It is not unusual in a department the size of ours for people to move around and do different activities.

The Hon. MATTHEW MASON-COX: In fact, it is encouraged. It is called development.

Dr JOHN KAYE: Mr Stowe, are you saying that these two people voluntarily made that decision to no longer work in media associated with Fair Trading?

Mr STOWE: No, I did not say that at all. I said that it is not unusual to have people do different things within the organisation. As the Minister said, the Public Service Commission has been encouraging us to have people move into different roles to experience different activities.

Dr JOHN KAYE: Was it a voluntary decision of those two people not to work in substantive positions in Fair Trading?

Mr STOWE: I told you before they are working within media roles and they have substantive positions in Fair Trading.

Dr JOHN KAYE: But was it their decision, was it voluntary on their behalf to make the transition?

The Hon. MATTHEW MASON-COX: I think the Commissioner has answered the question.

Mr STOWE: I think I have answered the question.

Dr JOHN KAYE: No, you have not. I have asked a specific question: Was it voluntary? Maybe you have had too many questions.

The Hon. TREVOR KHAN: Point of order: The Commissioner has been asked the question and he has answered it.

Dr JOHN KAYE: To the point of order: He has not answered it.

CHAIR: Order! I uphold the point of order. The Commissioner has answered the question.

Dr JOHN KAYE: Minister, did you at any stage, with respect to these two people who are no longer working in frontline positions, express any opinion?

The Hon. MATTHEW MASON-COX: That is incorrect.

The Hon. TREVOR KHAN: Point of order—

Dr JOHN KAYE: Sorry?

The Hon. MATTHEW MASON-COX: Keep going, finish your question.

The Hon. TREVOR KHAN: Point of order: The member is predicating questions within a premise which, when the witness answers, essentially invites the witness to accept the false premise. It is misleading.

The Hon. LYNDA VOLTZ: To the point of order: That is not a point of order.

CHAIR: Order! Dr John Kaye can ask a question and the Minister can answer it as he sees fit.

Dr JOHN KAYE: I will start again. We missed the start. I will predicate it with summing up the start of this whole thing.

The Hon. MATTHEW MASON-COX: Just ask the question. I know what has happened.

Dr JOHN KAYE: There were two frontline media people in his office who are no longer frontline media people in his office. One has been moved to somewhere else in the department and they are now offline preparing a media training package. Minister, did you at any stage express an opinion with respect to those two people that they should not be working in frontline media positions?

The Hon. MATTHEW MASON-COX: As I understand it, they are and the department is looking at how to reshape its media functions. All those things are ongoing and in time that will become clearer. That is

my understanding. I do not involve myself in the department's allocation of responsibilities. That is not my role. At the end of the day, I have confidence in NSW Fair Trading. I have complete confidence in the Commissioner. I think the job being done in relation to media is an excellent job. As the Commissioner has said, we work hand in glove to ensure that the media role is paramount, because it is the avenue for communicating very important warnings and the like to consumers in New South Wales. This issue is an ongoing one, as you mentioned. The reality is the media—

Dr JOHN KAYE: Which issue is an ongoing one?

The Hon. MATTHEW MASON-COX: Media is always ongoing. Media is something we are focused on in this portfolio. We will continue to focus on it.

Dr JOHN KAYE: Commissioner, did you have any involvement in those two people not being active in the positions they held prior to 4 July?

The Hon. MATTHEW MASON-COX: I think the Commissioner has answered all these questions.

Mr STOWE: There have been discussions within the department as to the best way we do media, as the Minister has alluded to. We are looking at different arrangements going forward. This is part of that process. It is being handled within the larger agency of Office of Finance and Services. This is not confined to NSW Fair Trading.

Dr JOHN KAYE: Is the Minister involved in those discussions at all?

The Hon. MATTHEW MASON-COX: The Minister is here; why do you not ask him? The department is making decisions about how it responds to its internal media structure. In that regard, they would seek some advice in due course. I try not to get involved in departmental issues in relation to how they manage their affairs.

Dr JOHN KAYE: Do you succeed when you try not to get involved?

The Hon. MATTHEW MASON-COX: When I am asked my opinion, of course I will provide it. That is appropriate. Working closely with the wider department and the office of NSW Fair Trading, it is important that those things are put into the picture.

Dr JOHN KAYE: With respect to these two people and their positions, have you been asked your opinion or have you expressed an opinion?

The Hon. MATTHEW MASON-COX: In relation to what I understand is a restructure, I have not been involved in that. It has been mentioned to me and I have said, "Do whatever works." The reality is—

Dr JOHN KAYE: But with respect to those two people.

The Hon. MATTHEW MASON-COX: I do not get involved in people personally. I do not have contact—

Dr JOHN KAYE: So you have not expressed an opinion?

The Hon. MATTHEW MASON-COX: As I said, it is a departmental issue about how they structure their activities. I am interested in ensuring that we have the best media presence that we possibly can. You should be aware that it is not unusual that this occurs. The department provides a range of services to Fair Trading in a range of areas including corporate services, information technology, records management and legal. Indeed, we have a significant legal need in Fair Trading, provided by the wider department. That works very effectively. It is not unusual, and that is the way we look at how we efficiently provide services not only to Fair Trading but within the cluster. That is only sensible when you are looking at getting the best results for the money you spend on behalf of the public of New South Wales.

Dr JOHN KAYE: What are you doing to address the issue of palm oil presence in products that is unlabelled?

The Hon. MATTHEW MASON-COX: This is one of your favourite topics, is it not?

Dr JOHN KAYE: No, orangutans are.

The Hon. MATTHEW MASON-COX: I might just ask the commissioner to answer because the commissioner is very familiar with the palm oil issue. It used to be on the Consumer Affairs Forum agenda.

Dr JOHN KAYE: But no longer?

The Hon. MATTHEW MASON-COX: It was dealt with at the last meeting in Cairns. As you would be aware, we had a very long discussion about free-range eggs in Cairns and that is continuing.

Dr JOHN KAYE: I am going to put questions on notice about the free-range egg issue; I have a number questions on that which we do not have time for now, but I do want to hear about palm oil in the remaining two minutes.

The Hon. MATTHEW MASON-COX: On palm oil I will ask the commissioner to respond.

Mr STOWE: It was, Dr Kaye, at your request that Minister Roberts put that agenda item forward. It has been discussed at the ministerial forum. The forum looked at the outcomes of a number of matters, including some of the issues that *Choice* had raised. But at the end of the day I think the decision was made that that was really a matter for Food Standards Australia New Zealand and that issue was left with that particular forum to resolve.

Dr JOHN KAYE: That is with respect to food. What about cosmetics and household cleaning products?

Mr STOWE: I am more than happy to share with you the outcome of the resolutions from that particular discussion point. We will pass that on to you.

Dr JOHN KAYE: I appreciate that. I think you would be aware of the 40 or 50 different quite complex chemical names that are given to palm oil or palm oil derivatives and how impossible it is to avoid.

Mr STOWE: Yes.

Dr JOHN KAYE: I ask you to consider the following and comment on it. I have made a personal pledge to get unsustainable palm oil out of my life and I am finding it unbelievably difficult to do so.

The Hon. MATTHEW MASON-COX: It is in a lot of products.

Dr JOHN KAYE: Not only that but it is not labelled—well, it is labelled but you would not know. I raised this with your predecessor. At least a common labelling standard for palm oil presence, is that something that is being considered?

Mr STOWE: It came up in discussion but I do not believe there was support for that at the ministerial forum. As I said, I am more than happy to pass on to you the outcome of those discussions.

The Hon. MATTHEW MASON-COX: In my experience at the ministerial forum, there is quite a reluctance on the part of the Commonwealth to look at information standards. It is an ongoing debate amongst Ministers. We hold a view in relation to free-range eggs, as you know, and it would be helpful to have an information standard which can articulate clearly for consumers what they are actually buying when they go into a supermarket.

Similarly, with palm oil, these issues are ongoing, but it is my experience, dealing with the Commonwealth Minister, Bruce Billson, that basically their view is we do not want to intrude into that space unless we absolutely have to. That creates difficulties for us in trying to find some sort of resolution on these issues, but I am hopeful in relation to free-range eggs; we are putting a great deal of effort into that. In fact, I will be visiting some farms and meeting with industry groups. I know the commissioner has already met with some industry groups in relation to that. It is important that we try to find a way through, if that is possible, and we will be presenting that to the April meeting of the Consumer Affairs Forum.

Dr JOHN KAYE: Can you put on notice what groups you have met with, both you and the commissioner?

The Hon. MATTHEW MASON-COX: Yes, absolutely.

CHAIR: Order! That concludes the hearing this morning. Thank you, Minister and Commissioner, for your attendance before the Committee today.

(The witnesses withdrew)

The Committee proceeded to deliberate.
