



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

**SELECT COMMITTEE ON ESTIMATES 2010-2011**

(Reference: [Appropriation Bill 2010-2011](#))

**Members:**

**MS M HUNTER (The Chair)**  
**MR Z SESELJA (The Deputy Chair)**  
**MR J HARGREAVES**  
**MS A BRESNAN**  
**MR B SMYTH**

**TRANSCRIPT OF EVIDENCE**

**CANBERRA**

**WEDNESDAY, 19 MAY 2010**

**Secretary to the committee:**  
**Dr S Lilburn (Ph: 6205 0199)**

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

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

## APPEARANCES

<b>ACT Health</b> .....	<b>501</b>
<b>ACT Long Service Leave Authority</b> .....	<b>555</b>
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## **Privilege statement**

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While the committee prefers to hear all evidence in public, it may take evidence in-camera if requested. Confidential evidence will be recorded and kept securely. It is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly; but any decision to publish or present in-camera evidence will not be taken without consulting with the person who gave the evidence.

*Amended 21 January 2009*

## **The committee met at 9.02 am.**

Appearances:

Gallagher, Ms Katy, Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations

### **ACT Health**

Brown, Dr Peggy, Chief Executive

Thompson, Mr Ian, Deputy Chief Executive, Clinical Operations

Guest, Dr Charles, Chief Health Officer, Population Health

Bracher, Ms Katrina, Acting General Manager, Community Health

Carey-Ide, Mr Grant, Executive Director, Aged Care and Rehabilitation Services

McGlynn, Ms Lisa, Executive Director, Capital Region Cancer Service

**THE CHAIR:** Welcome to this public hearing of the Select Committee on Estimates. The Legislative Assembly has referred to the committee for examination the expenditure proposals in the 2010-11 appropriation bill and the revenue estimates in the 2010-11 budget. The committee is due to report to the Assembly on 22 June 2010 and has fixed a time frame of five working days for the return of answers to questions taken on notice.

The proceedings today will continue this morning with ACT Health, followed by industrial relations. After the lunch break the committee will continue its inquiry with the Chief Minister's Department.

I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the yellow-coloured privilege statement before you on the table. I also remind witnesses to keep their responses to questions concise and directly relevant to the subject matter of the question. We have a great deal of ground to cover during the hearing and I would like to maximise the opportunity for members in attendance to put their questions directly today rather than on notice.

Before we proceed to questions from the committee, minister, would you like to make a brief statement?

**Ms Gallagher:** No, thank you.

**THE CHAIR:** I have a question on 1.5, growth in cancer services, on page 81 of budget paper 3. In March this year, matters regarding the radiotherapy unit were discussed here in the chamber in the Legislative Assembly and I note that an extra \$1 million per annum has been appropriated to the budget for increasing demand for cancer services. What exactly will this money be used for?

**Ms McGlynn:** Thank you for the question. The additional funding for cancer services is extremely welcome. You will be aware that there has been significant growth in in-patients and outpatients during the 2008-09 financial year. In-patient activity grew by 15 per cent above target and outpatients 11.9 per cent above target. Year-to-date data at the end of March this year shows cancer services continuing to experience and

maintain high activity with in-patient activity increasing a further five per cent above target and outpatient activity increasing a further 7.4 per cent.

So, with the background of that kind of growth in demand for services, the new funds will be put towards meeting that growth in demand. We will be focusing primarily on additional staffing to see those patients and the associated costs which come with a high-cost service like cancer—the cancer services, which would be pharmaceuticals, linen and the support needed to deliver that higher outpatient and in-patient activity.

**THE CHAIR:** You say it is to meet demand, so that will be to increase staff levels?

**Ms McGlynn:** Yes, predominantly. There are associated costs that come with seeing more patients, clearly, as I have said. When we get more staff on board, there are also the associated costs of, in particular, pharmaceuticals but also linen and all of those sorts of things.

**THE CHAIR:** How many more staff will there be?

**Ms McGlynn:** We have not determined the exact number. The clinical staff come at a greater cost than other staff that support the clinical staff. But certainly we have been looking most recently, for example, at trying to relieve some of the pressure in our medical oncology area by trying to get some locums for services so that some of our very experienced doctors can take some leave, because that is certainly an issue. We were not successful with the first lot of advertising we did but we are about to do that again. It may mean we need to look further afield.

We have also been successful in getting some career medical officer support for medical oncology already, but there is certainly pressure in haematology and radiation oncology, as you are aware.

**THE CHAIR:** It is hoped that, with this funding being put in to try and meet that demand, there will be less need to send people interstate, which is the conversation that we had yesterday.

**Ms McGlynn:** Yes. As I said yesterday, I do not think the ACT will ever be completely self-sufficient with the population that we have now, but certainly that is our priority—not to send people, except where it is clinically indicated, for treatments that our population does not support, really specialised things. So clinicians will sometimes make that decision, but we would aim increasingly to have local people seen locally, yes.

**THE CHAIR:** For those people who still will need to go interstate, is any of this money intended to be used to increase that financial assistance? I think one of the members mentioned \$30 a day.

**Ms Gallagher:** IPTAS, yes, the interstate patient travel assistance scheme. That is reviewed every year. I think next to Western Australia we have the most generous payments under IPTAS. My view is that IPTAS should be a national scheme. There should be a nationally agreed amount and the commonwealth government should have the responsibility for it. However—

**MR SMYTH:** So you have put that in the national hospital—

**Ms Gallagher:** I have put it to the commonwealth government. They have not embraced my idea at this stage but there needs to be further work done on it. Interstate travel for access to health care, in fact, is not an issue that affects ACT residents as much as it does other residents of Australia. But we review it every year. I think the allocation is about \$400,000 per annum that goes into payments, but it is never intended to cover the full cost of having to travel interstate. We cover all the costs for treatment and then there is a small payment to support some of the additional costs. We are just trying to keep pace with increased demand for it. I think demand is growing. Last year, in 2008-09, there were 1,595 claims and in the year before there were 1,258. Not everybody who travels interstate claims, either. People travel interstate under the private health system as well. So that would not be an indication of how many people were travelling interstate; it is just how many people accessed IPTAS for their—

**THE CHAIR:** So with this growth money that will be able to meet demand for those cancer services that can be provided in the ACT, do you expect to see a drop in the number of people who are claiming money from this scheme because they will not need to go interstate?

**Ms Gallagher:** It is not just for people receiving cancer treatment.

**THE CHAIR:** Sure. I am just wondering if this will have an impact on dropping some of those numbers?

**Ms Gallagher:** We have had 25 people since 2008 travel interstate for radiation oncology treatment. Even though for those 25 people it was a disturbance, it caused individual disruption to their life and it was not an ideal situation, part of it is around ensuring that positions are filled so that we can run our three linear accelerators to full capacity. But, even though we have the three linear accelerators there, if you do not have the staff you cannot ask staff to do more than they are already doing. So there is the workforce issue, which we have already addressed. This growth will come over and above that.

We had intended to get a fourth linear accelerator in place by 2012. That was the plan. When we built the bunkers, we built it with capacity for the fourth linear accelerator and I think we just have to get on now—in fact, I was talking to Dr Brown about this yesterday—and start the process of getting the fourth linear accelerator as a matter of priority, because the growth is exceeding even our best guess of what growth was going to occur in this area. Did you get the figures, Lisa? It is an astounding growth in demand for radiation oncology as separate from cancer services.

**Ms McGlynn:** With radiation oncology, if you look at the targets that we have been set, we are doing extremely well with the increased demand. Over the year until the end of March this year, 82.8 per cent of all our patients beginning radiation therapy have been treated within the standard time frames, and this is an increase of 10.5 on last year. And that is in spite of an increase in demand. So not only are we doing better; we are doing better with more patients going through the service and that has

been because, as I said yesterday, the staff have really looked at their processes and at their hours of operation and things like that to maximise the number of people they can get through.

**THE CHAIR:** I started by saying that there had been a debate in the chamber around cancer services. One issue that came up in that debate was around the need to reinstitute formal consultation meetings between the managerial and consumer representatives. Another one was around customer service or communication training for front-line staff. Are these issues that you feel need to be addressed? If so, how are they being addressed?

**Ms McGlynn:** If I start on the customer service training first, undoubtedly some things went not as well as we had hoped during that period of high demand, but I guess too we were looking at a service under stress and under pressure. During that time when there were a number of issues and there were some concerns expressed by some patients, we acted immediately on that and put in some support for staff in terms of who gives the message, how to give the message and also making sure that the doctors were playing a one-to-one role in talking to their own patients and that that was not left to staff who maybe did not have the support or did not have the clinical knowledge to give those messages.

Once we did that, there were much better results for people and those complaints did not occur. But, because we had been doing so well and we had not sent patients interstate when the service did get under stress, it showed us that we needed to have some things in place that were about customer service training.

ACT Health has been developing some customer service training and it has been piloted in a number of other areas. Radiation oncology will be the next place where that is rolled out and we are currently having some discussions with the team in radiation oncology to make sure that it is tailored for them and for the way their service is set up. So we are talking with staff to see how it is best targeted and how we can maximise that.

As well as that, we are looking at some procedures right across the service where we look at training and support, particularly for admin staff, and getting a bit of a career structure in there so that we have got people who get trained and move up through the service so we can keep good people in the service rather than have them seek opportunities elsewhere because their career structure is not within our service. That is a sort of companion to the customer service training.

**MR HANSON:** Madam Chair, can I ask a supplementary on the customer service item?

**THE CHAIR:** Yes, Mr Hanson.

**MR HANSON:** It seems that communication breakdown has been a real problem here. I appreciate the staff shortfalls and I understand that the service is under a lot of pressure. But there have been problems with communication with patients, two of which struck me particularly. Ms Vesna Nedic said basically she had 2½ weeks from the time that she was told to get down to Sydney and she was quoted as follows:

“That was eight phone calls every day and none of them returned till finally it was having to get very upset at some poor administrative staff to be able to have the call put to their manager who then told me ‘well we have a staff shortage’,” she said.

That was Vesna. Then there was the case of Melissa Menegazzo, a woman that I think you will probably be aware of, a very sad situation, who is quoted as saying:

“The doctors and nurses are fantastic,” Ms Menegazzo said, explaining it was the system that had let her down.

She had a litany of problems. She would turn up for appointments and be sent away and so on and then, when she finally did ask for a response, the department wrote to the health minister, Katy Gallagher, with her concerns and she said the response from ACT Health was unsatisfactory. It said, “Tough shit,” basically, about all the delays and confusion.

So is it just radiation oncology, this area, that has a problem with communication or is this more broadly—

**Ms Gallagher:** It is probably a question for me—

**MR HANSON:** in terms of just staff training?

**Ms Gallagher:** because, in relation to the second patient, from my recollection of the events there, there were concerns across the board, not related to cancer services necessarily, in terms of accessing an MRI and an appointment that was cancelled at short notice.

Communication in the health system is always something that we can improve upon. It constantly comes up, not just in the ACT. When you look at analysis of health systems around the world, communication is an issue that is constantly raised by consumers accessing the health system—not understanding information, not being given appropriate information, given too much information, not given enough information—and it is something that we have been working on across the organisation and looking at ways we can improve our customer service relations.

**MR HANSON:** It just seems to be a theme when problems come up. For example, the first swine flu death I recall was, I think, mid last year and the breakdown there. The family involved in that case said:

In this case many systems have let our ... family down on a number of levels, and there were additional significant mishandlings of this situation which we cannot be certain won't occur in the future.

There are also problems that we see arising from the emergency department where a lot of the patients who present there say that the big problem is communication with them, letting them know what is going on. We have the sending of a bill to the deceased infant after the TB medication was given.

**Ms Gallagher:** That is not a communication problem.

**MR HANSON:** I think there were a significant number of communication problems.

**Ms Gallagher:** That was not a communication problem. That was an issue around paperwork and an automated billing system. Let us just remember that we have hundreds of thousands—over a hundred thousand—cost-weighted separations going through our hospitals every year of which there will be a small proportion who, for different reasons, are unhappy with the care and the treatment that was provided. Of those a small proportion will be portrayed in the media.

But let us just remember that by far the majority of the treatment and care that is provided at both of our public hospitals is done in a way that patients and their families are very happy with the standard of care. Let us just put it into context. I know you openly solicit for complaints so that you can get your face on the TV, Mr Hanson, and I would believe—

**MR HANSON:** Point of order. I was quoting directly—

**Ms Gallagher:** No, I would believe your concern—

**MR HANSON:** I was quoting directly from media reports that I had nothing to do with.

**Ms Gallagher:** I would believe your concern if you were not such a media tart around complaints, Mr Hanson.

**THE CHAIR:** Could you answer the question directly?

**Ms Gallagher:** Well, I am putting it in context. But communication—

**MR SESELJA:** Are the people complaining about media tarts? Is that the problem?

**Ms Gallagher:** No, I am talking about Mr Hanson, and I will take what you said—

**MR HANSON:** So you are saying that people—that is outrageous, Ms Gallagher. You sit there smirking.

**Ms Gallagher:** What, you do not openly solicit for complaints to go to the media?

**MR HANSON:** No, I do not openly solicit for complaints in the media.

**Ms Gallagher:** You don't?

**MR HANSON:** There are complaints that have been made to the media. You are trying to spin this—

**Ms Gallagher:** Mr Hanson, you—

**MR HANSON:** that this is somehow my fault.

**Ms Gallagher:** You don't? You don't openly solicit for complaints—

**MR HANSON:** So these people are complaining that the response—

**Ms Gallagher:** that you go to the media with?

**MR HANSON:** from the minister was basically shit. That is what they said and it is somehow my fault, and I am a media tart.

**Ms Gallagher:** No, I am not. I am just putting it in context.

**THE CHAIR:** Have we now got a question there?

**Mr HANSON:** That is outrageous.

**THE CHAIR:** Mr Hanson!

**Ms Gallagher:** It is not outrageous, it is true.

**MR HANSON:** The people—

**THE CHAIR:** Mr Hanson! There is a question. Ms Gallagher, could you please answer the question directly and try not to provoke—

**Ms Gallagher:** I am putting context around—

**MR SESELJA:** You are not sounding very sympathetic to the concerns.

**Ms Gallagher:** Mr Hanson's interest—

**MR SESELJA:** Not very sympathetic at all.

**Ms Gallagher:** in this area. It seems he is only interested when there is a problem and that is when he gets interested. But the health system is a very responsive system. It responds to individual complaints. When there are issues in the health system, processes are reviewed, changes are made, apologies are given. It is a human-based system and when it is a human-based system, mistakes will occur and processes need to be reviewed and they need to be changed in order to improve them. I do not think you will find a more responsive government system anywhere, across governments across Australia and across the world, than the health system.

**MR HANSON:** Let me make a comment on that, if you are going to—

**THE CHAIR:** Mr Hanson, can we move on to—

**MR HANSON:** May I just make one comment please, Madam Chair?

**MR HARGREAVES:** Hang on, get in the queue; get in the queue.

**MR HANSON:** She just spent her time making personal comments about me.

**THE CHAIR:** You have one more supplementary.

**MR HARGREAVES:** Look, suck it up and get to the back of the queue.

**THE CHAIR:** Mr Hanson.

**MR HANSON:** If your concern is that I am only concerned when it is negative, let me be clear, minister—

**MR HARGREAVES:** No, come on; let's move on.

**MR HANSON:** that what I get about you is that you are only there when there is good news—when there is an operating theatre to open.

**MR HARGREAVES:** My word, I don't want to get involved in this argument between two protagonists.

**MR HANSON:** You are not present when there is bad news.

**MR SESELJA:** You are doing a good job there, John.

**MR HARGREAVES:** He is just all tickled up. I want to go fishing with the minister. She is great.

**THE CHAIR:** Mr Hargreaves.

**MR HARGREAVES:** Okay, minister—

**MR SMYTH:** No, Mr Hanson was asking a question

**MR HARGREAVES:** Well, that is hard luck. Minister, I am aware—and you just went to many of the issues—

**MR HANSON:** You are a disgrace.

**MR HARGREAVES:** Jeremy, do suck it up and go home.

**THE CHAIR:** Come on, could you please ask your question, Mr Hargreaves?

**MR HARGREAVES:** I am trying to but there is an innate madman on my right.

**THE CHAIR:** Come on, let us move on.

**MR HARGREAVES:** You touched on it a bit when you were talking about the level of satisfaction versus the level of complaint. I heard yesterday, I think, that there are, in fact, stats collected on complaints and, if I recall it properly, compliments and comments. Is that right?

**Dr Brown:** That is correct.

**MR HARGREAVES:** Could we perhaps get a bit of handle on the number of those which come to the hospital and in particular in relation to this service? I am interested in this, having experienced the ED in a life threatening situation myself, having actually seen it in the cancer services myself, having worked in a hospital myself.

I would ask you for your view on whether it is really helpful for the confidence of the health system if people pull out one case study and say, “This is symptomatic of a general malaise in the system.” I would like to see some numbers around the compliments, the complaints and the comments, of course, to show what relationship actually exists between those two. Also, as the minister pointed out, the number of cost-weighted separations against which we can compare this. I would be very interested to see whether or not you get the same level of complaints—

**MR SESELJA:** Is this a speech or a question?

**MR HARGREAVES:** No, there is a question.

**MR SESELJA:** It is a speech. You have got the minister on board; so how about you ask a question.

**MR HANSON:** You were sacked, Johnno—remember?

**THE CHAIR:** Excuse me, Mr Hanson.

**MR HARGREAVES:** Oh, he got me in the heart!

**THE CHAIR:** Mr Hargreaves, could you get to the point of the question?

**MR HARGREAVES:** I am so upset.

**MR HANSON:** There is no head to target, John.

**THE CHAIR:** Could you get to the point of the question—

**MR HARGREAVES:** Dear me, Jeremy.

**MR HANSON:** If you had not pickled your brains—

**THE CHAIR:** because then we can move on to other questions?

**MR HARGREAVES:** I suggest that you improve your game. I am still interested in seeing whether or not we can get those particular numbers. I do not know whether you have got them here now, Dr Brown.

**Dr Brown:** No, I do not have them with me, but certainly we can provide the breakdown of the complaints, compliments and comments that we receive across the health service and by division. We also undertake a satisfaction survey across our services on a regular basis and some of that information for the Canberra Hospital is

posted on the web, but we can provide that report as well.

**MR HARGREAVES:** Could we actually put that together?

**THE CHAIR:** Just a note for *Hansard*, that has been taken on notice.

**MR HARGREAVES:** I know you say that it is on the web, but there are some people in the community who do not have access to it or who will not bother to go and have a look. But I believe that we should perhaps be drawing it to their attention. Could you give us a copy of the latest entry on the web on that one, please?

**Dr Brown:** Yes.

**MR HARGREAVES:** Thank you very much.

**Ms McGlynn:** Could I also just reassure you that we do take our compliments and particularly our complaints very seriously. We do really try to look back at what happened and learn from that. We do also actively try to get back to people, pick up the phone or send them something which is meaningful, rather than pass them off.

We take that very seriously and we do learn from those complaints. But overwhelmingly, the flavour of complaints versus compliments in our service is—we do get a lot of positive feedback. Mostly when we get complaints, it is about how some things went right and other things did not go so well so that those sorts of things do not happen to us—

**MR HANSON:** Yes, thank you very much for that answer because that is the point. This is about the continuing improvement in the health system. Mistakes will occur and we want to work out how we can make sure those are identified.

**Ms Gallagher:** That is exactly what I said, Mr Hanson.

**Mr HANSON:** No, you added a little bit to it.

**THE CHAIR:** Mr Hanson, it is Mr Seselja's turn.

**MR SESELJA:** Minister, in your fairly dismissive response to Mr Hanson, you skated over some of these individual cases. Perhaps in response to what Ms McGlynn had to say, what did go wrong in some of these cases? For instance, Vesna Nedic raised some serious communication issues. She was not able to get people calling back. Ms Menegazzo has raised communication issues. Presumably we investigated those two cases—and I think there have been some apologies in some cases. What went wrong and what has been done to rectify some of those communication breakdowns?

**Ms Gallagher:** I am not going to discuss individual cases, but on the issues around communication in radiation oncology—perhaps Lisa can answer more comprehensively—an additional focus was put on our communication, particularly at the point of contact, that initial contact or at the end of the phone for patients in contacting radiation oncology and, specifically, some additional work was done when

the service was under enormous pressure.

**Ms McGlynn:** There were some scripts developed about how to respond during this time when people were being referred. If someone was identified by a clinician as perhaps being someone who may need to be referred interstate, a procedure was put in place that that communication only occur by a doctor and not by any of the admin staff because that was about a clinical communication, not just about making an appointment somewhere else. The pressure occurred, then the complaints occurred, and that was the action that was taken immediately. After that the complaints dried up.

**MR SESELJA:** Was the action taken before or after it appeared in the media?

**Ms McGlynn:** During. As soon as we found out that that had happened, we acted immediately. You do not always find out straightaway what is happening on the ground, unfortunately. This was a time, as I have said, when we had some machinery breakdowns on the back of some staffing issues. Those things, combined, put some stress on staff and the responses were not as good as we might have liked them to be. But as soon as we became aware of them we acted.

**MR SESELJA:** So the new procedures have been put in place and since then there have been no serious breakdowns in communication or complaints around communication in that area?

**Ms McGlynn:** Not that I am aware of, no.

**MS BRESNAN:** In relation to this, one of the things Ms Hunter mentioned was the formal consultation meetings between managerial and consumer representatives. I know that groups like the Health Care Consumers Association said that this was a good forum to prevent some of those issues from occurring. Has there been any thought given to reinstating that particular forum?

**Ms McGlynn:** We have started some discussions through our CADP, the integrated cancer centre discussions that are in parallel with this. We have a number of consumers sitting on the preparatory work for that. We had some discussions at our last meeting about how we could have a meaningful dialogue with our patients, consumers and families to make sure that the cancer centre was something that was good for everybody, not just clinicians—patients but also families and people seeking information. They were going to go back to their organisation and discuss how the organisations that are associated with cancer could come together. We suggested that we might meet with those organisations and representatives to talk about not only the cancer centre but how we get more meaningful participation with consumers through our cancer services.

I think that is a very good place to have that discussion and to work out what the vehicle is for better consumer engagement. It may well be the reinstatement of those meetings, or it may well be that they have another suggested way of doing it, but there is certainly the will there. They were going to talk to their organisation and come back to me with some ideas about all the organisations and some of my service providers meeting to find a way forward and what regular meetings or inputs we might have.

**MS BRESNAN:** So there is an intention to institute—

**Ms McGlynn:** Something.

**MS BRESNAN:** a formal communication mechanism like that between consumers?

**Ms McGlynn:** Yes.

**MS BRESNAN:** Have you any idea when that would be established, or does it depend on when people get back to you?

**Ms McGlynn:** I expect that I will have a conversation with those two people in the next couple of weeks and then work out their time frames as to who will get together and how they want to get together, yes. But there will be ongoing involvement, too, with the cancer centre for consumers.

**MR SMYTH:** Just to follow up on something I think you said earlier, minister, that it was hard to determine how many patients went interstate. We know of those that apply for the financial assistance, but do we have a handle on what percentage of ACT patients seek treatment interstate?

**Ms Gallagher:** There would be through the private system that we would not have data on. But we know that if patients are going through the private system and that is not offered in Canberra they will travel interstate for care. Across a range of areas at the hospital that I can think of we would have patients moving interstate. I imagine we would have data across the hospital and would be able to provide you with that. For example, burns patients would have to travel interstate.

**MR SMYTH:** I appreciate that, but particularly with regard to the cancer services?

**Ms Gallagher:** With cancer—

**Mr Thompson:** As has been explained, the issue with cancer is that when someone is referred to us and we refer them interstate, we can obviously give you that information. If the patient or the referring doctor chooses, for one reason or another, to refer interstate without referring to us, we do not have any means of gathering that information. It goes through the private system and we do not become aware of it. There are a number of different reasons that have already been touched on as to why that might be. People may have family interstate and, therefore, prefer to be treated interstate. There are some subspecialty areas where we do not have the capacity to provide the services locally.

**MR SMYTH:** I appreciate that. Is consideration being given then to the establishment of some sort of data collection that involves the private sector as well so that we get a full picture of what is happening in the ACT so that it will actually guide the forward delivery of services?

**Ms Gallagher:** I imagine we could do it with the cooperation of the private—you would need the private referrals.

**Mr Thompson:** It would be quite a complicated piece of work, the problem being that private referrals are confidential to the treating clinicians involved. That information is not recorded anywhere in a data system that we have access to. In fact, the source information for that would be the individual records of the referring and treating clinicians, ultimately. It is quite a complicated exercise and, for that reason, we have not pursued it.

**MR SMYTH:** We cannot get that information from the Health Insurance Commission? They can provide data free of identifiers?

**Ms Gallagher:** They provide ACT data from private funds, but I am not sure that we would drill down to: of those, how many would be treated interstate from your jurisdiction?

**MR SMYTH:** No. I am trying to see whether or not we have got a full picture of what the need for cancer services is in the ACT. If someone is going interstate—

**Ms Gallagher:** We do the majority of the cancer care; we do by far the majority. John James has wound back—

**MR SMYTH:** But you have just said you do not know what goes through the private clinics. How would you know?

**Ms Gallagher:** I was talking across the board in my original response to you. Then you said “in cancer” and I said “in cancer”. I think when you reflect back on the *Hansard*—

**MR SMYTH:** No, the original “cancer” was cancer.

**Ms Gallagher:** Yes. Nat Cap—National Capital—do some through their private clinic.

**Mr Thompson:** Locally, the specialist oncology services have recently been reduced, as the minister was saying. The Health Insurance Commission will only ever provide us with part of the information. What we can do with the Health Insurance Commission is get information about people who are referred or people who live in the ACT who use particular item numbers. When those item numbers are cancer specific then we can get it. That will always be a part of it.

There are a couple of reasons for that. Firstly, cancer patients will sometimes use generic item numbers. For example, there is not an item number that is a specialist oncology consultation item; it is a specialist consultation item number. So there is automatic ambiguity there. Similarly, some of the surgical procedures might not specify cancer specifically. A very important issue is that some of the private people may refer to public services interstate. If people are not billed through Medicare for public sector services we will have no information about the services provided.

**Ms Gallagher:** In relation to cancer—if your point is: how do we understand what our needs are as a community?—in the Chief Health Officer’s report he reports on cancer and cancer prevalence in the ACT. Because cancer is a notifiable illness, we believe we have got the data to understand the service planning we need to do.

**MR SMYTH:** If you have got that data and it is a notifiable condition—

**Ms Gallagher:** But, of those, how many travel interstate is a different question.

**MR SMYTH:** You should be able to find out how many travel interstate, if you have got the data.

**Ms Gallagher:** No, I do not think you can. You can tell the level of illness in the community, but that does not go down to how were you treated and what were your treatment options and choices.

**MR SMYTH:** But if you know the number of people affected—

**Ms Gallagher:** But if your issue is how do you get a handle on what your service needs are into the future then that data is available. But there are some things—

**MR SMYTH:** That is not where you started.

**Ms Gallagher:** No. Indeed, I just went and spoke to the Chief Health Officer. But your question was around those who move interstate and then you—

**MR SMYTH:** So you are saying we know how many—

**Ms Gallagher:** I did not say we did not have the data to plan our cancer services. I never said that. I said that, of those who travel interstate who may be going through the private system, we do not have an understanding of that.

**MR SMYTH:** But if the Chief Health Officer's report tells you how many people have cancer and we know how many are treated in the public system, can we not calculate how many are not coming through the public system?

**Ms Gallagher:** Yes.

**Dr Brown:** It is not a straight association—one patient with cancer, one treatment.

**MR SMYTH:** No, I appreciate that.

**Dr Brown:** Someone with breast cancer may have surgery, radiotherapy and chemotherapy and, indeed, they may come back and have it a second time.

**MR SMYTH:** I do understand that.

**Dr Brown:** You cannot make a straight association between the numbers.

**Ms McGlynn:** I think it is also important to note, as the clinicians remind me sometimes, that appropriate referral interstate is a good thing. There are certainly times when they may seek a second opinion from someone who has the subspecialty or when a certain treatment is not available. For more rare conditions, for example, or where there are concerns about which treatment direction should be taken, an

appropriate referral interstate is warranted and sometimes a good thing.

**MR SMYTH:** Yes, I do not disagree. Thank you for that. Minister, you did offer to give us the percentage of the various categories that went interstate. I would be quite happy if you could take that on notice.

**Ms Gallagher:** Across the—

**MR SMYTH:** Across the board. You offered it across the board, so we will have that information.

**Ms Gallagher:** Across the system. We could get that.

**MR SMYTH:** Thank you.

**THE CHAIR:** I note that that has been taken on notice. I want to move to prostate cancer nurses. I believe that the prostate cancer support group requested the ACT government to fund three specialist prostate cancer nurses. Has this been picked up under the budget, minister? Has there been some increase in the nurses?

**Ms Gallagher:** No.

**THE CHAIR:** Is this meaning that we do not have the number of nurses to match the demand for people who have prostate cancer?

**Ms Gallagher:** No. We have got nurses. I think the budget submission was around dedicated prostate cancer nurses.

**THE CHAIR:** Yes.

**Ms Gallagher:** We have certainly got nurses who are able to treat and care for people with prostate cancers. I think it was modelled on the breast care nurse model that we have. Again, it is just a matter of competing priorities.

**MR HANSON:** I want to go to a couple of the strategic indicators. In relation to strategic indicator 13, cervical cancer screening rates, we are slightly lower than the national average screening rate. That relates to a participation rate.

**Ms Gallagher:** This is the cervical screening program?

**MR HANSON:** Yes.

**Ms Gallagher:** Yes.

**MR HANSON:** Are we lower because women are not taking it up or because there is a problem with access to the service?

**Ms Gallagher:** There is no problem with access. It is more about getting women to undertake them. You do not have to have a pap test, but women do not run with a sense of enjoyment towards that.

**MR HANSON:** I am aware of that. My wife—

**Ms Gallagher:** So there is an issue about getting women to have it, and to have it every two years.

**MR HANSON:** So it is more of a type of marketing issue or encouraging women to do it?

**Ms Gallagher:** Yes—

**MR HANSON:** There seemed to be a lot of publicity about it a couple of years ago.

**Ms Gallagher:** Yes, there was.

**MR HANSON:** There was a marketing strategy. It is about encouraging women to do it, and that comes through a marketing strategy.

**Ms Gallagher:** We did have a marketing campaign.

**MR HANSON:** Was it a public information strategy—would that be a better way of putting it?

**MR SMYTH:** What about prostate cancer? Do you want to talk about degree of difficulty?

**Ms Gallagher:** We do not have a prostate.

**MR SMYTH:** You ought to give it a try.

**Ms Gallagher:** Swings and roundabouts.

**MR SMYTH:** Yes, there are swings and roundabouts here. There are problems with both campaigns. What is the long-term percentage of women who have signed up for the cervical cancer testing? Is that figure of 61 per cent going up or down?

**Dr Brown:** Nationally?

**MR SMYTH:** No, for the ACT—well, both.

**Dr Brown:** The current figure I can tell you for ACT as of March 2010 is 61.56 per cent. We are sitting just on or ever so slightly above the national average.

**MR SMYTH:** Has that gone up or down in comparison with the last two or three years?

**Dr Brown:** I do not have that information. Dr Guest might be able to help.

**Dr Guest:** I will just refer to the draft Chief Health Officer's report—

**Ms Gallagher:** Which we are all eagerly anticipating.

**Dr Guest:** Which has not been submitted to the minister. While I am doing that, I will just mention a recruiting staff issue that perhaps Ms McGlynn would like to mention.

**Ms McGlynn:** There is a recruitment officer position which we have had difficulty in filling. “Recruitment” is perhaps an unusual word to use, but it is actually about getting women to participate to get their pap smear.

**MR HANSON:** I do not feel so bad about “marketing” now.

**Ms McGlynn:** That is right. That position we are currently trying to fill again. That position is charged with trying to get women to participate.

**MR HANSON:** How do we do that? Through GPs mostly?

**Ms McGlynn:** We have a similar position for breast screening. The recruitment person goes out to women’s groups, to areas, particularly different communities, that maybe do not access breast screening, or cervical screening in this case, and target it, whether it be Aboriginal and Torres Strait Islander people or particular nationalities. They help to make it culturally appropriate to talk about how, what to do and why it is important, with people of like mind.

**MR HANSON:** I do not know if now is the time to talk about breast screening.

**MR SMYTH:** Before you move there—how long has that recruitment position been vacant?

**Ms McGlynn:** I think for a few months, but I can provide you with that exactly.

**MS BRESNAN:** Dr Guest was going to give us an update on—

**Dr Guest:** The 2008 screening figure for cervical cancer—these are unpublished data—was 62 per cent. That has probably been rounded up from somewhat less than—

**MR SMYTH:** Greater than 61½ per cent.

**Dr Guest:** Yes, 61.5. Thank you, Mr Smyth. We are on the national level with cervical screening despite the staffing issue that has been described.

**MR HANSON:** Should we not be higher, though, given our education levels and the sort of demographic that we have? We talk about this with education: we traditionally achieve better results in NATSEM across the board and things like that. Wouldn’t we expect that, because of the literacy of our population, we should be able to get a higher percentage? I am surprised that we are only batting at the national average. I thought we would be above that.

**Dr Guest:** This is one indicator where we are just on the national figure. The figures are there. We are doing what we can. There is the staffing issue described. We are not

complacent about it; it is a very important measure. We know that it reduces mortality from cervical cancer by as much as 30 per cent, so it is a good buy.

**Ms Gallagher:** Something that people are going to watch, too, is the immunisation program that is being run for young women and the belief that, because of that, you do not have to have your pap tests anymore because you are immunised. That is going to be a very difficult public message for younger women who think—

**MR HANSON:** So even when you have been immunised you still need to go and get tested, do you?

**Ms Gallagher:** Yes.

**Dr Guest:** Yes, the—

**Ms Gallagher:** Sorry, I will let the doctor speak.

**Dr Guest:** The minister rightly brings up the point that the protection against human papillomavirus protects only against something like two-thirds of the known causes of cervical cancer. We have taken ourselves to a tricky point, where people who are literate enough to understand why they are getting the HPV vaccine may become complacent about the other protection that they should be getting, which will remain, through cervical screening, for the foreseeable future.

**MR HANSON:** Okay.

**THE CHAIR:** If we have finished on that one, this is probably the time to move on to the breast screening strategic indicator. The 2009-10 target was 65 per cent and the estimated outcome is 54 per cent. Why are we not getting an improvement in this rate of participation?

**Ms McGlynn:** We have again high demand and, because of our demographics, we have got more women tipping over into this age group. The other thing to focus on is our performance in the other national accountability indicators, because we are doing very well in those. We want to be particularly remembering that this is a service about well women; we want well women to stay well, but we also need to make sure that those people who need assessment and who then need follow-up get seen within those benchmark times.

It is not unlike the radiation oncology story. We are really trying to focus on those things that are high priorities, and the participation rate is something we continue to grapple with. As I said, we are actively recruiting women, but there is undoubtedly high demand in this. It is great to know that there is high demand, because that is people seeking the service, but our ability to service all of that demand continues to be a challenge.

**THE CHAIR:** So therefore there are subsequent waiting lists and they are not getting through? Or what does that mean?

**Ms McGlynn:** There is a waiting time for appointments, which is about seven weeks

in Moore Street and about eight weeks in Phillip. But again we continue to look at our business processes to try and work out how we get more people through. There are also some issues about waiting and how waiting is defined. The matter of the women being offered an appointment within 28 days continues to be a challenge for us, because it will not be surprising that well women seeking the service are often very busy women. Often people will say, "No, I cannot possibly come on that date. I would like it to be some other time." We may offer an appointment well before the 28 days, but the person may not be able to attend. That is not always the case, but there are times when that is the case. But that is not how the measure is defined.

**THE CHAIR:** Mr Hanson, do you have some follow-ups on that?

**MR HANSON:** Not on cancer services.

**MR SMYTH:** I do.

**THE CHAIR:** Ms Bresnan.

**MS BRESNAN:** I just have one quick one.

**THE CHAIR:** And then Mr Smyth.

**MS BRESNAN:** You mentioned that demographics has an impact on the number of women accessing it. Does that then affect the target which you have in the strategic indicators?

**Ms McGlynn:** Unfortunately, as more people tip over into that age group, which is happening in Canberra, yes, there is increasing demand. We have got more people to target in that 50 to 69 age group.

**MS BRESNAN:** So it is very much influenced by the age group?

**Ms McGlynn:** Yes, because that is where the target is. The other point to make is that again, not unlike radiation therapists, radiographers are really hard to find. In the last 12 months we have been very successful, because we have worked very hard to get some additional locum support, but trying to recruit radiographers in the private sector and the public sector is really difficult, particularly when there is a cohort of radiographers who elect to work part time. We are trying to work out what will make people want to come to work every day and how we can make sure we have got flexible work arrangements to get some radiographers. But when we get them, especially if they are locums, they are very expensive.

**MR SMYTH:** Perhaps if Dr Guest could tell us: I think this is a new indicator?

**Ms Gallagher:** Strategic indicator 15?

**Dr Guest:** I do not think so.

**MR SMYTH:** Have you got the previous year's numbers in your yet-to-be-published report?

**Dr Guest:** The breast screen participation rates from 1996 to 2006 will appear in the report that is to be published, and the participation rate has improved from 2003-04 to the present.

**Ms Gallagher:** You might have to wait—

**MR SMYTH:** So you are going to leave us hanging?

**Dr Guest:** The answer to your question, Mr Smyth, is yes.

**MR SMYTH:** Okay. Minister, the question for you then goes to the targets and the percentages that you have set here. The target for this year was 65 per cent and we have come in at 54 per cent. The outcome of that seems to be that we will just revise down next year's target to 60 per cent. Why have we taken that decision and what are the factors that have led to us falling short of the 65 per cent?

**Ms Gallagher:** In relation to why the targets have changed?

**Ms McGlynn:** My understanding is that there are national targets that are set but it is also about how we think we can perform against them. Again, the demographics play a role in that. If a whole lot more people go into your target age group then our ability to meet that target will undoubtedly be revised.

**MR HANSON:** Don't you adjust your service?

**Ms McGlynn:** Pardon?

**MR HANSON:** Don't you adjust the service to cope with that? Isn't that a degradation of service, by doing that?

**Ms McGlynn:** Certainly we have got capacity issues, as I said, yes. But our ability also to meet those is due to, again, staffing, radiographer staffing, capacity, increase in that target population. It is undoubtedly a challenge, and remains so.

**MR HANSON:** What are the national targets?

**Mr Thompson:** It is worth emphasising there that the recent November 2008—and correct me if I am wrong—establishment of the Phillip screening service was one move made to respond to this increasing demand, where we had a physical constraint within the Civic Health Centre. The major capacity constraint that we have got, as Ms McGlynn has outlined, is actually radiographer staff. We struggle to get radiographers and to be able to say with confidence that we will be fully staffed and therefore able to provide a high level of service.

**MR HANSON:** What is the national target? You said that it is measured against national targets.

**Ms McGlynn:** I do not believe I have that information here.

**Dr Guest:** The national target?

**Ms McGlynn:** Yes.

**Dr Guest:** It is 70 per cent.

**MR HANSON:** Seventy?

**Dr Guest:** Yes.

**MR HANSON:** We are going to go from 65 per cent down to 60 per cent; so we are going to be 10 per cent below national targets?

**Dr Guest:** I could say, though, around the country that no-one is close to the national target.

**Ms McGlynn:** That is right.

**Dr Guest:** So the 70 per cent is aspirational.

**MR SMYTH:** That is okay, but what is the plan to move to 70 per cent? What I am hearing is that in real numbers we are coping. Are we staying at the same level? Because of the number of women moving into the group, we are reducing the target. That sounds to me like all we are doing is coping with the existing number without planning to grow the service into the future.

**Ms McGlynn:** I can say we are looking at our capacity at the moment, at how we deliver our services and where and how we deploy our radiographers. Some pretty major business redesign is being looked at because of this exact issue. I think that has the potential to assist us in increasing the target and getting closer to that 70 per cent. But, as Dr Guest says, nowhere across Australia is reaching that. I think it is also important to look at our performance. This is not the only measure about how the service is doing. The service, although under stress, is doing reasonably well in the other target areas.

**MR SMYTH:** What is required to relieve that stress that the service is under?

**Ms McGlynn:** I think this redesign work we are doing in terms of where our radiographers work, how—

**Ms Gallagher:** There is an issue which we are looking at in relation to our provision of service in New South Wales. We currently provide a service in a number of regional areas through BreastScreen ACT. A question for us is whether that is sustainable into the long term where our service actually goes out to the region and provides that service. We get some financial assistance from New South Wales for that, but not enough. We are in negotiations with New South Wales about the viability of that service. We want to continue to provide it, obviously. We are a regional citizen. But we cannot continue unless there is a better negotiated outcome for the cost of delivering that service.

**MR SMYTH:** If you go to the accountability indicators on page 229, the total number of breast screens target was 12,000, outcome was 12,000, target next year is 12,000. If the group is growing, minister, where is the additional provision of service? Indeed, the number of breast screens for women aged 50 to 69 was 10½ thousand, the outcome was 10½ thousand, the target is 10½ thousand. Why hasn't the government allocated additional resources to match the growing pool?

**Ms Gallagher:** I imagine we will have to put additional resources into BreastScreen ACT, but the government is not prepared to do it at this point in time until the outcome of some of the business redesign work in BreastScreen ACT is complete. I think that is reasonable. That work is being done and has been ongoing. It is a matter of priority. So do not for a moment think we are not looking at how we offer this service and how we grow it.

In terms of additional investment, which I am sure will come, we have been building up our services for well women but also for women who have cancer, to provide a comprehensive service here. I am talking about digital mammography services for women so that, for the first time, they have a service in the ACT to undergo their checks that are required every year after they have been unwell with breast cancer. So it is part of a bigger piece of work that is underway about the service we provide to women who are well, to keep them well, and then to women who have breast cancer, to treat them. I do not think the work has been finished.

**Ms McGlynn:** We have screened more women this year than ever before in terms of ACT women. Remembering, too, that the difficulty with the radiographer problem is much more acute when we are trying to service that New South Wales area, because we either cannot get people to travel due to their other responsibilities or we cannot get people who live close to where those services are. The radiographer locums that we have had to provide down in the southern parts of New South Wales have been at greater cost. So we have actually invested more in terms of funds but we are stumped in terms of trying to get radiographers. That has been our other big thing; it has not been a lack of will.

**MR SMYTH:** But these numbers have been static at least since 2008-09. I do not know what the previous budget papers show. The target in 2008-09 was 12,000 screens and for women aged 50 to 69, 10,500. So, for 2008-09, 2009-10, 2010-11, there is at least two years of growth. Do we know at what rate that age group is growing?

**Ms McGlynn:** Charles, would we—

**Dr Guest:** Would you mind repeating that question, Mr Smyth?

**MR SMYTH:** Sure. According to the previous year's budget papers, the 2008-09 target was 12,000 women and the number for women aged 50 to 69 was 10½ thousand. So the number has been static for the last three years. What has the growth in that population been in that period?

**Dr Guest:** I would have to take that on notice.

**MR SMYTH:** Sure. Minister, when will the work to reconfigure the system be completed?

**Ms Gallagher:** We are probably getting to the hard end of the discussions with New South Wales right at this point in time. That will influence decisions we take about the service as a whole.

**Ms McGlynn:** Yes, and there is work going on in a number of areas—how we actually process women, how we are the most efficient we can be in the business processes in the clinics, how we recruit for our radiographer shortages, the implementation of digital mammography, which we anticipate will, over time—not straightaway—decrease the number of women who need to be recalled to get reassessed because the quality of the images is so much better. We are also looking at staff training to make sure that, with the implementation of digital, that is as efficient as possible, and there is the Greater Southern component. It is a bit of a multipronged approach to this, and needs to be. Certainly, that is about reconfiguring resources. I think there is room to reconfigure and gain some efficiencies.

**MR SMYTH:** And that is likely to happen when?

**Ms McGlynn:** That is happening now. When is there an end date? I think this will be ongoing because if we improve our radiographer staffing but it is not completely there, we are going to gain some efficiencies but not as much as we could. Again, I do not know that there is an end point. We will see capacity benefits but this will be ongoing and will need to be for a service under this high demand. I am not trying to avoid the question; it is something on which we will need continually to think: “Okay, what else can we do? What else can we do?”

**THE CHAIR:** We might move on to aged care.

**MR SMYTH:** Dr Guest, did you want to say something? You looked like you were going to speak then.

**Dr Guest:** The demographic information will appear in the CHO report.

**Ms Gallagher:** It is going to be a bestseller!

**Dr Guest:** Let us hope so. I will provide—

**MR SMYTH:** Have you sold the film rights? It sounds like a fabulous read.

**Dr Guest:** It’s in negotiation. We will provide those later.

**MR SMYTH:** Then we could fund the extra screening services.

**THE CHAIR:** We might move on to—

**MR HANSON:** Can I just make the point that it got a bit testy there at one stage but I appreciate the work that you guys are doing. It is a fantastic service you provide. I will probably continue to highlight where it breaks down but I see that as my job, my

responsibility. But I do commend you and all the staff for what you are doing.

**MR SMYTH:** Hear, hear!

**Ms McGlynn:** Thank you; I will pass that on.

**THE CHAIR:** We will move on to aged care and rehabilitation services. Ms Bresnan.

**MS BRESNAN:** In budget paper 3, page 81—I want to get a bit more information about the aged care rehab service—it mentions that the approach has resulted in the establishment of new services such as the subacute service at Calvary. Is this additional funding or is that solely for the Calvary hospital service?

**Mr Thompson:** Sorry?

**Ms Gallagher:** The initiative?

**MS BRESNAN:** Yes. It is just that here you have got funding of \$1 million. Is that for the Calvary service it mentions there?

**Mr Thompson:** Sorry, can you repeat the question?

**MS BRESNAN:** Yes.

**Mr Thompson:** I will answer the question.

**MS BRESNAN:** Page 81.

**Mr Thompson:** You are talking about the line underneath the increased demand for older person services?

**MS BRESNAN:** I actually wanted to get some further information here. We have got the \$1 million over four years.

**Mr Thompson:** How we are going to spend it?

**MS BRESNAN:** Yes. It mentions Calvary hospital. I am wondering whether that is what it is specifically for.

**Mr Carey-Idé:** The new growth funding that has been provided for us for the forthcoming financial year and the outyears will actually be used to fund a fifth staff specialist in rehabilitation medicine and to enhance further our equipment services for people living in the community.

**MS BRESNAN:** Is that staff based at Calvary?

**Mr Thompson:** No. I think the confusion is—and I can clarify this—that the final paragraph is a more general statement about the role of the service as opposed to the specifics about the growth money.

**MS BRESNAN:** Are the two hospitals working together in relation to the specific service?

**Ms Gallagher:** Yes.

**MS BRESNAN:** And you mentioned the equipment. Is that in relation to the equipment loan scheme or is that separate?

**Mr Carey-Ide:** It is across our range of equipment services; so the funding will be applied to the domiciliary oxygen and respiratory support service, the ACT continence support scheme, the equipment loan scheme and the ACT equipment subsidy scheme.

**MS BRESNAN:** I think we have spoken before in estimates about the aged care rehab unit that operates at Canberra Hospital. Is that the right name for it? It is for people who do require a longer term stay.

**Mr Carey-Ide:** It operates at Calvary hospital, if we are talking—

**Ms Gallagher:** The Keeney building? Is that what we are talking about? The subacute facility or the aged care ward at the Canberra Hospital?

**MS BRESNAN:** The aged care ward, sorry, at Canberra Hospital, an update on how that is going, how that is working?

**Mr Carey-Ide:** Can I clarify that? Are we talking about the acute care of the elderly unit at Canberra Hospital?

**MS BRESNAN:** It is the ward—sorry I have not got specific information—for older people who do require a longer term stay and they are able to recover in the unit.

**Mr Carey-Ide:** Those patients would generally be transferred to one of our two units at Calvary hospital. So they would either be cared for within our geriatric evaluation and management unit at Calvary hospital, a 12-bed unit there, or in the 28-bed unit in the Keeney building, the aged care rehabilitation unit at Calvary hospital.

**MS BRESNAN:** Is that aged care rehab unit you just mentioned, which is the one I mentioned first off, still going well? I think it has been operating fairly successfully.

**Mr Carey-Ide:** Yes, it is going successfully. It has a fairly high level of occupancy. We do have a longer than expected length of stay in the unit, but that is about the type of care that needs to be provided, based on the acuity of the clients who are actually in that unit. But the care outcomes for those clients are excellent.

**MS BRESNAN:** What is the average length of stay for the unit?

**Mr Carey-Ide:** It is around 22 days at the moment. That is an average length of stay. It is not the experience of every patient admitted to the unit. We do have a target of 15 days.

**MR SESELJA:** There was a review, I understand, of equipment services conducted by Michael Keane in 2008. What is the status of that review? What was the outcome? What were some of the recommendations, and have they been responded to?

**Mr Carey-Ide:** The outcome of the Keane review was the provision of a report with 53 recommendations. Almost all of those recommendations were accepted. Those that were not accepted related to the ACT breast prosthesis scheme, and those were not accepted because of the commonwealth implementation of a scheme that required jurisdictions to apply funding, previously provided to breast programs, to other equipment services. The commonwealth took responsibility for the breast prosthesis support scheme.

**MR SESELJA:** So the commonwealth has taken responsibility for that?

**Mr Carey-Ide:** Yes, they have. The ACT funding has been applied to our equipment loan service.

**MR SESELJA:** Of the 53 recommendations, how many did we accept?

**Mr Carey-Ide:** Fifty-one, from recollection.

**MR SESELJA:** What did they relate to, broadly?

**Mr Carey-Ide:** They broadly related to ways that we could improve our service, such as operating the equipment loan scheme—the delivery service specifically—over a seven-day period rather than a five-day period, to better support discharge from hospital. It also talked about ways that we could, through a subsidised scheme, better support children in the community who required equipment. It talked about the governance processes that we could apply to our equipment schemes, including the input that was able to be provided in a governance framework from consumers. It talked about some of the adjustments that we might want to make around policies for the scheme, and we have been progressively rolling out those recommendations over the past two years.

**MR SESELJA:** What are the cost implications of these recommendations? Is there money, for instance, in this budget to deal with some of those recommendations? If so, how much?

**Mr Carey-Ide:** We have been allocated growth funding this year that we will be applying to the scheme. The specifics of that are yet to be pinned down for this forthcoming financial year. The reason for that is that we have taken the opportunity to have a final consultation with our consumer representative groups through the ACTAS advisory group and the domiciliary oxygen and respiratory support advisory group, to make sure that what we are proposing is what is actually required by the community. We are also working closely with DHCS representatives around that.

**MR SESELJA:** Of those 51 recommendations that have been accepted, how many would you say have been implemented?

**Mr Carey-Ide:** There are only eight left to be implemented.

**Ms Gallagher:** And we are moving the equipment loan service to the Village Creek site in the next few months, which, again, we think, will improve access for people because of the way that the drive-in and pick-up arrangements for equipment from that site will be improved from those at the hospital, just from the nature of how busy the hospital and parking are.

**MS BRESNAN:** Have the disability issues been resolved? I know there have been quite some concerns by disability advocates in particular about moving the—actually it is not the equipment loan scheme.

**Ms Gallagher:** Independent living centre.

**MS BRESNAN:** The independent living centre.

**Ms Gallagher:** We are not moving the ILC at this point. The disability issues have been addressed. There is a new bus stop being put in. There are improved pathways. When the equipment loan service and the other elements of the aged care and rehab service move into Village Creek, I would expect that I will be getting representations about when the independent living centre is moving there. I went and had a look at the site last week, and it is going to be a fabulous new facility.

But the staff were unhappy. Certainly in their communication with people who use the service, they raised some concerns, and consumers got worried. But I think we could address all the consumer concerns. The staff concerns, I think, were a little more difficult. There were people that did not want to move to Kambah from Weston. So we will take a bit more time about how we see that transition. Ultimately, we would like the independent living centre at Village Creek.

We think it would be a good co-location of a whole range of complementary services in one location. We will at some point need the Weston site for decanting opportunities from the hospital as well in terms of the 10-year plan. So we will take a bit more time about that. Everyone else is going willingly and happily to the Village Creek site.

**MS BRESNAN:** When it is decanted, the Weston site where the ILC currently is—

**Ms Gallagher:** It is just an opportunity. It would create an opportunity for us. The pressure is on at the hospital already. We have got demountable offices there now. We have got more demountables coming in. As the big redevelopment happens through the tower block, we will need increased decanting opportunities across the city. So we are looking at all our health facilities, about what opportunities there are there, particularly for those services that do not need to be located at the hospital, whether it is location of some admin staff or more office accommodation.

**MS BRESNAN:** That is the question I was just going to ask.

**Ms Gallagher:** I guess we are trying to deal with the accommodation organisation wide, and I think there are opportunities. We can always use the second stage of the Village Creek site for other decanting opportunities if the ILC does not move, but the

co-location of the ILC with the other aged care and rehab services just makes a lot of sense. Once it is open and once people are using that site, I think the concerns around—I think they were largely around transport—

**MS BRESNAN:** Mostly transport, yes.

**Ms Gallagher:** People will feel more comfortable about going there.

**MS BRESNAN:** I think there were some concerns too, because the Weston Creek site had had a significant refurbishment, about moving and whether it would reduce, I guess, the space that the ILC had.

**Ms Gallagher:** I think we reached agreement on the plan, didn't we?

**Mr Carey-Ide:** Yes.

**Ms Gallagher:** We reached agreement on the plan. I think the staff, in the end, felt that it was going to be a much more improved facility, but we are just going to do it in two bits rather than one, and hopefully get agreement with everybody.

**MR SESELJA:** Is that report public, the Keane report?

**Mr Carey-Ide:** Yes, it is.

**Ms Gallagher:** Yes. It has been on the website, I think, for ages. There is a swooping magpie, though, on the oval we are told, is there not, at Village Creek?

**Mr Thompson:** That was the magpie that swooped me, anyway. Maybe it is just a selected swooping.

**MR HANSON:** Sometimes I miss the minister when I use the remote control. Sorry, about that.

**Mr Carey-Ide:** There are also swooping birds at Weston Creek at the current ILC site.

**MR SMYTH:** This is Canberra.

**Ms Gallagher:** We are just wondering whether we have to put a magpie mitigation strategy in.

**MR SMYTH:** So, minister, when will Village Creek open?

**Ms Gallagher:** Is it July? It will be finished about July.

**Mr Carey-Ide:** We have an expected handover date of the facility at the end of June. We are just waiting for final clarification about that, but we have commenced our planning to relocate the services. We are hopeful that we will be able to commence operation at the end of the first week of July at the Village Creek site, but I emphasise that we are waiting for that final confirmation of handover date.

**MR SMYTH:** All right. On page 234 of budget paper 4 in the changes to appropriation, it has a rollover of the equipment loans scheme relocation of \$600,000. What is the reason for that?

**Mr Thompson:** The reason for that is that the refurbishment has taken longer than we originally anticipated and the cause of that was the further consultation, discussion and rescoping associated with whether or not it would include the independent living centre, as we have just been talking about.

**MR SMYTH:** So that \$600,000 is the payment of bills when they come in when it is handed over?

**Mr Thompson:** Yes.

**MR SMYTH:** What are the all-up relocation costs?

**Ms Gallagher:** We can get the total project cost for you.

**THE CHAIR:** You will take that on notice?

**Ms Gallagher:** Yes. I have got a number of others that we took on notice yesterday, which I can just table, if that is easier rather than—do you want me to read them out?

**THE CHAIR:** No. Is the committee happy if they are just tabled?

**MR SMYTH:** It depends what they are. What are they?

**Ms Gallagher:** There is a range of them: the percentage of prisoners released with medication packs; how many days of medication are given; what is the current VMO rate; dental patients at the AMC; what programs are available for women's health; methadone clients at the AMC; Corrections budget; the Tuggeranong community health centre expansion and plans; the list of current epidemiology branch reports and projects; and the gender analysis pilot project.

There is also one around the complaints for NGOs—if an NGO has an incident—that we took on notice. ACT Health entered into a service funding agreement for the delivery of agreed services. This SFA has been prepared by the Government Solicitor and is used by the territory for the purchase of human services. This SFA requires that organisations have in place effective complaints processes and adequate insurance coverage to cover any loss, damage or injury to clients or property. But they are not required to report to us.

**MS BRESNAN:** No, so they are not required to report.

**MR SMYTH:** Minister, on page 229 of budget paper 4 under the accountability indicators, I notice that it is stated in indicator e that the number of people assessed in the falls clinic remains at 420. Is there a reason why that number is not increasing, given the increasing aged population of the ACT?

**Mr Carey-Ide:** We have had great difficulty in getting the numbers of people into our

specific falls program—the one-on-one assessment clinics—this year. We have experienced around a 13 per cent did-not-attend rate. This is people who had booked appointments not actually attending in addition to our cancellation rate. So the reason that we have not increased the target is because of that.

One of the anecdotal beliefs around why we have not been as successful as in previous years with attracting people to the one-on-one clinics is because of the more group-focused and community-focused work that we have been doing around falls and falls injury prevention in the community.

We have quite a lot of take-up for our group programs that are presented by our staff. In addition to that, we run a fairly rigorous program for all patients admitted to public hospitals in the ACT—into the acute sector as well as into the aged-care and rehabilitation service—where every one of those patients is falls-assessed on admission.

Where there is a falls risk, that patient receives education at that opportunistic point of entry to the service. Whilst I cannot provide stats to back up my claim that we believe that is why our specific numbers are falling in the one-on-one clinics, it is a fairly likely outcome that those people who are at risk have actually been assessed.

**MR SMYTH:** So the number here, the 420, is that the actual number of people assessed or is that the number of appointments?

**Mr Carey-Ide:** That is the number of people assessed.

**MR SMYTH:** All right. So how many appointments would the area make in a given year?

**Mr Carey-Ide:** We have 13 one-on-one appointments available on a weekly basis in our clinics.

**MR SMYTH:** All right. So 13 times 52 is what—about 650, 680? So if there are 680 available, are you concerned that only 420 turn up?

**Mr Carey-Ide:** We would always be eager to maximise the number of people who receive falls assessments, but the reality for us is that this 13 per cent figure has been a constant for us for a period of time now. We do need to reassess, I believe, in this coming year the nature of the way that we deliver our falls injury prevention service and to re-evaluate the indicators that we would wish to put around that so that we know we are making the greatest impact on the community.

**MS BRESNAN:** Those group programs you mentioned, are they exercise-based programs or are they actual assessment?

**Mr Carey-Ide:** They have a number of focuses. An assessment is generally something we would do as a one-on-one process. Where we have seen a greater uptake of the education program available to our staff in the acute sector in the public hospitals and, therefore, a greater uptake of individual falls assessments in the hospital, we are finding that more people are being referred to our community programs that

are about home awareness. They are about becoming aware of factors within one's own home that can contribute to falls, such as non-secured rugs on the floor and not using night lighting. We do run exercise programs. But we also form partnerships with the community sector to actually support us in increasing the physical strength of people and thereby reducing falls and falls injury risk.

**MS BRESNAN:** When you said that there are group programs, are they run out of the health centres, or are they run with—

**Mr Carey-Ide:** Some of them are, yes. We have various models. We run programs out of the Dickson and Phillip health centres but we also partner with community agencies.

**Ms Gallagher:** Indeed, last night I think I signed off the falls prevention grant round. A section of health promotion grants goes into the falls prevention program. That is just another way that we do falls prevention work in the community. That all goes to community organisations.

**MR SMYTH:** Going back to the 420, that has been the target now for 2008-09, 2009-10 and 2010-11. When will you be able to give us an answer as to how realistic that number is and, in fact, whether your theory that we are doing it through your group sessions is true?

**Mr Carey-Ide:** I think it will take some months for us to unpack that and be able to provide a definitive answer to that. I am reluctant to offer a date at this point in time, but it will take us at least, I believe, six months to be able to redefine what a realistic target for us is based on the achievement of the goal for the acute sector as well as trying to evaluate the success of the community programs.

**MS BRESNAN:** Is it likely that it is something that you would start reporting on? If the community programs are having an impact on the one-on-one appointments, would you actually start including that in your reporting?

**Mr Carey-Ide:** Certainly.

**MR SMYTH:** I notice that strategic indicator 21 is static at 5.4 fractures per thousand. The last line states:

The ageing of the population will significantly increase the number of people in this group.

**Mr Carey-Ide:** Yes.

**MR SMYTH:** What will you do to cater for that increase in population?

**Mr Carey-Ide:** I think, again, our evaluation of the falls program will provide us with a deal of information that will include information about the incidence of hip fractures. We do have a number of other strategies across ACT Health that fall outside the aged care and rehabilitation service that contribute to better general health for older people, and we need to understand the impact of those programs also.

But, certainly, we need to look at ways in our falls injury prevention service that we can more effectively reach larger numbers of older people and ageing people in the community. I suspect that we have reached a point where we need to begin working with younger people rather than focusing on the eligible groups that we have previously focused on so that we can better prepare people who are ageing rather than those who have already reached an older age.

**MR SMYTH:** Right. The 2008-09 estimated outcome was 5.4 and the target was 5.4. Have we plateaued, and is it possible to get it lower than 5.4? I appreciate that it is the national average, that it is the long-term target. Have we plateaued here? Is that what it is?

**Mr Thompson:** We discussed this over the last two days. The issue here is—just teasing this out slightly more—that the 75-plus age group is not a homogenous group. In fact, one of the features that is frequently observed in the hospital system is that we are now seeing people in their 80s at a frequency that well exceeds the frequency with which we previously saw people in their 80s.

The point about that is that if we reduce, for example, the incidence in the 75 to 80 group and people are living longer and getting frailer into their 80s and into their 90s, we cannot, with confidence, say that we will actually reduce the number of falls. While we might have postponed a fall, the overall population risk amongst this group may remain the same, as we have talked about previously. For that reason, we are not confident that we can reduce this rate. What we have got is sort of a countervailing set of forces that will increase prevention activity that Grant has been describing at the same time as we also have an increasing age profile within the 75-plus age group.

**THE CHAIR:** One more question, Mr Smyth, and then we will have a break for morning tea.

**MR SMYTH:** Just back to the accountability indicators on page 229, we have moved from weights of around 11 to eight to around 12 in the accounting. I was just wondering what was the outcome in, say, c—“sub-acute service—episodes of care” against the 1,650 target? Have we got the data against the old measure rather than the new measure?

**Mr Carey-Ide:** I am sorry, against—

**MR SMYTH:** Note 3 states:

The lower than target estimated outcomes for 2009-10 reflect revisions to the national accounting methodology ...

Against the 1,650, what did we achieve?

**Mr Carey-Ide:** We have achieved 1,600 against the 1,650.

**MR SMYTH:** So against 1,650, we got 1,600?

**Mr Carey-Ide:** Yes.

**MR SMYTH:** Okay. But the 1,600—is that the new methodology or is it the old methodology? If you achieved 1,600 and it is the old and it is the new, then nothing has changed.

**Mr Carey-Ide:** Okay. We will take this one on notice.

**MR SMYTH:** In each of those cases, against the original targets in 2009-10, where there has been a change, could we have the outcome against the original target, if that is available?

**Mr Carey-Ide:** Yes.

**MR SMYTH:** Thanks.

**THE CHAIR:** That will be taken on notice.

### **Meeting adjourned from 10.30 to 10.48 am.**

**THE CHAIR:** We will resume the public hearing of the Select Committee on Estimates. We will move on to output 1.7, early intervention and prevention. I want to go to page 230 of budget paper No 4. Under “community health”, paragraph b reads:

Proportion of children aged 0-14 who are entering substitute and kinship care within the ACT who attend the Child at Risk Health Unit for a health and wellbeing screen

What sort of screening is done in these particular checks and are we providing the sort of assistance that is needed for children who have suffered trauma?

**Ms Bracher:** The screens that are done are provided by the Child at Risk Health Unit. That includes a paediatrician’s assessment and an assessment by nursing staff of the overall physical and emotional wellbeing of the children. A management plan is then put in place at an individual level, depending on the assessment findings.

**Ms Gallagher:** The answer, from the previous portfolio, is that it depends. The children get a health screen and the extent of that and the extent of the involvement of other health professionals depend on the individual child.

**THE CHAIR:** I have been told that there does not seem to be the amount of funding that needs to be available around traumatised children and that, therefore, some of them are being labelled as autistic and this is helping them to be able to receive some sort of assistance. I am concerned about what sort of follow-up care there is. I know you have talked about individual plans. Obviously, they do need to be individual, but what sort of care might be involved in those plans? Are we really addressing the needs of these children?

**Ms Bracher:** The Child at Risk Health Unit staff work very closely with the other government agencies, with the Office for Children, Youth and Family Support and

DHCS more broadly, to develop a package of support for the child in the community and also their broader family unit, so that the child can be cared for within a family unit with the community support structures around the child.

**THE CHAIR:** This is something I will also follow up with the Office for Children, Youth and Family Support about what is provided there, because I understand from a number of carers that they just cannot get the sorts of interventions, therapy and so forth that children who have been traumatised need. But from your end, those assessments are done and you believe those plans are being followed through and implemented?

**Ms Bracher:** They are. We have social work staff within the Child at Risk Health Unit as well, and they provide follow-up care for some of the emotional and psychosocial issues that might come as part of the assessment. As well as the assessment, we do some intervention as well, and then the linkages with the other community-based services that the child and family might need.

**THE CHAIR:** With this target of 80 per cent, why have we only got 80 per cent? Is that because only 80 per cent of those entering will need those screens or is it that we are only getting to 80 per cent of the children?

**Ms Bracher:** The target of 80 per cent that was set took into account that there could be a slight time lag between the assessment of the child by the Office for Children, Youth and Family Support and then the referral to our Child at Risk Health Unit. Once the referral is received, we can see the child within the time frames and within the month. We have a 100 per cent assessment rate for the referred children. So the target does take into account that small window of the time lag for the referral into our Child at Risk Health Unit.

**THE CHAIR:** What is that time lag? Have you got an idea of the average time lag?

**Ms Gallagher:** Health only have control over the referrals given. It is probably a question for the office. But I am aware that there are some children who would come into the system who, for one reason or another, may not need a full health screen through CARHU. I guess there is a component of that, too. You would not necessarily see 100 per cent of children entering the system?

**Ms Bracher:** Not necessarily 100 per cent of children entering kinship orders, but we see 100 per cent of the children that are referred to us.

**THE CHAIR:** My concern is more around that time lag, rather than what happens—

**Ms Bracher:** Yes.

**MRS DUNNE:** Madam Chair, can I follow up on that?

**THE CHAIR:** Yes, Mrs Dunne.

**MRS DUNNE:** I want to go back to the issue of the target of 80 per cent. Who sets that target? Is it a Health target or a Care and Protection target?

**Ms Bracher:** It is a Health target.

**MRS DUNNE:** I do not understand how we determined an 80 per cent target rather than a 100 per cent target. If you screen children who do not need ongoing assistance, what is the harm in that?

**Ms Bracher:** The aim of the target was to try and report more at an interagency level, at an across-government level, on the impact our whole system might have on this group of children. It was set a couple of years ago as a target to work towards while we developed accurate data over a trended period of time. We do not seem to be able, within Health, to achieve anything greater than 80 per cent against that target.

**Ms Gallagher:** Mrs Dunne, I take your point. I do not know the background to the setting of the 80 per cent target in relation to this indicator. Perhaps we can take some further advice on how that 80 per cent target was reached. But I do know there are situations where, to take an example, a child comes into the care and protection system at 13 for one reason or another, may have a very good relationship with their GP, very good health, and would not necessarily need to come through CARHU for assessment.

There are situations where we try to minimise some of our interventions based on the individual circumstances of the child. I am sure that feeds into the setting of this target as well. There are just some children that you would not need to assess at CARHU. Decisions would be made as to whether they have a GP, whether their health checks are up to date, whether they are fully immunised—all of that information. There would be circumstances where you do not need to send them off to Canberra Hospital for an assessment.

**MRS DUNNE:** CARHU provides more than a simple health assessment, though.

**Ms Gallagher:** Yes.

**MRS DUNNE:** It is about their psychosocial behaviours, a whole lot of behaviours where they may be at risk.

**Ms Gallagher:** Yes, but with the children that come into the care and protection system, I can think of a recent example of a year or so ago where a mother became unwell. There was no question about her ability to care for her children or her children's health status or any psychological damage. She became unwell. She asked that they come into the system while she underwent treatment. With those children, for example, you would not send them off to CARHU to have an assessment. So there are situations where you would not capture 100 per cent of the children, for quite good reasons. We can certainly undertake—and I would probably benefit myself from a little more understanding of how that 80 per cent target is set.

**MRS DUNNE:** I suspect, because you can remember that one case, that those sorts of cases are the exception.

**Ms Gallagher:** Yes, but every case is individual.

**THE CHAIR:** I note for the *Hansard* that that is taken on notice. Ms Bresnan?

**MS BRESNAN:** Yes, in relation to page 222 of budget paper 4, the percentage of young people who smoke regularly: there has been a significant drop in the percentage there, which is excellent to see. Are there plans or does government target other vulnerable groups, particularly in relation to smoking—young mums or single mothers?

**Ms Gallagher:** We had a particular focus on the Aboriginal and Torres Strait Islander population.

**MS BRESNAN:** And it is in relation to the fact that the smoking in cars issue is on the agenda; that would be one potential group where they may need to have a specific target, if that legislation were to come into place.

**Ms Gallagher:** Do you want to talk about that, Charles, and maybe give us an indication of what your Chief Health Officer report might say?

**Dr Guest:** Thank you, minister. I think the question was: do we target other groups at risk?

**MS BRESNAN:** I am just saying that, with the smoking cessation, obviously teenagers are a group you would target, and there has been a significant drop there, but are there other vulnerable groups who are targeted or planned to be targeted? I gave young mums as an example.

**Dr Guest:** Yes. There is a comprehensive approach to smoking prevention and cessation across the portfolio. You have identified one of them. In recent budget bids, we have had other programs that I will attempt to describe.

Just to give you an overview, minimising tobacco promotion, of course, and then restriction of the places of tobacco use—those are the strands of this strategy. The Tobacco Amendment Act 2008 addressed the first category—minimising tobacco promotion. The main amendment there was to remove the point-of-sale displays. That would affect a wide range of people who go into small suburban shops and who used to buy cigarettes. It will be harder for them to do that.

The point-of-sale tobacco displays provision will come into force from specialist tobacconists as well on 1 January 2011. We have produced a guide to the sale of smoking products, developed during 2009, which was developed in conjunction with the Office of Regulatory Services, which has regulatory responsibility for the Tobacco Act 1927.

The second category of reform—restricting places of tobacco use—concerns smoking in certain places, such as outdoor dining and drinking areas, educational facilities and areas of public gathering and at underage functions. Legislation passed concerning a ban on smoking in outdoor eating and drinking places and at underage functions in 2009. To allow the hospitality industry sufficient time for implementation, it will come into force on 9 December 2010, 12 months later. This legislation builds on the

success of the enclosed public places ban that commenced on 1 December 2006.

**MS BRESNAN:** That is in relation to the legislation, which I am aware of. In terms of smoking cessation programs, obviously, teenagers have been a target. Are there other vulnerable groups who have been identified as a target?

**Dr Guest:** Yes, absolutely, and the most obvious one is Aboriginal and Torres Strait Islander people, where smoking prevalence has been known for quite some time to be considerably higher than in the rest of the population. We have a funded program there, and I could provide some detail about that from the 2008-09 budget, if you wish.

**MS BRESNAN:** If it is in the 2008-09 budget, that is okay. The other area I mentioned was the smoking in cars discussion which is on the agenda. That is likely to have an impact on people from lower socioeconomic backgrounds. Obviously this is hypothetical because we do not have it in place yet, but young mums or single mothers might be a particular group who could be impacted by that sort of legislation if it was to come into force.

**Ms Gallagher:** Yes. The government have agreed that we want to implement a ban on smoking in cars with children. A number of other jurisdictions have moved that way. In fact, I signed off a letter last night to allow Health and Territory and Municipal Services to do a little bit more work around how we would implement that here in the territory.

There are some issues for us around this legislation, and it goes to the issues you raised about what message we are trying to send. It relates to the penalties for it. Should we be taking more of an educational approach—which will be part of it—about the harmful effects of smoking in a confined area with people who do not have a choice about whether they get in or out of the car? With respect to the way we manage our traffic infringement system here, if you get a traffic infringement offence, it can deduct points from your licence. If you do not pay the fines, you can lose the registration on your car. Is that the intent of what we are trying to do here? If you get caught smoking in your car with children and you do not pay that fine, should you then lose your licence, having regard to the impacts of that? It is quite complicated when you work it through.

There are also issues about at what age it should come in. We have children under the age of 18, or who are legally considered to be children under the age of 18, who will be driving the vehicle. As the driver, with a 17-year-old friend next to them who is smoking in the car, how do we manage that issue? So there is a little bit more work to do.

The whole idea was more around education. I think that is the benefit of the policy intent. If you have got children in your car, the evidence is that the harmful effects of tobacco in a confined area are significant. I do not think the intention was to—

**MS BRESNAN:** No, it is for health.

**Ms Gallagher:** extrapolate down the track that you might lose your licence, you have P-plates being pulled off the road, and that is some of the discussion.

**MR SMYTH:** But if you are serious about it, how do you enforce it? You are either serious about it or you are not. There is either a harmful effect and there should be a consequence or you are not serious about it.

**Ms Gallagher:** This is the discussion that is ongoing across the government at the moment. I think it is a genuinely complex discussion. I have my own view around it, and it comes purely from a health point of view. However, if we instigated legislation in this area, it would be managed under the traffic infringement system, which is not about the health point of view; it is about a penalty-based approach for breaking the law, and I think there is a little bit of conflict there. It has taken longer than intended to get to this point, but it is longer because I do not think it is clear. It is not clear to me.

**MS BRESNAN:** I think lower socioeconomic groups could potentially be affected more than others, perhaps.

**Ms Gallagher:** Exactly, and then you have got to pay a charge to get your rego back in order and get your licence back. There is a compounding effect on people that might not have the resources.

**MS BRESNAN:** Yes. Perhaps in future budgets and health reports we might see something there about that.

**Ms Gallagher:** Yes.

**MR SMYTH:** I stepped out for a moment; sorry. Did Dr Guest reveal what the rate is of smoking for age 12 to 17? What is the latest figure we have got?

**Dr Guest:** The latest prevalence for that, Mr Smyth, yes.

**MR HANSON:** The ladies smoking in Ms Gallagher's office I think would be—

**Ms Gallagher:** Smoking in my office?

**MS BRESNAN:** There is in your office, too, Jeremy.

**MR HANSON:** I know. We have a problem with our health advisers.

**MS BRESNAN:** We do.

**Ms Gallagher:** Yes.

**MR HANSON:** It is a problem that is a tripartisan problem.

**MR HARGREAVES:** You have got a smoking gun in Jeremy's office.

**MR HANSON:** I have got plenty of smoking guns, mate. It is just when I choose to fire them.

**Dr Guest:** Smoking in people aged 12 to 17 years: the latest data, unpublished, for smokers in this age group—I am reading this off a graph from the unpublished Chief Health Officer's report—looks to be approximately 28 per cent. That is not surprising. A lot of people experiment with cigarettes. Then, more importantly, current smoking in that age group is about eight per cent. Daily smoking in this age group is about five per cent. But the graph that will appear on page 49 of the unpublished report shows a very favourable trend over the last decade. I think it is something that certainly demonstrates the benefit of the comprehensive measures that have been taken across a range of fronts to reduce smoking.

**MR SMYTH:** And that number is for 2008?

**Dr Guest:** Yes, 2008. Those are the latest data.

**MR SMYTH:** Thank you.

**MR SESELJA:** Minister, I just want to go back to some statements you made on Monday. On Monday when we were talking about the amount of GST that was being withheld by the commonwealth, you said that the 47 per cent figure that you quoted was widely reported in the media. I was just wondering if you could draw our attention to where that wide reporting has occurred.

**Ms Gallagher:** I read into the *Hansard* yesterday a report on the ABC. I still believe there is reference to it in the *Canberra Times*, although I have not been able to find it. But the journalist I gave an interview to on this subject on 23 April—an extensive interview on this subject—I am sure would verify that.

**MR SESELJA:** So the wide reporting is nowhere to be found or—

**Ms Gallagher:** Perhaps my words should have been, “I spoke publicly and often about this figure.” Whether it translated into being published is another question. I think I have answered all the questions I can around this, Mr Seselja. You have a different view and opinion to mine, and I think the statement I read out from Ross Solly's show clearly vindicates me and my public statements.

**MR SESELJA:** It does not, because it was, firstly, before your musing on the amount—but then after it was agreed it was reported as a third and never publicly refuted by the government. There is no record we have been able to find, after that agreement was signed, of either you or the Chief Minister or anyone else saying that it was 47 per cent.

**Ms Gallagher:** Is there any record of me saying it is 30 per cent in the ACT?

**MR SESELJA:** No. It appeared you were silent on it and you allowed the reporting in the *Canberra Times*—

**Ms Gallagher:** No. I do not have editorial control over the *Canberra Times*, Mr Seselja. As much as I would like to, I do not have it.

**MR SESELJA:** But you have control over what is in your press releases.

**Ms Gallagher:** Did you see it in the press releases?

**MR SESELJA:** No, you did not put any figure in the press releases.

**Ms Gallagher:** Did you see 30 per cent in the press releases?

**MR SESELJA:** I did not see 47 per cent.

**Ms Gallagher:** So what did we put in the press release, Mr Seselja?

**MR SESELJA:** You said “an amount”, which you were silent on.

**MR SMYTH:** “A proportion”.

**Ms Gallagher:** A proportion, which is correct.

**MR SESELJA:** Which you were silent on. So why wouldn't you—

**Ms Gallagher:** No, I was not silent on it.

**MR HARGREAVES:** Madam Chair, can I have a question, please, from Mr Seselja perhaps?

**MR SESELJA:** Hang on.

**Ms Gallagher:** I do not think there is any further assistance I can provide you with in relation to this.

**MR SESELJA:** Do you want to clarify the record, then, for us, because on Monday you said to us it was widely reported in the media. You have not been able to show anywhere where it has been reported in the media that it was 47 per cent.

**Ms Gallagher:** Yes, I have.

**MR SMYTH:** One swallow does not a summer make. One reference—

**THE CHAIR:** One at a time! Mr Seselja is asking a question.

**Ms Gallagher:** There is no need for me to correct the record.

**MR HANSON:** Can I just go to that point as well, Madam Chair, because you are saying that this figure of 47 per cent has been recorded. It has not. In the transcript, going from what you said in the *Hansard*, you said it is probably around 40 per cent—

**Ms Gallagher:** And go on.

**MR HANSON:** upwards of 40 per cent.

**Ms Gallagher:** Yes, go on.

**MR HANSON:** There is no figure that mentions—

**Ms Gallagher:** No, go on, Mr Hanson. Keep reading—up to “half our GST”.

**MR HANSON:** You said it is around 40 per cent.

**Ms Gallagher:** Okay, and then I say “half”.

**MR HANSON:** But you have also said—

**Ms Gallagher:** Can I just point out that they are estimates. They are estimates, and they may change. So I think—

**MR HANSON:** You did not say that.

**Ms Gallagher:** the comments I gave are correct.

**MR HANSON:** Can I also point out that you said “maybe we can manage that, but we will have to work through the detail—

**THE CHAIR:** Have you got a question, Mr Hanson?

**MR HANSON:** This is about the point. This is about—

**MR HARGREAVES:** We need a question.

**MR HANSON:** whether it was widely reported. I am asking the minister where she said 47 per cent. She said:

We’ve just got to work through all the detail, because it’s too high risk to just say, oh well, the Federal Government wants it this way. So let’s sign everything over.

**Ms Gallagher:** Yes.

**MR HANSON:** So you have said it may be about 40 per cent but that would be high risk, in one media interview. You have not mentioned the 47 per cent figure. You have said maybe, maybe, maybe. So how is that widely reported, minister?

**Ms Gallagher:** Ms Hunter, I am not sure this is a useful exercise of the committee. I have answered everything I need to answer around this.

**MRS DUNNE:** The minister has got form on this—the same way that she did not ever—

**MR HARGREAVES:** Madam Chair—

**MRS DUNNE:** correct the record about school closures—

**MR HARGREAVES:** Could you remind them about the standing orders.

**THE CHAIR:** This is not about statements; this is about questions.

**MR HANSON:** I have got another question: who else did you speak to after—

**THE CHAIR:** One more question and we will move on to Mr Hargreaves's question.

**MR HANSON:** You said it was widely reported, so obviously you spoke to a lot of people. Other than the *Canberra Times*, who else did you speak to from the media to give them that figure of 48.9 per cent?

**Ms Gallagher:** I gave a number of press statements or media interviews after COAG. I have never intentionally hidden the proportion of GST that will be going into the local hospital network. I have given I cannot tell you how many interviews. I do not have control over what grabs of those they put to air.

**MR SESELJA:** So it is just—

**MR HARGREAVES:** Madam Chair—

**MR SESELJA:** So it is the journalists' fault?

**THE CHAIR:** It is Mr Hargreaves next.

**Ms Gallagher:** I am not blaming anyone. I am saying that I gave the interviews. There was no intention to hide, because there is no loss; there is nothing to hide.

**MR HANSON:** But has the community then—

**THE CHAIR:** We are moving on now, thank you.

**MR HARGREAVES:** I would like to ask a question on community health.

**Ms Gallagher:** There is nothing to hide. It is more money going into health. Why would anyone want to hide that?

**MR SESELJA:** It is more withheld. It is more withheld than other states.

**THE CHAIR:** Okay, could we move on.

**Ms Gallagher:** It is not being withheld, Mr Seselja.

**MR SESELJA:** That is what it says in the communique.

**Ms Gallagher:** You are thick.

**MR SESELJA:** That is what it says in the communique.

**THE CHAIR:** Members, order!

**MR SESELJA:** Have you read the communique?

**Ms Gallagher:** If you think it is being withheld—

**THE CHAIR:** Mr Seselja!

**Ms Gallagher:** If you think it is being withheld, and the intention you are putting out there in terms of your public comments is to scare the community—

**MR SMYTH:** No, it is to get to the truth.

**Ms Gallagher:** and try and get them to believe that the commonwealth is not providing that money to the ACT for ACT Health, that is incorrect.

**MR SMYTH:** We have not said that.

**MR SESELJA:** Minister, does it—

**THE CHAIR:** Thank you, members. We are moving on.

**MR SESELJA:** Hang on; she has made an assertion against me.

**Ms Gallagher:** That is what you are trying to do. You are misleading the community on this.

**MR HARGREAVES:** Madam Chair—

**MR SMYTH:** Why does it not appear in—

**MR HARGREAVES:** Show them the standing order.

**THE CHAIR:** Order!

**Ms Gallagher:** You are misleading the community on this.

**MR SESELJA:** Absolute rubbish.

**Ms Gallagher:** The title of your press release—

**MR SESELJA:** Communique.

**Ms Gallagher:** The title of your press release, “Gallagher gives away GST”—what a load of rubbish.

**MR SESELJA:** Have you read the communique?

**THE CHAIR:** One at a time.

**MR SESELJA:** Did or did not the communique which was signed by this

government say that the GST would be withheld under the arrangements?

**MR HARGREAVES:** Madam Chair, this is not—

**Ms Gallagher:** I have answered all the questions.

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

**MR SESELJA:** Sorry; I have asked the question.

**MRS DUNNE:** There is a question that is unanswered.

**Ms Gallagher:** You do not sign a communique, Mr Seselja, you fool.

**MRS DUNNE:** You agree to a communique. You agree to the communique.

**MR SESELJA:** Was it in the communique or not?

**THE CHAIR:** I think the minister—

**MR SESELJA:** So you cannot answer that question. You just throw out assertions. You cannot back them up.

**THE CHAIR:** Excuse me.

**MR HARGREAVES:** Madam Chair, would you show them the standing order, please?

**Ms Gallagher:** All the money that currently comes to the ACT will continue to come to the ACT. A proportion is going to be earmarked for our local hospital network. We already put at least that amount of money into it.

**MR SMYTH:** Why does the number not appear anywhere in your budget papers or in your budget speech—

**THE CHAIR:** Mr Smyth, I have not given you the call. I have given the call to Mr Hargreaves.

**MR HARGREAVES:** Minister—

**Ms Gallagher:** It does not need to.

**MR SMYTH:** Why not?

**THE CHAIR:** Mr Smyth! Mr Hargreaves has the call.

**Ms Gallagher:** It is not in our appropriation bill, Mr Smyth.

**THE CHAIR:** Minister, Mr Hargreaves has the call, and will be able—

**MR SMYTH:** But the forward estimates cover the years—

**THE CHAIR:** Mr Smyth, you do not have the call.

**MR HARGREAVES:** Thank you. I draw the minister's attention and Dr Brown's attention to the early intervention and prevention programs, which is where we are at in the budget papers. Nothing has been said so far. I would like to ask a question around the well women's check with regard to the Women's Health Service. Presumably Katrina Bracher would love to join us, because she has been bored sitting there in the bleachers.

This particular target talks about women from culturally and linguistically diverse communities. It says that the target is 30 per cent, and you have achieved 30 per cent. That is fine. I am concerned, and have been concerned for 30-odd years, that we are not reaching some of the women in our multicultural community with regard to health services. Indeed, if my memory serves me correctly with regard to the Women's Health Service, it was created with just that in mind, because of the domestic violence that some people were having perpetrated upon them within some of our communities.

I would like you to let me know whether you think 30 per cent is a satisfactory target. I would also like to know what action and activity are being planned or being done to reach the women in our multicultural community, either through the Office of Multicultural Affairs or otherwise. And do you think that we should in fact be having a campaign to reach people in this particular cohort? I am aware of the Women's Health Service in Coburg in Melbourne, which is sans doctors. It is also—

**MR HANSON:** Madam Chair, is this a question or a statement?

**MR HARGREAVES:** Mr Hanson, join the committee if you want to have a say.

**THE CHAIR:** He has asked a couple of questions. He is asking questions along the way, Mr Hanson. I think we are up to two or three.

**MR HARGREAVES:** Thank you. Yes, we are. It is about—

**MR SESELJA:** Jeremy got cut off about five words into quoting the minister.

**MR HARGREAVES:** God, you guys are just so rude. Do you want me to match you one for one?

**THE CHAIR:** Mr Hargreaves—

**MR HARGREAVES:** I am capable of it.

**THE CHAIR:** Mr Hargreaves, would you complete your question.

**MR HARGREAVES:** I am very interested in whether or not the women's health centre model—

**MR HANSON:** He is filibustering, Madam Chair.

**MR HARGREAVES:** You don't care a damn about women's health, old son.

**THE CHAIR:** Mr Hargreaves, please finish your question.

**MR HARGREAVES:** I would like to know whether or not our Women's Health Service has a similar sort of approach which is applicable as the women's health service, particularly around the Middle Eastern community in Coburg. I am not using that as a targeted group; I am just saying that that is an example of how it can be done. I am very interested to see whether or not you consider this to be an area of attention going forward.

**Ms Bracher:** The—

**MR HARGREAVES:** I can start again if you like—just upset these guys.

**MRS DUNNE:** It was so rambling that nobody knows what he was talking about.

**MR HARGREAVES:** I'd do it just to upset them.

**Ms Bracher:** With regard to the target of 30 per cent, we have increased that by five per cent in the last two years, based on our targeted approaches to the community and our capacity to actually deliver above 25 per cent. A year and a half or two years ago, we had a targeted communication program with a number of vulnerable groups of women within the community, and we had a marked increase in referrals to our Women's Health Service from those groups. Last year we achieved 28 per cent, so the target was raised to 30 per cent as a bit of a stretch goal for us to keep increasing the access that we have to that Women's Health Service.

**THE CHAIR:** I believe that part of Mr Hargreaves's question also was around promotion of the service.

**MR HARGREAVES:** Yes. And I heard Ms Bracher just say that they had a marketing program around that in the last couple of years. I would like to have some sort of indication of the detail of that. I do not mean every bit of it, but an idea of it. I am interested in how the connection is with the multicultural community. That is what it is about.

**Ms Bracher:** The staff of the Women's Health Service went out and went with a number of groups. They did some education sessions with those groups. They marketed the services that they provide through the Women's Health Service and the referral process into that Women's Health Service. We saw a significant increase in referrals at that time. It was just over two years ago. A number of the women are coming back for their second screening, for their pap smears, two years down the track, as based on the recommendations for the review process.

**MR HARGREAVES:** In the context of those people presenting, which I think is absolutely wonderful, are they coming predominantly for health issues like breast screening, pap smears and those sorts of women-specific issues or are they coming more for social supports? Or is it a combination? Can you give me a feeling for that?

**Ms Bracher:** The Women's Health Service provides two. There is the nurse screening, pap smear, women's health component. But there is a very strong component of counselling for women affected by violence. That service runs fairly close to capacity.

**MR HARGREAVES:** Does that service actually provide counselling and that sort of thing or does it act as a referral agent?

**Ms Bracher:** It provides the counselling.

**MR HARGREAVES:** What is the staffing of the Women's Health Service at the moment?

**Ms Bracher:** It is between three and four FTE social workers. I can confirm that.

**MR HARGREAVES:** Is that just social workers? When it first started—

**Ms Bracher:** Sorry, nurses.

**MR HARGREAVES:** It started with a doctor, a nurse, a social worker and an administrative assistant back in 1985. Is there a change to the staffing of that?

**Ms Bracher:** The nursing service remains the same. We are just looking at establishing a clinical nurse consultant position in there to provide a higher level of nursing consultancy for those women. The medical component—we had a resignation of our long-term doctor last year. We tried to recruit last year and were unsuccessful. We have covered the medical component into that service through locums and through the doctors in our Child at Risk Health Unit, who have a women's health clinical background as well.

**MR HARGREAVES:** In the beginning it was a mobile service; it was located out in the Gilmore-Chisholm area. Then, as I understand it, it moved into the city. Is it still a static service or does it have a mobile component to it as well?

**Ms Bracher:** The service is based in the city, but the community engagement aspect is in the community. The staff go out to the groups.

**MS BRESNAN:** I have a follow-up on that. Did you say that you targeted particular groups through that campaign you mentioned that was around through the Women's Health Centre? What groups were they?

**Ms Bracher:** I will have to get back to you on the specific groups that we targeted at that time. I cannot answer that off the top of my head.

**THE CHAIR:** Can you take that one on notice?

**Ms Bracher:** Yes.

**MS BRESNAN:** We are seeing more new arrivals coming into the country, refugees. Are you working with Companion House at all on these sorts of programs? Often they

might be the first point of access for groups who are arriving here.

**Ms Bracher:** There is a close relationship with Companion House to provide services for refugee women.

**MS BRESNAN:** So you work closely with them in terms of the campaigns you are running to increase the number of women from vulnerable groups who might be accessing particular services?

**Ms Bracher:** Yes, so that they are aware of the services that we provide.

**MS BRESNAN:** I know that you said you would take on notice the target groups. Has the Sudanese community been a particular target in recent years?

**Ms Bracher:** The Sudanese community is certainly a community that we have had a lot of input with over the last couple of years.

**MS BRESNAN:** When you say “input”—you have actually been working with the community, community leaders and women within that group, to spread the message that they should be going to access these services?

**Ms Bracher:** I believe that is one of the groups that we have targeted in our community engagement program. It is certainly a significant number of the women who access for one-on-one services.

**MS BRESNAN:** Are from the Sudanese community?

**Ms Bracher:** Yes.

**MR HARGREAVES:** One of the issues earlier on was that the principal targets were about women-specific issues. I mentioned breast screening and domestic violence—drugs, alcohol and that kind of thing. That seemed to be around large socioeconomic communities. Now we are seeing quite a significant entree, I would hope, by the refugee community or by the cultural community. Has it levelled off? Is it increasing or decreasing in either of those two groups?

**Ms Bracher:** I cannot answer that question specifically. What we are trying to do with the Women’s Health Service is target the service to vulnerable women, whichever community group they come from. It is really about their vulnerability and their exposure to violence. That is really our focus for that service irrespective of the group that they come from.

**MR HARGREAVES:** One of the issues facing the Women’s Health Service earlier on was the activity of men in the community towards the service and the emotional blackmail men were going to perpetrate on women to prevent them from going and receiving women-specific support. Is this still an issue or has it dissipated?

**Ms Bracher:** I have not received any specific feedback from men’s groups with regard to the service. In setting up the service and managing the service, we are specifically mindful about the safety of the women who attend that service and the

information that we keep around those women to ensure their privacy and safety.

**MR HARGREAVES:** My last question on this is on the connection between the Women's Health Service and some of the women's support NGOs like Toora, Beryl Women's Refuge and those sorts of supports. Am I right in assuming that there is a close liaison between the Women's Health Service and those particular services outside the government sector?

**Ms Bracher:** Yes.

**MR SMYTH:** How many well women's checks are conducted each year?

**Ms Bracher:** I do not have those numbers in front of me. I can provide them.

**MR SMYTH:** Thank you. I have one last question for Ms Gallagher. I have reread the statement that you made yesterday about the GST component, but nowhere does it actually say that you are considering agreeing to the retention by the federal government of 47, 51 or 40 per cent or whatever the number is. You talk about the current and you mention that we have got the feds' offer, but nowhere do you say what the feds have now asked for. So how is this a true representation and how is it that you made that number public, as you claim?

**Ms Gallagher:** You are trying to allege that I withheld information. You can see from that interview—indeed, if it requires me to get Danielle Cronin to come and clarify this for you in terms of comments I made to her—I volunteered that information—

**MR SMYTH:** You did, but—

**Ms Gallagher:** Ross Solly did not ask me specifically. I actually volunteered, because I have nothing to hide, that it was a larger component of our GST than 30 per cent on average.

**MR SMYTH:** But you say:

... the GST component that we would I guess have hypothecated into health is probably about 40 ... per cent ...

That is probably true.

It's 30 per cent across the board nationally—

that is probably true—

because we're a small jurisdiction, it would essentially take ... half of our GST ...

That may be true. But it does not actually say, "And the commonwealth have now asked for 47 per cent and we are considering that." There are a few statements about what is currently happening, but there is nowhere—

**Ms Gallagher:** In the context of that interview—

**MR SMYTH:** There is no indication here that you were considering giving up more than the third that had been spoken about.

**Ms Gallagher:** In the context of that interview, I was explaining under the commonwealth offer what did it mean for the ACT. The comment that I gave was: if we were to accept this—this is the context—this is what it would mean around our GST.

**MR SMYTH:** That is not quite the context.

**Ms Gallagher:** It is the context. Why would I be saying it if it was not the context?

**MR SMYTH:** That is not what you said in the interview before or after.

**Ms Gallagher:** I said that we had received the offer from the commonwealth two days before.

**MR SMYTH:** Yes.

**Ms Gallagher:** I said that we were are going through the detail, that this is what it looks like, that it would mean up to half of our GST. I am sorry that it is inconvenient for the campaign you are trying to wage, but that is the context of the comments. They were public comments. I volunteered the information; I provided follow-up information to those that were interested; and I apologise if you were all napping on the job and forgot to follow this up.

**MR SMYTH:** No, no.

**Ms Gallagher:** That is not my fault.

**MR SMYTH:** You can go to personal insult. That is a good defence.

**MRS DUNNE:** But that is all we have done all week.

**MR SMYTH:** But it is not—

**Ms Gallagher:** Then I have nothing further I can provide in assistance on this, Ms Hunter.

**MR SMYTH:** It does not say anywhere here that that is what you are considering.

**THE CHAIR:** Mr Smyth—

**MR SMYTH:** And it does not say—

**THE CHAIR:** Mr Smyth, we are moving on to Mr Seselja.

**Ms Gallagher:** It does, because it is the context of: if you accept this, what does it mean for the ACT?

**MRS DUNNE:** Minister—

**THE CHAIR:** Mrs Dunne!

**MR SMYTH:** But that is not what it says.

**Ms Gallagher:** That was the context of the interview.

**MR SMYTH:** That is not the context of the interview.

**Ms Gallagher:** It was.

**MR HARGREAVES:** Madam Chair, can we have a change, please? It is half past 11 and we should be moving on. We have got other people to talk to.

**MRS DUNNE:** Madam Chair, I have—

**THE CHAIR:** No, I am sorry. Mr Seselja is going to table some documents.

**MR SMYTH:** The minister has presented this as a defence, and it is not a defence. It does not talk about the government actively considering giving up 47 per cent of—

**THE CHAIR:** Do you have a question?

**MR HARGREAVES:** Madam Chair, it is after the time for closure.

**Ms Gallagher:** We are not giving up anything, Mr Smyth.

**MR SMYTH:** It is being retained by the commonwealth.

**Ms Gallagher:** It is going into the ACT's local hospital network.

**THE CHAIR:** Mr Smyth, do you have a question?

**MR SMYTH:** I do have a question. Minister, will you at least admit that 47 per cent of our GST is now being retained if we sign up to this deal?

**Ms Gallagher:** No.

**THE CHAIR:** Okay. Mr Seselja.

**MR SMYTH:** So the communique—

**THE CHAIR:** No. There was an answer to your question, Mr Smyth. Mr Seselja.

**MR SMYTH:** Hang on; there is a communique and there is a press release from the health minister, the federal health minister, saying that this money will be retained by the commonwealth. Is the money being retained by the commonwealth?

**Ms Gallagher:** The money?

**MR SMYTH:** Is the GST money—

**Ms Gallagher:** Under the transition arrangements, the money is coming. We have to identify the amount of GST—or the commonwealth will identify, through their budget papers, of the GST coming to the ACT—

**MR SMYTH:** So we have lost control. It is in their budget.

**Ms Gallagher:** “We have lost control”? It is going to fund the health system, Mr Smyth. That is what it is there for.

**MR SMYTH:** It is a simple question: is it being retained by the commonwealth government?

**Ms Gallagher:** That is what it is doing now, and that is what it will continue to do. This deal is good for the ACT because it is extra money going into health.

**THE CHAIR:** Thank you.

**MR SMYTH:** It is a very simple question: is it being retained by the commonwealth government?

**THE CHAIR:** We are moving on. You had better start tabling that, otherwise I am moving on.

**Ms Gallagher:** It is coming to the ACT through the local hospital network.

**MR SMYTH:** Is the money being retained by the commonwealth government—

**THE CHAIR:** Mr Smyth, you have asked that question several times.

**MR SMYTH:** The minister has not answered the question.

**Ms Gallagher:** I have answered.

**THE CHAIR:** She said no.

**MR SMYTH:** It is very simple. Yes or no? Why can't you answer the question?

**Ms Gallagher:** I have answered the question. It is coming to the ACT to fund the local hospital network.

**MR SMYTH:** Is it being retained by the commonwealth?

**THE CHAIR:** Thank you. We are moving on to Mr Seselja.

**Ms Gallagher:** It is coming to the ACT to fund—

**MR HARGREAVES:** Is this an industrial relations question?

**THE CHAIR:** No, Mr Hargreaves.

**Ms Gallagher:** It is coming to the ACT.

**MR HARGREAVES:** It is half past 11, Madam Chair.

**THE CHAIR:** Thank you. Mr Seselja, you can table your documents; then we are moving to industrial relations.

**MR SESELJA:** I will table some documents—Nicola Roxon's press statements on the issue, including the joint release and the communique.

**THE CHAIR:** Thank you. We will table those.

**Ms Gallagher:** You have finally read them.

**MR SESELJA:** Clearly you have not, because they contradict what you are saying, so—

**MR HANSON:** Madam Chair, could I just—

**Ms Gallagher:** Ms Hunter, we have a document around the food inspection and the health inspectors which we took on notice yesterday, which I table.

**THE CHAIR:** Thank you for that, minister.

**MR HANSON:** Can I briefly thank the staff that attended, Madam Chair.

**THE CHAIR:** I will do that in my closing speech.

**MR HANSON:** I understand that, but then I do not get a chance to do that because you have already closed. As the opposition spokesperson for health, I just note that I have a significant number of questions still remaining, particularly around the area of GPs. It does get heated in this environment. I will continue to do my job as the opposition spokesperson, which is to highlight problems in the health area. I am sure that as the staff you do not—

**THE CHAIR:** Thank you, Mr Hanson.

**MR HANSON:** I would just like to pass on my great admiration for the work that has been done through the allied health professionals.

**Ms Gallagher:** I am sure they would feel that you meant it if you did not openly solicit for media complaints all the time.

**MR SESELJA:** Gee, you are gracious, Katy. You are very gracious.

**THE CHAIR:** Thank you. Thank you, Mr Hanson.

**MR HANSON:** I did try and say a few words there; I am sorry.

**MRS DUNNE:** You are gracious; you are so gracious.

**THE CHAIR:** Order, members! Minister!

**Ms Gallagher:** Do you want to correct the record on that, Mr Hanson? Do you want to correct the record about how you openly solicit the media?

**THE CHAIR:** Minister, I have the floor, thank you.

**MRS DUNNE:** It was ironic that both the people that were quoted this morning went to the media themselves because they could not get recourse anywhere else.

**THE CHAIR:** As mentioned at the commencement of the hearing today, there is a time frame of five working days for the return of answers to questions taken on notice at this hearing. In relation to questions given on notice, these will be accepted for three working days following today's public hearing, for ACT Health. Members, please provide by close of business on Monday, 24 May 2010 any questions on notice pertaining to outputs 1.5, cancer services; 1.6, aged care and rehabilitation services; and 1.7, early intervention and prevention. And just a reminder that questions on notice pertaining to acute services, mental health, community and public health services must be provided to the secretariat by close of business on Friday, 21 May 2010.

On behalf of the committee, I would like to thank the Minister for Health and officials for attending today and over the last two days and for responding promptly to questions taken on notice and given on notice. Thank you. We move to industrial relations.

**Short adjournment.**

Appearances:

Gallagher, Ms Katy, Deputy Chief Minister, Treasurer, Minister for Health and  
Minister for Industrial Relations

Chief Minister's Department

Cappie-Wood, Mr Andrew, Chief Executive

Hudson, Ms Catherine, Deputy Chief Executive, Governance Division

Gotts, Mr Robert, Director, Office of Industrial Relations, Governance Division

ACT Long Service Leave Authority

Collins, Mr Phil, Chief Executive Officer/Registrar

**THE CHAIR:** Welcome to the public hearing of the Select Committee on Estimates. The Legislative Assembly has referred to the committee for examination the expenditure proposals for the 2010-11 appropriation bill and the revenue estimates from the 2010-11 budget. The committee is due to report to the Assembly on 22 June 2010 and has fixed a time frame of five working days for the return of answers to questions taken on notice.

We will start now with industrial relations. After the lunch break the committee will continue its inquiry, with the Chief Minister's Department.

May I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the yellow-coloured privilege statement before you on the table. Would you confirm, for the record, that you understand the privilege implications of the statement?

**Mr Cappie-Wood:** Yes.

**THE CHAIR:** I also remind witnesses to keep their responses to questions concise and directly relevant to the subject matter of the question. We have a great deal of ground to cover during the hearing and I would like to maximise the opportunity for members and attendees to put their questions directly today rather than on notice. Minister, would you like to start by making a short opening statement?

**Ms Gallagher:** I am happy just to go to questions.

**MRS DUNNE:** I have a question.

**THE CHAIR:** Mr Seselja, would you like to start while I go through my papers?

**MR SESELJA:** Thank you, chair. Minister, there is a bit of industrial action going on at the moment, obviously. We have received notice in the Assembly, I think, about a lunch-time rally tomorrow by the CPSU, and the bus drivers are looking at industrial action next week. On the CPSU in particular, why have things got to this stage where we are now looking at the possibility of industrial action from the CPSU?

**Ms Gallagher:** It has been, I guess, a disagreement over the extent of the pay rise.

**MR SESELJA:** Where are we up to in those negotiations?

**Ms Gallagher:** The negotiations are ongoing around the conditions, the less interesting side of industrial relations. That has been work that has been ongoing for several months. The issue now is: there is disagreement between the CPSU and the government over what is an appropriate pay rise. Actually, there is disagreement not just with the CPSU but with all unions. We continue to meet and discuss what options are available.

But the unions would like more than the budget can afford. At the same time, they do not want to see any job losses and they do not want to see any losses in conditions. They want to see improvements in conditions and our budget cannot afford that.

**MR SESELJA:** But doesn't this also come back to the management of the budget right across the board? At a time when you have got record revenues you have not managed it in other areas, which is one of the reasons why there is so much pressure on things like wages.

**Ms Gallagher:** No, I would disagree. I am surprised you did not go to the revenue issues when Treasury were here. We were—

**MR SESELJA:** I do not think we got a chance because there were so many other issues that we got cut off.

**Ms Gallagher:** Is that right? I thought it was going to be your major issue. But we lost \$1 billion across the forward estimates. Revenue growth is flat, it has remained flat; whereas our costs and our demand for services continue to grow.

**MR SESELJA:** But you have got more revenue than you have ever had now; so that excuse is wearing a bit thin, is it not?

**Ms Gallagher:** We have lost revenue in the past two years, significant revenue. And we are dealing with revenue growth that is flat. Our costs and our budget continue to grow. This is an appropriate discussion to have with Treasury. It is not an appropriate discussion to have under industrial relations.

**MR SESELJA:** If it goes to the factors in this negotiation that you are—

**Ms Gallagher:** But Mr Seselja—

**MR SESELJA:** claiming as your defence—

**Ms Gallagher:** This government has a very proud and strong record of cooperating with our colleagues in the union movement to deliver what is a reasonable wage outcome. We have always done that and we will continue to do it. It is guiding our discussions at the moment.

**MR SESELJA:** But aren't public servants, teachers and bus drivers now effectively paying for your years of reckless spending? You have not been able to control spending. You did not make savings last year and now it is the workers who are going

to suffer.

**Ms Gallagher:** I love this newfound solidarity with the workers.

**MR SMYTH:** That is fine, but you have got no answer to the question.

**Ms Gallagher:** It is a new approach and a convenient approach. This government will continue to work with our colleagues in the union movement to get a satisfactory outcome. I am very confident we will be able to do it. But, not unusually, there is a bit of argy-bargy at this point of the bargaining cycle. We expect that but we do not just cave in because the unions are going to have a stop-work rally tomorrow or a lunch-time rally tomorrow. It does not mean that you just go, "There you go, unions, you can have everything you want." That is not the way it works.

**MRS DUNNE:** What is the timetable for bringing these industrial negotiations to a conclusion?

**Ms Gallagher:** We would like to do it as soon as we can.

**MRS DUNNE:** What does "as soon as we can" mean?

**Ms Gallagher:** I would hope that we can resolve it by the end of the financial year.

**MR HARGREAVES:** It is not like Ted Quinlan's "by Friday".

**MRS DUNNE:** And what role would you be playing in negotiations, especially the across-the-board public service negotiations?

**Ms Gallagher:** I have responsibility for the clerical EBA negotiations but, as Minister for Industrial Relations, I am kept up to date about all of the bargaining that is going on. So I would be not directly responsible but involved in the discussions with the TWU and, with my health minister's hat on, I will be involved directly in the discussions with the nurses. And I meet with all the unions regularly. I just met with the ambulance officers. I meet with the HSUA. I meet with the single bargaining unit. I meet with all of them.

**MRS DUNNE:** If you want to resolve these series of pay negotiations before the end of the financial year, what role will you take in the next couple of months?

**Ms Gallagher:** I am playing a very active role in the negotiations.

**MRS DUNNE:** Such as? Can you give an example?

**Ms Gallagher:** I am speaking directly with the unions about how we resolve the impasse we are at at the moment.

**MRS DUNNE:** And when did you last have a conversation, say, with the CPSU about resolving the impasse?

**Ms Gallagher:** With the CPSU directly, I will have to check my records but I have

flagged—and indeed I have got the mobile number—when I am out of this meeting I will be contacting the CPSU, not because they are having a lunch-time rally tomorrow but because I need to talk with them about what the options going forward are. I am not trying to stop the industrial action. I am just trying to work out a way forward.

**MR SMYTH:** Will you be going to the rally to address the meeting?

**Ms Gallagher:** No, Mr Smyth. As you know, I will be going on holiday at 1 o'clock this afternoon.

**MR SMYTH:** At 1 o'clock?

**Ms Gallagher:** Around there. I do not want to wave a flag in front of you.

**THE CHAIR:** Minister, why is IR policy development held within CMD when the policy implementation is held within ORS? What are the interactions between the agencies? Is there good communication? Is there duplication because there are some issues? Could we get a sense of that?

**Mr Gotts:** I will answer that. Essentially, the split is not an uncommon one and it reflects a split between the policy function and the operational function, in this case, of the regulator. In practice, we have a very good relationship. The roles are quite distinct, with our office providing the policy function. That includes updating legislation and new legislation. It includes getting an understanding of what is happening in the particular policy areas and looking at ways in which we can create improvements.

On the regulator side, they are the ones that are out on the street. They are the ones that are knocking on business doors and checking performance and so on. They speak to us regularly about the difficulties that they may or may not encounter in applying the legislation. There is a complete cycle between the two functions. It operates well in practice.

**THE CHAIR:** So you have regular meetings?

**Mr Gotts:** Yes, we do.

**THE CHAIR:** There is a formal communication structure?

**Mr Gotts:** Yes, we have regular meetings, both formal and informal. We operate together in functions like, say, the Work Safety Council, where the council operates as a tripartite council. We work together on those. The safety commissioner participates in some functions in relation to Work Safe Australia. He is on one of the subcommittees on that. We are on others. The links are very deep within the two organisations right down, so officers at all levels talk regularly.

**MR HARGREAVES:** Madam Chair, on that work safety issue—

**THE CHAIR:** That is a new question, Mr Hargreaves. It is Mr Smyth and then

Ms Bresnan.

**MR HARGREAVES:** Okay.

**MR SMYTH:** I was just wondering what the involvement of the unit in the community sector workers' pay equity test case was.

**Mr Gotts:** It is a case that is before Fair Work Australia. In that sense it is within the commonwealth's jurisdiction. The ACT does not have a direct role in that sense. We are working with the other jurisdictions. We had a teleconference with all the other jurisdictions in the country only two days ago to get a common understanding of how it may be approached in future. We are also working with agencies that are affected in the ACT government. We have established a working party with DHCS to get an understanding of what the impact may be. As that goes on we will broaden it out to make sure that affected areas have an opportunity to participate and talk about what the impact might be, and then we can feed that through.

**Ms Gallagher:** Particularly the Treasury, I imagine.

**Mr Gotts:** The Treasury in particular.

**MR SMYTH:** Are we part of the case, or are we observing the case?

**Mr Gotts:** We are part of the case, in the sense that we were named in it, along with a number of others. Every state and territory government is, so we are part of it. We are represented in a formal sense at this stage by the Government Solicitor's office. There has only been a directions hearing to date. I think there is a date in June for the applicants to put their case together and then in July or early August for a response from the rest of us, basically.

**MR SMYTH:** And, minister, the government's position on the case?

**Ms Gallagher:** We will, of course, abide by what the outcome will be. We expect that—

**MR SMYTH:** But are we opposing it or are we supportive?

**Ms Gallagher:** No, we are not opposing it. We expect, based on the Queensland decision, that there will be some costs involved when the outcome of the case is known, but it is just impossible to quantify what that is at this point in time.

**MRS DUNNE:** It has been suggested that this case will result in a substantial pay rise.

**Ms Gallagher:** That is the speculation, yes.

**MRS DUNNE:** Figures of somewhere between 15 and 30 per cent in pay increases have been bandied about. There is nothing in the outyears of the budget for that.

**Ms Gallagher:** How do you quantify what you put in the outyears if you do not know what the outcome is going to be?

**MRS DUNNE:** You must have had some discussion about the impact on the bottom line.

**Ms Gallagher:** Yes, we have.

**MRS DUNNE:** Are you going to fully pass on the costs to the community sector? The community sector is going to have to pick up a whole new wage bill. Are those moneys going to be passed on through funding?

**Ms Gallagher:** Considering that we, for many of the community services organisations, are the 100 per cent funder, there will be a significant role for the ACT government to play in the supplementation base. At this point in time, the quantity is unknown. It has certainly been part of our thinking. It is right up there in terms of our issues to follow which will feed into the budget next year.

**MRS DUNNE:** So what effect is this going to have on the outyears?

**Ms Gallagher:** Who knows?

**MRS DUNNE:** You have predicted budget deficits and budget surpluses into the outyears, but this is going to be a substantial impost on the bottom line. What is the outcome going to be?

**Mr Gotts:** If I may, one of the things that will come out of this is a staged implementation. It is not certain at this stage over how many years any increased pay will be staged over. It will be over a number of years. It will be part of a discussion in Fair Work Australia as to what the implementation time frame will be. It is not until things like that are known that the nature of the impact will be clear.

**Ms Gallagher:** We currently in every year deal with cost pressures as they arise. This is part of our point about allowing the budget to grow. It is an acknowledgement that our costs will continue to grow. We need to have some capacity to fund those additional costs. We pay around \$80 million into the community sector. That is what we currently fund. That is indexed at WPI every year, and every year we put more money into the community sector. There are views about whether that is enough, but if there are additional cost pressures that come out of this decision the budget will have to meet them. That informs some of the other decisions that the budget cabinet will take. Maybe there will not be as much money to do something else we would have liked to do. Those are the decisions we take every year.

**MR SMYTH:** So we currently put approximately \$80 million into it?

**Ms Gallagher:** I think it is about \$80 million.

**MR SMYTH:** Could we take that on notice?

**Ms Gallagher:** We will get the figures for you. It is more than that.

**THE CHAIR:** I note that that has been taken on notice.

**MR SMYTH:** Has it been determined what each per cent increase will cost the budget?

**Ms Gallagher:** We would be able to extrapolate that, I am sure.

**Ms Hudson:** Just to give a little bit more information on the working party: industrial relations are there to provide the IR policy advice and DHCS are there in terms of community sector policy advice. Health are joining that working party—and Treasury, in terms of providing, I suppose, the budget impact. The working party has had one formal meeting and will be meeting from now until the end of the year, and probably longer, to consider those implications and provide advice to government on what that will mean once we have more advice or a determination from Fair Work Australia.

**THE CHAIR:** The other project that is going on, which I believe is being run by DHCS, is around an industrial relations type of review. What involvement has your office had, Mr Gotts?

**Mr Gotts:** We are on the steering committee for that project. We assisted DHCS at the start of the project in helping them to find an appropriate business to conduct the survey for them and we are on the steering committee. That reflects, I guess, the Queensland decision and the realisation that this might occur down the track.

**THE CHAIR:** Where is that process up to?

**Mr Gotts:** It is nearly finished. Three of the deliverables from that project have been delivered. There is one more outstanding. I understand that is due to be delivered relatively soon.

**THE CHAIR:** So what has been delivered so far?

**Mr Gotts:** It is in the form of—

**Ms Gallagher:** It is probably a question for Minister Burch.

**THE CHAIR:** Because you were on the steering committee I thought you might know what was being delivered.

**Ms Gallagher:** But she has the portfolio responsibility.

**THE CHAIR:** Okay. Thank you. Ms Bresnan.

**MS BRESNAN:** Thank you. I had a question about OH&S harmonisation. It is my understanding that the current work safety legislation allows for private prosecutions by employee groups, whereas under the model of harmonisation it will not be incorporated. Is it possible to get numbers on how many private prosecutions by employee groups have been conducted under the current work safety legislation?

**Mr Gotts:** I will double-check, but I am almost completely certain that the answer to that is none at all. That legislation came into operation on 1 October last year. It

provides for both employer groups and employee groups to mount prosecutions. It is really a third-party prosecution provision, not just an employee prosecution provision. I do not believe there have been any prosecutions to date under that provision.

**MS BRESNAN:** With those possible changes that will come under the model of harmonisation, have CMD been doing any work to ensure that the harmonisation process will not reduce the power of workers and representatives under the legislation when it comes in? That includes those protections for workers and prosecutions where they can occur.

**Mr Gotts:** The model act, as it has been developed to date—it is currently out for circulation, so it is publicly available—does not include a power for either employers or employee groups to mount prosecutions. There are only two jurisdictions that have that provision—New South Wales and the ACT. To provide a counter, a set of provisions have been included in the harmonised bill to allow for employer or employee groups to question the regulator as to why it has decided to undertake or not undertake a prosecution. The desire was to avoid a situation in which the regulator could simply decide, for example, not to prosecute and not be answerable. It is built into the new act that the regulator is answerable. If the regulator fails to answer then the question can be put to the DPP. The DPP can be asked why a decision, for example to not prosecute, was taken.

**MS BRESNAN:** Is the model legislation going to have any impact on the ability of ORS and CDM to pick up that slack, if that does happen?

**Mr Gotts:** I am not sure what you mean by—

**MS BRESNAN:** If that removes the ability of the prosecutions to occur—and you are saying that there is going to be a provision built into the model legislation to pick up any issues around that—are we going to be able to deal with prosecutions or deal with similar issues?

**Mr Gotts:** I think we will. There have not been any prosecutions to date. There is always an underlying ability to mount a common law prosecution. That exists regardless of this legislation. So at the end of the day, if an individual or an organisation wants to go down that path then that still remains available. Based on the development of the legislation and regulations to date we—and by “we” I am referring to Safe Work Australia and its members and subcommittees—feel quite confident that the balance of protections for employees and employers is in place and that the regulator will be in a position to have to give an answer as to why a prosecution has not been undertaken.

**MS BRESNAN:** So you are confident that when that model of harmonisation comes in—and we have got very good legislation in the ACT, as you said, and there have been concerns expressed about any lessening of that—we will be able to still have those protections in place for people, even though some people see it as actually lessening the legislation which we now have?

**Mr Gotts:** Yes, I am confident that the outcome will be there. There are some differences between the two pieces of legislation. I will say, however, that the ACT

legislation was developed in the knowledge of what was coming with the harmonised act. It was based on the same set of principles that were used to develop the harmonised act. As a consequence, our legislation is very close already to the harmonised bill and in many cases the harmonised bill is directly lifted from the ACT's legislation and incorporated straight into the harmonised bill. So I think the differences, for employers and employees in the ACT, between what we have now and what we will have under harmonisation are less than in any other jurisdiction in the country. So it will be a smaller step for us than anywhere else.

**MRS DUNNE:** Mr Gotts, could you give—

**THE CHAIR:** Sorry, it is Mr Hargreaves's call.

**MRS DUNNE:** I just wanted to follow up specifically on that.

**MR HARGREAVES:** Thank you very much. Yes, we are on the same line. We are on the same subject.

**THE CHAIR:** Sorry, Mrs Dunne. He has been waiting for a long time.

**MR HARGREAVES:** Thanks very much, Madam Chair. Mr Gotts, you answered one of my questions, and that is about how the harmonised laws relate to our Work Safety Act and in terms of the Work Safety Council, which replaced the OH&S council that we had. I am aware also that the Work Safety Commissioner has now got a role to play in that. That has changed the dynamic between the employers, the employees and the regulator. Would you give a view on how you think that is ticking along?

**Mr Gotts:** Yes. The arrangement that has just been changed or how it will work in relation to harmonisation?

**MR HARGREAVES:** How it will work in relation to harmonisation and our Work Safety Act.

**Mr Gotts:** Yes. Our Work Safety Act provides for the Work Safety Council and it provides for a commissioner. The role of the commissioner in the Work Safety Act is very much limited to education and advice. The changes that have been made very recently provide that the person who is the Work Safety Commissioner has the powers of the regulator. So it is the one person but they are carrying both sets of powers.

The way that will work when harmonisation comes in is that the concept of a commissioner is not catered for in harmonisation but the regulator side of it is. The other thing that is different is that, under the harmonised model, while there is no provision for a work safety council, as we currently have constituted in the ACT, there is a provision in the legislation to allow each jurisdiction to develop its own consultative arrangements as it chooses.

So the consultative arrangements are not being harmonised; they are being left to each jurisdiction to suit themselves, essentially. That means it will be up to the ACT and the ACT government to decide whether it keeps the existing Work Safety Council, as

currently constituted, or something different. But that will be available to it. So, in that sense, there will be no necessary change, no forced change.

**MR HARGREAVES:** In the context of our Work Safety Act and harmonisation, as I understand, it is all about a safe workplace for people to engage in their business. Do you see any consistency or inconsistency, any conflict, between our industrial manslaughter laws, which the minister introduced some years ago, and the new Work Safety Act?

**Mr Gotts:** No, we do not see any inconsistency whatsoever. This is a conversation that has been had in Safe Work Australia and the advice which we have given Safe Work Australia, which has been accepted, is that that piece of legislation is not part of our OH&S legislation; it is held separately and is therefore not affected. That means that it will continue to apply post harmonisation as it applies now.

**MR HARGREAVES:** But in the context of that particular piece of legislation, have you seen any positive or negative moves in the industrial sector? The original reason for having it was to protect people and not allow people in the economic food chain to escape their responsibilities. Have you had any feedback on the efficacy of that legislation?

**Mr Gotts:** I am not aware of any cases where it has actually been used. Certainly not in my time in this current role, I have not seen it used. I would say that I think there are some other protections that have been put into the harmonised legislation that do broaden the reach of that legislation. It deals with the concept of officer in ways that mean that the chain that you referred to is more able to be managed in relation to safety. I guess that is what I mean.

**MR HARGREAVES:** Have there been any comments, any expressions of irregularity in the other jurisdictions that have been picked up in similar legislation?

**Mr Gotts:** No, there have not.

**MR HARGREAVES:** Sad, shame!

**MRS DUNNE:** There are a couple of issues. On the last one first, has the High Court case of Kirby in relation to the New South Wales Industrial Court caused us to rethink the way industrial manslaughter rules are in the ACT?

**Mr Gotts:** In a sense, that is a matter for the DPP. There are elements of that case that I am not familiar enough with and, not being a lawyer, what I would say is that, as a case, it has led all jurisdictions to think hard about the way they conduct their investigations and the way they conduct their prosecutions. My advice from New South Wales, from WorkCover New South Wales, is that there are a number of issues around the way in which that prosecution was conducted that, in retrospect, they would have preferred to do differently. As to the fundamentals, no, we have not seen it as a requirement to reconsider the fundamentals.

**MRS DUNNE:** But has there been any consideration of changes in approach to prosecutions as a result of the High Court case in Kirby?

**Mr Gotts:** In the ACT?

**Ms Gallagher:** Under OH&S?

**MRS DUNNE:** Yes.

**Mr Gotts:** The DPP conducts the OH&S prosecutions in the ACT; we do not. So it is difficult for me to answer that question.

**MRS DUNNE:** I can take that to Mr White. What about the investigations that led to the prosecution?

**Mr Gotts:** Those investigations are conducted by ORS.

**MRS DUNNE:** I can take those up with the minister and Mr White next week. Coming back to the original question, Mr Gotts, can you give specific examples of how the harmonisation process has picked up ACT laws? You said that through the harmonisation process, because we have led the field, people are coming and picking up bits of our law and incorporating them in theirs. Can you give us some practical examples?

**Mr Gotts:** That is difficult. It is a very fat piece of legislation. But I would be happy to find some examples and provide them.

**MRS DUNNE:** That would be good; thank you. The other issue in relation to the harmonisation is: there are a whole lot of new regulations that were brought in and that came into effect in October last year. In what way, if any, will they need to be changed when the harmonisation process is completed?

**Mr Gotts:** In practice, those regulations will be simply replaced. The ACT was in the situation where it earlier committed to develop its own legislation and needed to complete that process before the decision to continue with harmonisation was made. In practice, the model act that is being developed now will have a complete set of regulations with it. So from 1 January 2012, when the model act and its regulations come into place, that will require the repeal of all existing ACT OH&S regulations.

**MRS DUNNE:** To what extent will the regulations that come into effect on 1 January 2012 exactly replicate what is in other jurisdictions?

**Mr Gotts:** The process for developing the regulations has been one in which the states and territories and the commonwealth and the social partners have looked at the existing regulations in all jurisdictions and have, from those, developed a set of common regulations and have tried to take the best practice out of those to develop what will be the harmonised set of regulations.

**MRS DUNNE:** And they will be template regulations? Will there be variation from the template?

**Mr Gotts:** No, there will not be variation from the template. I would say that the

package of regulations, when it is finished, will be broader and more complete than the package of regulations that we currently have in place. So the ACT will be advantaged in that, I believe.

**MS BRESNAN:** You said they were picking up on the best practice elements of different areas. Some of the ACT's elements, I think you said earlier, are being picked up in that as well. We have got very strong regulations.

**Mr Gotts:** Most of our ACT work was picked up in the act itself. With regard to the regulations, being aware of how close harmonisation was, the regulations that we have put in place for the Work Safety Act have been the set of regulations necessary to make the Work Safety Act operate. We have been picking up codes of practice that will be national codes of practice. We have not done the full development work on our own regulations, knowing that we have got this other set coming.

**THE CHAIR:** I am wondering whether the industrial relations policy area has put some thought into extending portable long service leave to other industries, as we have seen earlier, to the community sector and so forth. Is there any policy work going on about extending it to other industries, like the security industry?

**Ms Gallagher:** I think I can answer that. There was some work done when we were looking at the community sector about industries you would go to. Security, I think, is one of them. The other one was retail, I think, from memory. That really is not a government decision about whether we move to extend. I think our view of the best way forward at the moment is to let the Long Service Leave Authority bed down the schemes that it is managing now in construction, cleaning and the community sectors before we seek to extend out. But we certainly would not rule it out.

**THE CHAIR:** Are there any other questions for the policy area before we move on to long service?

**MRS DUNNE:** Yes, I do have questions but they are ones that can easily be put on notice.

**MS BRESNAN:** I have got a question too, but it can go on notice.

**MR SMYTH:** I just want a question for Mr Cappie-Wood. He has sat there for 45 minutes and has not said a word.

**Mr Cappie-Wood:** Good morning.

**MR SMYTH:** Good morning, Mr Cappie-Wood. I just want your presence here acknowledged.

**Ms Gallagher:** I think there is plenty of time for that, isn't there?

**Mr Cappie-Wood:** Yes.

**MR SMYTH:** You cannot have a CEO go through a session and not say anything.

**THE CHAIR:** Okay, thank you for that. We will now move on to the ACT Long Service Leave Authority. It has been a big year for the Long Service Leave Authority in extending its business. We saw the legislation go through around extending portable long service leave to the community sector. I am wondering how that process is rolling out, how it is going—if there have been any obstacles or difficulties. Can we get a bit of a rundown?

**Mr Collins:** It has been a busy year, and I think the worst is yet to come. We have undertaken a lot of consultation and communication with the community sector. I have delivered a number of presentations on the scheme and on what is required of employers. I have also had a number of one-on-one sessions with the larger employers in the sector.

We are confident from the authority's point of view that the administration aspects of the scheme will be fine. We are also getting a new IT system, which will assist us in the implementation of the scheme. So, with the help of that new system, the work that we are doing with the sector, we believe that things are on track.

To date we have got 64 employers who have submitted employer registration forms. I have delivered about 15 or 16 group presentations and 125 employers have attended those. We have communicated with approximately 283 employers that we have identified in the sector. We are still identifying employers. I have some more presentations lined up for later this month and will be delivering presentations to workers in the sector in June before the scheme commences on 1 July.

**THE CHAIR:** There were some concerns from some community organisations about the implementation of portable long service leave. What has been the response when you have been going out and doing your presentations or talking one on one with organisations?

**Mr Collins:** The response has been fairly positive. There is no doubt that organisations generally are aware that their costs are going to increase to some extent. There is some concern about the administration of it, but, in delivering the presentations that I have done, I have been able to, I think, allay most of those concerns in relation to the administration, and the burden that will be placed on the employers I think is much less than they probably thought.

We certainly want to do it all electronically and we are putting in place procedures and processes that will limit the work that they have to do and limit the administration required to fulfil their responsibilities under the scheme.

**THE CHAIR:** Mr Collins, you spoke about a new IT system that was going to be put in place to assist the new scheme. What about at the other end? Is that being identified as a particular problem? You are talking about not so much of a burden because things will be done electronically. Have these organisations got the IT capacity to put it in electronically or to interface with your system?

**Mr Collins:** If they do not have that capacity, they still can deliver it by paper, but we are trying to move away from paper. What we envisage is a simple spreadsheet or similar facility that they will be able to essentially dump their payroll details into and

we will upload that into the system. We have had a number of discussions with a number of organisations and we are fairly confident that what will be required is not IT difficult. It is fairly basic; so long as they have got a spreadsheet or they can export their payroll into a CSV file and then into a facility such as Excel, that will overcome those difficulties.

**MRS DUNNE:** Mr Collins, you said that the authority had contacted 283 community groups but you were still identifying others. What process are you going through to identify people who may be caught up in this scheme that you may not have yet communicated with?

**Mr Collins:** We have used the department's records in terms of the organisations that are funded by the Department of Disability, Housing and Community Services. We have gone through Canberra's directory of community services to identify employers. We have liaised with UnionsACT to identify what employers and employees they have, and we have also used information that was identified in the original report.

I have also spoken to the peak bodies such as ACTCOSS and to childcare directors, and we believe that we have identified most of the employers. We received a list from UnionsACT the other day that we are working through now. Most of those organisations we have captured, but there are a few there that we have not identified.

**MRS DUNNE:** So how confident are you that by start-up day you will have identified and communicated with all those people?

**Mr Collins:** I am reasonably confident. I think there might be a few small organisations that we may have missed. We are putting advertisements in the *Canberra Times* next week. There is a community sector feature there. We are also putting advertisements in the *Chronicle* and, as I said, trying to talk directly to employees and communicate with them. Certainly the word will get around and, if there are organisations that we have not identified, employees from those organisations will probably contact us. I would not put a 100 per cent figure on my confidence but I am confident that we have got the overwhelming majority of organisations out there.

**MR SESELJA:** And how will it affect cash flow for some of those organisations? Has that been a concern that has been raised?

**Mr Collins:** It will affect their cash flow in the sense that, instead of putting that money away and making provision for that liability, they will actually be paying the levy on a quarterly basis.

**MR SESELJA:** There are two ways it will affect things, I suppose, because there are liabilities that may never have been incurred in the past which will now automatically be incurred, and there is also the cash flow on a quarterly basis.

**Mr Collins:** That is correct.

**MR SESELJA:** So what assessment has been done on the impact on community organisations of those cash flow issues?

**Mr Collins:** We had the actuary look into that, but he was unable to make a judgement on that because he does not have the information about the current rates of staff turnover in the sector or obviously by employer and employee. So he is unable to put a cost figure on that amount. Certainly, the authority is unable to do that either.

**MR SESELJA:** Will the government be doing that?

**Ms Gallagher:** There has been work done through DHCS to get an understanding of the concerns that have been raised by the employers in the community sector on this. We will monitor it as it rolls out. But we stand by the policy intent, which is to allow a condition of employment to be accessed by a significant workforce, who we know from our own understanding of the industry move around employers and do not necessarily get access to long service leave as the public sector does.

**MR SESELJA:** Have you factored in any additional costs in funding some of these community organisations as a result?

**Ms Gallagher:** There were some additional start-up costs for the scheme that were budget funded a couple of years ago.

**MRS DUNNE:** But that was for the authority

**Ms Gallagher:** Some of that has gone to the authority; that is right. This is probably a question, again, for the Department of Disability, Housing and Community Services, but I have some understanding of it because I had the portfolio when we were developing this work. The commitment that DHCS gave, and certainly that I gave to employers as the 100 per cent funder: if those organisations can demonstrate that they are under financial stress in the short term because of the long service leave scheme coming in, obviously we will have to work with those organisations. It is not as if we would allow an organisation to collapse because we are trying to implement the long service leave scheme. We do not think they will. They are currently funded for long service leave. They should be making provision for long service leave. We are merely changing the system with where that cash is stored so that those workers get access to long service leave.

**MRS DUNNE:** You have also changed the time at which provision is made.

**Ms Gallagher:** Yes, Mrs Dunne, but I think it is a good public policy position to allow a lowly paid workforce, on similar grounds that the construction and cleaning funds are established, access to a condition that is enjoyed across the public sector but not enjoyed widely across the private sector.

**MR SMYTH:** Just on your balance sheet, I notice on page 26 that employee benefits are decreasing by 26 per cent and that the notes to the statement say of employee benefits that the decrease is due to the planned reduction in benefits accrued by authority staff. What benefits are the staff losing?

**Mr Collins:** On page?

**MR SMYTH:** Page 11, the balance sheet in your statement of intent—employee benefits dropped from \$380,000 to \$283,000.

**Mr Collins:** That was an issue that is being progressed. It is for the staff of the authority in terms of their long service leave and leave that is accrued before they joined the authority, because the authority is not part of the budget and is not government funded. Is that the question that you are asking?

**MR SMYTH:** Except that your statement says it is due to the planned reduction in benefits accrued by the authority staff. What benefits are being reduced?

**Mr Collins:** It will be the benefits that are accrued by public sector staff before they joined the authority.

**MR SMYTH:** Okay, so they leave the public service to join the authority?

**Mr Collins:** No, they do not leave the public service; they stay in the public service but they leave a particular department and move to the authority. The authority is anticipating that there will be a liability transfer but also a resource transfer from the Treasury or from the particular department that the staff leave to join the authority.

**MR SMYTH:** Is this the follow-up of the issue last year about individuals?

**Mr Collins:** It is, yes.

**MR SMYTH:** Okay, which leads to the question: has that been resolved? What was the outcome?

**Mr Collins:** Progress has been made on it. I think we are very close to a resolution.

**MR SMYTH:** A year later.

**Mr Collins:** It is with Treasury at the moment.

**MR SMYTH:** Treasurer?

**Mr Collins:** It is not quite a year later.

**Ms Gallagher:** It is ongoing.

**Mr Gotts:** I probably should answer this, because it is shared between the Long Service Leave Authority, the department and Treasury, who I cannot speak for. But the issue is one of finding a mechanism under the Financial Management Act to allow for the recognition of entitlements of employees—liabilities for long service leave and so on—and how they move to not disadvantage the Long Service Leave Authority and how not to disadvantage the department. So the department does not want to be responsible for liabilities that are accrued whilst staff are employed with the authority, and neither does the authority want to be liable for benefits that are accrued with the department.

The answer lies in the Financial Management Act. We have had a number of discussions with Treasury as to the mechanism by which we can see our way clear. But the answer to the question is not yet received.

**MR SMYTH:** When is that answer likely?

**MRS DUNNE:** Soon, perhaps?

**Mr Gotts:** I cannot say it is soon.

**MR SMYTH:** Because the description actually looks like the employees are losing benefits.

**Mr Collins:** No, they are certainly not.

**MR SMYTH:** Okay, that is good. Just further on the update chart, your plant, property and equipment is going down five per cent. What is causing that?

**Mr Collins:** What we are doing there is writing off the old IT system and we are taking on the new system.

**MR SMYTH:** Is that the reason for the bounce back in the following year where it jumps then back up to 963?

**Mr Collins:** Yes.

**MR SMYTH:** So how is that affected by the fact that it is also included in the intangibles in the next line?

**Mr Collins:** The software for the new system will be included in the intangibles. The hardware and the new equipment we are buying—the new desktops—will be included in property, plant and equipment.

**MR SMYTH:** The top line, the cash assets—which figure is correct: a 52 per cent increase or 1,520? There is a 52 per cent increase on \$1.32 million, which would take it just over \$2 million.

**Mr Collins:** Well, it would be the 1,520. This is in the consolidated?

**MR SMYTH:** Yes.

**Mr Collins:** Yes, the 1,520.

**MR SMYTH:** All right, because that is only 15 per cent. That is just a typo, then?

**Mr Collins:** Yes, it must be a typo.

**MR SMYTH:** All right, thank you.

**MRS DUNNE:** Madam Chair—

**THE CHAIR:** Sorry, Ms Bresnan was next.

**MS BRESNAN:** Just on page 4, the performance measures and targets, and also on page 5, you have got here a percentage of unregistered or eligible unregistered cleaning businesses identified who are contacted and registered as 100 per cent.

**Mr Collins:** Yes.

**MS BRESNAN:** I am just wondering if you have any idea when it comes to the building, construction and cleaning industries what percentage of those industries you actually have registered. I am not referring to those that are just identified through that means, but what percentage you have registered.

**Mr Collins:** For cleaning we are confident that it is an extremely high percentage. It is a fairly stable number across the years. We identify new businesses that may pop up through that *Yellow Pages* review and also just monitoring newspaper advertisements and that sort of thing.

For construction, it is much more complicated because it is project based. We have a number of interstate companies coming into the ACT to do particular work on particular projects. It is an ongoing effort by the authority to identify those firms. At any one time, there might be a large number of interstate firms working either for a short time or for a longer time on particular projects.

We have implemented a number of measures to identify employers. We get application approvals from ACTPLA. We also have a close relationship with Procurement Solutions. We are advised of contractors that are working on government projects and the like. We also do site visits, site inspections. In recent times, I have written to project managers of the larger construction companies in the ACT reminding them of their responsibilities and asking them to make sure they provide site lists of all their contractors and subcontractors. I also make presentations to the MBA and other industry stakeholders in terms of those compliance activities.

**MS BRESNAN:** Thank you.

**THE CHAIR:** Mrs Dunne.

**MRS DUNNE:** Thanks. Mr Collins, it was scheduled that as of 1 January this year there would be a new single board. Has that happened?

**Mr Collins:** Yes, it has.

**MRS DUNNE:** Who are the board members?

**Mr Collins:** The chair is Glenys Roper, who was the previous chair of the cleaning board. The deputy chair is Peter Matthews, who was the former general manager of the insurance authority. One of the members is Peter Middleton, who is the employer representative. He is the head of Woden Constructions, and was on the construction board. Kim Sattler is the employee representative. She is the head of UnionsACT and

she was on the previous construction board. We are awaiting a replacement for Sarah Schoonwater, who resigned recently. There will also be a representative appointed by the minister from the community sector area as at 1 July.

**MRS DUNNE:** Sorry, Peter Matthews was on the previous cleaning board?

**Mr Collins:** No, Peter Middleton was on the previous construction board.

**MRS DUNNE:** Sorry, who out of those people were on the previous cleaning board?

**Mr Collins:** Only Glenys Roper.

**MRS DUNNE:** Right, Glenys Roper. Good, thank you.

**Mr Collins:** Okay.

**MRS DUNNE:** So there are two vacancies?

**Ms Gallagher:** Yes, the replacement for the CFMEU-nominated position, or an employee in the construction industry, and one to be made for the community sector.

**MRS DUNNE:** So what is the structure of the board? We seem to have one employer representative from the old construction board?

**Mr Collins:** Yes.

**MRS DUNNE:** But that is not going to continue—that sort of demarcation between—

**Mr Collins:** No, none of them are identified sector by sector. In the legislation, it just says “an employer representative”.

**MRS DUNNE:** So there is one employer representative, but there are three employee representatives; is that right?

**Mr Collins:** No. There is one employer representative at the moment, and there is another one to be appointed with effect from 1 July when the new scheme comes in.

**MRS DUNNE:** Right, okay.

**Mr Collins:** There is one employee representative at the moment and another to be filled. The deputy chair is independent, as is the chair.

**MRS DUNNE:** You said that you were looking for a replacement for Sarah Schoonwater, but you have already got Kim Sattler on the board as well?

**Mr Collins:** We have, yes. That is right.

**MRS DUNNE:** So there are two employee representatives and a third to be—

**Mr Collins:** No. Kim Sattler is the current employee representative, and when a

replacement for Sarah Schoonwater is appointed, there will be two employees. Peter Middleton is one employer representative. When the new scheme starts, there will be a second; so it will be an equal balance, if I can put it like that.

**MRS DUNNE:** And the board currently has four sitting members. Is that enough for it to operate?

**Mr Collins:** It is.

**MRS DUNNE:** And it is going to go to six or eight?

**Mr Collins:** That is right.

**MRS DUNNE:** It is going to go to six.

**Mr Collins:** As the CEO, I am a board member, but I am a non-voting member.

**MRS DUNNE:** Great, thank you. I have got other questions, Madam Chair, but I think I can just as easily put them on notice.

**THE CHAIR:** I mentioned at the commencement of the hearing today that there is a time frame of five working days for the return of answers to questions taken on notice at this hearing. In relation to questions given on notice, these will be accepted for three working days following today's hearing into industrial relations and the ACT Long Service Leave Authority. So, members, could you please provide any questions on notice by COB on Monday, 24 May 2010.

On behalf of the committee, I would like to thank the Minister for Industrial Relations and officials for attending today. We will now adjourn this hearing and recommence at 2 pm.

**Meeting adjourned from 12.35 to 2.03 pm.**

Appearances:

Stanhope, Mr Jon, Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage

Chief Minister's Department

Cappie-Wood, Mr Andrew, Chief Executive

Davoren, Ms Pam, Deputy Chief Executive, Policy Division

Hudson, Ms Catherine, Deputy Chief Executive, Governance Division

McAlary, Mr Luke, Director, Public Sector Management, Governance Division

Lasek, Mr Jeremy, Executive Director, Arts, Communications, Events and Protocol

Whitney, Mr David, Director, artsACT, Arts, Communications, Events and Protocol

Cox, Mr Ian, General Manager, Business and Industry Development

Neser, Ms Kate, Chief Finance Officer, Strategic Finance

Cultural Facilities Corporation

Elvin, Ms Harriet, Chief Executive Officer

**THE CHAIR:** Good afternoon and welcome to this public hearing of the Select Committee on Estimates. The Legislative Assembly has referred to the committee for examination the expenditure proposals for the 2010-11 appropriation bill and the revenue estimates in the 2010-11 budget. The committee is due to report to the Assembly on 22 June 2010 and has fixed a time frame of five working days for the return of answers to questions taken on notice.

The proceedings this afternoon will commence with an examination of the Chief Minister's Department output classes 1.1, government policy and strategy; 1.2, public sector management; and 1.4, coordinated communication and events. After a short afternoon tea break, at approximately 3.30, the proceedings will recommence with an examination of the expenditure proposals for the ACT executive, followed by CMD output class 2.1, business and industry development, and CMD output class 1.5, arts, policy, advice and programs, and will conclude with the Cultural Facilities Corporation.

Can I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the yellow-coloured privilege statement before you on the table. Could you confirm, for the record, that you understand the privilege implications of the statement? Thank you. Can I also remind witnesses to keep their responses to questions concise and directly relevant to the subject matter of the question. We have a great deal of ground to cover during the hearing and I would like to maximise the opportunity for members in attendance to put their questions directly today rather than on notice.

Before we proceed to questions from the committee, Chief Minister, would you like to make a short opening statement? Opening statements are being kept to five minutes.

**Mr Stanhope:** Thank you, Madam Chair. No, I wish to say nothing other than to thank you very much for the invitation to appear today. I and my departmental officials are very happy to render what assistance we are able today.

**THE CHAIR:** Thank you, Chief Minister. I want to ask about the triple-bottom-line sustainability and social indicators and how much has been allocated for their development and CMD assistance in the rollout of triple-bottom-line reporting across agencies.

**Mr Stanhope:** Thank you, Madam Chair. Mr Cappie-Wood would be happy to respond.

**Mr Cappie-Wood:** Thank you very much. As you would be aware, there has been work undertaken in terms of triple-bottom-line reporting. We provided in our annual report a trial of triple-bottom-line reporting. In terms of reportage, with further consultation, we are now looking to see the form that will take in terms of annual reporting directions and how it will look in the annual report directions for this year. That is on top of the reporting that is undertaken, effectively, annually in terms of People, Places and Prosperity, which is a sustainability policy indicator. Work has been undertaken to make sure that has become more accessible. We are looking to make sure that we have that externally available as soon as possible and certainly before the end of the financial year.

Work is being undertaken at the moment to provide a triple-bottom-line assessment tool and that is on top of the triple-bottom-line reporting. In terms of allocation of resources to achieve this, it is being undertaken within existing resources. Clearly, each agency, once it goes into the annual report directions, will have to undertake that. There is no specific allocation for additional resources to implement this because we are trying to build it into the way that we do things, as opposed to having an additional line item.

**THE CHAIR:** Will that flow through to triple-bottom-line approaches being included in the budget papers?

**Mr Cappie-Wood:** With the triple bottom line, as we have looked at it, it became more a question of how it was going to be undertaken in terms of reportage. We are looking at an assessment tool and an evaluative process as well so that when agencies undertake evaluations of current programs, or even evaluations in terms of policy development, they have an evaluation tool which can assist them in this course of action. The most demonstrable position at the moment will be the reportage because that will be the first cab off the rank, if you like. We will continue to develop the evaluation and assessment tools during the year.

**THE CHAIR:** Are you able to give an update on the progress of the climate change impact analysis assessment tool, or is that sitting in Environment?

**Ms Davoren:** In terms of the assessment tool, we would want to have a look at how we incorporate those subelements within that single set of policy analysis. We will be working, of course, across government to complete that work and then bring it forward.

**THE CHAIR:** The other one, of course, is the poverty impact analysis. That would be another subpart.

**Ms Davoren:** That would be the same thing—so trying to see it as part of a single set of policy analysis.

**THE CHAIR:** What interaction has there been with Treasury and other departments on the sustainability and social impact of major infrastructure projects in the building the future program?

**Mr Cappie-Wood:** Treasury have an evaluative framework in terms of looking at infrastructure that goes into the budgetary process. What we are looking at is to build on that and take a longer term view. They take, effectively, a four-year forward view. There are questions, obviously, about drivers of demand for infrastructure which have to be taken on board. That is largely driven by growth in the city through demographic change, not only in terms of the 1.9 per cent growth factor but also in terms of the change in demographic demand, both geographically as well as in a population sense, together with existing infrastructure where the investments are happening et cetera. There has been an evolution of a methodology associated with the identification of forward infrastructure requirements. This is being worked on together with other government agencies in terms of advice back to government on what goes into the budgetary context and beyond.

**THE CHAIR:** Thank you. Mr Seselja.

**MR SESELJA:** Thank you, Madam Chair. Chief Minister, recently it was reported that the W drive across the ACT government had files on it which were accessible across the departments. Some of them should not have been, including cabinet-in-confidence and some personnel files. I have just a few questions around that. How long were those files accessible on the W drive and what has been able to be ascertained?

**Mr Stanhope:** Mr Cappie-Wood is happy to assist, but perhaps officers from TAMS would have a deeper and more firsthand understanding of the issue. Of course, TAMS are appearing tomorrow. If you wish to pursue it today with Chief Minister's, I am very comfortable with that, but I think it is relevant that the portfolio responsibility resides within Territory and Municipal Services.

**MR SESELJA:** We might have some different detail-type questions, but in the broad we might ask Mr Cappie-Wood.

**Mr Cappie-Wood:** We have been informed by TAMS that what appeared on the W drive which was accessible—that part of it—related to some draft budget initiative briefs from ACT Health from the 2006-07 budget period. So we assume it has been available since that period of time. It is an assumption that we are seeking confirmation of. There were a number of other documents relating to aged-care rehabilitation services—again from the same time period—and a budget initiative brief from 2004 relating to the then Department of Urban Services fire management unit. It is unclear whether this document proceeded to cabinet.

There was also a document containing long service leave balances for a number of employees from ACT Health and DHCS as at—and it was at a point in time—19 June 2006. All of these seem to be in relatively the same time frame. We are trying to ascertain the nature of the 2004 document, but most of the others seem to be in the same time frame. We are assuming—and again we are seeking confirming of this—that the data was available from that period of time. It related to only one folder on the W drive. The whole of the W drive was not necessarily completely open; it was just a particular folder.

**MR SESELJA:** Do we know how they came to be placed on the W drive?

**Mr Cappie-Wood:** TAMS is obviously responsible for InTACT. The security arrangements in relation to the ACT government ICT network are something which they are looking into. The current thought—and they can provide you with an updated position later—is that the documents were really the result of the incorrect creation of folders without activation of appropriate security access privileges rather than necessarily a failure in the security arrangements in themselves.

**MR SESELJA:** Okay. Who has responsibility in the end? Is it the chief executives who have responsibility for ensuring the integrity, in particular, of cabinet-in-confidence documents?

**Mr Cappie-Wood:** Individual agencies work out cabinet-related documents, but there is a single cabinet process where they are literally the documents that go to cabinet. In that case in point, where they are specific cabinet documents as opposed to what could be considered working papers in preparation of advice to cabinet, individual agencies are responsible for the security of those, but there is security associated with cabinet documents, which the Chief Minister's Department oversees. There is no question that the cabinet documents—as we call them the cabinet documents—have been breached by the process of the availability of this single folder in the W drive.

**MR SESELJA:** Okay. The investigation that is taking place—is that happening at a TAMS and InTACT level?

**Mr Cappie-Wood:** Yes, it is. Obviously we have made inquiries in terms of the security of cabinet-related documents. We are having ongoing conversations. There have been a number of meetings between my staff, InTACT and TAMS officers.

**MR SESELJA:** Just to clarify, you mentioned that it was one folder. It was only one folder that was—

**Mr Cappie-Wood:** So I am informed, yes.

**MR SESELJA:** Okay, one folder. In terms of the time it took, I understand Mr Coe informed the government around Wednesday.

**Mr Cappie-Wood:** Yes, that is correct.

**MR SESELJA:** It took a couple of days. Why did it take a couple of days for these

files to be taken down?

**Mr Cappie-Wood:** That is a matter which you might wish to ask InTACT about. We certainly had a meeting with the head of InTACT security on 12 May, which is the same date of being informed about this, about arrangements in place to restrict access to folders and controls—we control the W drive—and making sure that the security of cabinet documents was maintained. Obviously, what they are looking at is a folder that had been created—this is the indication that we are receiving—inappropriately and documents placed in it by an agency or agencies. That is what they are looking into.

**MR SMYTH:** What is the time frame for the review that you spoke of?

**Mr Cappie-Wood:** It is ongoing. We are literally in discussions with them on an ongoing basis. They have not given us a time frame for the conclusion of their internal assessment.

**Mr Stanhope:** Mr Cappie-Wood may not be aware of this. There is an internal review which was initiated immediately. There is a review, indeed, from within the Chief Minister's Department in relation to issues around the security of cabinet documents. There is a secondary internal review within TAMS, most particularly InTACT, in relation to a greater understanding of exactly what happened, what we might have done better and the changes we need to make, including, of course, a complete review. One of the issues in relation to this particular matter was the range of people who had potential access. It is quite clear, for instance, that there is absolutely no need for non-executive members of the Legislative Assembly to have access to them. That has now been moved.

Mr Coe has essentially identified that there is no cause or reason for any non-executive member of this place to have access to the W drive, and you no longer do. That, of course, is a lesson that has been learned. That goes to the heart of the issue—how was it that, in relation to what one would hope was a fail-safe security environment, people who had no need to access that particular drive were able to access it? That is part and parcel of the review that is being undertaken. But over and above that, accepting that this is evidence of a quite significant and serious failing within InTACT in relation to security—and I think no-one walks away from it; it is a significant and unacceptable failing—I have asked Mr Byles to identify an appropriate external reviewer to review all systems, indeed, all security and fail-safe systems, that apply to the security of our network.

**MR COE:** I notified you in writing at 11.25 am on the Wednesday. The files were still accessible on Friday afternoon, and I believe it was not until about 3 o'clock on the Friday that the files actually came down. In the meantime, the four files which I brought to your attention were actually taken and pasted into a folder called "Security", which was not actually secure. The security folder could be clicked on just like any other folder in the W drive.

Separate to how the files got there originally, I am a little concerned about how seriously the concern was taken when I raised it with you on Wednesday and why there was so much inaction for such a long time.

**Mr Stanhope:** That is a very good question, and I invite you to ask it when TAMS is here tomorrow.

**MR SMYTH:** Previously breaches of cabinet confidence have seen the invitation of the AFP to investigate. Will the AFP be invited to investigate this breach?

**Mr Stanhope:** What, investigate Mr Coe?

**MR SMYTH:** No. Mr Coe did not put them on the W drive. Somebody in one of your departments did. This is your responsibility. Mr Coe did the honourable thing and brought it to your attention.

**Mr Stanhope:** Do you seriously believe that this is a matter that warrants the intervention of the Australian Federal Police?

**MR SMYTH:** I do not know. I do not know how far it goes.

**Mr Stanhope:** I do not. I certainly do not think so.

**MR COE:** There were 15,100 names, employee IDs, salaries and long service leave information. Isn't that a pretty serious breach?

**Mr Stanhope:** Where is the criminal element of that? It is a very serious breach. We acknowledge it is a serious breach.

**MR COE:** Shouldn't you leave it to the AFP to work out?

**THE CHAIR:** Wait, Mr Coe. You put a question. Wait for the answer.

**Mr Stanhope:** There is a very significant difference between acknowledging a very serious breach of practice and inviting the police in to conduct a criminal investigation. Just point me to the possibility or the potential for criminality in relation to this issue. Just give me a hint to assist my consideration.

**MR SMYTH:** It is just—

**MR COE:** Maybe leave it to the experts, namely—

**THE CHAIR:** One at a time.

**MR COE:** the AFP, to work that out.

**MR SMYTH:** It is just that you have called the AFP in before when cabinet security has been breached.

**Mr Stanhope:** When there was potential illegal activity, yes. Just give me a hint of where you—

**MR COE:** It is not potentially illegal? Are you saying there is no potential

whatsoever that there was any illegal activity in what happened? How can you categorically say that?

**Mr Stanhope:** I cannot see any. That is why I asked you to assist me. I cannot see—

**MR COE:** You might like to ask the AFP to assist you.

**Mr Stanhope:** Then I would probably have to invite them to actually interview you—

**MR COE:** Yes, and I would be happy to cooperate.

**Mr Stanhope:** about what you were doing.

**MR SMYTH:** I would—

**THE CHAIR:** One at a time, please.

**MR COE:** And I think you should explain why it took 48 hours for the cabinet documents to be removed from the W drive.

**Mr Stanhope:** about what precisely you were doing in an idle moment, Mr Coe, roaming around files that were none of your business.

**MR COE:** The W drive is the shared drive, and we get emails every day directing us to go to the W drive to find information on it. Every single day, we get emails telling us to do that.

**Mr Stanhope:** I am happy to take advice on the suggestion of the Liberal Party of the ACT that we sool the cops onto them. I will take advice on that.

**MR SMYTH:** It is a very good spiel. It is nice to see you taking this seriously, as always.

**Mr Stanhope:** I am happy to take advice on your proposal—

**MR SMYTH:** As always, you take it seriously.

**Mr Stanhope:** or your suggestion on behalf of the Liberal Party of the ACT that I sool the coppers onto the staff in TAMS.

**MR SMYTH:** It is a shame you do not take it as seriously as others.

**THE CHAIR:** Ms Bresnan.

**MS BRESNAN:** Thank you, chair. I have a question relating to accountability indicators. It is in budget paper 4, page 37. It is seeking clarification. The accountability indicator in output class 1 is demographic studies, which has been discontinued. And there is a new measure, which is demographic update, which is accountability indicator “i”. I wonder whether there is any substantive change behind that or whether it is a rebadging or what is actually happening there.

**Mr Cappie-Wood:** We undertake a review of our accountability indicators. As you can see, there are a number of accountability indicators set across the output classes. There are a range of ones where we have tried to be more specific and to, in this case, move on from merely saying “demographic studies” as a generic term and actually saying that this is more about updating demographic studies sets that have been previously produced. So rather than just saying they are brand new studies, what the performance indicator is saying is that they will be renewed and updated annually, as opposed to two completely new and different studies associated with that.

**MS BRESNAN:** So it is an update to the study, basically?

**Mr Cappie-Wood:** Yes, it is.

**Ms Davoren:** That reflects that we will be updating the population projections, which we have undertaken to do on a biannual basis. That does more accurately describe what the key accountability indicator will be for this coming year.

**MS BRESNAN:** Does this indicator represent any work towards the information development plan for 2008-11?

**Ms Davoren:** There is a broader array of work that we do within the policy division that supports the information development plan, which is across-government activity. The population projections are a specific task and we just are working across government as part of our IDP and a steering committee that we run to improve the quality of our information to the ACT government.

**MS BRESNAN:** So it is just that specific item about population projections?

**Ms Davoren:** Yes.

**MS BRESNAN:** A quick follow-up on that: does the demographer keep any statistics on the total number of dwellings in the ACT? How often is this done? Are they published anywhere?

**Ms Davoren:** We do not keep that data specifically.

**Mr Cappie-Wood:** We do access that data. That dataset is accessed. It is an ABS dataset that is accessed. They do not do any specific additional work associated with that. We rely upon the quite detailed information associated with standard ABS dataset collection and apply that and use that in terms of policy and other processes internally. They are not doing specific additional work to try to differentiate more than is already in the ABS datasets.

**MS BRESNAN:** What specific works do they do in relation to the ACT?

**Mr Cappie-Wood:** In terms of ABS or our demographer?

**MS BRESNAN:** In terms of the demographer.

**Mr Cappie-Wood:** The demographer is undertaking, obviously, the population projection arrangements. We have indicated that they will be updating the two standard ones, some of which are the longer term ones as well as more detailed suburb-specific population projections. We are also engaging them to look at some of the Torres Strait and Aboriginal demographic details for the ACT. We are also looking at questions of ageing population and trying to get a better drill-down in terms of the demographic impact of an ageing population. That is some of the work that they will be doing during the course of the year.

**MS BRESNAN:** Does that feed into other work that is done by the departments? I actually think that Disability mentioned that they were doing some work with you about that.

**Mr Cappie-Wood:** Yes, that is right.

**MS BRESNAN:** So that is that work which is being done.

**Mr Cappie-Wood:** Yes. There is an information management—I have not got the exact title—

**Ms Davoren:** It is the information development plan steering committee.

**Mr Cappie-Wood:** Thank you. It is a wonderful title. It is, in fact, a very useful group across government. Everyone who calls upon demographic data is part of that. It is a working group that is looking at effectively that information plan for the ACT. It works with the ABS as well as our own demographer to look at the work plans and agencies that require datasets that will inform their own planning. That goes into Health, DET and a range of other agencies. So we make sure that there is a coordinated, collaborative approach to this. It has been very successful to date and we are very pleased with the outcomes.

**MS BRESNAN:** This question is in relation to ATSI in particular. Questions were asked yesterday of Health and other areas. We asked about ATSI in particular because it is a small number compared to, I guess—

**Mr Cappie-Wood:** It is.

**MS BRESNAN:** Nonetheless, it is a significant population because they are over-represented in other areas. Is the ATSI work trying to actually collate some of that data so that it is useful to use?

**Mr Cappie-Wood:** Yes, it will be and we shared with the elected body just recently the workforce profile data, for instance, which did drill down into the Aboriginal staffing profile, if you like, within the ACT public service. There is further work to be done there. It was a very good conversation with them. Yes, there will be further work on datasets around other reforms.

Again, one of the issues that has previously been identified, because it is a relatively small population group within the total population, is how do we accurately identify this? Previously, it was within almost the error margin of APS data collection

statistical probabilities. We are having to say, “Okay, how do we drill down into this and get the data appropriately?” rather than relying upon almost an averaging approach which had been previously done.

**MS BRESNAN:** Because we also had a representative from the elected body address the estimates committee last week and—

**Mr Cappie-Wood:** Yes.

**MS BRESNAN:** one of the frustrations he expressed was about that data in particular and getting access to that and being able to use that to benefit the community.

**Mr Cappie-Wood:** Yes, we see it as very important.

**Ms Davoren:** Yes, I was just going to add that this is part of the work that we do across government and particularly DHCS is leading a project on improving the quality of our administrative data. We are participating in that strongly and contributing to that in addition to the other work we do.

**Mr Stanhope:** This is a real frustration for us that the ABS, as Mr Cappie-Wood has just said in relation to some datasets, simply does not maintain or produce data relevant to the ACT. If you actually go to recent reports of the ABS in relation to Indigenous disadvantaged, I think in the last significant report, *Closing the gap*, the ACT simply does not appear in relation to a whole range of indicators. It is work we now accept that we need to do for ourselves.

We cannot rely on the ABS. It is the issue around the size of the sample. For some of the indicators which the ABS measures against, I think they take a view that the dataset—the population of Indigenous people—is 4,000. I would have thought that that was sufficiently significant as a proportion of this community for them to actually be more rigorous. It is a frustration for us.

**Ms Hudson:** I just wanted to clarify about meeting with the elected body on Friday. As part of looking through the workforce profile and looking at the classifications, one of the points they illustrated in terms of having the whole-of-government employment strategy is the desire to be able to look across all different levels and classifications across the service, including particularly those that service their own community. So we will be looking back in terms of the workforce profile but also at data that we collect in order to do that to see how much more we can look into that data and inform the development of the employment strategy. There are two components—the broad community plus employment in the ACTPS.

**THE CHAIR:** I refer you to BP4, page 37. Community inclusion initiatives was a new indicator last year. I notice that there is a note to say that it is going to be a discontinued measure. Could you explain what is going on there? What will take its place?

**Mr Cappie-Wood:** Yes, there clearly have been a number of funded initiatives around community inclusion. We had the two, if you like, community inclusion advocates out there. They have had two public forums in 2009-10. The intention is to

move to more of a community inclusion strategy as part of the updated Canberra social plan. That action plan will target areas that are not necessarily just the single solution or just single solution outcomes. They require a more coordinated across-government approach, particularly in participation with the community.

That goes to questions of long-term unemployment, rough sleeping and vulnerable families. We are looking at the question of locational approach and also how we can strengthen the sort of service system to achieve outcomes for individuals as well as obviously for families. It is something again that we want to make sure that we can build into our thinking rather than necessarily just bolting it on with something separate. We want to see it as a much more integrated part of the social plan as we update that. We will be looking at the update of the social plan over the next few months.

**THE CHAIR:** I had a question on the social plan. The progress report was prepared last year and the accountability indicator is now discontinued. Can you explain how the seven priorities set out in the update are being addressed and what funding is being allocated in CMD to oversee the cross-agency implementation of those priorities? I am assuming the priorities you have just mentioned are some of those priorities.

**Ms Davoren:** I think there are a couple of issues and I will try to tick them off. There is the biannual—every two years—report on progress on the social plan; so that is only going to appear in the budget papers every two years. That is one. It is not in there for 2010-11.

**THE CHAIR:** Okay.

**Ms Davoren:** The renewal of the social plan is one of our major projects and we hope that will be completed over the next month or so. We would see the community inclusion agenda and action plan as a key part of that. Coordination and implementation of that is really part of our core work within the policy division. We pick part of that up—general resourcing in the division and in particular in the social policy implementation team.

**THE CHAIR:** Have there been resources that have been identified or will be identified to then roll that out?

**Ms Davoren:** Not specific resources, no. But it is part of that team's job to do that.

**THE CHAIR:** Mr Smyth?

**MR SMYTH:** Thank you, Madam Chair. On page 29 of budget paper 4, it lists as one of the priorities for the year to prepare an annual infrastructure plan. Can you tell us when that plan will be prepared and when it will be made public?

**Mr Stanhope:** Thank you. It has been prepared. Indeed I am just waiting for some supplementary information and I expect it will be released in the next few days.

**MR SMYTH:** And what will the plan address?

**Mr Stanhope:** Our infrastructure needs and short, medium and longer term planning for infrastructure, a detailed and rigorous analysis of our planning and infrastructure needs. I have had discussions on the methodology relating to infrastructure. It will be available within a few days—and I say the word “few”—a few days.

**MR SMYTH:** As opposed to a Ted Quinlan’s “soon”?

**Mr Stanhope:** Yes, a few days.

**MR SMYTH:** How much has it cost to put the plan together?

**Mr Cappie-Wood:** Do you want me to answer?

**Mr Stanhope:** If you have an idea on that.

**Mr Cappie-Wood:** The process of coordinating it internally has meant that there has not been the engagement of any consultants around this. It is more about drawing out and refining information from agencies, identifying the drivers associated with the need for infrastructure over a 10-year period, recognising that there are significant shifts that have taken place in the financial environment over the last 18 months to two years. Therefore, this will have to be updated regularly and it is recognised that the circumstances will likely shift in terms of financial capacity of the ACT government to be able to meet the ongoing infrastructure needs. So this will be an annual revision.

The continued refinement of the process of identification and the continued improvement of methodologies informed by service plans and asset management plans will be of considerable assistance as we move forward. The cost of doing this, therefore, has been borne internally to date, and the costs of producing the final report, in terms of printing costs, were in the order of just a few thousand dollars.

**MS LE COUTEUR:** You mentioned there have been considerable financial changes in the last 18 months. In the last decade there have been considerable environmental changes. What of those have you taken into account? As a supplementary, what population are you looking at in terms of the infrastructure plan?

**Mr Cappie-Wood:** The demographic issues are a very important part of this. They are a significant driver of the growth of the city. The current population growth rate is standing at about 1.9 per cent. We rely upon the ABS as well as our own internal input to the ABS discussions mentioned earlier to try to inform our longer term population projections. Those population projections have been publicised.

There is always interest to review those but it is difficult, in terms of a long-term population projection for 50 years, to say with absolute accuracy but we have nailed that. But in terms of being able to extrapolate known demographic shifts, change, mortality rates, in-migration, out-migration and the like, those population projections are presented.

In terms of the near future, which is obviously the closer you are to today the greater

capacity to cast with clarity, that is where we have engaged with the individual agencies, who undertake internally with their own organisations, assessing demand patterns, partly as a result of development within the city. And that is geographically shifting development as well. As we see the renewal of some suburbs, as we see the demographic ageing of others, as we see the opening of new greenfields developments, the patterns of service demand are shifting.

It is how those agencies are responding to that. What is the demand for new schools? What would be the trigger point in time for those? What is the demand for other infrastructure in terms of transport, be that whatever form—busways et cetera? All of these are being looked at in terms of trying to do as best we can. And I would have to say that we are looking to continually improve the methodologies about identification in this area.

It is the first time that the infrastructure plan has been undertaken. There will be continual review processes undertaken to see how we can improve the methodologies to support it.

**MS LE COUTEUR:** Are you taking any environmental issues into account?

**Mr Cappie-Wood:** Yes. The government's stated commitment in terms of carbon neutrality et cetera informs information coming to us from those agencies about what they are doing to be able to look at the infrastructure needs in the future and say how they are going to be impacted or moderated by the government's desire to meet environmental goals. And we are relying upon those agencies internally to be able to assess how that is undertaken.

It is not that it is necessarily always the quantum of infrastructure that changes; it is more about how can that be provided in a way that will not only assist those environmental goals but also be finetuned in terms of design to achieve that and lower the carbon footprint at the same time. And there have been discussions with the senior officers and chief executives along those lines.

**MR SMYTH:** Going back to the actual document, Chief Minister, is this the reason for the demise of budget paper 5?

**Mr Stanhope:** No. I must say that I am loath to answer without taking some advice from Treasury on that. But I must say that I am not conscious of any decision made that would link budget paper 5 to the infrastructure. But I would have to have a discussion or conversation with Treasury to confirm that.

**MR SMYTH:** Is there a reason, therefore, that this document is being done in CMD rather than in Treasury, in that Treasury used to deliver such a document?

**Mr Stanhope:** It is being facilitated. It is a report that depends very much, as Mr Cappie-Wood has just said, on significant input from each of our agencies and it has required extensive work across all agencies to deliver an all-of-government infrastructure plan for the territory. And it goes to Ms Le Couteur's question in relation to issues around our commitment to meeting certain targets and certain policies in relation to the environment and climate change. That chapter of the report

deals with those very issues and policies.

Of course, it is prepared by the relevant department, DECCEW, and similarly across the territory. So it would be the norm that the Chief Minister's Department, as the central coordinating department or agency, would coordinate the production of a report such as the infrastructure one. And it will be available within the next few days.

The government has, in parallel with the production of the infrastructure plan, on this occasion also developed an exhausting comprehensive snapshot of construction activity in the ACT. It was my desire to release both reports together, for the sake of completeness. At this stage, as I said, the infrastructure plan is complete but we are just finalising the current construction snapshot and I am hopeful that will be done, as I said, within a few days. It may be a few days—good, indeed—but a couple of days, certainly within a few days.

**MR SESELJA:** How much direct consultation has there been with industry in the development of the infrastructure plan?

**Mr Cappie-Wood:** Each of the individual agencies in their own right has obviously been speaking with their stakeholder groups, which include industry in some circumstances. So I cannot speak exactly for them because this has been, as the Chief Minister pointed out, a collaborative process where the individual agencies are the ones who come forward with what their projections are in terms of the future infrastructure needs.

There has obviously been a roundtable, led by the Chief Minister, followed by further discussions with industry representatives, with the Treasurer able to input into this. And that has been taken on. Many of the issues raised there have been taken on board.

Could I mention, in relation to budget paper 5, I have just been reminded that Treasury did produce it in this way as a segue into the infrastructure plan and you will see, effectively, the agglomeration of information in budget paper 5 will be appearing also in the infrastructure plan. So it is clearly a link in terms of forward use in terms of the budget and taking that straight into the infrastructure plan and then projecting from there in terms of the five to 10-year arrangements.

**MR SMYTH:** As a tool to assist perhaps this committee—estimates runs for two weeks—would there not be some value, Chief Minister, in having the document out before estimates so that we can look at the entirety of the program and then look at the individual projects by department, as a tool to assist in understanding the government's thinking?

**Mr Stanhope:** Certainly that would have been desirable and, in fact, that was our intention initially but we just ran a little late. But the report will be available before estimates is concluded.

**MR SMYTH:** I look forward to reading it.

**THE CHAIR:** Ms Porter.

**MS PORTER:** Thank you. I have a quick one on COAG. I note, under the output class, there is a line discussing the support that is given in coordinating delivery of the COAG reform agenda. I note under the accountability indicators there is the target of eight and the estimated outcome of eight and then six for the next year. I was wondering whether or not you anticipated that the degree of work would not be of such great demand in the coming year. I know it has been quite intense.

**Mr Stanhope:** Thank you. It certainly has been intense. The current Prime Minister has adopted a very different attitude to COAG. He has convened COAG regularly. I think it was something that was not foreshadowed or anticipated in the first instance, the number of meetings; but, secondly, it was not just leaders of COAG, it was a new structure, the creation of a range of COAG working groups which involved officers across the board in a concentrated way that had not previously been experienced. The whole structure, modus operandi and model changed under this government.

I think we do, in the context of those outcomes, expect that there will be a reduction in the number of meetings. We are also, I think relevantly speaking, facing a federal election. I am not sure, Mr Cappie-Wood, but I think we, in our thinking, would have taken into account things like the level of activity today, the amount of work that has been concluded in terms of new national agreements and national arrangements.

The fact is that we all anticipate there will be a federal election some time in this second half of the year. Indeed, the two largest states will also go to the polls in the next six to nine months and we anticipate a slight lessening in work. I think we get this indeed in relation to some of these things. The Chief Minister's Department has not actually fared particularly well in this budget in terms of additional funding. But I think one line that survived, albeit shaved savagely, was additional support for COAG.

COAG has changed dramatically. It has been a major impost, most particularly on the Chief Minister's Department seeking to support our presence at COAG and seeking to continue to facilitate the enormous workload that has been generated by COAG over the last two years. But we are hoping—some officials are praying—that the work will ease off a bit.

**THE CHAIR:** Ms Bresnan.

**MS BRESNAN:** While we are on COAG, one of the indicators is about leading the government's coordinated participation in COAG, as this report has referred to. What have actually been some of the priorities that have been pursued this year through COAG by the government?

**Mr Stanhope:** I will ask Mr Cappie-Wood to go through those. But in relation to the majority of the meetings, in relation to all of them, there has been an essential central theme or a significant issue that has been pursued. I think it may be that, if there is a list of them, Mr Cappie-Wood may be able to go through those. But the most recent report was health. And, indeed the meeting before that was health.

**MS BRESNAN:** I guess any specific issues relevant to anything that the ACT has

pursued specifically for the ACT at a COAG level.

**Mr Stanhope:** Right, as apart from others? It is very much a collective response. Indeed, I think it is fair to say that, as has always been the case, the agenda for COAG is very much within the province of the Prime Minister. The Prime Minister certainly has been open to suggestions and always collaborative in setting agendas. But I do not think I could point to one thing and say, “This was an ACT government issue.” The issues are common across all jurisdictions and issues are being pursued almost universally in a collective way.

**MS LE COUTEUR:** Has banning battery cage eggs, just perchance, come up?

**Mr Stanhope:** Not at COAG. I would have to check, Ms Le Couteur, on whether or not I have taken up the cudgels in relation to that at COAG, but certainly, as I have mentioned before, I am the only minister ever to seek to have it put on a national agenda for a ministerial council—with some success, which was encouraging success, Ms Le Couteur, but no great success.

The major states down the eastern seaboard have no desire or appetite to even discuss the matter. In fact, I almost had to plead—which is unbecoming, of course, but one does what one must—to actually have even a discussion; the result of which, at the primary industry ministers meeting when I did manage to get it on the agenda, was quite disappointing. Some states just would not even engage in discussions: “This is not an issue that we are even prepared to talk about.”

It was interesting that it was the smaller jurisdictions—the ACT, Tasmania and the Northern Territory—that were prepared to discuss it, with the surprise supporter, the then minister for primary industries from Western Australia. There has been a change of government there and I am not quite sure whether the numbers have remained. But, just for completeness, the two jurisdictions with an interest in a genuine discussion were the ACT and Tasmania.

**MR SMYTH:** As it has been for more than a decade, because it has been on ministerial councils before, Chief Minister.

**Mr Stanhope:** And I feel it will be the case for a while, Mr Smyth; that it will be the ACT and Tasmania that—

**MR SMYTH:** You may be right.

**MS BRESNAN:** We have just talked about infrastructure. That is another issue that might come to mind because, when we have had the infrastructure funding that has come out, the ACT has not fared particularly well in terms of investment from the commonwealth in that area. Is that something you have raised through COAG?

**Mr Stanhope:** In which area?

**MS BRESNAN:** In terms of specific infrastructure funding in terms of transport and the like. A lot has gone to the states, but the ACT has not really had a great share of that. Has that been one issue that has been discussed at the COAG level at all?

**Mr Stanhope:** Not across the table. Yes, at one level it has. As you are aware, both heads of government and treasurers are, since the last federal election, members of COAG, and I can assure you that neither I nor the Treasurer, Katy Gallagher, wilt in advocating for this territory. It is an issue in discussions around infrastructure and Infrastructure Australia, the commonwealth's approach to those issues. Whether it be specifically in relation to the last Infrastructure Australia round or whether it be in the negotiation of a particular agreement such as the recent health agreement, we raise always the ACT's specific issues and needs in relation to infrastructure.

But I know at the heart of your question are issues around essentially Infrastructure Australia—the fact that I think we were the only jurisdiction in Australia that was not successful in attracting funds. The great frustration is that the Majura Parkway was listed as the next major national priority and the first of those not to be funded; there were two initiatives not funded, and the ACT was one of those. Having said that—and it is frustrating—we advocate constantly, to the point where we have become nags, both me and Ms Gallagher, in relation to the Majura Parkway, in relation to Constitution Avenue and in relation to the infrastructure needs of the ACT.

Having said that, I need to jump in very quickly. It is not for me to defend the commonwealth, but the Australian National University has received more capital funding than any other university in Australia under the Rudd government.

**THE CHAIR:** The Harvard of the south.

**Mr Stanhope:** The Harvard of the south, yes—the Oxford of the Antipodes. To provide some context or discussion around the commonwealth and infrastructure funding in the ACT, the Australian National University has received, I think, in the last two years more than \$500 million in direct funding from the commonwealth. And never forget—as we are loath to do: time moves so quickly; the caravan rolls on—we are in receipt of unprecedented levels of commonwealth capital funding in housing stimulation. I believe—my last advice was—that under the stimulus funding we will deliver 420 additional housing, courtesy of the commonwealth, unprecedented in the history of the ACT, in addition to the funding in relation to the BER in or specific to the ACT. The level of capital investment in the ACT by this government has been massive—absolutely massive—and we should not forget that, whilst we remain frustrated about, most particularly, transport infrastructure.

**MR SMYTH:** Has there been an explanation as to why Majura Parkway will not be funded or has not been funded? Is it a concern that we cannot deliver the project? Is it that they do not see it as an important project?

**Mr Stanhope:** I know it is acknowledged, it is recognised, as an important project, indeed, by Infrastructure Australia, a commonwealth government agency. Accepting that, of the 11 projects identified by Infrastructure Australia, nine have been completely funded—there are two that have not been—one would assume and hope that it is acknowledged by the commonwealth as one of the two most pressing infrastructure priorities in Australia and we remain hopeful, of course, that it will be funded. In accepting the importance to us, and in seeking to encourage the commonwealth—my last advice is that the road will cost about \$250 million—we

have undertaken that we would be prepared to consider funding half of that.

Indeed, I have taken advice just recently from Mr Tony Gill and I think we do need to understand some of the context. On the standard modelling undertaken by Roads ACT in relation to its assessment of road capacity, the view within TAMS most particularly as a result of their modelling—and it is modelling that is not specific to Majura Parkway—is that Majura Parkway will need to be upgraded in around four years time. So there remains some capacity.

Majura Parkway is currently taking 16,000 cars a day and it is growing steadily. But the advice to me is that Majura is at a point where it still has some capacity vis-a-vis other roads and other priorities in the territory. The view and attitude we are taking is that we will ensure that it is upgraded to an appropriate standard, but we are of course looking at the commonwealth to accept some responsibility for that, having accepted that it is a national priority.

**MR SMYTH:** You mentioned some other projects at the beginning. The Beijing payment I assume is now a dead rubber. The money for the car park at Russell and the upgrade to Constitution Avenue: how goes your battle there with Mr Tanner?

**Mr Stanhope:** Once again it did not go as well as we would have liked. I must say I bang away at this at every opportunity that I have, with not just Lindsay Tanner but with Wayne Swan and with the Prime Minister, Kevin Rudd. Over the space of the last four months, I have raised it in detail, personally and vigorously, with each of the three of them. It is an outstanding commonwealth obligation that this government remains determined be met.

As you know, we entered into a formal agreement with the commonwealth in relation to Constitution Avenue. They have formally received and accepted into their asset portfolio land which was previously owned by the ACT government as part and parcel of that undertaking, and it is a position that simply has to be reconciled at some stage, some way. In the context of negotiations in relation to this, this is a commitment, an undertaking, that involves an unacceptable renegeing by the commonwealth on an obligation. They have taken onto their asset base our land, which we agreed to, but the agreement was at a time when there was money in the commonwealth budget, which was subsequently withdrawn. It presents us with a dilemma.

Our preference is for the commonwealth to upgrade the road—we do not want the land back—and in my discussions and negotiations, the argy-bargy, the position is put. I say, “Well, we may have to consider legal action,” and they say, “Oh, well, you can have the land back.” I say: “I don’t want the land back. I want you to spend \$40 million on Constitution Avenue”. There is some negotiating required in relation to those issues but I do not deny for one minute, Mr Smyth, that this is an issue that simply must be resolved at some stage. The commonwealth’s attitude is not acceptable. They have our land, as you know; they have built part of a car park on part of it out at Russell.

**MR SMYTH:** The apparent lack of clout—

**Mr Stanhope:** And to add insult to injury they refuse to charge for people to park in

the car park.

**MR SMYTH:** But to add insult to injury the requests for funding for the centenary of the ACT have been overlooked again. I note there is money in the federal budget to advance the work on the celebration of Gallipoli, which is worthy and admirable, but how much has the federal government committed to the celebration of the centenary of Canberra?

**Mr Stanhope:** Again, I discussed this with the Prime Minister over the course of the last few months and the Prime Minister has given me his personal assurance that the commonwealth is strongly committed to the celebration of the national capital's centenary and that the commonwealth will play an appropriate part and role in that celebration; indeed, that the commonwealth will accept its role in ensuring that all Australians have the opportunity to appropriately celebrate the centenary of their national capital. I have received strong, personal undertakings from the Prime Minister of his personal commitment and the commitment of his government to the centenary.

**MR SMYTH:** So when will that be made public? It is very hard to plan something that is rapidly approaching.

**Mr Stanhope:** It is; there is no doubt that we have—

**MR SMYTH:** And we do have a signed agreement from 2008 with Minister Debus. Is it frustrating to have such a lack of clout with the federal government that at every turn we seem to be snubbed by the Prime Minister and his ministers?

**Mr Stanhope:** I will match my level of clout with your level of clout over Tony Abbott's promise to cut 12,000 jobs out of the commonwealth public service. How did you go in your representations on that?

**MR SMYTH:** And how many jobs has Kevin Rudd cut from the public service?

**THE CHAIR:** Okay, a supplementary, Ms Le Couteur, and then Mr Seselja.

**Mr Stanhope:** None, mate, none—growing the public service by 400 this year.

**MR SMYTH:** No job cuts at all by the federal Labor government?

**Mr Stanhope:** What is your view on the 12,000—

**MR SMYTH:** No, no job cuts?

**Mr Stanhope:** What is your view on the 12,000 cut to the public service under Tony Abbott, mate?

**MR SMYTH:** No, no. You have made the statement: no jobs cut by the federal Labor Party.

**THE CHAIR:** Could we stick to questions and answers, thank you. Mr Seselja.

**MR SMYTH:** The Chief Minister made a statement; I would like him to back it up.

**Mr Stanhope:** Mr Smyth, I was responding to my advice that in the latest budget the commonwealth has grown the commonwealth public service by, I believe, 383 jobs.

**MR SMYTH:** So no jobs were lost, for instance, in the NCA and the funding that was ripped out of the NCA by your federal colleagues, which has not been replaced, and—

**THE CHAIR:** Could we please—we are here for the ACT budget—

**MR SMYTH:** When will that money be replaced? When will those jobs come back that are critical to the ACT?

**THE CHAIR:** Mr Smyth!

**MR SMYTH:** The jobs that you say were not cut.

**Mr Stanhope:** Madam Chair, I am not responsible for the NCA. It is difficult for me to answer questions on behalf of the federal Treasury.

**THE CHAIR:** We are here to discuss the ACT budget.

**MR SMYTH:** You made the statement. You said there were no cuts.

**THE CHAIR:** Mr Smyth, it is Mr Seselja's turn.

**MR SMYTH:** Will the Chief Minister correct the record and say there were cuts by the federal government to the federal public service?

**THE CHAIR:** Mr Seselja. And if you are not going to ask one, I will move on to someone else.

**Mr Stanhope:** Growth of 383 as against—

**MR SMYTH:** 383, was it?

**Mr Stanhope:** I believe it is 383, as against a cut of 12—

**MR SMYTH:** So there were job cuts?

**Mr Stanhope:** I was told there was growth of 383, as against a cut of 12,000—

**THE CHAIR:** I will not ask again. We are here—

**Mr Stanhope:** We all know about the 12,000—

**THE CHAIR:** Chief Minister!

**Mr Stanhope:** We all know about the 12,000 cut from the Liberal Party, and we look

forward to your representations to your leader—

**THE CHAIR:** Chief Minister—

**Mr Stanhope:** to actually desist—

**THE CHAIR:** we are here to discuss the ACT budget. Mr Seselja.

**MR SESELJA:** Thank you, Madam Chair. Just a follow-on from the stimulus—

**Mr Stanhope:** When is Joe Hockey giving his big response—

**THE CHAIR:** Mr Stanhope!

**Mr Stanhope:** on the other 4½ per cent cut?

**MR SESELJA:** A follow-on from the stimulus and moving on to another area. Minister, you—

**Mr Stanhope:** I look forward to tonight's news on the other slash and burn from the Liberals.

**THE CHAIR:** Let us just think about Hansard for a moment. One at a time.

**Mr Stanhope:** The rest of the slash and burn.

**THE CHAIR:** Mr Seselja.

**MR SMYTH:** You have had a good record of getting money out of them, haven't you?

**THE CHAIR:** Mr Smyth, give it a rest.

**MR SMYTH:** Beijing, Majura Parkway, Constitution Avenue, the car park, the NCA—

**THE CHAIR:** Mr Seselja, are you going to ask a question? Otherwise I will hand it to someone else.

**MR SESELJA:** I will in a moment.

**THE CHAIR:** No, we do not need to wait for the list.

**MR SMYTH:** cuts to the cultural institutions, three bodies moved out of the ACT. You have done well, haven't you?

**MR SESELJA:** Minister, you mentioned the stimulus package earlier. How many projects have been completed to date under the stimulus package in the ACT?

**Mr Stanhope:** I think those are questions that we are not prepared to answer today.

Those are questions that should be directed to LAPS, to Mr Dawes. He has primary oversight, although individual departments, of course, Housing or Education, would have information in relation to their agencies. But in terms of all of government, I do not have that information with me, and I do not have the officials that would be able to answer it, Mr Seselja. I would be more than happy to provide—I will make sure that we are forearmed before next week.

**MR SESELJA:** Okay.

**Mr Stanhope:** But it is proceeding extremely well.

**MR SESELJA:** Okay, we will move on. I want to move on to another area then, if we can't ask the stimulus questions. I asked you a question on notice on 18 August 2009 about advertising and marketing, hospitality and staff training. I wanted an update on that. The answer said that the Chief Minister's Department has budgeted \$715,000 for 2009-10 for advertising and marketing. Could we get an update as to how much we are expecting to spend at year's end and how much is budgeted for next year?

**Mr Stanhope:** Thanks, Mr Seselja. I will ask Mr Cappie-Wood if he has that information with him.

**Mr Cappie-Wood:** In terms of the detailed breakdown, I do not have that with me, if I could take that on notice. I do note that, in terms of the question on notice—I have copies of the response here—there were questions about the nature of moneys spent on advertising campaigns, and there was an exhaustive response provided in terms of 2009-10. I am just seeking clarification: are you seeking more information than what is contained in that?

**MR SESELJA:** No, not more information in terms of that detailed breakdown. I am looking for an update. That was in August and what you were expecting to spend by year's end, so obviously there will be an update as to whether you are going to be spending less or more than that in this financial year and then the budget for next year.

**Mr Cappie-Wood:** Yes. In terms of the appropriations, there was an appropriation for some additional communication which was effectively to cover existing costs that were otherwise being cash managed within the organisation over the last few years. It was explicitly, given the need for greater clarity, decided that it would be a separate line item. That was therefore appropriated within the budget. You will see that there. However, the totality of all that means that there is not going to necessarily be any additional expenditure. It is more just the clarity of that line item which was previously cash managed.

**MR SESELJA:** Okay. So we will get an update as to year to date?

**Mr Cappie-Wood:** Yes.

**MR SESELJA:** And also the budget for next year.

**THE CHAIR:** Just for the *Hansard*, I will note that is a question on notice.

**MR SESELJA:** Yes. Can we also get that for the other parts of the question, which was around hospitality and staff training as well.

**Mr Cappie-Wood:** Yes. I do note the response you have on staff training. We can update that for anything from that period of time to the end of the financial year. Well, I cannot do it to the end of the financial year but to—

**MR SESELJA:** The estimated outcome now.

**Mr Cappie-Wood:** the nearest point possible.

**MR SESELJA:** Indeed, and then the budget for next year.

**MR COE:** On advertising—

**THE CHAIR:** No, we are going to Ms Le Couteur.

**MR SESELJA:** It is a follow-on from—

**THE CHAIR:** Yes, I know. Mr Coe, I will get to you. I know Ms Le Couteur has been waiting for some time; then you will be next.

**MR COE:** Okay, I will go back to advertising.

**MS LE COUTEUR:** Thank you, Madam Chair. I have a question about the new office building. I appreciate that LAPS is doing most of the work but I am assuming that some work is being done at the whole-of-government level, and I am particularly interested in the location. Given that Gungahlin still lacks any major employment, what is the thinking behind putting all of the ACT government employment in Civic, given the situation in Gungahlin, and the same will be the case in Molonglo?

**Mr Stanhope:** Thank you, Ms Le Couteur. It is, of course, something that we have considered. We have been aware, of course, of the strong desire, most ably expressed by Alan Kerlin, in relation to a major office development within Gungahlin. Of course, it is an issue that we are very sensitive to and that we have sought to support and encourage.

In the context of a centralised, all-of-government administration block, we believe that it really should, for the sake of the rest of the city, be in the centre of the city, in the city heart, in the administrative heart. It was, on balance, the view of the government—a view supported by, I think, all of our agencies, probably a unanimous view—that it should be in the centre of the city, at the heart of the city, where our parliament is, where our administration is, and which is more geographically appropriate to the rest of the territory.

But I understand the point. Indeed, it is something we discussed. On balance, I believe it is reasonable that the central administration of the Australian Capital Territory be in the heart of the city here in Civic, and that is the decision we have taken.

**MS LE COUTEUR:** What modelling have you done around efficiencies of putting

all the public servants in one location, because that is partly, I suppose, where I was going? I would agree that if there was only one location, Civic would be the logical one, but there is not necessarily one location.

**Mr Stanhope:** That is a question best put to LAPS, but I know—

**MS LE COUTEUR:** We will ask them.

**Mr Stanhope:** there is significant thinking, and, indeed, it has been put to me anecdotally—I would not like to be held to it—that there is a view on some modelling—I do not know the basis of it, so that is why it would be best to wait until LAPS appears before the committee—that there would be savings potentially in relation to just straight efficiencies around co-locations of in the order of \$20 million, not going to some of the other efficiencies that would be garnered as a result of an energy efficient green building. I understand that the staff that would be housed in a government office block are currently housed in 34 separate buildings on 17 different sites scattered across the territory. Some of them—indeed, I think a significant number of them—certainly would be B minus or C-grade buildings with very low energy efficiency rates.

It is an issue for us as an employer. The commonwealth, as you know, most particularly and very strongly over the last five to six years, has taken a decision in relation to energy ratings and the environmental standing of its buildings. It has also taken a decision in relation to its obligations as an employer to its staff.

We now have a situation in the ACT where the majority of commonwealth public servants are housed in A-grade accommodation that has an acceptable, at least, green rating. The majority of the ACT public service are housed in B and C-grade accommodation. The statistics on it are very challenging for us as an employer. Significant numbers, if not the majority, of our staff are in C grade; almost all commonwealth public servants are in A grade. It is an issue that we are determined to address. We believe this is the most efficient way of doing that.

**THE CHAIR:** Mr Coe.

**MR COE:** Thank you, Madam Chair. Going back to advertising, on 25 March this year, I asked a question on notice to you, Chief Minister, about the brochure—

**Mr Stanhope:** Only one?

**MR COE:** *Our city, our community.*

**Mr Stanhope:** That was a ripper. We got enormous feedback on that.

**MR COE:** That is right. So you should get a lot of feedback, given the total cost of production for the newsletter was \$65,000—

**Mr Stanhope:** \$65,779.

**MR COE:** That is right, which is separate to printing and separate to distribution. Is

that true? Was it actually \$65,000 just to lay this document out as opposed to actually—

**Mr Lasek:** I will have to take that on notice, but I thought \$65,000 was the all-up cost.

**Mr Stanhope:** I thought that, too, Mr Coe. I was under the impression that was the cost, all-inclusive.

**MR COE:** Right, because the question was quite clear.

**THE CHAIR:** I note that that question will be taken on notice, to get back with figures.

**Mr Stanhope:** If it is not the case then I have to say I was under a misapprehension.

**MR COE:** Would you agree that \$65,000 for the layout of this document would seem a bit excessive?

**Mr Stanhope:** I would probably agree that it was a bit excessive, if that is just for the layout and it does not include the printing and distribution. I thought: “This is good work if you can get it. I would do that in my spare time.”

**MR SMYTH:** You have got spare time now you are in cruising mode.

**MR COE:** At \$5,000 a page, it probably is a lot of money.

**Mr Stanhope:** Yes, not bad.

**MR COE:** It is interesting, because the answer that you signed said that the ACT Government Publishing Services manages the design and production of the *Our city, our community* newsletter. The printing, envelope, overprint and processing were outsourced to local suppliers. So you do make a differentiation there about design and production versus printing and overprint. And then in part (b) you say that the total cost of production was \$65,000 and the total cost of printing was \$30,000. Given that you did acknowledge a differentiation between production and printing in part (a), it would seem odd that (b) was somehow different from that definition. And really you should be correcting the record in the Assembly if it is wrong.

**Mr Stanhope:** Absolutely. I respect your forensic skills. We will take the question on notice and get back to you.

**MR COE:** What would be a reasonable amount to pay for the layout of such a document?

**Mr Stanhope:** I guess an overcall cost of, in terms of the value of the document, the strong regard that the community have for it and their desire and demand to be kept informed, a couple of hundred thousand dollars would have been reasonable.

**MR SESELJA:** The community wants propaganda, do they? They have been asking for that?

**Mr Stanhope:** The community want to be consulted and engaged on what the government is doing.

**MR SESELJA:** A lot of it was just self-congratulatory.

**MR COE:** In what—

**THE CHAIR:** One at a time, for Hansard.

**Mr Stanhope:** We are determined to do that. You may not be, but we are.

**MR COE:** In what format was the feedback that you received?

**Mr Stanhope:** Mr Lasek would probably know.

**Mr Lasek:** We did some surveys after the first of those community newsletters, just to check whether this was the way that the community wanted government information, and we offered them a whole range of different options, including newspaper and TV and radio advertising. Information in newsletters in letterboxes was the one that the community said was the one they wanted most. At least we felt it justified continuing that process.

**MR COE:** Will you provide the questions, the results and the cost of doing that survey?

**Mr Lasek:** Sure.

**MR SESELJA:** Did they comment on the type of information they wanted, information that actually directed them towards particular government services rather than information that just talked about what the government had done?

**Mr Lasek:** It is a few years ago now; so I will get that information as part of the survey.

**MR COE:** If that could be taken on notice.

**THE CHAIR:** I do notice that in budget paper 4 on page 39 there is a new accountability indicator to reflect the community noticeboard. Has this been effective, Chief Minister?

**Mr Stanhope:** I do not have formal feedback but I think it is tremendously effective. Anecdotally, from the number of people that stop me and tell me how valuable or invaluable they find the community noticeboard within the *Canberra Times*, I think it has, in fact, become a major feature of the Saturday edition of the *Canberra Times*.

There is such comprehensive information about everything that the government is doing. People report to me anecdotally in the street on that but, in the context of formal responses, I must say that I am not quite sure how that accountability will be met or measured. Mr Cappie-Wood or somebody else might be able to assist in

relation to that.

**Mr Cappie-Wood:** I am not aware of any formal responses from the community, other than we have had a lot of anecdotal responses and, across agencies, we are also getting feedback that this is an important way of getting the message about government information out to the community. It is consolidated in one place; so people in Canberra know where to look. Of course, we cannot run newsletters weekly into letter boxes; so this is a weekly way, what we see as a cost-effective way, of providing the sort of information we think Canberrans are looking for.

**THE CHAIR:** If this is a new accountability indicator, how is it going to be measured? What is the measurement in place?

**Mr Cappie-Wood:** It would be difficult to say that the circulation of the *Canberra Times* was the indicator but what we are seeing is that—

**MR SMYTH:** Do you want to have that argument or not?

**Mr Cappie-Wood:** No. What we are seeing is that there is increasing recognition of this, and it is a question of how we tap into the question of recognition, where to find the information. It is a question of channels and access. Some of the feedback which we have got about it is: how do you extend the information that you have there to other cost-effective channels? So the question is: how do we utilise the conglomeration of information that has been achieved through the noticeboard into other channels?

Questions about websites, questions about how can we get that in poster form or other form into some of our shopfronts are all questions which we are mulling over at the moment, without necessarily saying we want to expand the so-called advertising budget. But we are looking to see how we can take the conglomeration of information which is on the noticeboard and make it more effectively available without radically increasing the cost of its availability.

**Mr Lasek:** Could I just add that the noticeboard is also a response to some criticism in the past that the messages on government information were scattered throughout the paper—in general notices, in general news, in the sports pages. People were saying to us that they did not know where to find something—

**THE CHAIR:** I think it is a great improvement to have it in one place.

**Mr Lasek:** So it is bringing it together in one place.

**THE CHAIR:** Are there any moves for the community engagement unit to coordinate consultation processes more to ensure that departments know what is going on? We did have a particular example during the year, with one department doing a consultation around a particular piece of lawn at a shopping centre and another department also undertaking a consultation and seeming to be giving different messages to the participants in that consultation. Are there moves to ensure that these processes do not trip over each other or send different messages?

**Mr Cappie-Wood:** There has been careful thought about this. The strategy has been to have a coordinated approach. And that coordination is not centralisation; it is more coordination of capability and capacity so that we have undertaken, together with the engagement staff in other agencies, independent training by the centre of dialogue at ANU. We are trying to lift the understanding capacity of community engagement staff right across the public service, rather than trying to say centralisation is necessarily the answer, because there is a clear linkage between understanding the business of that agency and how that agency needs to project its information, what it is trying to do, how it is doing it. What we are trying to do is lift the capacity and capability across the public service.

So we are planning a second external stakeholder, if you like, to come in and assist in that improvement in our engagement processes. We are obviously updating, constantly updating, our strategies, not only the website but also the community engagement manual, and we are looking to see that that is continually refreshed.

To really go to the heart of your question, it is not a centralisation process. We see the greater benefit in making sure we improve the capacity in the individual agencies to undertake this.

**THE CHAIR:** Ms Porter, and then Mr Smyth.

**MS PORTER:** Thank you, chair. My question to the Chief Minister was really around the community engagement procedure. I note that one of the priorities is for improving community engagement, on page 29. I note what Mr Cappie-Wood has just said about the investigation that is going on about finding other strategies. I agree with a lot of what has been said about the community notices in the paper. It has been fantastic. I have been getting lots of feedback about that. They have been good. I am wondering whether the distribution of the *Canberra Times* on Saturday has, in fact, gone up. I wondered whether that was the case or not.

I know from the committee that I chair, in response to one of the inquiries that we are doing, we have been getting a lot of suggestions, particularly from young people, that we should be increasing our use of different technologies. We have had some discussions about that, and we find it a challenge to figure out how we could actually do that. You mentioned web-based technology. I was wondering whether there were other forms of technology that you are considering or that they are considering.

**Mr Cappie-Wood:** Thank you. Certainly, this is a very active area. The question of web 2.0, which is how to go beyond merely just e-government, was using the web for more effective transactional arrangements across government, which we are continuing to do. And I would have to say that other states still consider Canberra Connect is the leader in this field. How do we use social networking media on the web to be able to reach out to those people who do like podcasts, wikis, blogs, twitters or the like, to be able to engage that in how we look at community engagement more generally?

It is interesting that we have had a very collaborative relationship with the pro bono element of Cisco. This is where Martin Stuart-Weekes from Cisco has been providing pro bono input into some of our thinking around this area. He is coming back to

Canberra shortly to discuss how we can move this on, because they have effectively offered us a capacity to look at our web 2.0 engagement techniques, and he is prepared to put some Cisco resources into looking at evaluating things to see how effective those new techniques might be. We are still exploring this.

For instance, a number of agencies have used Facebook and are using Facebook to be able to reach a particular audience. We are looking at the question about how community engagement using these new social networking techniques can be undertaken and the challenges that it presents to the public service. Previously, under the current standards, the question of free access to information or at least presenting opinions which are not necessarily government's was somewhat frowned upon. But how do we have the engagement with blogs and wikis where people are literally providing commentary on policy implementation, services or the like and how do we administer that medium in such a way as to make sure that it is moderated and moderated fairly to be able to draw from the community?

The community reaches far beyond the ACT borders, because it is the web, in terms of taking that as the opportunity for broad input around a number of policies, services or other enhancement which have been looked at. We are encouraging agencies to explore this space, so to speak, and to engage with Cisco in terms of looking at the evaluative tool coming out of this, which might be useful. But we see that as a rich area and one in which a number of agencies have already tried blogs, wikis, Facebook and the like to be able to reach their target audiences.

**THE CHAIR:** Thank you. Ms Le Couteur to ask a question and then Mr Smyth has one question before we go to the break.

**Mr Stanhope:** Could I just add to that. Mr Cappie-Wood has not touched on another initiative which we are pursuing in relation to engagement of a major community conversation as part of our engagement, a very important part of our engagement proposals, in relation to major issues. One of the significant difficulties that the government faces in engaging or communicating is engaging or communicating around a major shift across the community, a major shift that has very significant local impacts. One of those is around, for instance, the nature of our urban density.

Canberrans have grown used to the look and feel of the city as it currently is. But the government, through the spatial plan, is at the point now, particularly with enhanced land release, significant enhanced land releases, where we have made commitments that over this term we would hope by the end of this next four-year land release program that up to 50 per cent of all new development will be within the footprint of the spatial plan. In other words, it will be urban infill.

I think everybody that has been in this place for a while, everybody that observes the public response to issues, knows the level of the concern that there will be in individual streets and individual neighbourhoods about that block of land that has been sitting fallow or that block of land that is rebuild capable and the implications for the look of their suburb if we are to achieve a 50 per cent infill.

So how do we deal with this in terms of our engagement with the community? I would have thought that the overwhelming view of the majority of Canberrans is that

this is a policy that should be pursued and that it is an end that should be met. But I have no doubt that when you get into individual streets and developments on certain blocks, attempts to increase density around certain shopping centres or group centres will be vigorously opposed.

It will be when we get to a particular street, a particular block, a particular site or a particular shopping centre that we will get the challenge: “You didn’t consult with us. You didn’t negotiate. We didn’t know what you were doing, and we don’t agree.” That will be the issue that we will face at the local level after engaging and announcing. We have announced it and there has been essentially no feedback or response to the government that we intend over the next four years to increase 17,000 units of housing with half to be in existing streets.

Nobody has come back to us and said what a dreadful idea it is—until, of course, we say, “Look, we will be putting a block of units on this land here.” So we are engaging. We intend to pursue a major conversation at the start and say: “Guys, this is what we are going to do. What do you think?” We will be looking forward to your support in that conversation.

**THE CHAIR:** Ms Le Couteur.

**MS LE COUTEUR:** I have just got a follow-on from Ms Porter’s comments about new media. Maybe we could look at some of the experiences of other Australian jurisdictions. I am particularly thinking here of Melbourne, which has an absolutely brilliant public transport information system, and other jurisdictions that have integrated various transport options into Google Maps, which the ACT could do. It could use that infrastructure and it has not yet done this. I sent a letter about one to the Chief Minister a while ago. It was a system of reporting faults to TAMS that was iPhone and GPS based. There are a lot of things out there already, and I guess I am urging the government to look at what the other jurisdictions are doing successfully.

**Mr Lasek:** That is part of a refresh of the ACT government websites. I think that is very close to being finalised. TAMS are driving that through the team at Canberra Connect. We agree. It is a fantastic initiative and I think, again, that is very close. I would say it is only weeks away from being completed.

**THE CHAIR:** Mr Smyth, a final question before we break.

**MR SMYTH:** Chief Minister, in output class 1.4, the budget seems to have gone from \$6.6 million to \$8.2 million for the year. What will that additional funding cover?

**Mr Cappie-Wood:** I just highlight that there are several things that have happened in CMD which impact across not only the accountability indicators and the operating statement but even changes through to appropriation. Three things: one is some structural change which meant that Tourism has come in and that element that went into LAPS went out. But in this particular case, we have looked at what is the output costing and revised the methodology. What you are seeing here is the revised methodology. In terms of the total budget, if you go back to total budget that has not shifted.

We have drilled down and become much more accurate in terms of the output costing. Previously it was based on distribution based largely on staffing numbers. I was not happy with that in terms of what that reflected in terms of the true cost of that output. So we have gone back and drilled down into it.

What we do have is a more accurate true cost of the output class, and we have revised those across the output areas. You will see from the other output areas as well that some have stayed largely the same, some have gone up and some have gone down. That is a result of a more transparent, and what I feel is a more accurate and accountable, output costing. I am happy to provide the methodology behind that.

**MR SMYTH:** Okay, I would love to have the methodology. Is it possible to have a reconciliation on where the money that has gone into 1.4 has come from and what other areas have had their budget reduced?

**Mr Cappie-Wood:** It is the cost of output—

**MR SMYTH:** Yes.

**Mr Cappie-Wood:** as opposed to, if you like, the expenditure line items. But what we can do is provide on notice what that methodology is, what the changes have been and I think you will see that the transparency associated with that has improved significantly.

**MR SMYTH:** Yes, that is fine but—

**THE CHAIR:** We will just note down that that has been taken on notice.

**MR SMYTH:** And if we are going to do that—

**Mr Lasek:** Could I just add that it probably also reflects a growth in the centenary planning area, which is being stepped up year on year. So that is part, I think, of that shift in numbers.

**MR SMYTH:** If we could have that all itemised, that would be lovely.

**Mr Cappie-Wood:** Yes.

**MR SMYTH:** You talk about staff. If we go to page 30, to the outcome, I note that you have lost staff to Land and Property, and you have gained staff from Tourism.

**Mr Cappie-Wood:** Treasury, yes.

**MR SMYTH:** Could we have a reconciliation of the ins and outs of staff?

**Mr Cappie-Wood:** Absolutely, yes.

**MR SMYTH:** And a breakdown of how many new staff will there be for CMD in this budget?

**Mr Cappie-Wood:** We are looking, I think, at one.

**MR SMYTH:** One, okay.

**Mr Cappie-Wood:** Yes. It is a vast increase there!

**MR SMYTH:** Yes, it is a vast increase.

**Mr Cappie-Wood:** And I would have to say that that is an EFT because it is actually split between a number of output areas. So we are happy to provide that to you, yes.

**THE CHAIR:** I just note that that question is also taken on notice.

**MR SMYTH:** Thank you.

**THE CHAIR:** Thank you. I think we will go to the break and resume at 3.50.

**Meeting adjourned from 3.34 to 3.50 pm.**

**THE CHAIR:** We will now resume the public hearing of the Select Committee on Estimates. Proceedings will recommence with an examination of the expenditure proposals. We have the ACT executive but also CMD output 1.2 and then on to output class 2.1, business and industry development, followed by output class 1.5, arts, policy advice and programs, and we will conclude with the Cultural Facilities Corporation.

**MR SMYTH:** Sorry, did you just say that we were also doing ACT executive at this time?

**THE CHAIR:** That is right.

**MR SMYTH:** Okay.

**THE CHAIR:** I want to go to the government hiring freeze. Could you explain what has happened with the hiring freeze and how agency staffing will be managed this year?

**Mr Cappie-Wood:** The hiring freeze, as you are aware, came into effect as a result of the GST reduction. The purpose of the freeze was to contain growth in staff numbers, to provide additional flexibility for agencies to be able to make decisions, better decisions, around deployment of resources if they had some flexibility in their staffing arrangements as a result of some attrition, and advice was provided along these principles to chief executives.

Chief executives were charged with the responsibility of implementing the staff freeze. The staff freeze will only be in place until the end of this financial year, because, clearly, after that there are new budget parameters put in place and they have to operate within those new budget parameters. To date, we have information about the impacts it has had across the agencies, and we will be continuing to track that through

to the end of the financial year.

Clearly, there are exceptions to the staff freeze that relate to front-line services as well as mission critical areas which would relate to the key delivery of services. For instance, I point out issues such as the continued management of InTACT core computer services et cetera. People might not consider that as front-line service, but, without that, the computer system goes down and our efficiency and everyone's capacity to operate goes with it. So there are key areas which we have to consider in that regard.

**MR SESELJA:** Since the staff freeze was implemented, what has been the change in employment numbers in the service?

**Mr Cappie-Wood:** In total employment numbers—we have to be careful here because there are some considerable variations particularly in the education area, in CIT and the department of education, where there are quite large seasonal adjustments—if the numbers continue to track as they are, and accounting for seasonal adjustments in some of those areas, we are looking at an FTE impact at the end of the financial year of about 200. But we will be tracking that to the end—

**MR SESELJA:** So there will be 200 less FTE than there were at the time the staff freeze was implemented?

**Mr Cappie-Wood:** Correct.

**MR SESELJA:** That is in total numbers?

**Mr Cappie-Wood:** That is in the magnitude of what we are seeing. Clearly, with the volatility in the education area at the end of the financial year, we will know at the point of the end of the financial year what the impact of the staff freeze has been.

**Ms Hudson:** I think it is 200 less than what was anticipated to be the end of the year outcome.

**Mr Cappie-Wood:** Yes.

**Ms Hudson:** So after the freeze the permanent numbers stayed stable. There were still seasonal variations for the teachers, as Andrew has mentioned.

**MR SESELJA:** Okay. What I am interested in, then, is: what was the number at the time the freeze was implemented and what is the expected total at the end of the financial year or the number right now?

**Mr Cappie-Wood:** The third quarter March figure for 2009-10 was a total of 20,403, and we are currently tracking those against what the projected impact would have been if there had not been a staff freeze, and that is where we are seeing that projection coming down by 200.

**MR SESELJA:** Sure. But I am looking at actual numbers, though.

**Mr Cappie-Wood:** Yes.

**MR SESELJA:** So it was 20,400, and what will it end up at?

**Mr Cappie-Wood:** 430. We can provide that to you. We have those broken down. We can provide those on notice, if that is okay.

**THE CHAIR:** I will just note that that has been taken on notice. Thank you. Mr Hargreaves.

**MR HARGREAVES:** Thanks very much, Madam Chair. In the context of the staff freeze, though, that is a very emotive term—

**Mr Cappie-Wood:** Yes, it is.

**MR HARGREAVES:** which means that everything just stops dead in the water. That is not so, is it? It is, in fact, related to non-direct service delivery across the system. Could you give us an explanation around that, please?

**Mr Cappie-Wood:** That issue of front-line services was given an effective exemption, and that relates particularly to education, health and other front-line services. Given the profile of the ACT government, that means a fair number of staff were exempted from the recruitment freeze. Each agency has implemented an internal process whereby the chief executive has to sign off as to which staff positions that fall vacant would be filled, on the principles of making sure that the front-line services are not impacted. So, largely, it has been back-of-house areas that have had to bear the impact of this. That is certainly what we are seeing from discussions with chief executives. So there have been exemptions for this. Some of them might appear back of house but are still essential to the front-line functioning, such as if we do not attend to some of our major computer systems they will fail, and that means the totality of our capacity to deliver services is brought down.

**MR HARGREAVES:** One of the things I am interested in exploring is the notion that administrative staff are the ones that get the cut. I am of the view that that is not necessarily the case. We heard earlier on from one of the people giving evidence that, in fact, some support staff to front-line areas—for example, in the hospital system, if you look at the medical records part, it is an administrative function, but without it functioning properly the service does not get delivered. So, in the context of what constitutes back-office staff, is there a definition of what that comprises, or is that left to the chief executives?

**Mr Cappie-Wood:** Given that we would have spent all of our time trying to give a clear definitional breakdown by each individual class or job description, it was left to the discretion of the chief executives, based around the principles I outlined earlier. That is where they have to individually assess each vacancy and decide whether that is held open or whatever other internal mechanisms they might have about moving staff around or it is advertised based on those principles. So it is left to the discretion of the chief executive to do so.

**MR HARGREAVES:** So in the context of, I think the number was 200, or something

of that order, is it reasonable to assume that for those front-line service delivery departments such as Education, Health and TAMS they will be a little light on in those numbers, but the more policy development, support delivery departments will actually get a greater proportion of that cut? If that is so, how do you propose to replace the services that those quite valuable public servants were providing?

**Mr Cappie-Wood:** Keep in mind that the freeze is only up to the end of the financial year, because after that, clearly, the budget parameters cut in and the agencies know what budgets and within what financial parameters they have to operate. That includes the one per cent efficiency dividend for the forthcoming year. So, to that extent, the agencies are having to look at the risks associated with the provision of services that a particular vacancy might create. It is not uniform, because in some instances the turnover rate in some agencies is higher than others, so they have to clearly look at the relative turnover rate, their capacity to do the job in another form for the time being and whether it is a long-term vacancy looking at potential restructure or other means of delivery or one that they will be undertaking in another form.

**MR HARGREAVES:** In the context that between now and the end of the financial year you are going to see a restructure of the way in which we do business in terms of its administrative support, I think that is a good thing.

**Mr Cappie-Wood:** Yes.

**MR HARGREAVES:** Going into the new financial year from 1 July going forward, do you anticipate that the chief executives will continue that approach to the way in which they deliver services to the Chief Minister, or is there a likelihood that they might drop back into the old way of doing things?

**Mr Cappie-Wood:** Certainly, necessity is the mother of invention, and it will enable some thoughtful processes to be considered in terms of (a) what are essential and (b) how they deliver services. We know that agencies have been looking along this path, particularly as, of course, the efficiency dividend is not just this year but the following year and it is anticipated that the chief executives—I know the chief executives—are looking at the forward years and saying, “How do we do our business better and what are the resources required to undertake that?”

**MR HARGREAVES:** Thank you.

**MS BRESNAN:** I have what I think is a follow-up on that. In budget paper 4, on page 44, there is the figure of 105 which has been allocated for augmenting the government’s skills response. Is that in relation to targeting particular skills or is it an overall staffing approach?

**Mr Cappie-Wood:** The massively large amount of money there is not for staff, and I can give you an explanation for that. We had anticipated this under business and industry development, but I am happy to answer that now if you wish. We are looking to improve the functionality of the total skills system. There has been a lot of investment by the government in terms of the supply of skills and to augment the various areas where skills are required.

This money is going to go into the area of trying to improve the skill identification gaps. That will be collaborative work with the department of education, because currently there is considerable industry consultation around skill needs, by CMD, the department of education and CIT. For instance, in DET there are, I think, 53 separate industry consultations. We undertake consultations with industry about skill gaps as well, as does CIT. We are looking to see how we can improve that. For us, it helps inform our skilled and business migration program. For DET, it is obviously to better inform the vocational education skills gaps and how the vocational education money is distributed. We are looking to have a combined approach there. Some of the money will go to improving that mechanism and how we engage with the industry on that.

The other part of the money will be going towards, if you like, an education portal—there are discussions today on this very matter—which will enable the education players in the ACT to have a better collective representation. That comes off the back of discussions with the Canberra Business Council in terms of how to develop the educational sector more collaboratively.

**MS BRESNAN:** Thank you.

**THE CHAIR:** I want to go to budget paper 4, page 34. This goes back down into output 1.4. It is the last item in the output description about communications and support. Can you briefly explain how this fits with the Emergencies Act and what resources are allocated to this. It talks about emergency responses.

**Mr Cappie-Wood:** Yes. I know that, if the Chief Minister agrees, Jeremy Lasek can answer in detail. This is part of the coordination of communications responsibilities of Chief Minister's Department. It is a whole-of-government response to make sure that the Chief Minister's Department is a coordinating mechanism when it comes to escalating emergency response and how the communications are arranged around that. I will leave it to Jeremy Lasek.

**Mr Lasek:** This role was created out of the Canberra bushfires. A new position was created within the Chief Minister's Department to play a whole-of-government coordinating role. That remains the case. The role of emergency communications is crucial. Chief Minister's Department works closely with the ESA media unit and the head of ESA and with the police media unit in the AFP and the Chief Police Officer. We have a role in the group that JACS coordinate in terms of emergency responses, both in natural disaster emergencies such as bushfires and in a counterterrorism incident. We have got expertise now within the department and across government in a national coordination role for potential terrorist incidents. We are on the public information subcommittee of the National Counter-Terrorism Committee and are regularly involved in meetings. We are involved in training, both across ACT government and with communications colleagues from the commonwealth government.

One of the positives coming out of the bushfires in 2003 was this much stronger whole-of-government coordination role for communications. Every media person, every communications officer, across government is now engaged in regular training. In fact, there is some tomorrow morning. It happens about quarterly. We are now building up for a major counterterrorism training exercise in August this year. Of

course, all government communications officers coordinated by Chief Minister's Department will be players in that exercise.

**MR SMYTH:** That is an ACT government exercise, not a federal government exercise?

**Mr Lasek:** It is a federal government exercise, and the ACT will be a significant player this year.

**THE CHAIR:** Are the committee happy to—

**MR SMYTH:** On 1.4, it begs the question: what will the name of the symphony be, Chief Minister? Is this *Song for Jon* or *Swan Song for Jon*? What will it be?

**Mr Stanhope:** I am sure it will be inspirational.

**Mr Lasek:** I might just say that Robyn Archer had her first lengthy discussions with Nicholas Milton and the CSO just last week, so planning is well and truly underway.

**MR SMYTH:** What is the process there? What do we get for the \$100,000? What happens? Does it go out for tender?

**Mr Lasek:** I think it is supposedly a work that the Canberra Symphony Orchestra, as our pre-eminent orchestra in Canberra, will drive, together with Robyn Archer. My understanding is that it will be a collaboration between the symphony, Robyn Archer, and—I believe they will go out to select an eminent composer. I believe that is the process.

**MRS DUNNE:** What is the process for selecting the eminent composer?

**Mr Lasek:** I will have to come back to you on that.

**MR HARGREAVES:** You are aware, of course, that Professor Larry Sitsky, a long-term resident of Chifley—Threlfall Street to be exact—is a renowned Australian composer and lives within our midst. He does piano for thumbs and elbows very well, I understand.

**THE CHAIR:** Thank you, Mr Hargreaves.

**MR HARGREAVES:** That is okay. Worked with him for many years—lovely man.

**THE CHAIR:** One more?

**MR SMYTH:** While Mr Lasek is there, can we just have an update?

**MRS DUNNE:** I think Mr Cappie-Wood had an answer there before he was interrupted.

**THE CHAIR:** Okay.

**MR SMYTH:** Is there anything more Mr Lasek wants to tell us about the symphony?

**Mr Lasek:** Other than that they have got a great show on tonight and tomorrow night.

**MR SMYTH:** Can we have an update of what is happening with the centenary of Canberra? I know it is on page 45 of budget paper 4, but in the 2013-14 year there is \$6.135 million that is noted down as the cessation of the centenary of Canberra program. Can we have an explanation of that, please.

**Mr Lasek:** I think the wording of that would be about wrapping up the centenary program, so it is finalising, completing and rolling out the program.

**MR SMYTH:** Does that indicate that there is \$6.135 million dedicated to the program?

**Mr Cappie-Wood:** We should point out that, as Mr Lasek pointed out, it is the cessation as opposed to the continuation into the following financial year. It is making sure that the centenary is not an ongoing fantastic fun thing.

**MR HARGREAVES:** Are we going to have a three-year party or what?

**MR SMYTH:** Is that bit of the year—

**MR HARGREAVES:** I want a three-year party.

**MR SMYTH:** It is actually that year that the bit falls into it.

**MR HARGREAVES:** It's got to finish some time, Brendan. You've got to go home.

**Mr Cappie-Wood:** Whilst there will always be wind-down arrangements, it is trying to make sure that—the previously indicated annual allocation there was not a recurrent allocation but in fact was a program item and it comes to an end.

**MR SMYTH:** That is the summary from 2009-10 to 2013-14. Is that the total amount or is that the amount that is stopped in 2013-14?

**Mr Cappie-Wood:** There has been some reprofiling of the expenditure across the years for the centenary.

**MR SMYTH:** Sure.

**Mr Cappie-Wood:** It would be quite reasonable to be able to take that on notice and provide that to you in terms of how the funding by financial years is currently intended.

**MR SMYTH:** Where is the reprofiling notified in budget paper 4?

**Mr Cappie-Wood:** I think it is notified—in terms of the reprofiling in the current financial year, there is, I think, a roll forward. I will ask Kate Nesar for that information.

**MR SMYTH:** So in the 2009-10 budget documents?

**Mr Cappie-Wood:** In these budget documents, there is some reference to reprofiling.

**Ms Nesar:** You can actually see on page 45—

**MR SMYTH:** It is up above, yes.

**Ms Nesar:** There is an amount saying “Rollovers—Centenary of Canberra”, and you can see that the money has been reprofiled across the years. In 2013-14, the \$6 million that comes out is a major line of funding which comes out; and there is some slight ongoing funding for the wrap-up of the centenary in that year.

**MR SMYTH:** Between the 2009-10 budget and the 2013-14 budget, what is the total amount committed to date to the centenary?

**Mr Lasek:** In terms of programming, the government has committed \$14 million, and there are some staffing costs on top of that.

**Mr Cappie-Wood:** But that is not within that year.

**Mr Lasek:** No.

**Mr Cappie-Wood:** It is the total program.

**MR SMYTH:** Yes.

**MRS DUNNE:** Could you, perhaps on notice, Mr Lasek, identify the staffing costs on top of that as well?

**Mr Lasek:** We can give you the total amount, but the staffing profiles are still being adjusted to suit our needs. We have not got the full staffing component filled yet.

**MRS DUNNE:** When do you expect the full staffing will be on board for the centenary?

**Mr Lasek:** Possibly as late as 2012 we will see the appointment of our last people. There will be a ramping up.

**MRS DUNNE:** Could you give us some indication of how that will ramp up?

**Mr Lasek:** As best we can, yes.

**MRS DUNNE:** On the understanding that it may change over time, but what it is currently planned to look like.

**Mr Lasek:** Sure.

**THE CHAIR:** We will take that on notice.

**MR HARGREAVES:** Ronald McDonald's busy, so—

**MRS DUNNE:** Could I also get back to the centenary symphony? I was going to ask another question, but Mr Hargreaves interposed.

**MR HARGREAVES:** Bad luck.

**MRS DUNNE:** What is planned for the premiere performance of the symphony?

**Mr Lasek:** That is, again, a work in progress. It is still potentially three years away. As to the exact timing and location, we obviously do not know what the composition will be. It might fit better in one location than another. It is fair to say, I think, that the aim of the government in commissioning this is to make it very much a community event. My assumption at this stage is that it would be free. We hope that as many Canberrans and visitors to Canberra as possible would attend.

**MRS DUNNE:** When you say “symphony”, are we going out to commission a symphony or are we going out to commission an orchestral piece of music?

**MR HARGREAVES:** Work.

**MRS DUNNE:** Work.

**Mr Lasek:** It is a new work, essentially.

**MRS DUNNE:** It is a new work.

**Mr Lasek:** It is a new work to celebrate the centenary.

**MRS DUNNE:** “Symphony” is just a rough working title?

**Mr Lasek:** Yes.

**MRS DUNNE:** Thank you.

**THE CHAIR:** We will need to move on in a moment, but I have one more which falls under the previous output. It is around the pay gap between male and female executives in the ACT public service, which increased in the last financial year. I am wondering what measures are being taken to address this. Also, there is a significant pay gap between male and female statutory office holders. Is there any work being undertaken to address this issue?

**Mr Cappie-Wood:** Just on the latter one, the statutory office holders, the Remuneration Tribunal is blind to the sex of the person occupying the position. It is literally just how they independently assess the position. I would have to say that the second question is not one that has a bias in there anywhere. It is independently assessed on the scale, nature and complexity of the job.

**THE CHAIR:** On the first part of my question then around that difference between

pay for male and female executives in the ACT public service.

**Mr Cappie-Wood:** I would suggest that this is more of a profile and of saying, “To what extent has the profile changed over time?” The commissioner might, from her report in terms of the public service profile, be able to indicate to you how the profile in terms of the number of females that are in executive positions has changed over time. I know it has, but I just do not have the information at my fingertips. I would ask Cathy Hudson if she could answer.

**Ms Hudson:** Luke McAlary is going to answer that.

**Mr McAlary:** I think it is important, in terms of looking at that particular data, to recognise that the cohort is relatively small. A slight change in the number of executives at different levels will impact in terms of the relativity there. If you go back, for example, to the 2006-07 profile, you will find that the remuneration of female executives was marginally higher than male executives. The gap is so marginal that I do not think you should read too much into it. Certainly, around the broader issue of pay equity in relation to executive and non-executive employment, we are doing some work with DHCS at the moment around what are the opportunities there to expand the profile in terms of that particular data set.

**THE CHAIR:** Thank you. Mr Seselja.

**MR SESELJA:** Thank you, chair. On the workforce profile, page 9 sets out the employment fluctuation by category. There are some interesting variations there. I was just wondering if you could talk us through that. The overall—

**MR HARGREAVES:** Sorry, Mr Seselja, which page 9? Is it BP3 or BP4?

**MR SESELJA:** I am sorry, it is the *ACT Public Service Workforce Profile*.

**MR HARGREAVES:** Thanks.

**MR SESELJA:** The headcount in January 2009 drops dramatically before increasing quite dramatically again over the next two months. Indeed, the number of permanent staff drops quite significantly in April 2009 and then goes straight back up. Likewise, the number of temporary staff spikes up and then goes back down. Could you talk us through some of those fairly dramatic shifts?

**Ms Hudson:** I am happy to, but Luke probably—

**Mr McAlary:** Certainly, there is a trend, which is evident from year to year, of a drop in headcount around January and February. You would generally see a drop in temporary and casual employment at that time. As to the actual shift which you refer to in April 2009 in terms of permanent employment numbers, from the graph I am not sure whether there was a significant shift. I could not particularly account for the reasons behind it. What I would say in relation to the basic breakdown of permanent, temporary and casual numbers across the service is that it runs pretty stable and has done so for a number of years.

**MR SESELJA:** In terms of the drop that you talk about traditionally around that time of year, the headcount, is this one larger than in other years or is it in line with other years?

**Mr McAlary:** I would suggest it is in line with other years.

**MR SESELJA:** On the April 2009 figures, the rise in temporary staff seems to roughly match the drop in permanent staff. I am not quite sure why that is. What was going on in April 2009 that saw us take on a lot of temporaries and not as many permanents?

**Mr Cappie-Wood:** Apart from the seasonal fluctuations largely around the education area, the proportion of permanent staff inside the public service has, for the last six years, hovered around 75, 76 per cent. It pretty much has not changed. On a year on year basis, we are not seeing marked change. There has been a slight change between temporary and casual—and a bit of “which one would be slightly higher than the other?”—but in terms of permanency, 75, 76 per cent, year on year is really what we are looking at.

**Ms Hudson:** In terms of that drop around January, it is the casual. In terms of April, I agree, it is more difficult, but that is what happens every year.

**MR SESELJA:** Perhaps, on notice, someone could have a look at whether there is any more detail that can be provided as to what exactly made up that increase and that decrease in those two staff profiles in April.

**Mr McAlary:** Yes.

**THE CHAIR:** I note that that question has been taken on notice. I do want to move on to the ACT executive. Did you have a final one, Mrs Dunne?

**MRS DUNNE:** I have a very quick question on this, if I may, Madam Chair. Could one of the officials explain why there is a seasonal fluctuation in relation to education? It seems an odd time for there to be a seasonal fluctuation in education.

**Mr Cappie-Wood:** Yes, if I could just touch on some of the fluctuations. Just thinking of the previous question, it could have been around the flu season as well and the considerable number of casuals that were taken on board to deal with some of the flu issues. That was just some of my thinking on the last question.

In terms of the education one, it depends on what the employment conditions are. I will have to defer to the department of education here to get the truly accurate position. If they are temporary, they are not employed during the term breaks. So, for that purpose, if the sampling is outside or inside term break time you will get a considerable difference.

**Ms Hudson:** That is the issue, both for education and for CIT.

**MRS DUNNE:** So a whole lot of people come on board in February, they go off the books in November and they come back on the books in February?

**Mr Cappie-Wood:** Yes.

**MRS DUNNE:** Thank you.

**THE CHAIR:** We will move on to the ACT executive. Mr Smyth, did you have any questions?

**MR SMYTH:** Chief Minister, given there is a staffing freeze, what contribution will the executive be making to saving funds for the taxpayers of the ACT?

**Mr Stanhope:** Thank you, Mr Smyth. I do not have the numbers here—the year to date numbers in relation to expenditure within the executive and the extent to which we are tracking against our budget—other than to say that the executive has quite significantly underspent. I see on page 15 that, at the time of publication, in the 2009-10 budget 37 full-time equivalents were budgeted for in the executive and in 2009-10 there was an estimated outcome of 31. I think in the context of contribution to the bottom line the executive has played perhaps a bigger role than almost any other line in the budget.

**MR HARGREAVES:** Is there a critical mass this year, perhaps?

**MR SMYTH:** Perhaps if you turn over the page, page 16, expenses, the budget for employee expenses, that is, staff, was actually \$4.483 million but you have managed to spend \$4.672 million. Is there any reason for the overspend, given that you have just said you have made significant savings on staff in the executive?

**Mr Stanhope:** I will take it on notice. I have to take that on notice, unless there is somebody who can answer it. But in the context of staffing—and your question related to staffing—in terms of the full-time equivalent, I am aware that we are significantly under budget.

**THE CHAIR:** So that will be taken on notice.

**MR HARGREAVES:** Is there a possibility that people—

**Mr Stanhope:** Yes, we are happy to find an explanation for the numbers Mr Smyth goes to.

**MR HARGREAVES:** Is there a possibility—

**Mr Stanhope:** But it is certainly not extra staff.

**MR HARGREAVES:** Is there a possibility that staff cessations, with the accumulated credits that they may have, which contribute to the size of the payouts when they do actually leave, may have contributed?

**Mr Stanhope:** My understanding is that there are a range of potential issues in relation to that, including things like maternity leave et cetera. So I say that I am sure there is an explanation, and a very reasonable explanation, and I would imagine that it

goes to those very issues which you have raised, Mr Hargreaves, including issues such as maternity leave.

**MR HARGREAVES:** Is there any variation to the compensation payouts to non-executive staff due to bullying, perhaps, that has happened in the last couple of years?

**THE CHAIR:** Can we just stick with the executive at the moment, Mr Hargreaves?

**Mr Stanhope:** There certainly have been some issues along those lines, Mr Hargreaves, in the past.

**MR HARGREAVES:** Thank you very much.

**Ms Neser:** I can answer that. If you look at your total expenses line for the executive, there is actually no movement on the total expenses. There has been a movement between employee expenses and admin expenses, which just reflects a technical adjustment which we flowed through as a result of the audited outcome, which reflected the expenditure pattern of the executive last year. It is not based on the actual staff they have got on board this financial year, and the actual outcome that comes out at the end of the year will be reflected in the financial statements, which will reflect the reduced employee expenses.

**MR HARGREAVES:** So take that!

**Ms Neser:** So the total expenses line has not actually moved.

**MR SMYTH:** When you say admin expenses, what are you referring to?

**Ms Neser:** The estimated outcome, the total expenses line, if you look at that and compare that to the budget line, the original budget line, it actually has not moved. It is actually just a movement between supplies and services and employee expenses, which has just flowed through the audited outcome, which reflects the expenditure pattern last year. It is not actually an estimated outcome based on staffing levels this year.

**MR SMYTH:** What have you transferred out of supplies and services into employee expenses then?

**Ms Neser:** As I said, it is just a technical adjustment which reflects the expenditure pattern last year for the audited outcome for 2008-09, which we automatically flow through budget each year just to try to update and reflect expenditure patterns. But it does not reflect the employee expenses that are actually being incurred through the year.

**MR HARGREAVES:** Is that a case of where the amounts are actually debited to, as opposed to where they should have been debited to, in a normal environment?

**Ms Neser:** No, it is a reflection in the actual expenditure in 2008-09, and we just do a technical flow-through of audited outcome through the budget.

**MR SMYTH:** Could you provide a reconciliation of that?

**Ms Naser:** Sure.

**MR SMYTH:** Thank you.

**THE CHAIR:** We will take that on notice. Thank you. We might move on to business and industry development. Budget paper No 4, page 36, talks about the skilled and business migration program. Recently there have been some changes or some announcements at the federal level about who will be on certain lists and so forth. Is that going to impact on the skills shortages we have in the ACT and the people that we want to come to the ACT to meet that demand?

**Mr Cappie-Wood:** Thank you. I will provide an overview. I know Ian Cox would like to contribute to that as well. This is of real interest to us. We note that in the reduced skilled-occupation list, the new list, 181 things have dropped off, such as piano tuners.

**THE CHAIR:** But also chefs, which I believe is an issue, is that right?

**Mr Cappie-Wood:** Yes. This is the important point. It does not close off the opportunities for business sponsored migration, when it comes to the question of these particular skills. And what we are seeing in the ACT is that there has been quite a reasonable history in terms of the skilled migration intake. The majority of those have been in fact sponsored by business, by employers. And as such, they are the ones that can say, “We need a chef,” “We need a hairdresser,” or whatever, even though they are not on the main skilled-occupation list.

One of the other things which we have to bear in mind is that the commonwealth government is expecting each jurisdiction to undertake a migration plan. The migration plan is really to try to fine-tune the skilled-occupation list. That is where, as was mentioned earlier, skills are in demand in the ACT, and the refinement of that methodology will inform our future migration plans.

In terms of this year, the 2009 study—in terms of the skills gaps which can be satisfied by inward migration—is, essentially, sufficient to form the basis of the 2010 skilled migration plan itself. So we do not necessarily see the reduction in the list as having the disastrous consequences which might otherwise have been projected in the press to date.

**MS BRESNAN:** On the migration plan you mentioned, is that the primary input that you have into the commonwealth process in terms of developing the list of skills?

**Mr Cappie-Wood:** The commonwealth produces their own list, which is a national list. But they are looking at a refinement in terms of jurisdictional requirements. Clearly, we differ from Western Australia or Tasmania, and that is the purpose of the migration plan, to say, “What is the refinement of the skilled occupations which might be satisfied by targeted immigration?”

**MS BRESNAN:** The commonwealth development was announced some time ago. They did not seek other jurisdictions' input on that. It is the refinement process where that input will come in?

**Mr Cappie-Wood:** Skills Australia, which developed the new list, has undertaken this with considerable consultation and is trying to refine it and cover some of the areas. It is not, I would not say, being rorted, but certainly concerns associated with some of the lists were not necessarily reflected in the ACT's perspective, largely because the employer-sponsored skilled migration is our predominant category.

**MR SMYTH:** So when will the 2010 migration plan be available?

**Mr Cox:** Just to clarify some of those comments, the whole area of migration is actually a very complex, rules-driven, multi-visa category. It is actually quite hard to get your head into. In terms of the question, most of the cooks and chefs come through employer-sponsored categories, visa 857.

The way the lists work is that there is a national list, which is called the SOL. There is a state-based list under that which is called the SATSOL, states and territories skills and occupational list. The SATSOL has cooks and chefs on it. But we still have to go through a process when a sponsorship or a facilitation request comes through to quantify the demand for that position.

We also run two other qualification processes under the SATSOL. One is a base number. We have a base number of occupations which we allow applications to be met against. We also have what is known as an off-base list. In agreement with DIAC, we can actually sponsor additional cooks, chefs or other occupations that may not fit either of the two lists through the migration process. Most of the comments around not being able to bring in cooks and chefs relate almost exclusively to independent migration, where there has been no employer sponsorship or no state-based sponsorship.

**MR SMYTH:** Okay. Will the 2010 plan be made publicly available?

**Mr Cox:** The 2010 plan is going through a cabinet process at the moment. The basis of that would be a memorandum of understanding with the commonwealth. The intention is for the plan to commence on 1 July this year. The ACT government commissioned some work from the University of Canberra Centre for Labour Market Research about nine months ago. That document is essentially the data-rich element of the plan.

**MR SMYTH:** Will it be made public?

**Mr Cappie-Wood:** Yes, it will.

**MR SMYTH:** Okay.

**MS LE COUTEUR:** Could you please update us on the progress of the green economy paper, which I believe was commissioned—I was going to say by UCan but rather to UCan—last year. I believe it has now morphed into a clean economy paper.

**Mr Cappie-Wood:** The clean economy paper, as you are I think aware, was commissioned from the University of Canberra.

**MS LE COUTEUR:** Yes.

**Mr Cappie-Wood:** What it did look at is literally a landscape. It was a landscape paper that is quite useful. It is from a government perspective only. One of the issues that we are thinking we need to look to the future on is: what are the other players in this area? What part does industry play, what part do individuals play? It is not just government. Government is an enabler and facilitator, yes, but there are other players as well.

Yes, the next port of call we propose in this is to take this to government and to make sure that what we have on the front of it is a slightly more user-friendly, accessible document. The two of them would be available as part of a broad consultation process we are looking at at the moment.

**MS LE COUTEUR:** So when are we likely to see any actual outcomes for encouraging either green or clean industries?

**Mr Cappie-Wood:** That is to say that we do not that at the moment?

**MS LE COUTEUR:** Well, sorry, any outcomes as a result of this, any increased outcomes?

**Mr Cappie-Wood:** That is partly in terms of government's response to this, and we are looking to take this to government in the next short while.

**MRS DUNNE:** That raises a question, Mr Cappie-Wood. What does the government currently do to encourage clean or green industries?

**Mr Cappie-Wood:** I think you have got a list of initiatives there.

**Mr Cox:** The way we have approached this to date is to basically assemble our program environment and make that as accessible as possible for firms that want to participate in those arrangements. If you look at what we do on a program environment, we have entities like Lighthouse. We have Canberra BusinessPoint. We have grants programs like Icon and TradeConnect. We have some fairly collaborative arrangements with the commonwealth on program areas. There are clean tech, however defined, companies coming through that program environment.

**MRS DUNNE:** So there is—

**MS LE COUTEUR:** But you have nothing specific for clean or green, whichever you want to call it?

**Mr Cappie-Wood:** There is not a clean tech program entry point or process but they are participating in our program environment.

**MRS DUNNE:** In the last 12 months, could you point to some clean green environmental businesses that have had access to your programs or benefit from your programs?

**Mr Cappie-Wood:** Yes, I can.

**Mr Cox:** I mean everyone has access. At a federal level we have had about—

**MS LE COUTEUR:** Who have benefited from rather than have access to—

**MR SMYTH:** Who have accessed them?

**MS LE COUTEUR:** We take the point that everyone has access but who has benefited from them?

**Mr Cox:** I have some notes here on who they are. Just bear with me for a minute.

**MR HARGREAVES:** Is Ricoh in receipt of assistance from your—

**Mr Cox:** Okay, companies that have come through: Windlab Systems, Renewable Processes. These vary in terms of programs. Some have come through what I call light touch programs, which are Canberra BusinessPoint. Some have come through more engaged programs—for example, our investment facilitation work with Austrade.

The companies that I am just listing now are companies that participated in some capability building program work we did with Austrade about six months ago. IT Power, Green Mag, Energetics—

**MS LE COUTEUR:** Sorry, Green what?

**Mr Cox:** Green Mag.

**MR SMYTH:** Mag, not mad.

**MR HARGREAVES:** Not mad. We all know about mad but not mag.

**MS LE COUTEUR:** Thank you, Mr Hargreaves.

**Mr Cox:** FrOG Tech, Canberra Data Centres, Intention Eight, Minchcam, Water Plus and Energy Strategies. There are also others. Sorry, also Centennial; it was the winner of the Chief Minister's—

**Mrs Dunne:** Sorry, I missed that last one.

**Mr Cox:** Centennial.

**Ms Le Couteur:** Particularly mentioning renewable processes leads me to a follow-up question. How much is this integrated with government procurement? I understand these renewable processes were being done by E-Waste Recycling but that the

government's contract, I think, has been let to someone else. How much does Procurement interface into these or are the two totally separated?

**Mr Cappie-Wood:** I have initiated some recent discussions with Procurement to look at what are the current barriers or threshold issues associated with encouraging not only clean economy firms but also the question of where local fits into this as well—to what extent is there local support for the economy—because you can have still clean economy firms that are coming in from the outside. We have a series of meetings structured to look at this.

Clearly the question of local content in the procurement process clashes somewhat with the free-trade agreements et cetera. We are calling upon the experience of New South Wales, Victoria and other jurisdictions to see how they have threaded their way through this quite complex area. We do believe that there is a need to see how we can use our procurement system more creatively to that extent, whilst still making sure that we have a competitive, transparent and accountable procurement system. All I can say is we are taking this on board actively. We are looking to see what the pros and cons are about the two-phase process. One is local and the other one is clean.

**MR SMYTH:** I have a question on the accountability indicators on page 42. Accountability indicator “j”, establish and deliver collaboration-based industry development strategies, will this be an industry development strategy or is it just a paper that you are doing on the subject?

**Mr Cappie-Wood:** Sorry I am not sure of—

**MR SMYTH:** Is this the one strategy that you are dealing with?

**Mr Cox:** Sorry, it is an approach. I do not think that the indicators “a” to “h” never actually really captured what we do. What we have done is essentially look at what our large high-level outputs are in terms of an agency or an entity. Collaboration is very central to a range of programs that we are now pursuing.

I refer to programs like the Exporters Network which we deliver through the Canberra Business Council; CollabIT, which we deliver with the assistance of the AIIA; ScreenACT; the e-government cluster and so on and so forth. The philosophical approach is to talk with the business sector and their representatives to try to develop a shared way of delivering a program.

**MR SMYTH:** I understand that, but it says here that the target for 2010-11 is to deliver one of the strategies. I am asking whether the green clean paper will be that strategy for the coming financial year or is there another strategy that will be developed?

**Mr Cox:** To the extent that the green clean tech—it will be based first on a consultation process which is going to commence probably in July. That will inform the approach that we actually take with the sector from that point on.

**MR SMYTH:** So it might not be the strategy that you will deliver for the next financial year?

**Mr Cox:** That is right.

**MR SMYTH:** What is the name of the strategy, the industry development strategy, that will be delivered next financial year?

**Mr Cox:** It is not a single strategy. It is an approach. It is a series of program approaches that we actually deliver through those programs that I described earlier.

**Mrs Dunne:** But there is only one of them.

**MR SMYTH:** Okay, it is developing the approach?

**Mr Cox:** It is a philosophical approach.

**MR SMYTH:** All right. It is a framework in which you might develop other strategies.

**Mr Cox:** That is right.

**MR SMYTH:** All right. Perhaps this is a question for you, Chief Minister, or perhaps it is one for Mr Cappie-Wood. Following on the discussion we had in annual reports hearings about the document “Capital development: towards our second century”, you said that was the overarching strategy and out of that would come action plans. What action plan will be developed for business in the 2010-11 budget?

**Mr Cappie-Wood:** Thank you. We are currently working with the Canberra Business Council on the education export area. You could call that a strategy if you like, but certainly it is a collaborative arrangement with the sector. There is the creative arts area as well in terms of the film investment fund. The application of that fund and the guidelines associated with that is to see how that film investment fund can facilitate and grow that visual creative arts area.

Clearly, we will be continuing to work on the clean economy and, depending upon government’s response, how that will be able to move forward. That is not withstanding the other process arrangements or, if you like, general arrangements which we have with a variety of others through the engagement mechanisms which we have—be that Lighthouse, be that Canberra BusinessPoint et cetera.

**MR SMYTH:** Sure. So the education export strategy will be available when—or completed?

**Mr Cappie-Wood:** That will be subject to some discussion with other players at this point in time because clearly we do not control the educational sector. But there have been some very useful discussions with the universities and other educational players there as well as Canberra Business Council. We would be looking to try and formulate something during the first half of next financial year.

**MR SMYTH:** Okay, and the creative arts strategy?

**Mr Cappie-Wood:** The creative arts strategy, in terms of the film investment fund and the associated, if you like, guidelines and intent of that fund, will be forthcoming over the next few months.

**MRS DUNNE:** The Chief Minister said there was going to be a roundtable to work out how to spend the money.

**Mr Cappie-Wood:** Yes, that is right and that is with ScreenACT as well as the Filmmakers Network.

**MR SMYTH:** And the clean green economy might appear when?

**Mr Cappie-Wood:** Subject to government's consideration.

**MRS DUNNE:** Could I just get a quick clarification. The money for the film investment, is that attached to output class 2.1 or output class 1.5?

**Mr Cappie-Wood:** It is a very good question because in fact it is the —

**MRS DUNNE:** I always ask very good questions, Mr Cappie-Wood.

**MR SMYTH:** A simple answer would be very pleasing then.

**Mr Cappie-Wood:** To that extent, the part of the agency which holds responsibility for this and the coordination obviously with the arts area is in fact BID. We see this as an investment and hence we treat it as capital investment in, literally, product.

**MRS DUNNE:** I actually wanted to ask about that. I am interested in how that became a capital injection. Could you explain that more?

**Mr Cappie-Wood:** Yes. I am very happy to. In terms of how a number of other jurisdictions treat this, because you are investing in a product, the product is designed and intended to make a return. We do not want to be seen as the major funder. This is where the jurisdictions work in with Film Australia and other distributors or literally producers. So, when you look at the nature of film investments, usually the jurisdictional funding comes in at the end as the, if you like, the cap funding, whereas the base funding would come in from the production houses themselves or whoever they have lined up with, be they television or other outlets who are purchasing the product, Film Australia and us as a minor party. But you are actually making an investment in a product.

**MRS DUNNE:** You get your logo on the credits at the end.

**Mr Cappie-Wood:** You do indeed, yes, and it will be treated—and this is the thing we are working through—as an investment and hence it will be treated as an asset that will be a tangible asset and one that will have to be accounted for in that process.

**MRS DUNNE:** So, if it is an investment, does that mean that you are not giving grant funding; you are giving something that will give you a return at some stage?

**Mr Cappie-Wood:** Correct.

**MRS DUNNE:** Are you in the business of picking winners in that case?

**Mr Cappie-Wood:** This is where we want to work with both ScreenACT and the Filmmakers Network in terms of how best to identify the opportunities in this area. We are very pleased to see groups such as ScreenACT now attracting Film Australia supporting and backing, which is an indication of the gradual maturity of this area in the ACT. What we are looking for is the capacity for those people who are in that network in that field to bring forward propositions and we are currently looking through the nature of the arrangements by which there would have to be a government assessment as to what would be worthy of investment.

**MRS DUNNE:** Is it people coming from elsewhere to film in the ACT because of the location or is it ACT-grown film ventures, or don't you know at this stage?

**Mr Cappie-Wood:** I anticipate it will be a mixture of both. We are trying, obviously, to see where we can grow the local production and post-production capacity, particularly in the digital area where the ACT is considered to have some advantage, and we are currently going through the guidelines and assessment criteria and that is what the roundtable is designed to try and do. We are also looking at how the other jurisdictions, who are more used to this space, have undertaken this particular process themselves, because I think we can learn from others.

**MR SMYTH:** So is it business or is it arts?

**Mr Cappie-Wood:** It is both—and you have to treat it as both.

**MS BRESNAN:** Just on that quickly, in terms of who you would choose to invest in, would they already have to come with significant finance from, say, the Film Finance Corporation or organisations like that before you put money into them?

**Mr Cappie-Wood:** The size and nature of our funding is, as I said, usually the completion funding in terms of the funding package. We would not be in the circumstances of trying to initiate, because we do not have the scale of funds usually to do the initial initiation.

**MS BRESNAN:** So it would be like a post-production type or promotion or something like that?

**Mr Cappie-Wood:** It would be already proved up. So it is not someone coming with a script. It is someone coming—

**MS BRESNAN:** So it would be someone who had already got significant backing from the Film Finance Corporation, for example?

**Mr Cappie-Wood:** Yes, particularly from distribution houses. It could be Discovery Channel, for instance, that is prepared to put in 20 per cent of production costs. Other sources—Film Australia, private sources or other government related sources—could put in some and then it is a question of: what can the ACT put in to be able to either

secure the production here, post production? We are obviously looking to see how this system can be open to grow the local industry, not just be merely an attractor in its own right.

**MRS DUNNE:** Going back to the issue of if you make an investment you would expect a return, what would happen with the return?

**Mr Cappie-Wood:** Our discussions with Treasury are that it would be a pooled arrangement so it would go back into the pool.

**MRS DUNNE:** So it is like a revolving fund?

**Mr Cappie-Wood:** Yes.

**MS BRESNAN:** I have a couple of final questions on the accountability indicators. In last year's budget there was an accountability indicator "h", student connect program, which was to match international graduates with local employment. Has that gone because the program has ended or has it gone somewhere else?

**Mr Cappie-Wood:** I might ask Ian Cox if he can just—

**Mr Cox:** The program was always a pilot. It came out of the Skills Commission work that fed into the government's skills future report and it was always intended to be a market testing type program. One of the problems with that program was that it ran while the GFC was well and truly kicking along and it required significant buy-in from private employers to actually work.

The pilot originally targeted about, I think, 15 students. There was a cohort from UC, CIT and ANU. The way it was run was to engage very closely with institutions to recruit potential students. The net result of that recruitment process was, I believe—I might stand corrected on this—about nine or 10 students that came through the program. So we fell short of the pilot target numbers. Of those nine or so that came through, I think six completed it, of which four, I think, found permanent employment in hosting companies.

So, on that basis, the circumstances around running it were difficult and the numbers through it were quite low. The learnings were very, very, good but in terms of making it a permanent program or putting it in our program environment, the case is pretty weak, to be honest.

**MS BRESNAN:** You mentioned that the GFC had an impact on it. Was that taken into account when considering whether or not the program would continue, apart from, I guess, that there were lower numbers going through it?

**Mr Cox:** The program was funded in the 2008-09 budget, I think, and most of the pre-program development work occurred in that July through October period. The GFC effectively hit, struck and accelerated around November, so we were pretty much locked into doing the program—and we thought it was worth pursuing.

**MS BRESNAN:** I asked that because you mentioned the GFC was a factor in the

success of the program. I was just wondering if that was taken into account before deciding whether to continue.

**Mr Cox:** It was delivered in conjunction with the Canberra Business Council, so to some extent we were reliant on our judgement but also on whether there was an appetite within the business community to host these, effectively, internships.

**MS BRESNAN:** And the support to continue it probably was not there in the business community?

**Mr Cox:** It is weak. The evaluation work that we have done is that it takes a certain, I guess, company mindset to actually sign up to this sort of program. The sort of numbers we were getting through by engaging with the business community were relatively low. It may be a case of that 2008-09 was a bad circumstance in which to run it, but on the basis of it we had funding for a pilot program and we conducted the pilot program.

**MS BRESNAN:** Okay. Indicator “m”, “Collaborate with the relevant Commonwealth Government entities to support economic development in the Territory and broader Capital Region”: what is involved with that? You mentioned the others before, which essentially were a strategy or an approach. Is that similar?

**Mr Cox:** It is essentially the ACT RDA relationship, Regional Development Australia, which is a reordering of the old area consultative committee and the state-based regional development boards into a new single board structure called an RDA. So the ACT government has partnered with the commonwealth to provide funding to operate an RDA ACT.

**THE CHAIR:** I have a follow-up on the indicators—indicator “i”. This is about business innovation, commercialisation of wealth, generating ideas and so forth. You have “1” as your target for 2010-11. What will be delivered there?

**Mr Cox:** What page is that on?

**THE CHAIR:** Page 42 of budget paper number 4.

**Mr Cappie-Wood:** This is an approach from a variety of things, such as lighthouse, the innovation arrangements, as well as recruiting and the rest of it.

**Mr Cox:** The two principal programs are the lighthouse program—the government has provided \$500,000 creative funding with a private entity called Epicorp, which will be providing, I think, \$600,000 over the three years of the program. It also provides funding for InnovationConnect, which is a small grants program. That is \$500,000 per annum over three years. There is also fairly extensive collaborative work we do with the innovation department and its new commercialisation entity, which is Commercialisation Australia.

**THE CHAIR:** With those grants you were just talking about, the innovation grants, is there a particular focus on the sorts of innovative things that government wants funded there? For instance, are we looking at more sustainable types of businesses or

whatever? Is there any particular focus on that?

**Mr Cox:** The ICon program essentially has two streams. One is a small innovation accelerated type grant, through which companies can access relatively small amounts of money—\$5,000 to \$10,000—to do, for example, IP strategies or marketing plans. It then has a larger funding component which is essentially proof of concept. It is taking good ideas or good stuff out of universities and trying to put them through a more rigorous commercialisation process. In terms of targets of companies, no. It is the quality of the idea that is coming through. It is a contestable competitive entry program. There is a preliminary assessment process done by case officers, but it goes to an industry-based panel for the final approval or rejection.

**THE CHAIR:** Mr Smyth.

**MR SMYTH:** I was just—

**MR SESELJA:** Sorry.

**THE CHAIR:** Sorry; he was ahead of you.

**MR SESELJA:** Sorry; I have been waiting a while. I might push in. I apologise, Mr Smyth.

**THE CHAIR:** Mr Seselja.

**MR SESELJA:** Minister, the annual report talked about the investment facilitation program as one of the highlights of 2008-09. Are we able to have a bit of an update on it? I asked a question on notice as to how many had accessed it. I understood at the time that this was asked, back in October, that two expressions of interest were received and one was assessed as unsuitable. Can we have an update on how the investment facilitation program is going?

**Mr Stanhope:** Thanks, Mr Seselja. Mr Cox.

**Mr Cox:** There is currently one live application. That is going through an assessment process which will then determine whether it is presented to another higher level assessment process. Where it is now is that that particular proposal, the company sponsoring it, will be evaluated by an external business case developer; then that will come back into the department for the consideration process and again through a panel assessment process. So in terms of the specific question, there is one live application in front of the program at the moment.

**MR SESELJA:** It is listed as a highlight. Is there a reason why we are not seeing a greater take-up of this program?

**Mr Cox:** I can speculate. Again, the investment environment was fairly weak over the last 12 months. The program has never been designed to be a high-volume program. I think I have described it before as a special circumstances, special opportunities program. I think the government has described it as that. If you look at the parallels to the old ACT business investment fund program, which ran for the most part of the

early 2000s, the flow-through of applications was around one to three per annum. So my assessment of the volume is that yes, it is low—I think it has been driven by external factors—but it is not out of kilter with the way that these programs have been put to the business community in the past.

**MR SESELJA:** In the answer to the question on notice, can you just clarify this: I asked what the total cost of the program was in 2008-09 and the answer was nil. Surely there would be some costs. Regardless of whether there is direct assistance or not, there would be some costs with administering such a program?

**Mr Cox:** It is an FTE within the department. We allocate around 0.3 to 0.5 of an FTE at senior officer grade C level to run the program.

**MR SESELJA:** So why was the answer coming back as nil when we have got a third or a half of an FTE?

**Mr Cox:** I thought the question related to the amount of revenue forgone through a payroll tax concession.

**MR SESELJA:** The question was fairly clear, I thought: what was the total cost of the program? We would expect normally that that would include any administrative costs that go with such programs. Hopefully, we can get an updated answer to that question. Thank you.

**MR SMYTH:** Minister, on page 36, where we see output class 2.1, the budget for 2009-10 was \$14 million; the budget for 2010-11 is \$9.8 million. Can you explain the difference?

**Mr Stanhope:** I am sure Mr Cappie-Wood or Mr Cox can.

**Mr Cappie-Wood:** The majority of this variation accounts for the waivers that have terminated in the intervening time period, one single large payroll tax waiver. That has come to its conclusion. I will just seek confirmation of that from Kate Nesar. Is that correct?

**Ms Nesar:** Yes, that is correct.

**Mr Cappie-Wood:** Thank you.

**MR SMYTH:** Who was that waiver for?

**Mr Cappie-Wood:** It was EDS.

**MR SMYTH:** That is what it says on page 62, but on page 60, in the operating statement for business and industry development, it says that the major reduction, which is 4.450, which is exactly the same amount, review of waivers—it says it is actually resources received free of charge. How is a waiver considered a—

**Ms Nesar:** That is what waivers are classified as. They are classified as resources received free of charge.

**MR SMYTH:** A resource free of charge?

**Ms Nesar:** It is actually a notional entry through the CMD books, because the waiver is given by Treasury.

**MR SMYTH:** Yes; that is what I thought.

**Ms Nesar:** The waiver is actually a waiver of payroll tax, which is Treasury tax. But because it is our program, we have to show the expense in our books; therefore—

**MR SMYTH:** They lose it, but you give it away, so therefore it is received free of charge.

**Ms Nesar:** Yes. We do a notional entry on both sides. It is not my preference; it is the auditor's.

**MR SMYTH:** That is okay; we have to keep the auditors happy. As a result of all of that, what is the real growth or decrease in the business output class this year? If you want to provide a reconciliation, we will be happy to see that, but has it gone up or gone down?

**Mr Cappie-Wood:** It has grown by the investment that is shown for films in that regard as well as the—

**MR SMYTH:** So the money for film is in the business output?

**Ms Nesar:** Yes, but can I just clarify that? Because it is capital funding, it does not show in your operating statement. It is actually capital money. If you go through it, the base funding for business and industry development is \$8.7 million in their estimated outcome, and it is \$8.1 million in their 2010-11 budget. I can provide you—

**MR SMYTH:** So it has gone down by \$800,000?

**Ms Nesar:** That is right.

**MR SMYTH:** Okay. What is the thinking behind reducing funding for business by \$800,000 when you yourself, Chief Minister, just a few days ago admitted that the economy was still in a precarious position? Let me quote it properly: "The ACT's economic future is precarious."

**Mr Stanhope:** I am not sure about precarious, but—

**MR SMYTH:** It is in your press release, Chief Minister.

**Mr Stanhope:** Precarious?

**MR SMYTH:** Yes, precarious. You do not remember saying that?

**Mr Stanhope:** We face risks, certainly. The major risk we face is the election of a

Liberal government nationally and the cutting of 10 per cent of our full-time workforce.

**MR SMYTH:** I suspect you made this statement before—oh, look: it was made on 13 May, before those statements were made.

**Mr Stanhope:** I know, but I just say that the greatest risk we now face of course is the prospect that Tony Abbott will be Prime Minister of Australia and will—

**MR SMYTH:** So now you are omnipotent and you know what is coming.

**Mr Stanhope:** cut the ACT full-time workforce by 10 per cent. Just imagine it. Just imagine a 10 per cent cut of the ACT's workforce in a fell swoop.

**MR SMYTH:** So why have you reduced the business budget by 10 per cent?

**Mr Stanhope:** I would have to take advice on exactly what the reduction—I must say that I cannot recall a conscious decision in relation to that.

**Mr Cox:** One of the dynamics going on internally within the budget is the cessation of various programs in the outyears. The innovation funding is provided over a three-year period, so it has one more year to run. There was some additional money provided to the migration program; that has another year to run. And there was some money provided to the Shanghai expo as well, which finishes, obviously, this coming financial year. Those are issues that I would assume the government will revisit.

**Mr Stanhope:** We will take the question on notice and provide a reconciliation, but it is always the case that a program that has been funded will terminate at some stage. It is not unusual, in the face of, for instance, issues around a program such as skilled and business migration that is funded for a certain time, for that to be reconsidered by a government as that deadline approaches. And in the context of the strength of our economy—

**MR SMYTH:** And its precarious future.

**Mr Stanhope:** currently the strongest economy in Australia—

**MR SMYTH:** Which has a precarious future.

**Mr Stanhope:** It is the first time since self-government that the ACT has recorded the strongest growth of any economy in Australia, as I understand it—a tremendous development.

**MR SMYTH:** Then why did you say the ACT economy was precarious?

**Mr Stanhope:** I think I must have imagined Tony Abbott's attitude or approach to employment within the territory. Of course, a 10 per cent cut to full-time employment in the territory would essentially replicate the slaughter that we experienced when John Howard came to government in 1996, which actually put the territory into recession.

**MR SMYTH:** So Mr Abbott rings you up before he makes these announcements so that you can put out your budget?

**THE CHAIR:** Thank you.

**Mr Stanhope:** I must say, when I listen to Tony Abbott, I think, “Here we go again.”

**THE CHAIR:** As interesting as the banter is, we do have—

**Mr Stanhope:** The more things change, the more they stay the same.

**MR SMYTH:** I am sorry, just finishing—

**THE CHAIR:** We do need to move on in a moment so that we do not run out of time for arts and heritage.

**MR SMYTH:** Will this result in staff losses?

**Mr Cox:** It depends what basis the government comes back to on these issues. The Shanghai expo initiative has an FTE attached to it.

**Mr Cappie-Wood:** As that winds down in the course of going through the forward few months, the Shanghai expo initiative will finish.

**MR SMYTH:** What is the FTE for Shanghai?

**Mr Cappie-Wood:** Is it 0.5?

**Mr Cox:** It is 0.5 FTE.

**MR SMYTH:** If you look at your employee expenses line in the operating statement, it is a \$2.4 million outcome for 2009-10 but drops to \$2 million, a drop of 16 per cent. One can only assume that there is a staff loss there of what—\$400,000, approximately—four jobs, four FTEs?

**Mr Cox:** I think we will need to come back and reconcile that and find further information.

**THE CHAIR:** So that will be taken on notice.

**MR SMYTH:** Thank you.

**THE CHAIR:** If the committee would now like to move on, I do know that we have people from the arts policy area as well as the Cultural Facilities Corporation. We will move on.

**Mr Cappie-Wood:** Chair, could I just clarify an earlier question around the W drive? I had indicated that I had been informed that there was a folder. I am now informed that there are in fact three folders, for which there are those four documents included.

We went and checked with our friends in InTACT. It was three folders, with four documents in total.

**THE CHAIR:** Thank you for that clarification.

**MR SMYTH:** Just before we move on, the Floriade initiative, the upgraded Commonwealth Park, that is in tourism or is that in Chief Minister's?

**Mr Cappie-Wood:** That is in tourism.

**MR SMYTH:** That is what I thought. Thank you.

**THE CHAIR:** Mr Whitney, just in case you are going to be saying something at this afternoon's hearing, do you understand the privileges statement?

**Mr Whitney:** Yes, I do.

**THE CHAIR:** I just needed to get that acknowledged. Thank you very much. Mrs Dunne.

**MRS DUNNE:** Thank you, Madam Chair. Chief Minister, could you explain the public art funding rollovers on BP 4, page 46? There is the total of \$3.6 million in public art and the percent for art scheme, which have been rolled over. What is the cause of that?

**Mr Stanhope:** Thanks very much. The cause of that was that the funding that is identified there was not expended in that year. But Mr Whitney, I am sure, can give further details on processes currently in place.

**Mr Whitney:** Thank you. The challenge with public art is that we are commissioning public art from artists; so we are not buying work off the shelf. And the challenge is that we cannot go out and buy all of the public art program that pre-exists. So the process of going through a tender evaluation system, selecting artwork and then the artists actually creating the work, sometimes is a 15 or 18-month time frame. For some of the public art program, we can purchase existing work, and other work takes a lot longer to develop.

I guess, by way of example, Icarus, the work that is in the city, was originally seen as a series of maquettes that were on display at the Bega gallery. That work was identified as important because of the artist Jan Brown and because of the quality of the work. By the time that we had been through the process of selecting that through a single-select process, then the work was made up, from small maquettes, then up to the 2.1 or 2.2-metre high work. That process took almost seven months. It then had to go to Melbourne to get cast at the foundry and then come back and be installed. It was about 14 months for that process to go ahead. That required money being rolled from one year to the next. And that is the situation.

**MRS DUNNE:** So what is in the pipeline that is being rolled over from one year to the next?

**Mr Stanhope:** I think Mr Whitney could identify a number of projects that are coming to completion but, as Mr Whitney explained, it is quite a long administrative process. Mr Whitney could actually identify works that are subject to commission but on which no decision has been made. I am sure Mr Whitney could go through the current state but much of it is still in the—

**MRS DUNNE:** What was proposed to be spent last year which has not been able to be spent and has been rolled over into this year?

**Mr Whitney:** This Friday the launching of the public art tower at the Canberra Glass Works, touching lightly, is one project. The contract for that was issued in, I think it was, March last year. I would have to double-check that date. It has taken that long to roll that project out. That is one.

**MRS DUNNE:** I am asking specifically what is in last year's budget that has been rolled over into this year's budget. You can take it on notice, Mr Whitney, if that is easier.

**Mr Stanhope:** We will take it on notice. There is an explanation that is a bit tortuous but I will give it to you.

**MRS DUNNE:** I understand the basic concept. I am actually looking for the detailed information.

**Mr Stanhope:** We will give you a list.

**THE CHAIR:** Could I just note for *Hansard* that that has been taken on notice. Ms Bresnan.

**MS BRESNAN:** Thank you. This is in relation to page 34, budget paper 4, output 1.5. I want some clarification. The estimated total cost is \$12,859, down from 2009 at \$13,528. Is there a particular reason for the difference?

**Mr Whitney:** Yes. If I could just indicate that is as a result, again, of the change in methodology in calculating the estimated outcome cost and we said that, on those, we would provide the methodology with that, including reconciliation.

**MS BRESNAN:** The same process there?

**Mr Whitney:** Yes.

**THE CHAIR:** Is that the same answer that we had for a whole lot of programs last year?

**Mr Whitney:** No, it was not.

**THE CHAIR:** There was a change of methodology last year as well.

**Mr Whitney:** No, it was a change in depreciation, I think, last year.

**MS BRESNAN:** Was that the same, because we have got the actual output? We have got 2009-10 different, \$13,528, and then again it is \$11,609. Is that saying that it is the methodology as well, when we look at the actual arts output?

**Mr Stanhope:** I might interpose. I do not know the detail of this but of course the department is subject to an efficiency dividend. As you are aware, there is scrimping and shaving across all agencies and all parts of agencies. In terms of the question about why is there a reduction from year to year shown in the budget papers, the department is responding to a direction in relation to a efficiency dividend; so part and parcel of the answer to each of these may be that there will be a reconciliation. For instance, as we provide the reconciliation we have promised in relation to business and industry development, it is almost certain that part of that will be their contribution to the dividend efficiency.

**MS BRESNAN:** But when you look also at payment for outputs, is that the methodologies, that efficiency level outputs?

**Mr Cappie-Wood:** In addition, there are a number of cessations of rollovers, totalling just over half a million dollars. Additional repairs and maintenance is one of those. The arts Canberra action statement, the Belconnen Arts Centre operating costs, cessation of initiatives, the additional repairs and maintenance are in there, as well as the efficiency dividend itself. We can provide that breakdown.

**MS BRESNAN:** So that affects both those figures?

**MR SMYTH:** Where are the cessations of rollovers shown in the papers?

**Ms Nesar:** You will not actually see the cessation this year because the rollovers appeared in last year's budget papers. They add to the total last year but they are just not there this year; so you will not see them disappear.

**MR SMYTH:** If they are just not there, how would one know that they had been ceased?

**Ms Nesar:** I do not know how you prove a negative. I am not sure how to answer that.

**MRS DUNNE:** You will have to go back and be extremely vigilant.

**Ms Nesar:** I know I have got a big reconciliation which I can provide for you.

**MRS DUNNE:** On the subject of—

**THE CHAIR:** Sorry, Mrs Dunne, I have got a list of people to get through. I am aware that the Cultural Facilities Corporation is here as well and I do not want them to come without us being able to ask them some questions. Ms Le Couteur, you were next on the list.

**MS LE COUTEUR:** Thank you. On page 45 you have a list of wonderful locations which you have funded but what I note in there is that, in regard to cheaper venues, Corroboree Park has had problems with noise and MacGregor Hall is going to be

closing soon, I understand, because it is going to be redeveloped. What are we doing in terms of providing venues for not high-end art but the sort of community level art that people do, as has been happening in Corroboree Park and MacGregor Hall?

**Mr Whitney:** I am not sure. A great deal of activities happen, I guess, across the arts facilities that we have within the territory. There are 13 of those that we have a responsibility for. I guess the Belconnen Arts Centre is a new centre that this year will be celebrating its first year. There is activity that happens there on a regular basis, both through the visual arts program, through the dance program and now through the studios that are being hired, out as well as the workshops that are occurring in these.

**Mr Stanhope:** I think Ms Le Couteur is referring in particular to live music.

**MS LE COUTEUR:** I know at the Belconnen Arts Centre the dance et cetera is already booked out. I am not talking about the high-end professional or the semi-professional, I am talking about the community. When you get past your garage band, when you graduate from garage to the next step or level, those venues seem to be decreasing.

**Mr Whitney:** Sure. I am not trying to avoid it but I am trying to get clear about something. Are you talking about things like the TAMS around town project or are you talking about venues?

**Mr Stanhope:** No, the venues that are no longer available.

**MS LE COUTEUR:** I specifically mention Corroboree Park and MacGregor Hall because they are live music venues which are both under severe threat; they are going to disappear as live music venues.

**Mr Whitney:** Right. There is an interdepartmental committee that is looking at the issue of barriers to live music. That committee met yesterday again, for the third time. We are looking at a range of options as to barriers, and venues are one of the issues that come up. Certainly, Albert Hall has been out of action for a while because of the redevelopment. When that comes back on stream in a few months time it will be a venue that will become available.

The Ainslie Arts Centre was recently used by a couple of activities for, if you like, the contemporary or the rock music side. It is more traditionally associated with Music for Everyone and Canberra Youth Music. But as a venue for contemporary music it actually works very well because there is such a distance between the Ainslie Arts Centre and the Ainslie primary school and the void between the two means that the sound transfer does not impact on the neighbours that are there.

In terms of other venues, certainly the Tuggeranong Arts Centre is being used as a venue not only for their fresh funk dance program; also they had a live music component down there.

I have not got an immediate solution for you in terms of new venues to replace MacGregor Hall; that is something we are looking at the moment. We are trying to see what the problems or the barriers are to the creation of live music and to see if we

can find a solution.

It is interesting, looking at the commercial sector and some of the venues that they are running, how some of the changed use of those facilities is having an impact on live music. I guess it was two weekends ago that Groovin' the Moo was at the University of Canberra—

**MS LE COUTEUR:** Yes, it was.

**Mr Whitney:** There had not been live music there for some time. There was a concert. Yes, it was a 12-hour concert, it was quite loud and there were people who got a bit anxious about that. But it is because they are not used to that sound. The ambient noise of Canberra is very quiet and so the sense of a concert coming on that runs for 12 hours—there is a moment when people do get to their own threshold and think it is a bit loud. So there is an issue about barriers to live music, in particular the volume of music.

From our arts perspective, we are certainly not constructing new venues or looking at venues at the moment. However, when this interdepartmental committee reviews the issues around barriers to live music, I am sure facilities are going to come up.

I do note that one of the issues with the commonwealth investment in new educational facilities and also the development of the new venue at Gungahlin is that part of their focus is to look outwards. So, rather than, traditionally, schools, because of security issues, needing to look internally, these venues will look outwards to the community, and that is one of the things that we have already identified as a potentially really strong link. Activities can happen during the day for school time activity but at night they can be used for night time activity.

I guess Erindale College is a perfect example in terms of the theatre and the use of the theatre; now they have attracted other evening activity down there. If we can encourage and work with colleagues across government to have the same thing happening in the new schools that are being built through the commonwealth program and territory money as well, that is a great step forward.

**THE CHAIR:** I would like to go to insurance for arts organisations. In the annual reports hearings it was said that there was going to be an investigation into whether cheaper insurance could be extended to arts organisations in the same way as Treasury has looked at this and is extending it to community organisations. What has been done to investigate this and has a decision been reached or has the work been progressed?

**Mr Whitney:** We have certainly been talking to a lot of the peak bodies that provide an overview for arts activity, like Ausdance, which has a national umbrella program of public liability insurance; also the local Canberra music club has a similar overarching insurance policy for contemporary music, which we were just talking about a minute ago.

Within the performing arts area, the New South Wales association of amateur theatre—I think that is the correct title—have an overarching public liability access program as well. So principally the question comes around to hiring venues, and

venues are requiring as part of the hiring that there is a public liability cover on there. So there are existing programs in place for performing activity and for artists to access those overarching schemes. We are not proposing that there be developments—

**THE CHAIR:** So you are confident that there is access and it is affordable and accessible for a whole range of individuals or small groups?

**Mr Whitney:** That is correct. A lot of scout halls are used for arts activity and the national scout association has the same sort of insurance cover that people can access and can buy into. So to duplicate that seemed to be unnecessary.

**THE CHAIR:** Okay, thank you. Are there any more questions on this one before we go to cultural facilities?

**MRS DUNNE:** Just a very quick follow-up on that issue of insurance, Mr Whitney. Does that mean that, for example, an amateur theatre company that might hire out Theatre 3 or the Courtyard or something like that has to provide its own public liability for the term of the run of the production?

**Mr Whitney:** That is correct, yes, which is a standard arrangement in terms of hiring a venue.

**MRS DUNNE:** Even if the ACT might actually already own the facility and already have a whole lot of insurance cover on it?

**Mr Whitney:** That is correct, if they are hiring the venue in total. You mentioned Theatre 3 and Courtyard Studio. I am more confident about the Courtyard Studio, although the CFC could confirm, I am absolutely sure that people have to get public liability for that. Theatre 3: I am not sure because so often they work in association with the shows that are being presented. If you were to go and work with Canberra Repertory Society to use Theatre 3, they may extend their cover if there is a joint presentation. But, I think, if I were to go and hire the venue to put on my own show tonight, I would have to have evidence of my own public liability, which is quite standard across a whole lot of hire venues.

**Mr Stanhope:** It is standard across ACT government facilities. The government expects to be indemnified in relation to all of its assets and their use by others.

**THE CHAIR:** Thank you. We will move on to the Cultural Facilities Corporation. Ms Elvin and Mr Knight, before we proceed with questioning can you please confirm for the record that you understand the privilege implications of the statement before you on the table?

**Ms Elvin:** We do.

**THE CHAIR:** Thank you. Who would like to start off questions?

**MRS DUNNE:** I have two questions, which I hope will be brief. I notice that the refurbishment of the front gallery at CMAG is underway for the Nolans. There was a budget allocation two budgets ago. What is the cost of the refurbishment going to be?

Is it going to come in on budget?

**Ms Elvin:** There is an amount of \$260,000 which, as you say, was originally provided in the 2008-09 budget and that was rolled into the current financial year and will cover the works that you currently see in progress.

**MRS DUNNE:** So the works have not gone up in price, although we are 18 months down the track?

**Ms Elvin:** No. It will come in on budget.

**MRS DUNNE:** Okay, and in relation to the Nolans I understand that everyone now knows that Lady Nolan has said that she will take the loaned rather than the gifted items back to the UK. Have you started to have discussions with either Lady Nolan or the commonwealth about the process of packing those up and returning them to her?

**Ms Elvin:** Yes. We are having close discussions with the commonwealth, not directly with Lady Nolan. It is appropriate for the commonwealth to do that, obviously, as the principal operator in this situation. They, in turn, have been in contact with Lady Nolan and asked her to appoint her representative with whom they can deal over all the arrangements for the return. Obviously, as you would understand, there are things like insurance, freight, ground transport in the UK and the UK regulations for the return of these art works, so they are seeking to clarify who Lady Nolan's representative is, to work with that person and go through all the various administrative arrangements.

**MRS DUNNE:** Do you, at this stage, have an idea of the quantum? Is she going to retake all of the loaned collection or some of it or—

**Ms Elvin:** My understanding is that all the loaned works will be returned to the Nolan estate and I assume that means that Lady Nolan will take possession of all the loaned works.

**MRS DUNNE:** And what will that mean for the display in the new gallery when it is finished?

**Ms Elvin:** It was always intended that the Nolan collection gallery would house the foundation collection, which, as you know, is the jewel of the owned works, the donated works. Those 24 key paintings are the ones that people most want to see—parts of the Ned Kelly series, the early St Kilda works and so forth. All 24 foundation collection paintings will be housed in the Nolan collection gallery, together with some interpretive material to assist people to understand and enjoy those works.

We will also provide opportunities for people to see other aspects of the donated collection in other parts of CMAG. For example, later this year we have programmed in gallery 5, which is the upstairs gallery, an exhibition of the Rimbaud *Illuminations* works. There are 20 paintings, which provides an opportunity—

**MRS DUNNE:** They are the loaned—

**Ms Elvin:** No. These are donated works. All the loaned works will be going back and we will only be dealing with the donated works.

**MRS DUNNE:** So how many works will that leave you with?

**Ms Elvin:** I will just check that figure for you. There are 141 donated works.

**MRS DUNNE:** Could you provide the committee with the complete list of the donated works?

**Ms Elvin:** We can. I thought we had previously, to be honest, but we can certainly provide it again.

**THE CHAIR:** Okay, thank you. That will be taken on notice. Mr Smyth and then Ms Le Couteur.

**MR SMYTH:** Ms Elvin, can I make a suggestion—to have page numbers on your statement of intent. On the second page, there is a chart giving the estimated staffing as follows. I note you have one apprentice and that that apprentice is female. What does the good apprentice do?

**Ms Elvin:** She is a gardener.

**MR SMYTH:** She is a gardener—fantastic.

**Ms Elvin:** She is a gardener at Lanyon, yes.

**MR SMYTH:** Congratulations! I do not think I have seen the word “apprentice” appear in any other documents in the budget to date. Good on her and good on you.

**Ms Elvin:** And she is learning from one of the best gardeners in Canberra, Graham Williams. He is the head gardener there and he is often on the ABC gardening show.

**MR SESELJA:** He is the willow.

**Ms Elvin:** So she is learning from the experts.

**MR SMYTH:** That is good. Congratulations.

**MS LE COUTEUR:** There was a recent review of arts in Canberra. It was meant to be due to the government, I believe, by April this year. Was the CFC involved in the review and, if so, how were you involved and what sort of input did you give?

**Ms Elvin:** Certainly, we were. I met with Peter Loxton and his son, Tim Loxton, who were conducting the review, on a number of occasions. They also attended a board meeting, with the whole board of the corporation, and we provided some written material to the Loxton review as well.

**MS LE COUTEUR:** I notice a strategic direction statement for the theatre has some

practical steps but exactly what is going to be happening with the theatre?

**Ms Elvin:** I think that question is perhaps more for artsACT than for us. We certainly had involvement in the theatre direction statement and indeed we are already implementing many parts of it because, as you would appreciate, the Canberra Theatre Centre is the principal performing arts venue for the region, so we should be taking a leadership role in relation to that statement.

So, for example, we provide, I suppose, the key professional theatre opportunities for people in Canberra. Many of our staff have gone on to national opportunities with Bell Shakespeare, with Opera Australia and so forth. We are also working in partnership with local performing arts companies, such as Jigsaw and Free Rain Theatre Company, which now uses the Courtyard Studio at the Canberra Theatre on a very frequent basis. So there are a whole range of ways in which we are, I suppose, supporting the objectives of the theatre directions statement and implementing those.

**THE CHAIR:** Have you any further questions? I know there probably will be some questions put on notice and I am sorry that we did run out of a bit of time this afternoon. As mentioned at the commencement of the hearing today, there is a time frame of five working days for the return of answers to questions taken on notice at this hearing.

Questions on notice will be accepted for three working days following this public hearing for the ACT executive, applicable CMD outputs and the Cultural Facilities Corporation. Members, please provide to the secretariat by close of business Monday, 24 May 2010, any questions on notice pertaining to CMD outputs 1.1, 1.2, 1.4, 1.5 and 2.1, to the ACT executive and to the Cultural Facilities Corporation.

On behalf of the committee, I would like to thank the Chief Minister—and for the other capacities in which he has appeared this afternoon, Minister for Business and Economic Development and Minister for the Arts and Heritage—and officials for attending today and, in advance, for responding promptly to questions taken on notice and given on notice.

Tomorrow, we will continue with the Department of Territory and Municipal Services, followed by ACTION, in the morning.

**The committee adjourned at 5.31 pm.**