



Debates

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Tuesday, 28 March 2017

MADAM SPEAKER (Ms Burch) took the chair at 10 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

**Justice and Community Safety—Standing Committee
Scrutiny report 4**

MRS JONES (Murrumbidgee) (10.01): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 4, dated 27 March 2017, together with the relevant minutes of proceedings.

I seek leave to make a very brief statement.

Leave granted.

MRS JONES: Scrutiny report No 4 contains the committee's comments on seven pieces of subordinate legislation and eight government responses. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

**Education, Employment and Youth Affairs—Standing
Committee
Statement by chair**

MR PETTERSSON (Yerrabi) (10.02): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Education, Employment and Youth Affairs.

At a private meeting on 22 February 2017 the committee resolved to conduct an inquiry into the extent, nature and consequence of insecure work in the ACT. The inquiry terms of reference, which are comprehensive, are on the committee's website. I will not spell out the terms of reference in detail but note that the committee will conduct a wide-ranging inquiry into all aspects of the matters raised.

For the Assembly's further information, in a media release I issued as committee chair on 7 March 2017 I noted:

This inquiry will give the Assembly the opportunity to examine exactly the extent of insecure work in Canberra, and the consequences of these working arrangements for our community.

The committee will be issuing a discussion paper on its inquiry and inviting written submissions from key interest and stakeholder groups and from all persons interested in putting their views to the committee. The committee is to report on the inquiry by 31 October 2017.

Public Accounts—Standing Committee

Statement by chair

MRS DUNNE (Ginninderra) (10.03): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Public Accounts relating to inquiries into two Auditor-General's reports currently before the committee. These are Auditor-General's report No 7 of 2016 and Auditor-General's report No 1 of 2017.

On 31 October 2016, Auditor-General's report No 7 of 2016 was tabled in the Assembly. It was the report of a performance audit on certain land acquisitions by the Land Development Agency. This report resulted from a public interest disclosure referred to the Auditor-General and presents the results of a performance audit of the effectiveness of the Land Development Agency's management of the acquisition of certain land and businesses in 2014 and 2015. The report contained a number of conclusions and key findings and made seven recommendations.

The government's response to the Auditor-General's report was presented to the Assembly on 14 February 2017. The committee received a briefing from the Auditor-General in relation to the audit report on 17 March 2017.

The committee has resolved to inquire further into the report. While the terms of reference for the inquiry will be the information contained within the audit report, the committee's inquiry will focus specifically on the conclusions and key findings of the report, and the government's response and implementation of audit recommendations. The committee's full terms of reference will be published on the committee's website.

The committee will be inviting written submissions to this inquiry from key interest and stakeholder groups. The committee is expected to report to the Assembly as soon as practicable.

On 14 February 2017 Auditor-General's report No 1 of 2017 was tabled in the Assembly. The report was a performance audit into WorkSafe ACT's management of its statutory responsibilities for the demolition of loose-fill asbestos contaminated houses. The report contained overall conclusions, several key findings and made eight recommendations.

The government's response to the Auditor-General's report was presented to the Assembly on 21 March. The committee received a briefing from the Auditor-General in relation to the audit report on 17 March.

The committee has resolved to inquire further into the report. Whilst the terms of reference for the inquiry will be the information contained within the report, the committee's inquiry will focus specifically on the conclusions and key findings of the report, and the government's response and implementation of audit recommendations.

The committee will be inviting written submissions to its inquiry from key interest and stakeholder groups and the committee is expecting to report to the Legislative Assembly as soon as practicable.

Public Accounts—Standing Committee Statement by chair

MRS DUNNE (Ginninderra) (10.05): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Public Accounts relating to an Auditor-General's report currently before the committee.

As to the review of Auditor-General's report No 2 of 2017 on the 2016 ACT election, on 16 February 2017 the report was referred to the committee for inquiry. This report presented the results of a performance audit which examined the efficiency and effectiveness of the planning, management and delivery of services and related matters by the ACT Electoral Commission in the conduct of the 2016 ACT Legislative Assembly election.

The report contained seven recommendations. The government has not yet tabled its response to the audit report. I note that the committee received a private briefing from the Auditor-General in relation to the audit report on 17 March.

Pursuant to its resolution of appointment, the committee has inquired into this audit report and resolved on 17 March to bring it to the attention of another committee of the Assembly for further consideration. Accordingly, the committee has written to the Select Committee on the 2016 ACT Election and Election and Electoral Act, referring the report to the committee's attention for consideration.

Independent Integrity Commission—Select Committee Statement by chair

MR RATTENBURY (Kurrajong) (10.07): Pursuant to standing order 246A and on behalf of the Select Committee on an Independent Integrity Commission, I present the following discussion paper:

*Independent Integrity Commission—Select Committee—Australian Public
Sector Integrity Frameworks—Issues Paper, dated 27 March 2017.*

I seek leave to make a statement in relation to the paper.

Leave granted.

MR RATTENBURY: Thank you, colleagues. As members will be aware, the select committee was established by the Assembly on 15 December 2016 to consider the feasibility of the establishment of an independent integrity commission in the Australian Capital Territory.

Pursuant to standing order 246A the committee released the issues paper on Monday, 27 March to assist individuals and organisations to prepare written submissions to its inquiry. The issues paper in particular considers the question of what would be the most effective and efficient model for an integrity commission or body by reviewing present arrangements in other Australian jurisdictions.

While the committee does not have a particular view at this time about the powers or features that an integrity commission in the ACT might have, as an initial criterion the paper employs a list of possible powers and features for integrity commissions set out by Prenzler and Faulkner in their paper, “Towards a Model Public Sector Integrity Commission” (2010) which, in their terms, would constitute a model commission.

Further, whilst setting out a comparative analysis of legislative frameworks that presently have a designated integrity body or commission, the paper also provides an overview of integrity arrangements in Australia, including detail on the current integrity framework in the Australian Capital Territory; jurisdiction of integrity bodies; and integrity framework design and choice.

The opportunity to consider the effectiveness of the existing integrity framework in the territory to prevent and respond to corruption and the merits of establishing an independent integrity body tasked with this purpose is important. Some of the questions that arise from the issues paper include what powers or features an integrity body in the ACT might have, its jurisdiction or scope, and how a designated body might articulate with the current ACT public sector and parliamentary integrity framework.

The committee encourages interested individuals and key stakeholder groups and organisations to make a written submission to this important inquiry. The call for submissions closes on Friday, 19 May this year.

ACT Health—data review

Ministerial statement

MS FITZHARRIS (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (10.10): I would like to take the opportunity this morning to update the Assembly on the work that is underway on the comprehensive, system-wide review of ACT Health data and reporting processes.

In providing this update, I would also like to table the terms of reference for the review, which is being undertaken to ensure ACT Health’s data management and quality assurance processes are robust and accurate.

First and foremost it is important for me to reiterate that data reporting issues are administrative in nature and do not affect the quality of the health services that we deliver, nor the funding ACT Health receives as part of national arrangements. In saying this, though, as health minister I wish to ensure that we not only have a high quality health system that Canberrans trust but also that we have the right data available to us to monitor and track our performance. That is why this review will take us back to basics when it comes to the collection, analysis and reporting of our health data.

Since I announced the review last month, I have written to key health stakeholders about the review and today I am tabling the terms of reference. It will be undertaken

in a timely, transparent and effective manner. The review shall: investigate the extent and, where possible, the root cause or causes of the current data integrity issues; establish revised governance processes and protocols for data management, reporting and analysis; develop a framework for the provision of essential data reports derived directly from source systems as an interim process; determine a framework for the rebuilding of the ACT Health data warehouse, reporting and analysis systems and functions; provide a detailed road map to address existing recommendations from the Auditor-General and ACT Health external advisers; and provide advice on the publication of data for consumers that enables improved understanding of ACT Health information, performance, quality and safety, including options for real-time provision of information.

To oversight the system-wide review, a review panel is being established which will provide regular updates as this work progresses. The review panel will meet regularly and consist of core ACT Health executive staff; the Shared Services ICT Chief Technology Officer; the Chief Executive Officer of the National Health Funding Body; and the Senior Executive, Hospitals, Resourcing and Classifications Group from the Australian Institute of Health and Welfare.

This panel will provide a balance of advice and oversight from internal and external experts. Through the director-general's regular meetings with the Australian Medical Association, Australian Nursing and Midwifery Federation, Capital Health Network, Healthcare Consumers Association of the ACT and the Royal Australasian College of Surgeons, the director-general will keep the relevant stakeholders apprised of progress against the review. The Health Directorate will also regularly brief the Auditor-General on progress against the review. As agreed with the Assembly I will provide regular progress reports to ensure that we maintain transparency and independence across the review process.

Before concluding today, I want to emphasise that this work is about delivering robust quality assurance of ACT Health's data governance systems to resolve these issues. I also want to make very clear that improving ACT Health's data quality processes is a priority for this government, and we will continue to be open with the community and our key health stakeholders about progress in these matters. I present the following copy of the statement and the terms of reference:

ACT Health data and reporting—

Terms of reference for the system-wide review—Ministerial statement,
28 March 2017.

Terms of reference for the system-wide review, prepared by ACT Health.

I move:

That the Assembly take note of the papers.

MRS DUNNE (Ginninderra) (10.13): I thank the minister for bringing forward these terms of reference today, but note that this inquiry was announced more than a month ago, and we have just had the terms of reference. At the same time the government has seen fit to appoint an inquirer. Without reflecting on the inquirer, I do wish to raise my concerns that the government has not gone to open tender on providing an inquirer, and that it seems that the government has taken the line of least resistance in sourcing an inquirer.

The history of the creation of a data warehouse in ACT Health is a long and, unfortunately, badly chequered one, if the information that I receive from people about the subject is correct. It is an area that is quite deficient, and has been for some time. While I welcome any improvement to the data, and I welcome a root and branch inquiry, we need to put it in the context that this has been an issue for ACT Health, as far as we know, since 2009, that the interventions in relation to health data over that period have not resulted in better outcomes and that there are other aspects of this which will be further explored.

As the minister knows, I shall be quite diligent in holding her accountable on these issues and ensuring that we do get the outcome that we need. I will be consulting widely with the health sector on their concerns in relation to this data. This is, admittedly, a work in progress, but I flag that the government seems to be making it up as it goes along. It has appointed an inquirer without a public tender, it has announced the inquiry and, a month later, has come up with the terms of reference. I think that is not the way that we should be going about a root and branch inquiry.

MS FITZHARRIS (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (10.16), in reply: In closing, I note Mrs Dunne's comments. I reiterate—perhaps she missed it—that there is a panel appointed of both internal ACT senior officials, the Chief Executive Officer of the National Health Funding Body and a senior executive member of the Australian Institute of Health and Welfare to oversee this extensive review.

I welcome her comments and ongoing interest, and I look forward to working with her and all members of this place, and reporting back regularly to the Assembly on the progress of the review.

Question resolved in the affirmative.

Restoration of the lower Cotter catchment

Ministerial statement

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (10.17): I am pleased to table a progress report detailing the works undertaken by government to date in addressing the recommendations outlined in the Auditor-General's report No 3 of 2015 *Restoration of the lower Cotter catchment*. In doing so, I note that this progress

report addresses recommendations 3 and 4 of the public accounts committee report No 31 *Review of the Auditor-General's report No 3 of 2015: restoration of the lower Cotter catchment*.

At this point, Madam Speaker, I would clarify that recommendation 4 of the public accounts committee report pertains to the Commissioner for Sustainability and the Environment and her office's progress in evaluating the restoration of the lower Cotter catchment. Minister Rattenbury carries the portfolio responsibility for the Commissioner for Sustainability and the Environment. As I will be updating the Assembly on other matters pertaining to the Auditor-General's report, in the interests of practicality I will also take the opportunity to update the Assembly on the commissioner's progress to date in regard to this matter.

One of the defining features of the geography of the ACT is, of course, the distinctive mountains to the city's west. The potential to source drinking water from these mountainous native forests was an important factor influencing the choice for the site of Australia's new federal capital. In 1915 the Cotter Dam was built just upstream of where the Cotter River meets the Murrumbidgee River. For over 40 years it stood as the source of Canberra's only drinking water supply. As the city grew, administrators recognised the need for more dams; so the Bendora and Corin dams were built, also on the Cotter River, in the late 1960s.

As the first Europeans, and the earliest people of the Limestone Plains before them, would attest, these mountains to the west were regularly subjected to episodes of bushfire. The Canberra bushfires of 2003 were the most widespread felt in the ACT, possibly since 1939. Almost all of the Namadgi National Park's 110,000 hectares were affected; there was also complete devastation of the nearby Tidbinbilla Nature Reserve and the thousands of hectares of pine plantations at Ingledene, Miowera, Gibraltar and Pierces Creek.

The relatively rapid recovery of the natural landscape contrasted with ex-pine plantation areas, which would need active management to ensure that the thin soils would not wash away and pollute the downstream catchments. One such area of ex-pine plantation is the lower Cotter catchment. The need to actively intervene to recover this important landscape was the catalyst for an important community-government partnership. Led by Greening Australia and the Parks and Conservation Service, work on the re-greening the Cotter began, with hundreds of Canberrans volunteering to plant over 300,000 native seedlings over an area of 500 hectares of fire-devastated lower Cotter catchment.

Also, post-2003 and in the middle of the millennium drought, attention turned to strategic planting that might deliver security of water supply in a drying climate. An enlarged Cotter Dam was an important element of that strategy. In 2009 work commenced on enlarging the capacity of the existing dam through the construction of a new, higher dam wall structure. In 2013 the enlarged Cotter Dam was completed, activating a further 20,000 hectares of land as new drinking water catchment for Canberra.

The recovery of the lower Cotter catchment therefore took on an increased urgency because it is now an important component of the territory's water catchment. The Auditor-General's audit report into the lower Cotter catchment served to focus attention on the importance of delivering effective and integrated land management for this important water catchment area.

Government acknowledged the need for new investment in the catchment, and the 2015-16 budget promised \$7.8 million over four years to repair existing erosion control structures to: better protect water quality; deliver further fuel management activities such as the removal of some pine tree wildlings that may pose an increased fire hazard; repair fire trails; control pest plants and animals; and increase staff presence in the area and deliver a large program of works.

Today I can report that the government is well progressed in delivering a program of works that will substantially improve the environmental quality of the lower catchment and is therefore helping to protect the quality and quantity of our water supply.

The progress report which I table today summarises works against each of the Auditor-General's 12 recommendations, noting that some of the ground works that look to repair environmental damage post-2003 will be long-term undertakings. I am pleased to report that all three of the Auditor-General's high priority recommendations have been actioned and completed.

Recommendation 5 called on government to improve the coordination and decision-making arrangements for the lower Cotter catchment. In May of 2015, the directors-general water group resolved to assume responsibility for all works related to the management of the lower Cotter catchment. A multi-directorate working group was created to deliver on each of the Auditor-General's recommendations, with a requirement to provide reports to the directors-general water group meetings.

In June 2016, the DG water group endorsed a new risk plan for the lower Cotter catchment, in keeping with recommendation 7 of the Auditor-General's report. The risk plan considered 58 risks in a variety of categories, including fire management, native animals, native vegetation, plantation forestry and water management. A treatment plan, clearly outlining the risk, agency ownership of risk and the nature of mitigating activities has been finalised. This document will be regularly reviewed for endorsement by the DG water group.

The last of the high priority recommendations identified the need to assess and remedy poorly functioning sediment control structures. In 2015, the working group commissioned Landloch Australia to assist with documenting the conditions of all 38 sediment control structures in the catchment. A total of 10 structures—eight gabion check dams and two rock check dams—were prioritised for remedial work. All these works were successfully completed in 2016.

While the work on remediation of structures is completed, all structures have been placed on a maintenance program which will ensure they are re-visited and tested at regular intervals to ensure that maintenance needs are identified and rectified as early as possible.

Madam Speaker, I can advise the progress report outlines that a further two recommendations have been actioned and completed. A site management agreement dated 20 January 2017 between the Conservator of Flora and Fauna and Icon Water is now in place and applies to all areas of land in the territory where Icon Water retains assets, including in the lower Cotter catchment.

The agreement outlines the approvals environment for maintenance works carried out by Icon Water and requires Icon Water to submit proposals for new works through the normal planning and environmental protection approvals process. The adoption of this agreement signs off on recommendation 2 of the Auditor-General's report.

Recommendation 6 called on the Environment Protection Authority to clarify responsibility for matters of water policy. On review, it was determined that responsibilities related to catchment management policy, public engagement and promotion of water quality matters would be appropriately delegated to the executive director, environment division, within the Environment, Planning and Sustainable Development Directorate. This was executed via an instrument on 23 May 2016.

Recommendations 1, 3 and 4 each relate to the development or adoption of codes of practice. On review, the government has determined that one code of practice covering each of the three areas of concern expressed by the Auditor-General would be the most appropriate operational response.

Accordingly, work is well progressed in finalising a code of sustainable land management practices, with an advanced draft currently being reviewed by operational managers. The code will incorporate a particular schedule addressing potable water catchment management, as well as a maintenance practices schedule.

I note that the Auditor-General had stipulated that elements of this work should be aimed to be completed by October and December last year. I am satisfied that other high-priority recommendations have occupied the working group, but have asked that work on finalising the code of practice be completed by July this year.

I am pleased to report that a lower Cotter catchment draft plan of management was publicly released in January of this year. Following a public consultation period which closed on 10 March this year, the directorate is currently preparing a public consultation report for my review. I expect that I will be presented with a final document for public release by June this year.

The draft plan considers the wide range of issues the public land manager is required to engage with to ensure a water catchment area is adequately managed and thus addresses the Auditor-General's report recommendation No 8. I understand that, according to early analysis, public feedback is very supportive of the plan, with

particular interest in ensuring that a balance is struck between recreational opportunity and the need to preserve water quality.

I have taken a particular interest in progressing towards implementing recommendation 9, which calls for the management of pine regrowth in and around the lower Cotter catchment. You may recall, Madam Speaker, that I addressed the Assembly on progress thus far in managing the fire fuel risk posed by pine regrowth in the Blue Range section of the catchment in December of last year, and I can report considerable progress since that time.

A successful trial of removal methods has resulted in work commencing on removal of 68 hectares of unmanaged pines in the catchment. To date, 10 hectares have been cleared, with work on track to remove the remaining 58 hectares before June 2017. I should stress that the Blue Range rehabilitation plan outlines a three-year program of works of which we are, of course, in the first year. A further 87 hectares is scheduled to be removed in 2017-18 and the final 70.5 hectares in 2018-19.

It was particularly pleasing to note that works have been able to be delivered with no detectable soil run-off, and the level of works precision is able to retain pockets of native vegetation which might assist with re-seeding cleared areas with native vegetation. Both the Emergency Services Agency and Icon Water have been involved in reviewing the work on the ground, and I can report that all objectives of this important operation are on track to be met.

Madam Speaker, recommendation 10 deals with the need to review the network of fire trails within the lower Cotter catchment. Actioning this recommendation has been particularly challenging for the working group, with a requirement for emergency access needing to be balanced with minimising the work and the network of trails which might in turn contribute to sediment run-off into the catchment.

The network group is currently finalising a lower Cotter catchment road network plan. The plan relies on a road matrix which evaluates each section of road against five criteria, including safety, quality, soil stability, fire operations and land management utility. A score is derived that ranks each road and assists with a decision to retain or close. Once again, both Icon Water and the Emergency Services Agency have been active participants. I expect the plan to be completed in April this year.

Madam Speaker, finally I turn to recommendation 12, which called on the Commissioner for Sustainability and Environment to evaluate restoration efforts at the lower Cotter catchment. The commissioner put to the then-minister for the environment Mr Corbell, as she has since to Minister Rattenbury, that in light of the work continuing through 2017 on a statutory management plan, the value of undertaking an evaluation prior to the adoption of a management plan would be less than ideal.

As minister for the environment I have agreed on a 12-month extension for the due date of the evaluation. In the intervening period, evaluation methodology will be clarified and sampling work will be able to be carried out over an autumn and spring, and then tested against the aims of the management plan.

In closing, I would like to stress that the management of the lower Cotter catchment is very much a work in progress. Our responsibilities do not conclude as we action each of the Auditor-General's recommendations. The nature of land management is that of an ongoing process. I feel confident, however, that the recommendations of the audit have begun to translate to a positive response on the ground.

In tabling the progress report, I am reassured that this government has a strong plan to ensure the ongoing recovery of the lower Cotter catchment. I present the following papers:

Auditor-General's Report No 3/2015—Restoration of the Lower Cotter Catchment—

Progress report on the implementation of the recommendations—Ministerial statement, 28 March 2017.

Progress Report, dated February 2017.

I move:

That the Assembly take note of the papers.

Question resolved in the affirmative.

Climate action round table Ministerial statement

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (10.32): Today I am pleased to update the Assembly on the work that is progressing through the climate action round table. This is a forum of Australian states, territories and major cities who want to prioritise action on climate change. There is a significant opportunity for Australian subnational governments to share knowledge, address common challenges and work together on climate change mitigation and adaptation.

Australia is a signatory to the Paris agreement, with a target of carbon neutrality by 2050. At Paris the role of subnational jurisdictions and cities in reducing emissions is well recognised. In the absence of a clear, progressive and ambitious policy agenda by the Australian government, leadership from jurisdictions like ours will only become more important.

In August 2016 the ACT convened the first climate action round table to lead subnational government action. Victoria, Queensland, South Australia and the ACT have so far committed to the round table at a ministerial level. The inaugural meeting also welcomed representatives from New South Wales, Tasmania and a number of Australian capital cities.

I attended the most recent climate action round table in Cairns in February. The membership grew to include a representative from the Northern Territory and several

additional Australian cities. Cairns was a particularly appropriate location to host the climate action round table as delegates were able to witness the staggering bleaching of the Great Barrier Reef, and I will talk about this more in a moment.

At the most recent round table several outcomes were agreed at the ministerial level. These included recognition of the impacts of climate change already being felt in Australia, confirmation that a joint collaborative submission would be made to the 2017 national climate policy review and establishment of a senior officer working group to develop a forward work program. The key focus areas for the forward work program are an energy efficient built environment, the transition to renewable energy and opportunities for partnerships.

One of the benefits of this collaboration is that it allows different jurisdictions to focus their work on particular areas of emissions reductions policy and then to share the results. For example, the ACT agreed to lead progressive policy work on reducing emissions in the built environment.

The climate action round table is the alternative national voice on climate change action. We are inviting the Northern Territory and Western Australia to become members and thus increase the effectiveness of this group in achieving net zero emissions Australia, in spite of the lack of a coordinated and ambitious policy framework at the national level.

The round table also provides a platform for the ACT to demonstrate its leadership in addressing climate change. Several jurisdictions are interested in learning from the leading policy work we have taken on renewable energy. There are many ways that subnational governments can work together and progress action on climate change mitigation and adaptation. The municipal level is often where the rubber hits the road when it comes to climate change action.

As I said earlier, visiting Cairns to attend the round table also presented the opportunity to visit the Great Barrier Reef to survey the extent of damage it is suffering due to climate change. I would like to recount some of this to the Assembly as the plight of the reef provides a very clear example of the devastating impacts climate change will have, and is having, on our natural environment as well as on the economy.

Along with other delegates to the round table I visited both inner and outer parts of the reef off Cairns. We were accompanied by two ocean scientists from the University of Queensland who explained the process of coral bleaching and the severe detrimental impacts that warming oceans, caused by climate change, are having on reef ecosystems.

Although we saw parts of the reef that were healthy and still hosted extensive marine life we also saw whole fields of bleached, dying or dead coral. Contrary to the view of a certain federal senator who visited the reef recently and pretended that it was all healthy, there is clear evidence of the destruction. An enduring memory was the sight of large areas of white stag coral which, if healthy, would have been a bright blue colour. In some areas we saw only a few solitary pieces of blue coral amongst a whole landscape of white.

The Coral Sea region in northern Australia has experienced large increases in temperature in the last 100 years. Last year, in 2016, the Great Barrier Reef experienced the worst bleaching event on record. At the end of March 2016, 93 per cent of the reef had experienced bleaching. At this time scientists, the community and other high profile figures such as Sir David Attenborough made urgent calls for action to save the reef. David Attenborough in fact made a documentary showing the tragic bleaching of the reef in detail.

The 2016 event was the third major bleaching to affect the Great Barrier Reef, following heatwaves over the past two decades. Coral cover on the Great Barrier Reef has halved over the last 27 years. A recent study in the journal *Nature*, which looked at the 2016 bleaching event, said that the chances of the northern Great Barrier Reef returning to its pre-bleaching assemblage structure are slim, given the scale of damage and, it said, the likelihood of a fourth bleaching event occurring sometime in the next decade or two as global temperatures continue to rise. Tragically that fourth bleaching event is occurring already, right now, just one year after the last bleaching event.

The scientists who came to the reef with us were extremely concerned about it. They said it is a terrible outcome to have two bleaching events in a row as the coral will not even have a chance to recover to health and the damaging impacts are amplified. The Great Barrier Marine Park Authority is currently conducting aerial surveys of the reef and attempting to determine the extent and severity of the bleaching. The indications are, however, that it is severe.

March 2016 had the warmest temperature on record. The early months of 2017 have also proven to be extremely hot and, in fact, south-eastern Queensland experienced record heat in February. This does not bode well for the health of the reef.

The study in *Nature* made it clear that the damage to the reef is caused by human-induced global warming. That science is very clear. Certainly the scientists who accompanied me to the reef were also very clear that global warming is the primary culprit for the destruction we are seeing on the reef.

Pollution is also causing damage to the reef but in terms of the widespread bleaching it plays a minimal role. The *Nature* study actually says:

Water quality and fishing pressure had minimal effect on the unprecedented bleaching in 2016.

It is global warming that is the main culprit.

I also had the opportunity to speak to tourist operators working at the reef. There is no doubt that damage to the reef, and its possible death at the hands of global warming, will be devastating for tourism, for investment and for the local and national economies.

Tourism in Cairns makes a vital contribution to the region and indeed the whole country. Close to 2.5 million visitors travel to the region per year and contribute

\$3.1 billion to the economy. The loss of this industry of course would be terrible for the economies of Queensland and Australia but there will also be countless individuals and families impacted: the people who run the many businesses, large and small, and who have invested in that business, such as buying boats and other equipment, and of course all the people whom they employ.

The Great Barrier Reef is just one example of what is at stake when it comes to taking action on climate change. This amazing natural wonder is literally dying before our eyes because of the failure to mitigate climate change, to reduce our greenhouse gas emissions, to decarbonise and to stop using polluting fossil fuels. And this is only one of countless serious environmental, health and economic consequences that we are likely to experience if we fail to mitigate climate change.

Yet at the same time as the reef suffers the federal government and the Queensland government take irresponsible and unconscionable decisions such as supporting the proposed giant Carmichael open-cut mine in the Galilee basin in Queensland. This is essentially an act that says, “We are happy to condemn the Great Barrier Reef to death and we don’t care.”

The impacts of climate change are severe, and the need to act is urgent. Initiatives like the climate action round table are just one of the many actions that we can take at the local level and that we need to translate into real and prioritised actions. My priority as the climate change minister is to ensure that climate mitigation and adaptation are foremost on this government’s agenda and that we play a strong leadership role in addressing the climate change threats that are facing both the ACT and the planet as a whole.

I present the following paper:

Climate Action Roundtable—Ministerial statement, 28 March 2017.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Implementation of the children and young people’s commitment 2015-2025 Ministerial statement

MS STEPHEN-SMITH (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (10.42): Madam Speaker, I thank you for the opportunity to provide the Assembly with a progress update on the implementation of the ACT children and young people’s commitment 2015-2025. The commitment is a high-level strategic document that sets the vision for a

whole-of-community approach to promoting the rights of children and young people aged 0-25 years in the ACT. It was developed through extensive consultation with children, young people, community agencies and the ACT government and has been informed by a strong evidence base.

In December 2015, the former Minister for Children and Young People, Minister Gentleman, launched the commitment at Namadgi School in Tuggeranong. The commitment identifies six priority areas and these are to: implement policy that enables the conditions for children and young people to thrive; provide access to quality health care, learning and employment opportunities; advocate the importance of the rights of children and young people; keep children and young people safe and protect them from harm; build strong families and communities that are inclusive and support and nurture children and young people; and include children and young people in decision-making, especially in areas that affect them, ensuring they are informed and have a voice.

We measure the progress of the key priority areas of the commitment through the publication *A Picture of ACT's Children and Young People*. This annual publication provides an overview of how children, young people and communities are faring against a set of indicators that relate to health, wellbeing, learning and development outcomes. This information allows us to identify what is working well and what areas need further development to ensure a positive start for our children and young people.

The priority areas identified in the commitment are being pursued across government through a range of specific initiatives and improvements to existing services. Youth InterACT, for example, is a strategy funded by the ACT government that supports a number of grants, scholarships and programs for young people aged between 12 and 25 years. The Youth Advisory Council, a project funded under this strategy, provides young people with a voice in the ACT government by giving them the opportunity to take a leading role in participation and consultation activities on issues that affect their lives. In addition, the Youth Advisory Council hosts an annual conference to engage young people on a variety of topical issues, expanding the opportunity for young Canberrans to engage in discussions that are relevant and meaningful to them.

In thinking about how the children and young people in our community are faring, it is important that we reflect on areas where they are doing well alongside areas where we can improve. *A Picture of ACT's Children and Young People* shows us that most children and young people in the ACT continue to do well.

As members would be aware, early childhood education is one of the most important protective factors for children. Over recent years, we have seen a steady increase in the number of ACT children enrolled in preschool, including Aboriginal and Torres Strait Islander children. In 2012, 5,060 children aged four or five years were enrolled in a preschool program in the ACT. By 2015 this number had increased to 6,839. This improved engagement in quality early childhood education will support our children in reaching their full potential.

The growing healthy families program specifically seeks to support Aboriginal and Torres Strait Islander families with young children. It uses a community development approach to engage, support and link children and their families to services. In the process, it has built stronger ties and better understanding between services, which is critical to the development of an integrated human services sector.

The number of students accessing special education programs has increased by 22 per cent since 2012, and the positive trend of increasing visits to our neighbourhood parks by families and young people also continues. This reflects the importance of education for all and livable spaces for children and young people to support them to grow and develop.

I am pleased to report that there has been a steady decrease in the proportion of secondary students who report current use of alcohol, tobacco and illicit drugs. For example, the number of secondary school students who have ever smoked has decreased from 26.4 per cent in 2008 to 18.9 per cent in 2014. The harm to individuals, families and our community from alcohol, tobacco and other drug use is well known, so this is a positive outcome for our young people.

While many indicators show signs of improvement, there is still work to be done. For example, it is imperative that we continue to work to reduce smoking rates among Aboriginal and Torres Strait Islander parents and young people. The Health Directorate continues to fund the Winnunga Nimmityjah Aboriginal Health Service to provide a tackle smoking program as well as continuing to fund Gugan Gulwan Youth Aboriginal Corporation to provide the street beat youth outreach network, which includes provision of information on smoking cessation, education and referral to Aboriginal and Torres Strait Islander young people.

ACT Health has also committed to support the implementation of the towards zero growth: healthy weight action plan, with health promotion grants providing over \$2.7 million for 39 community organisations in an attempt to tackle the risk factors associated with chronic disease. Some excellent examples of programs being funded to address this issue include the ride or walk to school program and the kids at play—active play—program.

The rate of young people charged with a criminal offence in the ACT continues to decline and has halved in the past five years. This trend is also reflected in the rate of young people who were on supervision orders, including the number of young people under community-based supervision.

Keeping children and young people safe and protecting them from harm is a key priority area for the commitment. The ACT government continues to work to reduce the number of young people engaged with the youth justice system through activities guided by the blueprint for youth justice in the ACT 2012-22, an award-winning 10-year strategy focused on improving outcomes for young people at risk and in contact with the youth justice system.

Another important part of the ACT government's commitment to keeping children and young people safe and protected is our five-year out of home care strategy, A step up for our kids. This strategy is designed to improve outcomes for children and young people in care by providing more flexible, child-focused services, reducing the demand for out of home care places. The strategy places a strong emphasis on preventing children and young people from entering care and on moving them into permanent family settings as quickly as possible, if they do enter care.

Early intervention and prevention is another key priority for the ACT government. This priority is reinforced with our ongoing participation in the national data collection of the Australian early development census. The Australian early development census, or AEDC, is a triennial, national census that measures the development of children in their first year of school. In 2015 we completed the third cycle of this data collection. The census measures children's development in the following areas: physical health and wellbeing; social competence; emotional maturity; language and cognitive skills; and communication skills and general knowledge. Compared to the national average, the ACT has a lower percentage of children developmentally vulnerable in four of these five areas as measured in the 2015 census.

The Community Services Directorate has been working with both the community and government to better understand the results from the AEDC and what they mean for our community. The AEDC helps us understand what we need to focus on to ensure that our children are getting the best start for school. By working together to understand these results at a local community level, we can share responsibility for improving outcomes for children. It means we can also collaborate to trial new approaches that successfully engage with families that may be experiencing vulnerability and disadvantage.

For example, prep for pre, a program preparing children for preschool, was developed in term 4 last year by the West Belconnen Child and Family Centre in partnership with the Education Directorate and the Child Development Service. It was developed specifically in response to intake data from the West Belconnen Child and Family Centre that indicated a relatively high proportion of children in west Belconnen who are entering preschool with vulnerability, as well as feedback from families who had asked for some tips and strategies to help them get ready for this important transition.

At the same time, parents and carers were invited to participate in small group workshops delivered by staff from the Child Development Service and the West Belconnen Child and Family Centre. These sessions were informed by the AEDC data for Belconnen to address developmental vulnerability. Support offered included parenting, preschool readiness, self-care skills and child development sessions. I am told there were positive outcomes from this program, with children feeling confident and ready for preschool, and parents and carers equipped with practical strategies and avenues to seek additional information and supports as needed. This is an excellent example of translating data to drive evidence-informed service delivery and build the capacity of families and community to support young children.

The provision of AEDC community regional forums for the government, Catholic and independent school sectors in partnership with the child and family centres and local community services shows how our community and government are working together to effect change for children. These forums provided an opportunity for schools to better understand their school summary AEDC results, how this can be used to inform school planning and what family support services are available in their local area to support children and their families.

Madam Speaker, this is one way in which the evidence detailed in *A Picture of ACT's Children and Young People* is being used to inform evidence-based development of policy and practice in our community. Building strong families and communities that are inclusive and support and nurture children and young people is another priority area of the commitment. The e-learning course for professionals and practitioners working with families from pre-birth to eight years, initially developed in South Australia, is an excellent example of a collaborative, strengths-based approach to realise this priority.

Finally, to celebrate and acknowledge the significant contribution that young people make to our community, the Young Canberra Citizen of the Year Awards will be hosted on 31 March 2017.

The importance of having a common vision for children and young people for everyone in the ACT, as outlined in the commitment, is critical in supporting both the government's and the community's ability to work collaboratively to make a positive difference for children and young people in the ACT. The information and data reported in this year's *A Picture of ACT's Children and Young People* publication is already enabling us to reflect on areas where we are doing well and consider areas for improvement. I present the following statement:

ACT Children and Young People's Commitment 2015-2025—Progress update on the implementation—Ministerial statement, 28 March 2017.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Crimes Legislation Amendment Bill 2016

Debate resumed from 15 December 2016, on motion by **Mr Ramsay**:

That this bill be agreed to in principle.

MR HANSON (Murrumbidgee) (10.54): The Canberra Liberals will be supporting this bill. At the outset, I would like to thank the Attorney-General and his staff for briefing my office.

The bill makes a number of changes to a series of acts. We have considered each of them and, although they are small changes, I think that in many ways they are important changes. I will go through them in part. I think that they are sensible and non-controversial.

There is one change, though, with regard to association laws, which I think is worth further discussion. The government and others in the community have said that we cannot possibly breach the Human Rights Act on freedom of association. This bill we are debating today, presented by the government, does exactly that. It is somewhat hypocritical that the government that has been arguing against anti-association laws with regard to dealing with outlaw motorcycle gangs is today, in this place, going to argue for anti-association laws. I know that the Attorney-General is aware of this contradiction, but it is an important point to make.

With regard to the other changes, there are amendments to the Crimes (Child Sex Offenders) Act so that police officers can apply for an immediate entry and search warrant. Currently, police can seek an immediate warrant only to check an offender's personal details. The amendments would allow for warrants to investigate an offender's breach of a prohibition order. The example provided is where an offender who is suspected of visiting schools, in breach of a court order, could be more quickly investigated. This looks like a good amendment, and we support it.

There is an amendment to the Crimes (Sentence Administration) Act 2005. The amendment in this bill states that parole can be cancelled if a crime is committed while on parole but clarifies that the offence itself, and not just the conviction, has to occur during the parole period. This is a response to recommendation No 39 of the 2015 inquiry into sentencing by the Standing Committee on Justice and Community Safety. We will be supporting that amendment. I recall that the inquiry in question also called for review of the Bail Act, which the government has not supported; I think that broader review would have been useful so that some more good amendments like this one could have been provided.

There are changes to the Criminal Code 2002 which mean that if a court finds that the offence of aggravated burglary or aggravated robbery has not been proven, but a burglary or robbery has, the court can find the defendant guilty of the lesser offence. This is a sensible amendment that we also support.

There are a number of changes to the Firearms Act, including the ability for firearms seized under any territory law to be disposed of by the courts; to clarify that it is an offence to be under the influence of alcohol or a drug when a person has physical possession of a firearm, not just in the same building; and to clarify that a firearms dealer can test a firearm on a property other than the registered premises. All of these are reasonable changes, and we support them.

Just going to the association laws, this bill makes changes to the Crimes (Sentencing) Act 2005. These changes expand the existing powers of a court to make non-association and place restriction orders. As an important point—and this was covered in part during annual report hearings—there are many non-association laws

that currently exist on the statute books. Although the Human Rights Act says that everyone has freedom of association, it also makes it very clear that there can be limitations on that. There are many limitations; we discussed that at annual reports hearings. Today, the government is further expanding those non-association laws.

The bill's explanatory statement talks about this issue. It says:

The Bill will allow the court to order a non-association and place restriction order (NAPRO) for people convicted of firearms trafficking or manufacturing offences (punishable by imprisonment for 20 years) and the offence of money laundering (punishable by imprisonment for 10 years). A non-association order prohibits an offender from being with a named person or communicating with the person. A place restriction order prohibits an offender from being in, or within a stated distance of, a named place or area or attempting to be in, or within the stated distance, of the place or area.

The explanatory statement is even more explicit when it states:

The purpose of the limitation on the right to freedom of movement and association is to protect the safety of members of the community by enhancing ACT Policing's ability to disrupt organised crime in the ACT, with a specific focus on the activities of outlaw motorcycle gangs. The limitation will also assist in protecting certain victims from the convicted offender and will be instrumental in removing negative influences from the offender's life, providing them with an opportunity to rehabilitate.

It then provides further justification:

The nature and extent of the limitation is proportionate to the risk posed by members of organised criminal groups, or other serious offenders, being with other people or in a location that has the potential to facilitate further offending. It is reasonable that an offender convicted of a serious firearm or money-laundering offence should be subject to restrictions on their movements and associations while on a good behaviour order ... An aim of these orders is ... to prevent an offender from harassing or endangering the safety or welfare of anyone and if there is a risk of further offending, the limitation on these rights is arguably not extensive in comparison.

Let me say that again.

... the limitation on these rights is arguably not extensive in comparison.

It concludes:

The relationship between the limitation and its purpose has been carefully balanced to ensure that any engagement is as minimal as possible in circumstances that potentially carry a significant risk to the community, and also to the convicted offender in terms of potential reoffending. The limitation on the right to freedom of association and movement is legitimate to ensure that the convicted offender is given the best chance possible to rehabilitate, and to protect community safety.

It is strange that the Labor Party and the Greens argue that we cannot interfere with the Human Rights Act and the statement that everyone has the freedom to associate. That is being argued as an absolute: that is an absolute human right; we cannot be interfering with that. That is strange when we are talking about chief police officers and others calling for legislation that would prevent identified members of outlaw motorcycle gangs from associating. Today that absolute is being thrown out. The government is arguing for non-association orders. Its justification is different—in this case it is saying it is for people who have been convicted of an offence rather than people who have been identified as part of a proscribed organisation—but the principle remains the same.

I support these changes; I think these changes are good. But from now on, when we are having a debate about having similar laws to New South Wales, responding to the call of those on the front line of community policing, the Chief Police Officer and her front-line officers who are out there putting their lives at risk every single day—when we listen to those calls, we should heed them. I do not want to hear a response from the Greens, if they are supporting this legislation today, or from the Labor Party, saying that we cannot possibly go near there because that would be in breach of our Human Rights Act, when today the Attorney-General is going to be arguing for exactly that.

If the Greens are going to be supporting this legislation today being presented by the government—I hope that they do—let us put away this whole argument that we have been hearing from the Labor Party and the Greens that we cannot possibly introduce non-association orders. We are doing it today, and we have done it in this place dozens of times. Our statute books—I invite you to read the transcript and the answers to questions on notice from annual reports hearings—include many examples of where that is the case.

I welcome this legislation today. I again thank the Attorney-General and his office for providing my office and me with a briefing. This is good legislation; this is based on good evidence and, clearly, calls from people on the front line to bring in good measures to our statute books to keep the community safe. These are the sorts of laws that can be expanded in future to make sure that we are doing everything that we can do to target those members of organised crime gangs who would do us harm.

MR RATTENBURY (Kurrajong) (11.05): The Greens are happy to support most of the provisions of this Crimes Legislation Amendment Bill 2016. We agree that, for the most part, they are reasonable amendments that will improve criminal justice in the ACT. However, we do not support the proposed amendments regarding non-association and place restriction orders. We have previously raised concerns about the expansion of the NAPRO system. This bill proposes further expansions without addressing any of the issues we have previously raised. I will talk further about that in a moment.

We agree with the amendments relating to entry and search warrants relating to registrable child sex offenders. It is important that police can seek an immediate entry

warrant to enter premises when they reasonably believe a person is breaching or will likely breach a prohibition order. This is essentially correcting an oversight in the act, as police can already seek such an order to verify an offender's details.

We agree with the amendments which ensure a parole order will not be cancelled unless a breaching offence is committed by a parolee while the parole order is in force. The amendments to the Firearms Act simply ensure that courts can order the disposal of seized firearms. They also ensure that if a person is to be charged for being under the influence of alcohol or drugs while possessing a firearm they have to have it in their actual physical possession; and they clarify that a firearms dealer can test a firearm on property other than the registered premises.

We also agree with the amendment to provide statutory alternative verdicts for aggravated burglary and aggravated robbery. These are useful, of course, for ensuring offenders still receive a conviction for criminal behaviour when the exact requirements of particular offences may not have been made out but, nevertheless, there was still criminal behaviour.

Let me turn to the issue of NAPROs and consorting, which Mr Hanson has already made some comments on today as well. I want to make clear that the ACT Greens are not satisfied with the proposed amendments to expand the offences for which a court can place a non-association and place restriction order, or a NAPRO, on an individual. These are problematic amendments, in our view.

As the name suggests, NAPROs are court orders that prevent a convicted person associating with a certain person or visiting a certain place. Before changes were made last year, which the Greens did oppose at that time, NAPROs could only be used in relation to a personal violence offence, and that was all. This made sense. The original laws were designed to serve this function. Violence often occurs in the context of relationships, and a court may decide a person is still under threat of violence. So they order that the offender cannot go near a victim or their residence, like a variation of an AVO or a DVO.

The government has now altered the NAPRO scheme to be something quite different. NAPROs can now be used in relation to a whole range of offences: drug offences, property offences, administration of justice offences and ancillary offences such as conspiracy and attempt. Perhaps most troubling is the fact that NAPROs can also be used for any other offence that is prescribed by regulation. This change occurred in the context of a discussion about outlaw motorcycle gangs and serious organised crime. The change to the NAPRO rules was, it seems to me, an attempt to stretch an existing law so that ostensibly it can also be used as a tool for combating organised crime.

I do not think this was a good change and I do not think it was sound policy or sound law-making. It is now a different and broader type of law. Obviously NAPROs are also orders that restrict people's freedom to move and associate, even though they would not ordinarily be committing any crime through these associations or visitations.

A stated intent of the government's new NAPRO scheme is that it will remove bad influences and allow an offender to rehabilitate. Another consideration, though, is that, by criminalising association, NAPROs offer another way for an offender to commit an offence and thereby return to the criminal justice system, which will perpetuate negative influences.

If we were to make this law properly I think we would look at doing it in a more thoughtful and nuanced way. We would look at possibly limiting the application of NAPROs so that they could not prevent association between an offender and a member of their close family or prevent them attending their residence, a family member's residence or place of work, education or worship. When NAPROs restrict such personal associations there is a high chance the person will breach the order regardless and thereby commit an offence. This may be particularly so with Aboriginal and Torres Strait Islander people who often have particularly close kinship ties. This flexibility was one of the recommendations of the New South Wales Ombudsman, who said that more flexible tailoring of orders should be allowed so that courts can permit an offender to visit a place at specified times or in specified circumstances such as in the company of a parent or guardian.

It is important to give this background and context. From one view it can seem reasonable to allow a court to place NAPROs on offenders convicted of serious firearm offences or money laundering offences. We want there to be suitable and sufficient laws in place to deal with serious organised crime. The problem is that this NAPRO scheme has been significantly broadened beyond its original scope, morphed into an ad hoc tool to respond to organised crime, and done without regard to the side effects that could possibly have. This has seemingly occurred in the absence of evidence that shows NAPROs are effective as a tool to combat serious organised crime.

On this issue, members may wish to consult the 2007 review, conducted by the New South Wales Ombudsman, of the New South Wales NAPRO laws. These laws were expanded with the stated purpose of targeting and breaking up gangs. This was done despite the law, in many respects, duplicating the existing powers of courts and correctional authorities to impose these types of conditions on offenders. The same thing appears to be happening in the ACT, which to me suggests that these amendments are the government stretching for ways to say publicly that they are interested in the issue of organised crime. The New South Wales Ombudsman concluded that the New South Wales NAPRO laws were not meeting the objectives of targeting and breaking up gangs.

The impetus for the expansion of NAPRO laws in the ACT is that there is a debate occurring about the threat of outlaw motorcycle gangs, or OMCGs, in the ACT. That debate has become very politicised. It should be noted that incidents involving offending that can be directly attributed to OMCGs are rare in the territory and, indeed, the level of activity by OMCGs is relatively low in the territory.

Mr Hanson and the Canberra Liberals have made it clear that they would like to go much further and introduce anti-consorting laws in the territory. These are laws that,

rather than effectively tackling criminal elements in our community, instead negatively impact our community's most disadvantaged, such as young people, those experiencing homelessness and the Aboriginal and Torres Strait Islander peoples.

This is not just speculative. We can look to consorting laws in other jurisdictions to see evidence of how they work. The New South Wales Ombudsman conducted a review of the operation of consorting laws in New South Wales. The ombudsman's report said consorting laws were used in a way that effectively deterred vulnerable people, including people experiencing homelessness, spending time in certain public areas and accessing support services. It said they were used disproportionately on Aboriginal people. In fact, half of the women issued with warnings or charged under the legislation and 60 per cent of children and young people were identified as Aboriginal.

The ombudsman's report said that consorting warnings were given that breached the privacy of convicted offenders by disclosing their conviction to others. It said that most of the official warnings that police issued about consorting with a person aged 17 or less were actually unlawful. It said mostly the laws were not used to address issues connected to serious and organised crime.

The anti-consorting laws are put into perspective by looking at the first individual charged under New South Wales anti-consorting laws. He was not a member of an outlaw motorcycle gang. He was a young man with an intellectual disability, charged while out shopping with friends and sentenced to nine months jail. The conviction was later overturned.

The anti-consorting laws are contrary to the types of freedoms we expect as a society, particularly freedom of association. These laws criminalise people associating with one another—and that even includes phoning or emailing—before they have committed a crime. The crime is the association.

They are certainly not helpful for helping people with criminal convictions to reintegrate into society. Remember that anti-consorting laws do not just apply to people with convictions associating with other people with convictions; they can be used to prevent anyone, conviction or not, associating with a person with a conviction. So much for the idea of, for example, people with convictions joining sporting teams or clubs or engaging in society in other ways that may actually be rehabilitative. The punishment simply goes on and I think is quite contrary to some of the goals: where we want people to have served their time and then get on with their lives, get involved in volunteering, get involved in their community, whatever the pathway is.

I do not think that non-association and place restriction orders are anywhere near as problematic as anti-consorting laws—I will be clear about that. For one, NAPROs are ordered by the court instead of issued by police, but they do share some of the same themes of preventing association.

Again I note the findings of the New South Wales Ombudsman about the particular impact on Aboriginal and Torres Strait Islander people and the disproportionate use we see—and we have a disproportionate number of Aboriginal and Torres Strait

Islander people in the AMC already—and I am concerned that any provisions in this regard may exacerbate or potentially exacerbate that situation.

So for those reasons—and the reasons I have outlined in more detail—the Greens do not support the NAPRO element of the bill, and that continues from the position we made earlier. I think this is simply an extension of that discussion. We do, however, as I outlined earlier, support the remaining elements of the bill and believe they will make a positive contribution to the criminal legislation of the territory.

MR STEEL (Murrumbidgee) (11.16): Today I would like to outline my support for the Crimes Legislation Amendment Bill 2016. This bill brings about reforms in several key areas which will improve the operation of a range of criminal justice provisions in the ACT.

Part of this bill is an amendment to the Crimes (Child Sex Offenders) Act 2005 which will allow police officers to apply for an immediate entry and search warrant if a registrable offender has breached or is likely to breach a prohibition order. This is an important reform.

The child sex offenders act currently provides that a senior police officer can apply for an entry and search warrant for a registrable offender with a supporting affidavit which sets out the grounds for the warrant. At present a magistrate may issue a warrant if satisfied on reasonable grounds that the offender has incorrectly reported or will incorrectly report personal details or the offender is subject to an order of the child sex offenders act prohibiting certain conduct and has breached or is likely to breach that order.

What this amendment does is provide the basis for officers who believe that immediate entry and search is necessary and that there is no time to prepare an affidavit. While the child sex offenders act currently allows for an immediate entry and search warrant, it is only on the grounds that the applicant believes the warrant is necessary to verify the offender's personal details. It does not provide for an immediate entry and search warrant where the applicant believes that such a warrant is necessary because the registrable offender has breached or is likely to breach an order prohibiting certain conduct, which may include living or working with children.

Another key aspect of this legislation is amending the Crimes (Sentencing) Act 2005 to provide that a court can make a non-association and place restriction order for serious firearm offences and the offence of money laundering. This will help better address organised crime in the ACT.

A non-association order prohibits an offender being with a named person or communicating with the person. A place restriction order prohibits an offender being in or within a stated distance of a named place or area or attempting to be in or within the stated distance of the place or area.

This bill provides that a court can make a NAPRO for serious firearm offences and the offence of money laundering. The least restrictive approach has been taken while still supporting community safety. The purpose of the limitation on the right to

freedom of movement and association is to protect the safety of members of the community by enhancing ACT Policing's ability to disrupt organised crime in the ACT, with specific focus on the activities of outlaw motorcycle gangs. The limitation will also assist in protecting certain victims from the convicted offender and will be instrumental in removing negative influences from the offender's life, providing them with an opportunity for rehabilitation.

In addition, there will also be an amendment to the Firearms Act 1996 which will provide that firearms seized under any territory law can be disposed of under section 262, clarify that it is an offence to be under the influence of alcohol or a drug only when a person has physical possession of a firearm and clarify that a firearms dealer can test a firearm on property other than the registered premises.

Currently it is unclear whether or not a dealer can test a firearm on property other than the registered premises. Firearms dealers, particularly manufacturers, need to test firearms in a number of environmental conditions to ensure that they are fit for purpose. Some of this testing, such as testing the firearm in rain or wind conditions, cannot practically occur on registered premises. Dealers will be responsible for ensuring that they have appropriate permissions to test firearms on the land; for example, permission of the owner or occupier of rural land. Dealers will also be responsible for ensuring safety provisions within the Firearms Act, including safe storage, are complied with when testing firearms to ensure the safety of the community when testing is taking place.

One of the final aspects of this bill is an amendment to the Criminal Code 2002 to provide statutory alternative verdicts for aggravated burglary and aggravated robbery. At present there is no statutory provision for an alternative verdict of burglary when aggravated burglary is charged, nor is there an alternative verdict of robbery when aggravated robbery is charged. At common law there is no clear basis for returning such an alternative verdict.

While the prosecution may bring forward multiple charges, the rule against duplicity in charging of criminal offences requires the DPP to eventually proceed with only one charge where the charges relate to the same set of facts. These amendments stress the comments of Justice Burns in the *Crown v Donnelly*. In that case Justice Burns drew attention to the lack of an alternative statutory verdict of burglary which could have been returned had an aggravating factor for aggravated burglary not been established by the prosecution.

This bill brings forward a range of necessary amendments to the Crimes Act and I commend them to the Assembly.

MS CHEYNE (Ginninderra) (11.21): I am pleased to rise in support of the Crimes Legislation Amendment Bill 2016 today. The bill makes a number of important changes to improve the ACT's criminal legislation framework. The amendments are fairly wide ranging, incorporating changes to the investigation of child sex offences, parole matters, sentencing, burglary and robbery offences, and firearms regulation.

Today I want to delve further into the amendments that this bill will make to the Crimes (Child Sex Offenders) Act. Specifically, the bill expands the circumstances in which a law enforcement officer can get an urgent entry and search warrant to investigate and prevent child sex offences.

Our warrant system ensures that intrusive law enforcement action is necessary and proportionate and is characterised by accountability and transparency. To ensure law enforcement and privacy interests are properly balanced in deciding whether to issue a warrant, a warrant must be authorised by a magistrate. An application for a warrant needs to be supported by a sworn affidavit which sets out all of the relevant information.

However, it is sometimes the case that it is impracticable for an affidavit to be prepared and sworn before a warrant application is made. For example, the risk of an offence may be so immediate that there is no time to prepare and swear an affidavit, as doing so would mean that law enforcement officers miss the opportunity to properly investigate or prevent a serious criminal act.

To counter this risk, our criminal legislation permits the issuing of urgent warrants in some cases. In an urgent warrant application, law enforcement officers still need to provide a magistrate with all relevant information but can do so verbally. This means that appropriate safeguards are still in place, since the warrant can only be issued after the independent analysis of all the relevant circumstances by a magistrate. The application must be followed up with a sworn affidavit as soon as practicable.

Under the child sex offenders act, an officer may apply for a search and entry warrant in two circumstances. The first of these is if a registrable offender has incorrectly reported, or is likely to incorrectly report, personal details. The second of these is if a registrable offender has breached, or is likely to breach, a prohibition order that has been issued under the act.

This bill will ensure that urgent warrants will also be available in instances where a registrable offender has breached, or is likely to breach, a prohibition order. An example of a prohibition order is an order that prohibits a registrable offender from loitering at a park fitted with playground equipment regularly used by children, or seeking employment that will involve the offender coming into contact with children. With these amendments, law enforcement officers will be better equipped to respond to an actual or likely breach of such a prohibition order.

When it comes to child sex offences, it is crucial that we provide our law enforcement officers with the necessary investigative tools, while ensuring that the elements of proportionality and accountability that characterise the warrant system are maintained.

I note that the bill also makes technical and common-sense amendments to a range of other criminal law legislation to ensure that it operates as intended. The amendments will support our law enforcement and court systems in their investigative and sentencing roles, and will clarify the bounds of criminal liability in some cases. I commend this bill to the Assembly.

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (11.25), in reply: I thank members for their interest in and contributions to today's debate, noting the importance of this particular bill and its provisions.

The Crimes Legislation Amendment Bill 2016 improves a range of criminal and regulatory legislation in the ACT. The bill carries ideas from the police, who investigate crimes and who enforce our laws. It responds to technical issues with criminal sentencing legislation that have been raised by legal professionals. It has some common-sense reforms regarding how the ACT's strong firearms licensing regime works. Taken as a whole, this bill represents continuous improvement to our local laws. The government is always looking for ways to improve and always considering suggestions, both major and more modest, for reform.

The bill enhances investigation and oversight powers to support the ACT's child sex offender registry. The child sex offender registration scheme serves an important community safety purpose, and the bill will improve ACT Policing's powers to take action in relation to suspected breaches of the law by offenders. Amendments to the Crimes (Child Sex Offenders) Act 2005 will allow police officers to apply for an immediate entry and search warrant to investigate a child sex offender's breach of a prohibition order.

As Ms Cheyne pointed out, in normal circumstances an officer must swear an affidavit to support a warrant under the legislation. Swearing an affidavit is a legal process that takes time. An officer can only get a warrant without swearing an affidavit if the officer wants to verify the offender's details. The amendment in this bill will change the law so that this is extended to potential breaches of a prohibition order. An offender is subject to a prohibition order where they pose a risk to the lives or to the sexual safety of children. The amendment gives police officers and magistrates appropriate power to respond urgently where an offender may have breached a prohibition order.

The bill will also include reforms to the ACT's sentencing legislation. These reforms will expand the options for making non-association and place restriction orders. They will improve the process for considering aggravated burglary and robbery charges, and provide a clean-up to the rules for cancelling parole orders. These changes are common-sense measures that will improve the criminal justice system overall.

As has been raised and discussed to some extent already, non-association and place restriction orders, or NAPROs, are already part of the ACT's criminal sentencing laws. A NAPRO is a specific condition of a sentence that a person not associate with specific people or attend specified places. It is used in relation to intensive corrections orders and good behaviour bonds. Both of these sentences are served in the community. NAPROs support rehabilitation and protect the community by preventing an offender from getting themselves into situations that may encourage bad behaviour. These orders are an important part of the ACT's community-based sentencing regime.

A NAPRO is a serious restriction on a person. However, it is subject to court discretion. While some here may attempt to blur the distinction of important legal principles, a NAPRO can clearly be distinguished from anti-consorting laws. It is the consequence of an individual sentence made by a court. Legislation specifies the crimes for which a NAPRO can be made. A judge—and it is a judge who makes the decisions—can presently make a NAPRO in relation to a specific range of serious offences, including domestic violence and serious drug offences. Today’s bill will add two crimes to the list: money laundering and serious firearms offences.

Adding these two crimes to the list is well justified. Money laundering and serious firearms offences are crimes that are often the product of criminal conspiracies. Participation in organised crime, for example, is a factor that could reasonably support a judge to make a NAPRO. In certain circumstances it will be appropriate for an offender who is convicted of a serious firearms offence or a money laundering offence to have restrictions placed on their movements and contacts.

I note for the benefit of those here that a NAPRO has recently been used in relation to a prosecution and sentencing of a member of an outlaw motorcycle gang—in fact, demonstrating the strength of the range of measures that are currently available to the justice system. There is, however, no evidence that the ACT’s NAPRO scheme, with its imposition by a court and its direct relation to an individual sentence, has been used to prevent families from being together or has had a disproportionate impact on disadvantaged people. This is an important part of our criminal sentencing regime, and while I will continue to monitor its effect, the evidence to date supports the government’s amendments today. NAPROs are an effective tool for preventing reoffending and supporting rehabilitation.

This bill also contains an expansion to the set of crimes for which an alternative verdict can be entered. An alternative verdict is a finding by a jury that a person was, although charged with a more serious crime, guilty of a lesser offence. The amendments in this bill provide alternative verdicts to aggravated robbery and aggravated burglary. These crimes are aggravated when they are carried out by two people working in concert with each other. In a prosecution for each, the underlying robbery and burglary still have to be fully proven. Aggravating factors must be proven on top of those underlying elements.

The bill provides that where the aggravated offence has been charged but the prosecution has not been able to show the aggravation element, the court is still able to find the defendant guilty of robbery or burglary. This is a common-sense provision that prevents an “all or nothing” outcome in a criminal prosecution. Where the facts support a burglary or robbery conviction in a case, that option should be available to the court.

The bill also improves legislation for managing parole orders. Parole orders go hand in hand with criminal sentencing. Section 149 of the Crimes (Sentence Administration) Act 2005 provides that a parole order is cancelled where a person is convicted while on parole. The changes in this bill clarify that a parole order is not cancelled by a subsequent offence unless the relevant offence itself was committed

while the parole order was in force. This brings the section into line with related provisions in the act. It also gives effect to the government's commitment to implement recommendation 39 of the 2015 inquiry into sentencing. The inquiry was conducted by the Standing Committee on Justice and Community Safety.

Finally, the bill includes some common-sense regulatory changes. The bill makes three straightforward amendments to firearms legislation to improve even further the ACT's robust gun control scheme. Firstly, the bill provides that firearms seized or surrendered under any territory law can be disposed of according to a court order under section 262 of the Firearms Act 1996. Currently, such a court order can only be made where firearms are seized or surrendered under the Firearms Act. This means that a technicality can arguably currently prevent the disposal of firearms that have been seized pursuant to a criminal case.

Secondly, the bill introduces a clarification to prevent an unintended outcome for firearms owners. For obvious reasons, the Firearms Act does not allow firearms owners to possess firearms while under the influence of alcohol or other drugs. However, the law was never intended to stop firearms owners having a glass of wine with dinner while their firearms are locked safely away in a safe. The amendments in this bill therefore clarify that "possession" means physical possession or use of a firearm. It does not mean, for the purposes of this crime, "possession by safely storing a firearm at home". This is a common-sense clarification to the law that will avoid silly outcomes without compromising public safety.

Thirdly, the bill clarifies that firearms dealers can test a firearm on property other than their registered premises.

I thank you, Mr Assistant Speaker, for the way that you have outlined the provisions in this bill. I simply wish to reaffirm that, like other changes to firearms regulations in this bill, there is no compromise to public safety in this amendment.

As a package, this bill represents an approach of ongoing improvement. The government is always open to suggestions of ways in which legislation can better serve the community, and in this bill we have a series of common-sense improvements to the criminal justice system. The police who investigate crimes, the courts that are responsible for imposing criminal sentences and businesses in our community will all be better off as a result of the changes we are considering today. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Family and Personal Violence Legislation Amendment Bill 2017

Debate resumed from 16 February 2017, on motion by **Mr Ramsay**:

That this bill be agreed to in principle.

MRS KIKKERT (Ginninderra) (11.37): I am grateful for the opportunity to resume the debate on this important legislation, which the Canberra Liberals will be supporting. The family violence and personal violence acts were passed by the ACT Legislative Assembly with unanimous support on 2 August last year and will commence operation on 1 May this year. The Family and Personal Violence Legislation Amendment Bill, which is planned to come into effect on 13 April 2017, is intended to amend these acts prior to their commencement. Though we agree with this amendment bill in principle, we will be proposing two small but significant amendments that we believe will strengthen the bill.

The Family and Personal Violence Legislation Amendment Bill 2017 seeks to amend mainly legislation about family and personal violence. The bill amends three relevant acts—the evidence act 1991, the Family Violence Act 2016 and the Personal Violence Act 2016. The purpose of the bill is to address procedural issues and reduce red tape to facilitate streamlined family violence and personal protection order schemes. The bill provides support for automatic national recognition of family violence orders under the national domestic violence order scheme as well as registration of foreign orders, and it also brings some additional protections for children and other vulnerable parties to an order.

Notable sections of the bill include allowing the use of police interview recordings and recorded statements made by police officers as evidence when applying for a protection order under the Family Violence Act. This is an amendment that aims to prevent victims from having to give multiple retellings of the related event and thereby potentially relieving the trauma that they have experienced.

The bill also restricts circumstances in which children can give evidence in protection order proceedings. These restrictions are consistent with existing provisions in the Children and Young People Act 2008, which require the court to give leave for a child to be called to give evidence as a witness. The court will be required to take a number of considerations into account before granting leave. The court can provide further restrictions relating to the nature of the questions that may be asked in cross-examination of a child, if it is in the best interests of the child.

Additional protection for people with impaired decision-making ability is given in this bill—namely, by requiring a copy of any document served in relation to a domestic or family violence order to be given to a person's guardian. People with impaired decision-making ability and other vulnerable parties are often at a heightened risk of domestic violence in particular. This amendment will alert a guardian to any application, to ensure they can explain the documents and provide assistance to the person with impaired decision-making ability.

The bill also makes time frame amendments in order to resolve procedural issues. The government was advised that the time frames are already restrictive under the current processes and many of the current precise deadlines for setting return dates and service of protection orders are amended by the bill to be carried out “as soon as practicably”. This amendment will afford both victims and the courts more flexibility in time, as needed, on a case-by-case basis. Courts will be able to manage responses to family and personal violence effectively and “as soon as practicably”.

As I have mentioned previously, the Family Violence Act 2016 has provisions that support the national domestic violence order scheme, which will allow orders to be recognised and enforced across the country. These provisions will commence on 1 May 2017. States and territories participating in the national domestic violence order scheme will be commencing their respective laws on the same date to ensure consistency and to support effective implementation of the scheme as well as certainty and clarity for stakeholders and the community.

The ACT is cooperating with other jurisdictions for a national commencement date in late 2017, and the amendments will allow the provisions to be commenced by ministerial notice. This is to ensure that all necessary administrative arrangements that support good operation of the scheme have been established in all the participating jurisdictions.

The bill was developed by the government in consultation with the courts, community legal centres and support services for victims of violence. We have also reached out to relevant community organisations for input on the bill and have received some feedback. The result of the feedback received is illustrated by the couple of amendments we will be proposing which will serve to further protect children and other vulnerable parties.

Having grown up in a home that was plagued by domestic violence for much of my childhood, I am personally invested in this bill. From as early as I can remember, my father would regularly hurl verbal abuse at, as well as beat, me, my mother and my four siblings. He would use belts and slippers and he would beat us both before and after school. He would often spend his pay on alcohol instead of allowing it to be spent on much-needed food. And when he was not satisfied with the dinner our mum provided, he would beat her and us if we tried to stop him.

In Tonga, where I was born, there was no practical protection from domestic violence like my family and I suffered. Culturally, the father is the sole ruler of the household, and no-one stands against him on family matters. The violence did not stop when we migrated to Australia, but after some time my mum was able to leave my father and single-handedly raise me and my siblings for the rest of our growing-up years. Even then, my father would continue to attempt to visit us. He would bang on our doors every day, screaming and swearing, which would often result in my mother having to call the police to intervene.

Eventually my father returned to Tonga, and although I was young, domestic violence was a part of my life that I could never forget. It is something that I was determined to never allow to exist in my future family, but I know that, for many others, family and personal violence is still a reality that we need to protect against.

This is why I am committed to supporting all legislation that supports victims. I am committed to supporting all legislation that enables timely and otherwise efficient processing of protection orders for those who need it. Having been elected as a member of the ACT Legislative Assembly, I also share a responsibility for ensuring that this bill, while optimising procedural requirements, still affords adequate protections for victims, especially vulnerable parties such as children and people with disabilities.

I am therefore also committed to amending legislation, where improvements can be made in the interests of the victims, the interests of the community and the interests of operating effective legal systems, all of which interact with and rely heavily on each other. I am happy to propose two small but significant amendments that we believe will strengthen the bill and protect vulnerable children. In general, I commend this legislation to the Assembly.

MS LE COUTEUR (Murrumbidgee) (11.45): I am pleased to support the bill today, on behalf of the Greens, because it strengthens responses to domestic and family violence in the ACT, particularly for some of our most vulnerable Canberrans, such as people with a disability or children. The bill will ensure that a child's best interests will be paramount by not exposing them to the court system unnecessarily, ensuring that documents are not served near a school and ensuring that the child's parent is given a copy of them.

Children are vulnerable victims and witnesses who often struggle to explain the impacts of their experiences. They are traumatised by witnessing acts of violence perpetrated against someone they love by another person they love, and they may be even further traumatised by having to repeat accounts of what happened on multiple occasions. All of these changes make sure that what is an already traumatic experience for a child is not needlessly amplified when their version of events is required in a court.

These provisions also ensure that a child who was included on a parent's application for a protection order is able to proceed separately if they are in need of protection but the parent revokes the parent's application. This is not too uncommon a scenario and one where the Greens agree that the court should be able to continue to protect the child. This is a necessary and vital amendment.

I commend also the amendments that provide additional protections for people with impaired decision-making, ensuring that copies of documents are provided to their guardian to ensure that they can be assisted to understand what is happening.

I support the amendment which allows for a victim who has made a recording that can be used as evidence in a criminal trial to be able to use that same evidence when

applying for a protection order. From the victim's perspective, whether applying for a protection order is a criminal or civil matter does not make much difference. We know that what they want and what they need is protection. This amendment will make it easier for a victim to seek such protection without having to repeat their story. This amendment is simply the right thing to do.

I welcome also the national domestic violence order scheme, which will allow orders to be recognised across jurisdictions, and look forward to the national commencement date for this important amendment. We need reassurance that a person in Canberra with a protection order can be protected in Queanbeyan or Goulburn without having to separately apply for protection in New South Wales.

The further amendments to procedural issues in the Domestic Violence and Protection Orders Act are also supported by the Greens because the system needs to consider the safety of the victims, balanced, of course, with the right to a fair trial.

The numerous additional amendments, although minor in nature, combine to strengthen overall the family and personal violence legislation and demonstrate that great effort has been made to ensure that the cracks and loopholes are considered and, where possible, have been minimised or removed.

I congratulate the minister and the ACT government for introducing this legislation. The Greens thank the ongoing efforts of the Justice and Community Safety Directorate, the scrutiny committee in relation to their work on the bill and all who have worked on the revision and amendment of such important legislation. We will be a better city because of it.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (11.49): I am happy to support the Family and Personal Violence Legislation Amendment Bill 2017. The bill supports the very important reforms that have been set out in the Family Violence Act and the Personal Violence Act. The family and personal violence acts will commence on 1 May this year. This bill streamlines the processes set out in those acts to make them easier and clearer for victims of family and personal violence who are seeking to access protection orders.

The Family Violence Act establishes the legal framework for the protection of people from domestic, family and sexual violence by implementing 22 key recommendations made in the joint report of the Australian Law Reform Commission and the New South Wales Law Reform Commission titled *Family Violence—A National Legal Response*.

These reforms include the introduction of the preamble, which explains the nature, features and dynamics of family violence. The Family Violence Act also expands the definition of family violence to expressly include a broad range of behaviours, including emotional, psychological and economic abuse.

Traditionally, there has been a focus on physical forms of violence. This expansion of the definition of family violence highlights the many forms of non-physical violence that can and sometimes do occur and emphasises that family violence is unacceptable in any form. These reforms represent a best practice approach to responding to domestic, family and sexual violence in our legal system.

The bill builds on the protections set out in the family and personal violence acts by adding additional protections for children and people with a disability. The bill also clarifies the circumstances in which an applicant's evidence-in-chief recording can be played, reducing the number of times they need to tell their story.

The bill helps to ensure that the protections available for victims of domestic and family violence in the ACT are as accessible and as straightforward as possible. Importantly, the bill supports the significant amount of work being undertaken nationally to improve responses to family violence.

The national domestic violence order scheme is a very important national reform to improve responses to family violence across the country. The scheme will allow a family violence or domestic violence order issued in one jurisdiction to automatically be recognised and enforced across the country.

All jurisdictions are currently participating in a national working group to operationalise the scheme and ensure that all necessary administrative arrangements are in place to support it. At the moment, if victims hold a protection order in one jurisdiction and would like it recognised in another jurisdiction they are required to register the order themselves. The national scheme will remove this burden for victims by automatically recognising orders across jurisdictions. Significant work is being undertaken nationally to improve and create systems to support the scheme. Police across the country will be able to enforce orders from any jurisdiction in ensuring that protection does not stop at the border.

Jurisdictions are working towards a national commencement date for the scheme to provide clarity and certainty for victims and the community. This bill also works alongside the other important work being done in the family violence space, which includes cooperation between the ACT and Victorian governments; releasing the issues paper on information sharing to improve the response to family violence in the ACT, and undertaking community consultation; and increasing funding to important front-line services—the Domestic Violence Crisis Service and Canberra Rape Crisis Centre.

It also includes providing funding to ACT Policing to employ order liaison officers to assist victims with domestic violence order applications; providing funding to the Director of Public Prosecutions to strengthen criminal justice responses to alleged perpetrators of family violence; providing funding to Legal Aid ACT to improve access to legal services for victims of family violence; funding the development of the room4change program, which is an innovative residential behaviour change program for men who use or are at risk of using violence, which will be launched in coming

weeks; establishing the safer families grants program to provide financial assistance to women leaving violence to establish a new private rental tenancy; and launching the ACT public service family violence toolkit.

We know that domestic and family violence is a widespread social problem that has a significant and lasting impact on all sectors of the community. The scale of the government's commitment to tackling domestic and family violence is unprecedented in the ACT's history. This bill represents one part of a very complex goal to achieving a zero tolerance for domestic and family violence in the ACT community. I commend the bill to the Assembly.

MS CODY (Murrumbidgee) (11.54): I rise today to support the Family and Personal Violence Legislation Amendment Bill 2017, which will make practical improvements to the lives of those affected by family violence. While the ACT government and the wider community are taking significant steps in building education and awareness around healthy relationships, family and personal violence continues to be a scar on our community.

In this year alone, too many women have lost their lives at the hands of the person they trust, that they are in a relationship with. In fact, there have been 10 women so far this year—that is 10 women in only 11 weeks—who are known to have died at the hands of their spouse or partner.

The death of each of these women is a loss to our society. As well as the unmet potential of a life taken far too soon, they leave behind distraught families, often including children, and a social network. But countless other victims exist. Both men and women in heterosexual and same-sex relationships, irrespective of age or socio-economic status, continue to experience violence in their home.

Family and personal violence impacts deeply on those who are victims. The trauma and sense of shame can have consequences for how victims access support and crisis services. Inefficiencies or red tape in the system, which make access to legal recourse cumbersome, can make a desperate situation seem inescapable.

With the proposed amendments introduced by the Attorney-General, which streamline and facilitate access to the law and provide protection, the ACT government is giving some relief back to those who are victims. Though largely technical in nature, these amendments represent a best-practice approach to how law enforcement and the legal system respond to domestic and family violence.

Furthermore, with these amendments, the ACT government also recognises the uniquely vulnerable space that children often occupy in circumstances of family violence. They will assist in taking steps to ensure that children are protected and that normalcy can be restored to their lives. They improve protections for children who have been exposed to violence by limiting the circumstances in which they can give testimony.

These amendments also place limitations on how protection orders can be served on children. Children are some of our most vulnerable citizens and it is important that we

protect their rights, whilst continuing to provide a safe space for them. These amendments ensure that, where possible, children feel safe to identify when they have witnessed, or been victim of, violence, particularly in the home. It provides an opportunity for them to give a statement without the persecution they may feel when talking about the horrors they have witnessed or been subjected to by someone they trust.

I would like to touch on a couple of elements in this bill that I think will make a significant improvement to the processes that victims will go through in getting their lives back together. The first area is the ability for a recorded statement of a police interview being admissible as evidence in an application for a protection order in some circumstances. This change will make a real difference to those victims who are finding it difficult to make decisions in moving towards a domestic violence order. It means that they do not have to go through repetitive and emotional processes.

The second area that I want to mention is the additional protection for people with impaired decision-making ability. We know that people with disabilities, and particularly with impaired decision-making abilities, are at an elevated risk of being victims of domestic violence. I think the Attorney-General mentioned in his introductory speech that one way this bill addresses disability and impaired decision-making is by requiring that a copy of any documents served in relation to a domestic or family violence order be given also to a person's guardian. This means that a guardian will be made aware of any application, to ensure they can explain the documents and provide assistance to the person with impaired decision-making abilities.

Further to this, the amendments to the personal and workplace protection order schemes also provide members of our community with further protections than what is available under criminal law. The amendments cover not only circumstances of family violence but also individual personal violence which otherwise does not constitute family violence.

With these amendments brought forward by the Attorney-General, the government is balancing the human rights obligations of the Human Rights Act with the unique needs of families, individuals and children affected by violence and household trauma. This government is taking concrete and practical steps to improve lives and build reform around the issue of violence in our community.

The safer families package is an unprecedented commitment to make lives better for many in our community. This bill, including the amendments introduced by the Attorney-General, is a small but vital part of this package. I am happy to support the bill today.

MS CHEYNE (Ginninderra) (12.01): I rise today in support of this important bill. Family and personal violence is not just a private issue that starts and stops behind closed doors. It is a complex and devastating problem that affects our whole community. It will take sustained efforts from the whole community to shed light on these issues, promote healthy relationships and provide those involved with strong support networks.

Government has a key role to play in ensuring that court procedures do not unnecessarily exacerbate the traumas of family and personal violence for those affected. This bill recognises the need to introduce flexibility in court procedures to better protect vulnerable victims and to accommodate the complex emotional, family and personal safety considerations that often accompany instances of family and personal violence.

Tasmania's Commissioner for Children and Young People, Mark Morrissey, published a report in late 2016 that looked into how family violence affects young people. The commissioner stated:

Children are not mere hapless witnesses to family violence; they have their own very profound experiences.

The commissioner's report notes that the effects of family violence on children and young people can have a detrimental effect on their development, as well as their physical and mental wellbeing. This is echoed in guidance published by the Australian Family Court on the impacts of family violence on children.

With this in mind, it is of utmost importance that our court procedures and rules of evidence in family and personal violence matters are sympathetic to the needs of children and vulnerable victims. This bill will amend the Family Violence Act and the Personal Violence Act to better achieve this.

For example, the bill will allow a person who has been affected by family or personal violence to use a recorded statement as evidence-in-chief in proceedings. The bill will also introduce new measures to limit the appearance of children in court and restrict the cross-examination of children. These important measures will relieve victims and children of the need to relive family and personal violence episodes before a court, which can be an incredibly painful and intimidating exercise.

The amendments would also allow the courts to respond to the needs of a child in circumstances where the child and their parent are both affected by family and personal violence. Where an affected child has not been included on an application for a protection order, the court may join the child in the proceedings, avoiding the need for duplicative applications. Conversely, if a child is included on the same application as their parent, the court may hear their application separately. This change will ensure that the rights of the child are protected if the parent revokes their application but the child remains in need of protection.

The bill will also amend existing legislation to better protect children and people with a disability by ensuring that their guardians are provided with relevant court documents. This will ensure the appropriate people are given the tools to help vulnerable people navigate the court system.

The bill will implement a host of other changes that will allow the courts to take a more pragmatic approach in dealing with family and personal violence matters. These include strict time limits that are currently placed on interim orders and extensions;

introducing new provisions that will enable police officers of or above the rank of sergeant to witness affidavits, to introduce greater flexibility regarding the collection of admissible evidence; and creating clear procedures for the recognition of foreign orders.

Mr Assistant Speaker, family and personal violence can be a traumatic and painful experience for all involved. This bill will allow ACT courts to respond to family and personal violence with more flexibility, making space for understanding and compassion in these proceedings. I commend this bill to the Assembly.

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (12.06): I start by expressing my appreciation to the members who have spoken already, noting their support for this bill, for these particularly important provisions in this area of law. I also note the report of the scrutiny committee on this bill and appreciate the work of the committee that went into looking at this bill. The committee did raise a matter in relation to section 21 and the right to a fair trial; in response to those comments, I am tabling a revised explanatory statement.

The Family and Personal Violence Legislation Amendment Bill 2017 will further strengthen the ACT government's response to family and personal violence in the territory. This bill will build on all of the work that has been done to date, with a focus on improving the court processes.

The full package of amendments we are considering today will help ensure that vulnerable people and their needs are the focus in our courts. They will improve legislation for protection orders and how people who need protection go through the process, they will give special attention to people with disabilities and children, and they will improve the overall ability of the courts to manage the process.

I know that Mrs Kikkert has foreshadowed amendments that we will be considering at a later time. I can assure the Assembly that, in developing the bill, the government has consulted particularly closely with courts and with the legal profession about protection orders. I am sure that Mrs Kikkert's amendments are well intentioned, and I would be keen to know further details regarding her community consultations. The real-world effect of the changes is, of course, what matters most, so the government will be looking to the groups who have helped develop this bill in framing a response to those amendments.

Justice is only true justice when it is accessible, transparent and timely. An accessible and transparent process is crucial for people who come to court seeking protection from domestic and family violence. Each step, each procedure, needs to be focused on the safety and wellbeing of those people. A key measure of our laws and procedures is how they affect the most vulnerable people in our community.

We know that domestic violence is a crime that is under-reported. And for a range of reasons, victims may be reluctant to proceed with the court process even when it is reported. Every procedural barrier is one more obstacle to ensuring that the court system is effective in protecting vulnerable people. Improved legislation makes it

easier for people, when dealing with domestic violence, to access the courts, and it makes the job of the courts, legal professionals and community organisations easier.

Today's bill is the result of the consultation with the legal professionals who represent vulnerable people, the courts they appear before, the government and community service providers. This package of legislation builds on their insights into how the legal process can better serve and protect our vulnerable people. These reforms will help to build a safer, stronger and more connected city.

The Family Violence Act 2016 and the Personal Violence Act 2016 were both introduced in 2016 to improve the court process for seeking protection. Those acts took up recommendations of the New South Wales Law Reform Commission's report, which was titled *Family Violence—A National Legal Response*. They were passed unanimously by this Assembly. At the time, members of the Eighth Assembly discussed the need for legislation and the people it would most help. Our now Deputy Chief Minister said in support of those bills:

The voices of women with disabilities affected by violence are both too rarely heard in our community and too often heard by the people they report to.

She gave the example of Rebecca, a young woman with a disability who faced domestic violence. In Rebecca's case, it was a challenge to get people to believe that her able-bodied partner had been committing acts of domestic violence. As Minister Berry stated then, these stories are too common, and it is important that our legal system improves its response.

Since the family violence and personal violence acts were passed, this government has continued to work with the community to identify further improvements. Based on that work, this bill will improve the ability of our courts to respond to domestic and personal violence in a number of significant ways, including making it easier for family violence victims to obtain family violence orders without being required to retell their stories, and enhancing protections for children and for people with disabilities.

When I introduced this bill in February, I discussed in detail the reforms that will prevent victims of family violence having to retell their stories in family violence order proceedings. The reforms will allow recordings taken for criminal matters to be used in support of a victim's application for a family violence order. Under the current provisions, victims are unable to do this, as they would be committing an offence if they played their recording in family violence order proceedings. But each retelling of the experience can re-traumatise the victim.

The amendments ensure that the use of recordings is permitted, but only in situations where the victim is the applicant and the alleged offender is the respondent to the protection order. This means that recordings will be used to facilitate seeking protection orders, not for some other purpose detrimental to the victim. These amendments will assist victims of family violence to obtain family violence orders without being required to retell their experience in order to access protection.

Importantly, the bill increases protections for vulnerable people, including children and people with disabilities. It is essential that people with impaired decision-making ability are able to engage effectively with the protection order system. The bill requires guardians of people with disabilities and children to be provided with a copy of all applications and documentation. This will ensure that guardians will be in a position to assist the person under their care to understand and to navigate the protection order process. Unfortunately, people with disabilities are at an increased risk of experiencing violence, and it is extremely important that they are actively included in the protection order process.

The bill also provides protections available for children by making it clear that a parent may include their child in an application for a family violence order. This streamlines the process for parents who are seeking to obtain protection from family violence for themselves and their children by ensuring that they are not required to complete multiple application forms. The amendments will allow for these applications to be separated by a court. This is an important safety measure because it will allow a child to have their application heard in their own right. This protection ensures that a child is able to continue to seek protection, even if their parent decides to withdraw the original application.

Another way that this bill improves the court processes for children is in the process of testimony. Children may sometimes be called to give evidence in family and personal violence order proceedings, but exposing children to court processes unnecessarily can be extremely intimidating and potentially harmful to a child. The bill requires the court to give leave for a child to be called to give evidence as a witness, and sets out mandatory considerations the court must have regard to when deciding whether or not to give leave. Under the new legislation, the court must consider the need to protect the child from unnecessary exposure to the court system, and the harm that could be done to the child and the child's relationship with a family member if the child gives evidence.

The additional protections for children include allowing the court to restrict the questions the child may be asked in cross-examination if it is in the child's best interests. The bill also enhances protections for children in relation to service of documents.

Finally, this bill includes a range of measures that will help our courts to administer the protection orders scheme and improve the mechanics of protection orders overall. A key example is that this bill will facilitate a national commencement date for the national domestic violence order scheme. As I indicated when presenting the bill, the national domestic violence order scheme will allow orders to be recognised and enforced across the country. The scheme will alleviate the need for a protected person to register their order in other jurisdictions in order for it to be enforced.

A national commencement date for the scheme will prevent confusion for victims, service providers and the community and will facilitate effective implementation nationally. States and territories are actively working to ensure all necessary administrative measures required to support the effective implementation of the

scheme are in place by late 2017. The amendments will replace the commencement date of the scheme with a provision allowing commencement by ministerial notice. It is expected that the national domestic violence order scheme will be in operation by late 2017.

This bill provides a part of the government's continuing efforts to better respond to family and personal violence in the ACT. These amendments demonstrate a focus on people. The government has been listening to what court staff, legal professionals and everyone in the system has to say about helping people who need protection. Today's changes will help ensure that victims are able to access effective and responsive protection from our courts. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clause 1.

Debate (on motion by **Mr Gentleman**) adjourned to the next sitting.

Leave of absence

Motion (by **Mr Wall**) agreed to:

That leave of absence be granted to Ms Lawder for 28 to 30 March 2017 for family reasons.

Motion (by **Mr Gentleman**) agreed to:

That leave of absence be granted to Mr Rattenbury for 29 and 30 March 2017 due to his attendance at a Ministerial Council.

Sitting suspended from 12.18 to 2.30 pm.

Questions without notice

Land Development Agency—processes

MR COE: I have a question for the Minister for Housing and Suburban Development. Minister, does the government have any concerns with the probity, tender process or governance arrangements that have existed or that do exist in the Land Development Agency?

MS BERRY: I refer the Leader of the Opposition to the recommendations made by the Auditor-General around her review into governance and transparency in the Land Development Agency. The ACT government has responded and is responding to all of those recommendations.

MR COE: Is the government satisfied with the agency's ability to manage tender and procurement processes given the damning assessment by the Auditor-General?

MS BERRY: Again I refer the Leader of the Opposition to the government's response to the Auditor-General's review into the performance of the Land Development Agency. The Land Development Agency has a comprehensive governance program in place to drive improved processes and practices. Some of the key improvements that have already been put in place have occurred since the work of the Auditor-General but also as part of the establishment of the new city renewal and suburban land agencies.

Some of those improvements include: resourcing of a governance and quality assurance team to develop and drive improved processes and practices across the organisation; the creation of a governance executive committee, chaired by the deputy director-general, to oversee the governance program; centralisation of valuations for core LDA businesses through the sales and marketing team; decentralisation of legal advice requests through the deputy director-general's office and the creation of a centralised register for legal advice; provision of clear directions to staff on the requirements for compliance with the land acquisition policy framework, with all proposed land acquisitions assessed against the framework and considered by the LDA board; improved oversight and reporting processes for single source procurements; more robust conflict of interest requirements for the LDA board and staff; the introduction of a records and document management framework and protocols to centralise systems for document management.

MR DOSZPOT: Minister, why is the government already limiting the autonomy and integrity of the new agencies by announcing a new LDA tender for commercial and residential agents?

MS BERRY: I am not really sure I understand the premise of the question from the member opposite. I think the changes that the government will be making around the city development and the suburban land agencies will improve the governance and transparency of both those organisations, in line with the response that we provided to the Auditor-General on her review.

Mr Coe: On a point of order, perhaps the minister did not hear the tail end of the question. It was with regard to announcing a new LDA tender for commercial and residential agents.

MADAM SPEAKER: The minister has some time to conclude her answer.

MS BERRY: Thank you, Madam Speaker. I had actually completed and sat down.

Land Development Agency—staff redundancies

MR HANSON: My question is to the Minister for Housing and Suburban Development. Minister, have all or some senior executives at the LDA been offered redundancies?

MS BERRY: I will take the question on notice.

MR HANSON: Can you advise, and either provide the answer now or take it on notice, whether the senior executives who are reportedly departing, including the director-general, have been made redundant, or are they resigning?

MS BERRY: I will have to take the detail of that question on notice. Of course, the director-general, David Dawes, did indicate a few weeks ago now that he would not be applying for new positions that would be created through the two new agencies. But for the rest of the information that the member requires, I will have to take it on notice.

MS LEE: Minister, how many staff have been or will be offered redundancies?

MS BERRY: I will have to take that question on notice as well.

Planning—round table

MS LE COUTEUR: My question is to the minister for planning. Last week, the Chief Minister announced he would hold a round table at Woden. Mr Steel was reported in the *Canberra Times* as saying that it would help create a new master plan for the town centre, including what building heights would be allowed under variations to the territory plan currently out for public comment. Minister, are you withdrawing the current draft out for consultation or are you changing the deadline until after the round table?

MR GENTLEMAN: No, on either count.

MS LE COUTEUR: Minister, what are the issues with the current master plan that have led to the government wanting to create another one?

MR GENTLEMAN: No we are not creating another master plan. We are certainly taking into consideration all of the consultation and correspondence that we have had during this master planning process. I think it is very important that we get as much information as we can from the community during the master planning process. We have seen, in other circumstances across the ACT where we have put into place the master planning process, outcomes that have benefited the community quite considerably out of that process.

This will be the process going forward. We are going through that master plan as we speak. There will be development applications, territory plan variations put into play for comment as well, and we look forward to as much comment as we can from the community.

MRS JONES: Minister, when will that round table be held? Will it be open to the all the public?

MR GENTLEMAN: I do not have a date for the round table. We are coordinating that with our backbench members at this time. As soon as a date is organised, we will announce it.

Government—infrastructure investment

MR PETTERSSON: I have a question for the Chief Minister. Chief Minister, what are the benefits of the ACT government's \$2.9 billion investment in infrastructure across the territory for job creation and the territory's economy?

MR BARR: I thank Mr Pettersson for the question. The government is making a record investment in infrastructure because we understand that this investment will make our city a better place in which to live over coming decades. Whether it is the light rail project, other transport projects, including roads, cyclepath and footpath upgrades, major investments in health facilities, new hospitals, new schools, upgrading our schools, or revitalising our town centres and suburbs, the government is getting on with the job of building Canberra's infrastructure.

The largest ever infrastructure investment program will generate jobs for Canberrans and drive our city's economic growth, all whilst improving the living standards of a growing community. This infrastructure investment program covers important sectors like health and education that also generate long-term improvements in productivity by helping Canberra's most important asset, our people, to reach their full potential. The local construction sector, which is helping to deliver this record investment, employs around 13,600 Canberrans, around 6.3 per cent of all jobs in the city. Our infrastructure program is creating jobs not only in construction but also in architecture, engineering and finance. The benefits flow through to other local industries through stronger spending and confidence.

MR PETTERSSON: How will the government's record \$2.9 billion investment in infrastructure benefit communities in each of the territory's town centres and wider suburbs?

MR BARR: There are significant new infrastructure projects underway right across the territory. Of course, stage 1 of light rail from Gungahlin to the city is a very high profile project that has been the subject of a lot of interest in this place. We were very pleased with the election result of last year and the very strong endorsement and the mandate that the government has to deliver that first stage of light rail. We certainly note that those opposite continue with their steadfast opposition to public transport investment. We look forward to delivering stage 2 of light rail. There are two just words that I need to mention—light rail—which get all of those opposite very animated. We look forward to linking stage 2 of light rail to Woden, linking people in that region to the rest of this transport network.

In the meantime we are getting on with a range of other important infrastructure projects, including the redevelopment of Canberra Hospital, a new swimming pool for Weston Creek and Stromlo, and the duplication of Cotter Road. There are upgrades at Gundaroo Drive and Horse Park Drive, as well as the modernisation of Belconnen

High School. We are upgrading the ACTION bus fleet and investing in new public housing. We are investing in an active travel network right across the city. It is a significant infrastructure program, the largest ever in the territory's history.

MR STEEL: Chief Minister, what steps has the ACT government taken to deliver this record investment while ensuring that the territory's budget is on a path back to balance?

Opposition members interjecting—

MR BARR: Madam Speaker, any mention of infrastructure financing gets those opposite somewhat excited. The government has, of course, taken decisive action over the past few years to respond to the hacking into our economy from Tony Abbott and Malcolm Turnbull, ably supported by all of their Liberal mates sitting over on that side of the chamber. The party of recession for this city, the party of job losses is the Canberra Liberals, aided and abetted, of course, by their friends on the hill.

Opposition members interjecting—

MR BARR: The government locally has focused on ensuring that our economy continues to grow, that unemployment falls, that employment growth continues. We have seen 4,600 new jobs to date and a growth in the labour market of 2.2 per cent, more than double the national average.

That is one of the most important measures of the success of our economy. It is growth in employment; reduction in unemployment. The interjections of those opposite demonstrate the very stark differences in approach to economic management. We care about jobs, Madam Speaker. We care about growing our economy. We care about jobs. We care about investing in the future of this economy. Those opposite, in the words of Paul Keating, are feral abacuses.

Animals—dog attack

MR DOSZPOT: My question is to the Minister for Transport and City Services. Minister, on 31 January 2017, a small Pomeranian being walked on a lead was attacked and killed at Yerrabi Pond by three large dogs under the control of two walkers. This story was reported in the *Sunday Canberra Times* on 26 March. Immediately after the attack, the owners of the deceased dog wrote to your office and on 7 February they received a reply saying you would respond soon. You signed off with "Have a lovely day". On 27 March, the day after the media article, the owner finally received a letter from your directorate, which was signed on 15 March, describing the directorate's action against the dogs' owners and the two walkers who were in charge of the dogs on the day of the attack. Minister, why, after two months, have you still not answered the letters to you from Mr and Mrs Toscan, the owners of the deceased dog?

MS FITZHARRIS: I thank Mr Doszpot for the question and look forward to debate on related issues in the chamber tomorrow. Certainly my office did respond to Mr Toscan on a number of occasions. Rangers from the Transport Canberra and City

Services Directorate have spoken to him on a number of occasions. I have emailed him again this morning. And there has been correspondence from the directorate.

I certainly appreciate that Mr Toscan had not heard directly from me, but had heard from my office and representatives of Transport Canberra and City Services on a number of occasions. I emailed him directly myself this morning to apologise that he had not heard directly from me. In asking directorate officials to follow up, they remained, as I understand it, in contact with Mr Toscan throughout the investigation and subsequent resolution of that investigation. I am seeking more advice from the directorate about the processes related to the dogs in question that attacked Mr and Mrs Toscan's dog. I understand that there are very strict conditions on those dogs at the moment, and I know that this morning the owner of those dogs was both on ABC Radio Canberra and in the *Canberra Times*.

As I noted, Mr Doszpot, there is a motion tomorrow to debate broader issues related to this. I do agree that we need to do more work in this space, and that is already underway.

MR DOSZPOT: Minister, what are the details of the infringement notices issued to the two young walkers responsible for the three large dogs at the time of the attack and what is the penalty on the owner of the dogs?

MS FITZHARRIS: I do not have that specific detail. I will take the question on notice.

MR MILLIGAN: Minister, are the penalties as set out in the letter of 15 March 2017, if you are aware of that letter, to the owners of the deceased dog, Mr and Mrs Toscan, appropriate?

MS FITZHARRIS: They are those currently in place but, as I indicated—and I look forward to the discussion tomorrow—I do think we need to do some review of penalties in this area.

Education—discussion paper

MR WALL: My question is to the Minister for Education and Early Childhood Development and is about the future of education discussion paper that the minister tabled in the Assembly on 16 February. Minister, have you written to the non-government school sector seeking their input into the future of education in the ACT?

MS BERRY: I thank the member for the question. At this stage of the conversation we are still setting up a program of opportunities for all people in the ACT, including independent schools and Catholic schools, so I have not written to independent schools, Catholic schools or government schools about being part of this conversation. I have certainly made it public in my statement and have advertised it through social media as well at this stage.

MR WALL: Minister, how many face-to-face meetings have you had with either the Association of Independent Schools or the Catholic Education Office about their input into the future of education discussion paper?

MS BERRY: I personally have not met with independent schools recently. Members in my office have. I have spoken with the Catholic Education Office following unfortunate events earlier this year. Certainly they are welcome and will be invited to be part of the future of education conversation.

MS LEE: Minister, when will you be seeking input from the non-government school sector who are the providers of education to almost 29,000 students in the ACT?

MS BERRY: Everybody who is a stakeholder in education—whether that is the independent schools, the Catholic schools, the public schools; whether they are members of our community, teachers, students, or other people in the community who have a part to play in the education of our children—is welcome to be part of the conversation around the future of education. I made very clear in my statement in the Assembly that I wanted the conversation to focus around equity issues in education, how we could properly engage children who might be disconnected and families who might be disengaged or disadvantaged in some way, and how they could be better supported in our school system, particularly through early childhood education. We all know that every child who has a good start in early childhood education has a better chance at all the other opportunities that they have for a successful and happy life where they are engaged in our community.

There is no exclusion zone on any of this conversation and I can assure members that the independent schools, the Catholic schools and, importantly, the public education system schools will be involved and part of this conversation as well as children, students, parents and the broader community.

Ms Lee: On a point of order, Madam Speaker, the question was: when will you be seeking input? I do not think that was answered in the entirety of the minister's response.

MADAM SPEAKER: Thank you Ms Lee. I believe that she has responded appropriately. There is no point of order. She made reference to time lines and it is yet to be determined.

Housing—affordability

MR STEEL: My question is to the Minister for Housing and Suburban Development. Minister, how is the ACT government using the levers in its control to improve housing affordability—for both renters and buyers—in the ACT?

MS BERRY: The ACT government is continuing to build on its record of initiatives to make housing more affordable for all Canberrans. The government's affordable housing action plan has been a key driver of this work, directing carefully planned efforts to respond to housing demand and moderate house prices and rent increases.

Since the announcement of the action plan first in 2007, and then over the first three phases of its implementation, the government's affordable housing strategy has accelerated the supply of land, introduced a requirement that at least 20 per cent of all new estates are affordable housing, implemented programs to support affordable housing and land packages, and introduced the land rent scheme to reduce up-front costs for purchasers.

Tax reform has also lessened pressure on house prices to maintain a far better level of affordability against average income than in other jurisdictions. The government, through implementation of the action plan, has also tackled the problems of the provision of community and social housing, and ways to increase the supply of affordable accommodation for older Canberrans. The government has also introduced a home share program that brings together private owners with low income tenants with rent being paid in part by providing an agreed level of in-home care and services.

There is still a long way to go. This is why recently, in 2016, the ACT government hosted an affordable housing community workshop involving a number of organisations and key stakeholders. Following rigorous discussions with community members came a number of the government's election commitments as well as the subsequent parliamentary agreement which outlines key goals for addressing affordable housing going into the future.

The government welcomes the public discussion that this issue has generated right across our community as well as here in the Assembly.

MR STEEL: How is this work targeted, minister, and how does it work alongside investments in social housing and specialist homelessness services?

MS BERRY: Although the ACT has higher than average incomes, the continued strength in both the purchase and rental markets has meant that housing affordability remains a key issue for many Canberrans, particularly for those in the lower two income quintiles, on household incomes of less than \$90,000. One key example is the government's investment in affordable rental accommodation through the national rental affordability scheme, with 1,552 new affordable rental dwellings now constructed and a further 394 in planning.

For community renters, the government has provided support to Community Housing Canberra through stock transfers, a line of credit and ongoing access to new land. This has resulted in the provision of 410 affordable rental properties and the outright sale of an additional 283 affordable properties. These initiatives have seen the construction of 2,650 homes at specific affordable price thresholds and the release of a further 2,025 sites under the more affordable land rent purchase model.

MS CHEYNE: Minister, how are discussions on housing affordability progressing at a national level? What input has the ACT government had?

MS BERRY: The ACT government welcomes the federal Treasurer's recent enthusiasm for addressing the challenge of affordable housing. State and territory

housing and homelessness ministers have been calling for funding reform in the area of housing and homelessness for some time. Particularly in relation to affordable home ownership, there are many ideas and opportunities for government, community and business to partner and invest to deliver real housing outcomes.

The ACT welcomes the recent update from the commonwealth-led affordable housing working group which, I remind the Assembly, following a resolution in this place, the ACT government submitted to join a full year ago. The ACT government has engaged in conversations with other jurisdictions, particularly through the working group, on how we can work together towards improving housing affordability.

The ACT government recognises that housing is a fundamental human need and that it is a national issue. Therefore, it demands a national response. This national response needs to clearly articulate the common challenges facing all jurisdictions, including the ACT, identify the programs and strategies that are already working in different jurisdictions and, importantly, understand those factors that distinguish jurisdictions and may require the development of ideas such as those the federal Treasurer has been speaking about recently.

I know that the Chief Minister put our position to his treasurer colleagues last week and the ACT government continues to seek national leadership from the commonwealth on this issue.

Access Canberra—rental bonds

MS LEE: My question is to the Minister for Regulatory Services. Minister, several constituents have complained about excessive delays on the part of the office of rental bonds through Access Canberra in the return of rental bonds. There are many Canberrans who have been waiting for their bonds since before Christmas. What is the regulated time period for release of a bond? What is the current delay?

MR RAMSAY: I thank the member for her question. I will take the details on notice and get the precise details and I will get back to her.

MS LEE: Minister, are any delays beyond the time period regulated acceptable, given that the delay in release of rental bonds disproportionately affects young and disadvantaged Canberrans who rely on access to these funds for help with their day-to-day costs of living?

MR RAMSAY: I thank the member for her supplementary. Obviously, moving through in the return of rental bonds is a matter of importance. In terms of the premise of the question regarding what is beyond acceptable, I will take that on notice and get back to you.

MS LE COUTEUR: Minister, does the system have any problems when there is a joint tenancy but only one set of bank account details is given for the return? It has been reported to me that this is the case.

MR RAMSAY: I am happy to take that one on notice and get back with the details on that.

Bimberi Youth Justice Centre—admission process

MRS KIKKERT: My question is to the Minister for Community Services and Social Inclusion. Minister, the Human Rights Commission's 2011 audit into Bimberi found that the Coree unit was being used as both an admissions unit and a de facto behaviour management unit. We have received multiple reports that this is still occurring. Why is this still happening?

MS STEPHEN-SMITH: When I visited Bimberi last year I was made aware of one case, and I will take on notice whether there are more examples of that, where the intake area had been used for—I would not describe it as behaviour management—an area where a young person who, for their own good and support, needed to be separated from the other young people. My understanding is that there were no other young people in the unit at the time. Hence it was being used as an extra space. I will take the details of that on notice and get back as soon as I can.

MRS KIKKERT: Why has the management of Bimberi ignored the concern of the Human Rights Commission that this practice contravenes the right for remandees not to be mixed with sentenced young people?

MS STEPHEN-SMITH: I will take that question on notice.

MS LEE: Minister, why are newly arrived detainees at Bimberi, including those merely on remand, not being segregated from those who have severe behaviour management issues?

MS STEPHEN-SMITH: Again I will take on notice the question about management. There is an issue about when detainees arrive at Bimberi and there is a period during which there needs to be some assessment. Some detainees obviously arrive in a drug-affected state and need to be closely monitored during that period. I will take the rest of the question on notice, but it is obviously a complex situation.

Bimberi Youth Justice Centre—boxing instruction

MR PARTON: My question is to the Minister for Community Services and Social Inclusion. Minister, we have received multiple reports that an instructor was taken into Bimberi to teach boxing. Did this occur, or have detainees been provided with any other combat instruction?

MS STEPHEN-SMITH: I have been advised of one occasion where, as part of a broad physical activity program, there was a “boxercise” class provided. As far as I am aware, there is not a boxing training program, but I will take that on notice.

MR PARTON: Have any detainees who received this “boxercise”/boxing training gone on to assault a staff member or other detainee?

MS STEPHEN-SMITH: I neglected to thank Mr Parton for his earlier question. I thank him for his earlier question and his supplementary, and his interest in the management of Bimberi, which is, of course, a very important facility supporting some of our most vulnerable young people. I am not at liberty to talk about the details of any incident that occurs at Bimberi.

MRS KIKKERT: Why is providing such training to young detainees seen as such a good idea: “boxercising” or boxing?

MS STEPHEN-SMITH: Thank you, Mrs Kikkert. I understood the context of your question. As I understand it, this particular class was one small element of a broader physical activity program that was provided as part of the broader education program that supports young people in Bimberi. It certainly was not a focus.

Government—heritage grants

MS CHEYNE: My question is to the Minister for the Environment and Heritage. Minister, can you inform the Assembly about the heritage grants program that you announced earlier this month?

MR GENTLEMAN: I thank Ms Cheyne for her question and her interest in environment and heritage across the territory. Earlier this month, I was pleased to announce, for this year’s grants program, a total of \$351,000 that will help to identify and carry out projects that promote and conserve our local heritage. Canberra has inherited a rich cultural and natural heritage and a group of assets that reflect our history and community values.

The ACT government recognises the significance of conserving our heritage while also building a vibrant and sustainable city for the future. The ACT heritage grants program is an annual funding program administered by the ACT government to assist the community in working to conserve and promote the ACT heritage story. Applications for the 2017-18 grants round are open to individuals, community groups and incorporated non-profit or private organisations. I strongly encourage those passionate about heritage to apply for the funding.

The heritage grants are a community partnership, essential in supporting the wide range of projects that protect our heritage places and objects. It is vital that we work together to recognise, protect, conserve and celebrate unique heritage for the ACT.

Grant application packs are available from the Environment, Planning and Sustainable Development Directorate website or can be requested by phone. Applications close on Friday, 5 May this year, with successful grant recipients to be announced in September this year.

People are often surprised to learn that the ACT is rich in natural and cultural heritage. There is a perception that, as a relatively young city, we cannot have many heritage places or objects. This is far from the case. It is important, of course, that we recognise and protect these places and objects into the future, and keep the stories they tell of who we are and the past that has helped shape us. (*Time expired.*)

MS CHEYNE: Minister, can you provide more detail to the Assembly on the priority areas for the heritage grants program this year?

MR GENTLEMAN: I thank Ms Cheyne for the supplementary. Priority will be given to projects that focus on places or objects listed on or nominated to the heritage register. The priority areas for the 2017-18 grants program are conservation works and projects that enable the continued use of, and access to, places entered on the heritage register. This can include repairs to significant fabric, stabilisation of a building or improvements to public access, safety and visibility.

Funding is available for the reinstatement of original features such as exterior render, front facades or windows visible from the street. The amount applied for should be matched by the applicant. Funding is not available for new buildings, additions or routine maintenance such as painting, pest control or electrical work.

Conservation management plans can be funded for places or objects that do not have an existing plan that is approved by the ACT Heritage Council and that are not more than five years old. Conservation management plans guide conservation works and management actions.

Projects or events that enable further community participation in the identification, conservation, interpretation and promotion of heritage in the ACT are also eligible for a grant, as are projects with any Aboriginal heritage content. The latter must include evidence of appropriate consultation with representative Aboriginal organisations and, as applicable, other local Aboriginal groups with regard to the concept of the project.

Also covered are projects that provide partnership opportunities between community organisations and ACT government agencies. Community organisations can apply as project partners with ACT government agencies and they will be expected to provide a significant volunteer or in-kind contribution. The ACT government agency will be expected to match the amount of funding applied for and provide written confirmation of this.

MS CODY: Minister, can you provide some examples of previous projects supported by an ACT government heritage grant and how the projects contributed to the promotion of heritage in the territory?

MR GENTLEMAN: I thank Ms Cody for her interest in heritage, too. There are many examples of successful projects that have been supported by the government in its heritage grant rounds. Some examples from the 2016-17 programs include: the Australian National University's project to re-establish the heritage orchard and landscape at Mount Stromlo Observatory; the Southern ACT Catchment Group's project to highlight the significance and use of the heritage-listed Theodore Aboriginal grinding groove site; and the Molonglo Catchment Group's project, which was a partnership with the Friends of Black Mountain, to further enhance the visitor experience of the woodland walk on Black Mountain Nature Reserve. Greening Australia, the capital region group, used a grant to identify, record, register and protect local and culturally significant trees in the Canberra region.

Some examples from the 2015-16 program include the Geological Society of Australia's project to restore public amenity at the heritage-listed Woolshed Creek fossil site. The project involves landscaping, restoring fencing and improving signage, and complements the works undertaken by Roads ACT to construct a pathway for public access. There is the Village of Hall and District Progress Association's project to conserve historian Lyall Gillespie's collection, which consists of several thousand items, including research papers, books, photos, Aboriginal artefacts, artwork, index cards et cetera. The transfer of this collection, which is possibly the largest private collection of Aboriginal objects in the ACT, represents a significant opportunity to adequately record, assess and manage it.

There is also the Capital Woodland and Wetlands Conservation Trust's project for the interpretation of and education about the 1916 Trench Warfare and Bombing School. The use of the Jerrabomberra Wetlands nature reserve as a trench and warfare bombing school, constructed in March 1916, is a little-known story in Canberra's history.

Bimberi Youth Justice Centre—staff training

MR MILLIGAN: My question is to the Minister for Community Services and Social Inclusion. Minister, the Human Rights Commission's 2011 audit of Bimberi identified lack of staff training as one area of concern. Given this report, why would staff at Bimberi now need to ask for additional training in the use of force?

MS STEPHEN-SMITH: I probably should have clarified in answer to the first question that I received about Bimberi that I am taking all of these questions in my capacity as Minister for Disability, Children and Youth.

MADAM SPEAKER: I am glad you clarified that.

MS STEPHEN-SMITH: Thank you, Mr Milligan, for your question. Obviously there is a level of staff turnover at Bimberi, as there is in any other service or any other part of the public service. Training is an ongoing matter. Some training that was required in 2011 may continue to be required in 2015, 2016 and 2017.

MR MILLIGAN: Why has it taken 10 months from the time of a serious alleged assault for this important training to be conducted?

MS STEPHEN-SMITH: I will check the details of this for Mr Milligan, but I do not think it has taken 10 months. There was a very quick response to that particular incident on 6 May last year and training has been in place or has been implemented since then.

MRS KIKKERT: How frequently is training in the use of force conducted for Bimberi staff?

MS STEPHEN-SMITH: I thank Mrs Kikkert for her supplementary question. Training in the use of force, as with training in all parts of the essential roles for Bimberi staff, is an ongoing matter, but I will take the detail of the question on notice.

Bimberi Youth Justice Centre—media restrictions

MRS DUNNE: My question is to the Minister for Disability, Children and Youth. Minister, the *Canberra Times* today reports that the Community Services Directorate has warned Bimberi employees not to share their concerns with the media because of the risk of “reputational damage” to the facility. Minister, have staff at Bimberi been gagged again?

MS STEPHEN-SMITH: I thank Mrs Dunne for her question. No, staff at Bimberi have not been gagged. Staff at Bimberi were, however, reminded of their obligations to raise any concerns that they have regarding the quality of care of children and young people through the appropriate channels and were reminded of the channels that they have available to them to raise these concerns.

The safety and wellbeing of young people and staff at Bimberi Youth Justice Centre are, of course, our main priority. In this particular email that Mrs Dunne is referring to, staff are also reminded that they can raise any issues externally with the public advocate or the Official Visitor. This responds to a concern that has been relayed to me that staff are concerned about raising issues with management. I would encourage them not to be concerned about that. That is the appropriate channel for initial concerns. If they have that concern, there are external places that they can go: the public advocate and the Official Visitor. In fact, the Official Visitor was in attendance at Bimberi last week. If allegations that expected standards of care are not met or allegations of inappropriate staff behaviour are received, either internally or through one of the oversight bodies, they are taken very seriously, and action is taken swiftly in accordance with the appropriate framework to address those issues.

The directorate also works actively with relevant unions to ensure that employee concerns are raised through unions as necessary and that unions feel free to raise their concerns with management.

MRS DUNNE: Minister, is the directorate more concerned about Bimberi’s institutional reputation than about the safety and wellbeing of detainees and staff?

MS STEPHEN-SMITH: I thank Mrs Dunne for her supplementary question. The directorate’s primary concern, and mine, is for the safety and wellbeing of young people at Bimberi and of the staff who work there. The young people detained in Bimberi have the right to privacy. What many people do not recognise is that even providing details of particular incidents in Bimberi will be identifying for some young people in some circumstances. Small amounts of information can very easily identify young people at Bimberi. It is critical as a community that we give our young people every opportunity to re-engage with community life after their time in Bimberi. This includes ensuring that they are never publicly identified. The relevant legislation is very clear on this point.

We recognise that employees at Bimberi have both a very challenging and a very rewarding role. Staff at Bimberi are committed employees who support some of the most vulnerable young people in our community, and are proud to do so. For the

majority of those staff, it does not do them any favours to have Bimberi on the front page of the newspaper.

MS CHEYNE: Minister, what protections are in place to ensure that Bimberi continues to meet community expectations?

MS STEPHEN-SMITH: I thank Ms Cheyne for her supplementary question. Madam Speaker, as you would be aware, Bimberi works within a very tight legislative and policy framework that puts the best interests of the child or young person first. The Children and Young People Act and the human rights law have prescribed permanent minimum standards that apply to all young people in a detention place.

As members opposite have said, here in the ACT we had a human rights review of youth justice in 2011. Considerable investment has been made in the youth justice system since 2011, including the 2012 implementation of the blueprint for youth justice in the ACT 2012-2022.

The blueprint is having a positive impact on reducing the number of young people, including the number of Aboriginal and Torres Strait Islander young people, who are in detention. There are also a number of oversight bodies that visit Bimberi regularly. I mentioned previously that the Official Visitor and the public advocate also make regular visits to Bimberi. Official visitor reports are made to me quarterly and they continue to provide me with positive feedback on the manner in which staff at Bimberi interact with the young people in their care.

It is important to note that Bimberi also continues to be supported by community organisations that provide services to children and young people, including the Police Community Youth Club, PCYC, Winnunga Nimmityjah, Gugan Gulwan and Relationships Australia. Justice Health and the Education Directorate are also represented on site. All of these supports and services work together to ensure that Bimberi supports our children and young people in a way that is transparent and accountable.

Waste—green bins

MS CODY: My question is to the Minister for Transport and City Services. Can the minister update the Assembly on the uptake rate for the government's new green bins program?

MS FITZHARRIS: I thank Ms Cody for the question and, of course, her keen interest in our government continuing to improve city services both to her electorate and right across the city.

The response from the residents in Weston Creek and Kambah has been fantastic, with the ACT government receiving over 5,000 registrations from the pilot areas. The pilot will run from April 2017 to June 2018. Residents who have already registered in the pilot areas have started to receive their green bins earlier this month, with the remaining bins being delivered over the next few weeks. The first collections will commence in the second half of April. I know there will be a lot of excitement in the

community as people start to receive their new green bins and residents will be advised of their individual collection days in the near future.

The suburbs of Weston Creek and Kambah were chosen for the pilot to give the ACT government a good sample size of residents in an established region of Canberra. They are mature areas of the city with established gardens and are broadly representative of the housing profile across the territory.

The green bins pilot will determine a number of features of a future rollout across the whole city, including how many waste trucks will be required for a city-wide rollout, the impact that a city-wide rollout will have on existing waste facilities and the required frequency of bin collections.

MS CODY: Can the minister update the Assembly on the proposed rollout schedule for the city-wide provision of green bins?

MS FITZHARRIS: I thank Ms Cody for the supplementary question. I am very happy to update the Assembly on the proposed rollout schedule for the city-wide provision of green bins. As members would recall, in the lead-up to last year's election, Labor committed to rolling out optional green bins for garden waste to every suburb in the ACT by 2020. This re-elected Barr Labor government is now getting on with delivering this important election commitment.

Two weeks ago I was joined by Mr Steel for the delivery of the first green bin to a resident of Weston Creek as part of the initial pilot. I am sure he would agree that there was very strong community support for the rollout of these green bins. The government is making sure that we get the rollout of green bins right by conducting a phased rollout, similar to the recycling bin rollout. A phased rollout is the most efficient and effective way to deliver this major new recycling program, as it will inform the government of the level of infrastructure required for a successful city-wide rollout.

For residents in the pilot zones, it is not too late to get a green bin. Anyone living in Weston Creek or Kambah who has not yet done so can still register for a green bin, so we expect the number of bins on kerbsides to increase as the program continues. Madam Speaker, you will be pleased to know that the next stage of the rollout will be in your electorate, in Tuggeranong suburbs, following the pilot that will conclude early next year.

MR WALL: Minister, how many local trash pack businesses are now likely to be unviable as a result of your government's green bin policy?

MS FITZHARRIS: I certainly know that I had meetings with a number of existing trash pack operators and indicated to them that they should take note of the expression of interest initiative which was underway from about July last year to the end of last year when formal tenders went out. I certainly know that there was an impact on some of those operators. They had opportunities to both input into the rollout as well as to put in a tender. I understand that many of them are looking at their options and many of them also continue to have customers right across the ACT.

Bimberi Youth Justice Centre—staffing

MRS JONES: My question is to the Minister for Disability, Children and Youth. Minister, according to the CPSU, one concern that staff members at Bimberi have raised with management is “whether the centre is adequately staffed, both in terms of numbers of people and what roles they are deployed in”. In response, the Community Services Directorate merely stated that staffing levels were adequate 10 months ago. Minister, are the current staffing levels at Bimberi adequate, both in terms of numbers and roles?

MS STEPHEN-SMITH: I thank Mrs Jones for her question. In short, the answer is yes.

MRS JONES: Minister, have detainees ever been kept in their rooms because of insufficient staffing?

MS STEPHEN-SMITH: I will take that question on notice.

MRS KIKKERT: Minister, in the past 10 months, have any programs for detainees at Bimberi been cut back as a consequence of insufficient staffing?

MS STEPHEN-SMITH: I will take that question on notice.

Multicultural affairs—government policy

MS ORR: My question is to the Minister for Multicultural Affairs. Minister, what specific barriers do people from culturally and linguistically diverse backgrounds face in fully participating in our community, and how is the government working to address these?

MS STEPHEN-SMITH: I thank Ms Orr for her question. Of course, we know that people from culturally and linguistically diverse backgrounds face a number of complex barriers which prevent them from fully participating in our community. Whether these are language barriers, systemic barriers or barriers created by mistrust or misunderstanding, they have a significant impact on social, health and economic outcomes for these individuals, their families and communities.

The ACT government is committed to working with these communities to reduce such barriers. The ACT multicultural framework 2015-2020 highlights actions across government in supporting and protecting our cultural diversity. This includes a range of grants programs such as the ACT participation multicultural grants. ACT government initiatives such as the work experience and support program aim to overcome some of the barriers to economic participation through employment. The program has been successfully changing lives through employment for almost two decades.

The government also understands the need to ensure that services are open and accessible to people from culturally and linguistically diverse backgrounds. Ensuring

that health information services, for example, are tailored to the needs of women and girls from diverse backgrounds is one of the focus areas of the first action plan of the ACT women's plan 2016-2026, which the Deputy Chief Minister recently released. This is just one example of how we are working to ensure that services provided by the ACT government are appropriate and accessible.

We recognise that these barriers are often more pronounced for people who are newly arrived in Australia, including refugees and asylum seekers. This is part of the reason why the ACT government declared Canberra to be a refugee welcome zone in 2015, and why we are working hard to give effect to that commitment.

MS ORR: Minister, how is the government giving effect to the ACT's commitment to be a refugee welcome zone?

MS STEPHEN-SMITH: I thank Ms Orr for her supplementary question. The ACT government recognises that refugees have particular needs in our city and we stand firm in our commitment as a refugee welcome zone. Part of that was a negotiation with the commonwealth government to also become a safe haven enterprise visa zone recently, ensuring that asylum seekers in our community are not required to leave existing community networks, friendships and supports in order to participate elsewhere in Australia.

Another part of our commitment to refugees and asylum seekers has been to help address barriers to economic participation by facilitating pathways into training and the security of a job. The ACT government is working to engage more employers in supporting the employment of candidates from culturally and linguistically diverse backgrounds, specifically refugee and asylum seeker backgrounds.

In November 2016, the ACT government collaborated with Migrant and Refugee Settlement Services to present the Employment Pathways Forum and Expo, which I was very pleased to help open. This expo was designed to support migrants and refugees to access and secure meaningful employment by raising awareness both among them and among employers.

Earlier in March, I announced that the government has expanded the eligibility criteria for the Australian apprenticeships and skilled capital programs to automatically include refugees and asylum seekers on temporary and bridging visas, giving them greater employment opportunities in our skill shortage areas. Additionally, the ACT government has committed \$1.2 million as an election commitment to the refugee and asylum seeker job pathway program, which includes language education.

These are just a few of the ways that the ACT government is supporting refugees and asylum seekers to settle and fully participate in our community. The ACT government has a proven record of supporting and standing up for refugees and asylum seekers and a proven record of fighting for the supports and protections that enable these individuals and individuals from other culturally and linguistically diverse backgrounds and their families to settle in and contribute to our great city.

MR PETTERSSON: Minister, what role do strong protections from racism have in ensuring that people from diverse backgrounds are able to fully participate in our community?

MS STEPHEN-SMITH: I thank Mr Pettersson for his supplementary question. As we work to ensure that our newly arrived and multicultural Canberrans have adequate access to services and supports, none of it matters if these members of our community do not feel at home in Canberra.

One of the great privileges I have as Minister for Multicultural Affairs is to meet community members and to hear their stories. One common thread that runs through almost all of their stories is the struggle and sacrifice they have made to come to Australia and the determination with which they have faced challenges, including racism, in Australia.

The Racial Discrimination Act, as it currently stands, provides a clear message about what is and is not acceptable in our community. It acknowledges the cost of speech to those who face insults, taunts and discrimination on a daily basis, and provides a means of redress and acknowledgement. It enables our newly arrived and multicultural Canberrans to feel that the government—and the law—understands their situation and stands up on their behalf.

In light of the federal Liberal government's proposed changes to the Racial Discrimination Act, the importance of this legislation in helping all Canberrans feel that someone is on their side cannot be understated. The proposed change to section 18C of this law simply reinforces the barriers that we are working to tear down in the ACT government. We cannot just hear their stories; we must take a stand. This is what the ACT Labor Party has been doing in many public statements. I am yet to see a public statement from a member of the Canberra Liberals on this matter, and I am sorry about that.

Mr Barr: I ask that all further questions be placed on the notice paper.

Supplementary answer to question without notice Animals—dog attack

MS FITZHARRIS: In further advice to Mr Doszpot on the question he asked earlier regarding a dog attack, I can inform him that infringement notices were issued to both dog walkers, as they were the carers of the dogs involved in the attack incident: \$350 each. The owners were not penalised because the dogs were not in their control at the time of the incident.

However the following conditions have been imposed on the dogs:

- (1) The dogs must reside at the owner's residence in the ACT unless condition 10 below is complied with;
- (2) Whilst the dogs are residing at the specified premise they must be kept under effective control so as to prevent them from attacking or harassing another person or animal;
- (3) The specified property must be maintained so that the dogs cannot escape. This control includes the erection and maintenance of escape-proof perimeter fencing. The fence should not have any gaps that allow any part of a person's body to enter the premises or any part of a dog's body to breach the perimeter fencing;
- (4) All gates of the specified premise must be escape-proof. Gates are to be secured by padlocks and latched, ensuring that the dogs remain on the specified premises;
- (5) When any of the dogs leave the specified premises, they must be muzzled. The muzzle must be of appropriate construction and be securely fixed upon the mouth of the dog in such a manner as to prevent the dog from biting any person or animal;
- (6) When any of the dogs are in the front area of the specified premise or when any of the dogs leave the specified premise, they must be under the control of a responsible person over the age of 18 years and this person is prohibited from handling another animal at the same time. The dogs are to be secured on leash at all times;
- (7) The dogs are prohibited to be off lead in public areas, including areas designated as off lead areas or otherwise known as dog exercise areas or enclosed dog exercise parks;
- (8) The dogs must be de-sexed or proof of an appointment be made and paid for before the dogs will be released;
- (9) The registration and microchip details for all dogs must be kept current; and
- (10) Ownership of the dogs can only be transferred with written permission of the registrar. A full inspection of the proposed new premises will be conducted by the registrar prior to approving transfer of ownership and the issuing of new conditions. In circumstances where the animal has joint owners, both owners are taken to be responsible for ensuring all conditions are adhered to and will both be held responsible for any breaches of said conditions.

Papers

Mr Gentleman presented the following papers:

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

ACT Teacher Quality Institute Act and Financial Management Act—

ACT Teacher Quality Institute Board Appointment 2017 (No 1)—
Disallowable Instrument DI2017-26 (LR, 16 March 2017).

ACT Teacher Quality Institute Board Appointment 2017 (No 2)—
Disallowable Instrument DI2017-27 (LR, 16 March 2017).

ACT Teacher Quality Institute Board Appointment 2017 (No 3)—
Disallowable Instrument DI2017-28 (LR, 16 March 2017).

Court Procedures Act—Court Procedures (Fees) Determination 2017 (No 1)—
Disallowable Instrument DI2017-20 (LR, 6 March 2017).

Electoral Act—Electoral Commission (Chairperson) Appointment 2017
(No 1)—Disallowable Instrument DI2017-22 (LR, 8 March 2017).

Firearms Act—Firearms (Use of Noise Suppression Devices) Declaration 2017
(No 1)—Disallowable Instrument DI2017-18 (LR, 15 March 2017).

Information Privacy Act—Information Privacy Amendment Regulation 2017
(No 1)—Subordinate Law SL2017-4 (LR, 1 March 2017).

Medicines, Poisons and Therapeutic Goods Regulation and Medicines, Poisons
and Therapeutic Goods Act—Medicines, Poisons and Therapeutic Goods
(Medicines Advisory Committee) Appointment 2017 (No 1)—Disallowable
Instrument DI2017-23 (LR, 7 March 2017).

Official Visitor Act—Official Visitor (Housing Assistance) Appointment
2017—Disallowable Instrument DI2017-25 (LR, 9 March 2017).

Prohibited Weapons Act—Prohibited Weapons (Noise Suppression Devices)
Declaration 2017 (No 1)—Disallowable Instrument DI2017-19 (LR, 15 March
2017).

Public Place Names Act—Public Place Names (Denman Prospect)
Determination 2017—Disallowable Instrument DI2017-21 (LR, 8 March
2017).

Road Transport (General) Act—Road Transport (General) Application of Road
Transport Legislation Declaration 2017 (No 2)—Disallowable Instrument
DI2017-24 (LR, 9 March 2017).

Standing orders—suspension

Motion (by **Mrs Dunne**) agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent order of the day No 1, Assembly business, relating to the proposed order to table documents on health data issues, being called on and debated forthwith.

ACT Health data

Debate resumed from 22 March 2017, on motion by **Mrs Dunne**:

That, in accordance with standing order 213A(1), the Minister for Health table, by close of business today:

- (1) the letter from the Director-General of the Health Directorate to the Auditor-General about health data issues of 8 September 2016; and
- (2) any briefing to the former Minister for Health and the Minister for Health about this letter and the associated data issues.

MRS DUNNE (Ginninderra) (3.31): As I have already spoken on this matter, I need leave to speak again to move an amendment to the motion.

Leave granted.

MRS DUNNE: I move the amendment circulated in my name:

Omit all words after “table”, substitute:

- “(1) the letter from the Director-General of the Health Directorate to the Auditor-General about health data issues of 8 September 2016; and
- (2) any briefing to the former Minister for Health, or the current Minister for Health, about the letter of 8 September 2016 from the Director-General of the Health Directorate to the Auditor-General and the associated data issues.”.

This puts the motion in a neater format than it was last Wednesday, when it was handwritten. It remains substantially the same except that the original motion asked that the matters be tabled by close of business. It is unnecessary in relation to standing order 213A because there is already a whole process in 213A on the timing of tabling of documents and I think it is easier for us all to just rely upon the standing orders to do the work for us rather than reinventing the wheel.

I spoke about this matter the other day. In calling for the tabling of these documents I think it is important for the Assembly and the community to get a feel for what is happening in the Health Directorate in relation to health data because it has been an ongoing scenario. I have had some discussions with the health minister about the tabling of this document and I understand that she is broadly in agreement with tabling some of it. There are other issues in relation to confidentiality, but the standing orders allow for that to be sorted out. I commend the amendment and the motion to the Assembly.

MS FITZHARRIS (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (3.33): I note the amended motion from Mrs Dunne seeks a copy of the letter from the Director-General of the Health Directorate to the ACT Auditor-General dated 8 September and any briefing to the former Minister for Health or me about this letter. I understand that

Mrs Dunne is now in receipt of correspondence from the Auditor-General in relation to this letter and the status of the letter. I have not seen that letter.

Mrs Dunne: No, I am not.

MS FITZHARRIS: I am advised that correspondence has been sent from the Auditor-General's Office regarding the amended motion that has been tabled. This morning my office had further discussions with the Auditor-General's Office and with the Director-General of the Health Directorate and I can now advise that a copy of this letter can be tabled. I present the following paper:

Health data issues—Copy of letter to the Auditor-General from the Director-General, Health Directorate, dated 8 September 2016.

In relation to Mrs Dunne's second request I can confirm that no written briefs were provided to the former Minister for Health or me about this particular letter in relation to the associated data issues. While I entirely respect and welcome the inquiry of the Assembly into this matter, my directorate has responded to more than 60 questions on notice from Mrs Dunne, many of which relate to this data issue.

I have answered many questions in this chamber about health data, I have undertaken to provide a briefing to Mrs Dunne on this issue and other health matters and I have made two ministerial statements on health data and today tabled the terms of reference for the system-wide review. Of course I am happy to table this letter today, based on the advice I have received.

I do wish to register my concern that the correspondence between two very senior public servants about the Auditor-General's forward work program of potential performance audit seems to me to be being politicised in this way. I welcome scrutiny of this issue, but I would encourage members to appreciate the appropriate balance between inquiry and enabling ACT Health to get on with this very important piece of work to get to the bottom of and resolve once and for all some of the issues that we have confronted regarding ACT Health data.

MRS DUNNE (Ginninderra) (3.35): I need to put on the record that the minister seems to have had some briefing about my correspondence with the Auditor-General. I will put on the record the correspondence that I have had with the Auditor-General, which related directly to gaps in the ROGS report. I received some correspondence from the Auditor-General last week, and I would be happy to, just for the sake of completeness, table that correspondence later in the course of the day. The letter that I wrote to the Auditor-General was in relation to the ROGS report and the data gaps in there, and I asked the question: were the gaps in the data in any way related to issues that the Auditor-General raised with me about the correspondence between the Director-General for Health and the Auditor-General?

I have now received a response from the Auditor-General, which says that she is not in a position to more fully answer my questions because there are ongoing inquiries and at this stage she does not have a release from the health department to provide me with the information that I have asked for. For the sake of completeness, I will seek

leave later in the day to table that correspondence, because it is not quite as the minister has described it. I have not directly asked the Auditor-General about the Director-General of Health's letter. In fact, it was the Auditor-General who initially provided me with advice about the existence of that letter.

I am happy that the minister has tabled the letter today, but I understand that there are attachments which are not included. I will take the minister's word that there are no written briefings; so part 2 of my motion lapses. But if there are attachments to the letter, I think that the motion should stand. If the minister has problems in providing attachments to the letter to the Assembly for scrutiny, there is a process in the standing orders that will allow for that matter to be dealt with through review. I think that it is incumbent upon the minister to provide the Clerk with a list of documents if she does not want to have them tabled, and the reason why they should not be tabled, which is allowed for in the standing orders.

Even if the answer to part 2 is nil, there are still outstanding documents in relation to part 1 that the Assembly should know about and should have an opportunity to deal with, if that is appropriate. This is another sort of irregular verb: if a member of the opposition seeks to undertake scrutiny, that is politicising something. I am not politicising this. I have been straight on this issue and I have been very clear about my concerns and the opposition's concerns about the litany of problems in the Health Directorate in relation to data. I believe that this Assembly and all the members—crossbench members, backbench members and opposition members—need to have as much information as possible about what is going on or not going on in the Health Directorate. I think that is the most important thing that we can do. The \$1 billion a year that the people of the ACT are paying—plus the money that is coming from the commonwealth—warrants that we have as much information as possible.

It is important that the concerns of the Director-General of Health and the Auditor-General are open for us to see because, if we do not know what the concerns are, we do not know how effectively the terms of reference that the minister has announced today address those concerns. Although the minister has provided some information, she has not provided all the possible information. Therefore the motion to table in accordance with standing order 213A is still important for this Assembly, and I commend the motion to the Assembly.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Education—early childhood

Discussion of matter of public importance

MADAM ASSISTANT SPEAKER (Ms Lee): Madam Speaker has received letters from Ms Cheyne, Ms Cody, Mrs Dunne, Mr Milligan, Ms Orr, Mr Parton, Mr Pettersson, Mr Steel and Mr Wall proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Madam Speaker has determined that the matter proposed by Ms Cody be submitted to the Assembly, namely:

The importance of early childhood education in the ACT.

MS CODY (Murrumbidgee) (3.41): I rise today to speak about the importance of early childhood education in the ACT. We in Canberra have access to the best education services in the country. Many of us here today, including me, are the proud product of a public education.

From preschool to college and on to university, the ACT truly recognises the importance and life-changing potential of a quality education. On this matter of public importance, I want to discuss not only the role of early education in shaping a child's life but also the valuable work that early childhood educators do in caring for and preparing Canberra's youngest for school.

As members would be aware, early childhood education is one of the most important protective factors for young children. The health, emotional growth and socio-economic wellbeing of an individual have their foundation in early childhood. We know that if we get it right in the early years we can expect to see children thrive throughout school and into their adult lives.

Caring, educational, inclusive and supportive environments greatly enhance a child's transition from preschool or day care into a formal school environment, and in Canberra we have continued to see steady increases in the number of ACT children enrolled in preschool. In 2012, for example, there were 5,060 children aged four or five years who were enrolled in a preschool program in the ACT. Within three years, this number had increased by more than 35 per cent, to 6,839 children. These numbers are a testament not only to our growing city but also to the irrefutable knowledge that quality early childhood education is critical in allowing children to reach their full potential.

In 2012 the commonwealth, states and territories implemented the national quality framework. The national quality framework is a transformative reform of the education and care sector. The introduction of the national quality framework acknowledged a fundamental shift in the understanding of early childhood services as providing an important learning environment for young children, rather than simply childminding.

Importantly, more children from Canberra's Indigenous communities are attending local preschools. Support for Indigenous children in the early years before school is particularly important to ensure a successful transition to school, which may involve a culturally different learning environment.

When a child is given every opportunity at the earliest ages to succeed, our community also benefits. Our community benefits because well-adjusted and supported children can grow up to create healthy and respectful relationships of their own. Our community benefits when these children can grow up to participate and thrive in the local economy. And our community benefits when they give back to our city by passing on their lessons of wellbeing, respect and participation to their children.

The options for early childhood education in Canberra are diverse. In fact, early childhood education has been a valued part of the ACT community since the establishment of the first nursery school in 1943. These days, government schools, Catholic and independent schools, long day care, occasional care, family day care, Montessori schools, as well as bilingual preschools and playgroups are some of the options available to parents. All are on hand to provide a playful, nurturing and educational environment for children.

The ACT continues to perform well against national data collected by the Australian early development census, which measures the development of schoolchildren in their first year of formal schooling. By measuring physical wellbeing, emotional and social competence, as well as cognitive skills, the census allows authorities to assess the development vulnerability of young children and what changes need to happen to ensure children get the best start. Reassuringly, the ACT has a lower percentage of developmentally vulnerable children in these areas when compared nationally.

As mentioned before, the national quality framework has essentially taken eight different regulatory regimes in states and territories and made one national framework that applies across the country. The national quality framework includes an assessment and rating process. Each service has a quantitative audit to establish a quality rating. The assessment and rating is not a benchmark of minimum compliance but a benchmark of progress of services to achieve, develop and excel in the 58 elements of quality agreed to by states, territories and the commonwealth.

The implementation of the national quality framework in the ACT has seen an increase in the overall quality of early childhood services across the spectrum. In particular, there has been an increase in the number of qualified educators across the sector, greater partnerships with community and government agencies, stronger relationships between families and educators, and a deeper understanding of quality programming and practice for early learning.

Before closing this afternoon, I would also like to briefly acknowledge early childhood educators and the work they do. In a typically female-dominated industry, these workers are skilled, knowledgeable and invaluable. For much too long their work has been seen as menial, and it has occasionally been dismissed as little more than babysitting. Nothing could be further from the truth.

They bring intrinsically transferrable skills that allow them to communicate with children and their parents. They bring patience and care to the lives of children and their parents. They allow many of us to return to work and to continue participating in the labour market, as is evident in the labour market participation rates amongst women in the ACT, which continue to surpass the rest of the country. And they bring the knowledge and experience to ensure our children are given every opportunity, in the earliest period of their lives, to succeed and transition to school. These workers deserve adequate recognition and compensation for their role.

Madam Assistant Speaker, thank you for allowing me to bring this very important matter of public importance to the Assembly. I look forward to hearing what my colleagues have to say on this matter.

MRS KIKKERT (Ginninderra) (3.49): As the shadow minister for families, youth and community services, I am delighted to speak on the matter that is before us this afternoon—the importance of early childhood education in the ACT.

On this point, the research is clear. Brain development is most rapid in the early years of life. As Jack Shonkoff and Deborah Phillips have noted, the human brain develops the vast majority of its neurons and is at its most receptive to learning between birth and three years of age. The intake of new information during this period is critical to the formation of active neural pathways.

These pathways in turn play a strong, although not entirely determinative, role in a child's lifetime social, emotional and educational outcomes. Patterns laid down early tend to be very persistent, and some have lifelong consequences. For example, as pointed out by the Australian Institute of Health and Welfare, studies both here and internationally have shown that children's literacy and numeracy skills at age four to five are a predictor of academic achievement in primary school.

Consequently, children need to be exposed to high quality stimulation, support and nurturance in the early years, and, when they are not, their development can be seriously affected. For many children, this high quality early learning takes place primarily in the home, supplemented by community interactions. For this reason, we need to encourage families and community circles to be supportive and effective in their roles in children's lives. Research indicates that children who experience a warm, stable, loving and stimulating home life, characterised by active learning opportunities and quality learning interactions, will develop the deep neural pathways necessary for their future development.

Some children, however, will not find the full range of stimulation, support and nurturance at home. Research suggests that these kids benefit from attending high quality education and care programs in the years before school. To be effective, these programs need to be supported by the community, be culturally appropriate, stable in their staffing and provided by capable educators. Sadly, children who attend early learning programs of poor quality actually show poorer outcomes at school entry, according to the research.

I grew up in Tonga and had no opportunity for formal early childhood education. Thankfully, when my mother could not look after me because she had to work, my grandparents took responsibility for caring for me. As a result, my relationship with my grandparents grew and strengthened because of that precious time that we had together. Every day, they educated me in things of great importance, and for that I am indebted to them.

Before coming into this Assembly, I was a full-time mother of five children. Because we wanted to recreate for my children the close bond and care that I had enjoyed with my grandparents during my early years, my husband and I made a commitment for me to stay at home whilst he finished his studies. We lived on a very small fortnightly income with three children under the age of three during that time. In seven years of full-time university study, we received a modest single income for our family, which had by then increased to five children.

It was difficult but doable, and I will forever cherish the opportunity that I had to be at home with my five kids and serve as both their nurturer and their teacher. I have been especially satisfied watching them grow up and perform well academically. For example, our eldest—and I am lucky to know this, since, like many boys his age, he rarely tells us anything—is currently in a program at Gungahlin College, where he is earning university credit in mechatronics from the ANU, and our eldest daughter is currently a straight-A student at Canberra high.

I hope you will excuse the personal narrative, Madam Assistant Speaker, but my experience as a mother has left me with the great desire that all children in the ACT and beyond reach their full potential. Consequently, we should do all that we can to strengthen families and to provide for children who are at risk of poor developmental and educational outcomes. As a result, as adults, we have an awesome responsibility to guide, nurture and teach the younger generations.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (3.54): I welcome the opportunity to discuss the importance of early childhood education in the ACT. Providing all of our children with the best start in life is important to me, through my own experiences, as it should be for all members, because every child deserves an equal chance at a great education and the life chances which flow from it.

The research is clear: evidence from around the world, and in Australia, clearly shows that quality early childhood education and care sets children up to learn and provides lifelong benefits. For example, in 2012 Australian children with a year of pre-primary education achieved the equivalent of about six months more learning than children who did not attend preschool, as measured in the program for international student assessment. A similar impact can be seen in other measures.

The impact of quality early childhood education and care extends beyond just academic performance, providing children with the ability to learn, engage in learning, self-regulate, and manage their emotions and behaviour. Children who participate experience these benefits irrespective of their family, social or economic context. But most pronounced is the impact of early childhood education and care on disadvantaged children, where it can play a key role in narrowing the gap even before these children enter school.

As I said in making my ministerial statement on the future of education in the ACT, it is something that I have witnessed over my years working with the sector, and it is something I see in my own community. Labor undertook during 2016 to develop a strategy for the future of education in this city, and work has already started on that commitment. We will also bring forward a strategy for improving access to quality early childhood education and care, building on our work on the future of education and the conversations that we have along the way.

I look forward to hearing stories of how people's lives have changed and are changing because of quality early childhood education. The data does not tell you, though, Madam Assistant Speaker, about the two-year-olds with traumatised lives who will start to speak and learn at long day care. It does not tell you about the friendships children form, not clouded by race, religion, gender or ability. It does not tell you about children with learning difficulties getting vital early assistance or the families connected with the community services that they need to break out of a bad situation.

The research tells us that connecting early childhood educators working in schools with those in non-school settings provides continuity and vital learning support. Nationally and internationally, schools are also recognised as effective sites for integrated services for children and their families.

Two programs in my portfolio have adopted this type of integrated service delivery model. The Koori preschool program provides an early childhood education program for Aboriginal and Torres Strait Islander children, primarily three and four-year-olds. Koori preschools deliver holistic programs supporting children's learning, development and wellbeing. The program recognises the connections between children, families and communities, and the centrality of culture and family to children's learning. The program is also strongly linked to the ACT child and family centres through Koori early years engagement officers, who support family engagement as well as increased enrolment and attendance.

Other partners that support the Koori preschool program include the child development service and Winnunga Nimmityjah Aboriginal Health Service. Through these collaborative relationships the program draws on multidisciplinary expertise, with the intent to provide a holistic response to the child and their family.

Similarly, early childhood schools were established to become community hubs where families have access to a comprehensive array of services to support children's learning and family wellbeing. As well as schooling for children from kindergarten to year 2, these schools can also provide access to long day care, outside school hours care, and child and family health and wellbeing services. Each early childhood school is unique, evolving to meet the needs of its community.

These programs recognise that families are children's first and most influential educators, and that children's learning is most effective when their physical, social and emotional wellbeing are also supported. The experiences so far with these groundbreaking models of service give us the chance to learn about what has worked well and where we can do better, and that work will be included in the early childhood strategy.

Australia was historically late to pick up on the importance of early childhood education, but over the last 10 years there has been a determined change for the better. That change involved governments working together for reform, regardless of party lines.

The key has been to focus on improving the quality in the sector and support for universal access through funding from the commonwealth government. In 2012, in partnership with the Australian government, state and territory governments implemented the national quality framework for early childhood education and care and school age care. The national quality framework set a new quality benchmark and has improved outcomes for all children participating in these services, regardless of which setting they attend or where they live. It raised the quality of education and care services through improved educator qualifications, lower educator-to-child ratios, a national quality standard and assessment and rating process, and a new early learning framework.

But improved quality in early childhood education can only achieve so much if the people who most need access to it are excluded. The national partnership agreement on universal access to early childhood education has provided vital commonwealth funding to make sure all children have access to 15 hours of preschool per week, or 600 hours per year.

It is achieving results. The Productivity Commission's 2017 report on early childhood education and care shows that around the country over 96 per cent of four-year-old children were attending preschool programs in the year before school. But, despite all of the evidence about how important preschool is, despite the results Australia is achieving because of a focus on improvement, the federal coalition government has been silent on continuing the vital funding required to ensure universal access.

While the federal coalition government is clearly uncertain about its policy, I am certain about the ACT government's policy. We are committed to improving access to quality education in the early years and integrating it with the vital community services that children and families need on their path to a decent standard of living.

Early childhood education is not an add-on. Early childhood education is about setting people up for a good life. We have an opportunity to make a real difference for all children. As I will keep saying, we cannot tolerate a situation where the life circumstances of a child showing up at school mean we will know whether they will succeed or not.

MR RATTENBURY (Kurrajong) (4.01): It is well evidenced that a quality early childhood education has lifelong positive outcomes in a range of domains. These education environments include what our parents would have simply called child care, which has now professionalised into the early childhood education and care sector, and for the ACT what we call preschool.

The ACT is rightly proud that universal access of 15 hours per week per child for all ACT children is provided by the ACT government-operated preschools under the

national partnership. This has been in existence for many years. We know that some families in the ACT have children who are enduring negative early life circumstances. For reasons of stigma as well as poor social connectedness and financial hardship, they are marginalised.

Marginalised families and their children do not participate in many of the activities that those families with high levels of social connectedness enjoy. It is likely that this extends to a reduced participation in early childhood education and care services. What we see there is, I guess, an exacerbation of some of those underlying issues. Those children who come from perhaps a more advantaged family, who have perhaps some natural advantages, go fine, because they head off to the services. But those who do not have those opportunities potentially get left further behind. That is certainly where universal access is particularly important.

The Australian early development census of all children in Australia in their first year of full-time school highlighted concerns for ACT children in certain domains of vulnerability that may be linked to poor educational environments prior to school. It is an empirical fact that children who start behind their peers in kindergarten can take some years to catch up academically. For some, those delays can unfortunately have negative impacts that last for many years.

Again, this finding from the early development census underlines the importance of access and what a difference access to early childhood education and care can make. That is also why it is so important that we value and respect the hard work and professionalism of the mostly female workforce. The government recognises, as the current minister well knows, that quality costs.

These workers whom parents and carers entrust their children to are far more than “just childcare workers,” as you might have heard them described. They are educators and they are carers. They play a vital role in identifying developmental delays in time to support early interventions that can prevent future problems for children. They support vital physical and mental milestones being met and can support parents and carers to be more involved in their children’s learning.

It is hard to imagine that they play all these roles in one day, but that is actually what goes on in the early childhood centres. As a former minister for education myself—I know that Minister Berry just made some observations—having visited a range of the centres across the city, I know how passionate the staff are, how proud they are of what they deliver for students and how they are constantly thinking about ways to do it better. They are constantly innovating as well as just coping with, frankly, the noise, the chaos and the fun that can be taking place inside a centre.

At the same time, we see these workers sometimes maligned in the media, or perhaps by some churlish commentators, who denigrate their work. That is an area that I think needs some increased focus. We saw on International Women’s Day recently the departure of staff early to recognise the gender pay gap. Being a female-dominated workforce, this particularly plays out in the early childhood education and care space. I think that was a very powerful statement they made by going home at around

3 o'clock in the afternoon, because that is when the equal pay stops. I think this is perhaps symptomatic of the perception around staff in the sector. That is something that we need to continue to combat.

I know that the quality of services available in the ACT, when measured by the Australian Children's Education and Care Quality Authority's quality ratings, is definitely improving. That rating system has been in place for just a handful of years now and we are starting to see some relevant series data come through.

The ACT is definitely making progress. We have a number of centres here in the ACT—five or six of them—that have achieved the highest possible rating for their centres. That certainly stacks up very well nationally in terms of the proportion of centres. That is a testament to the dedication of the staff, the managers and in some cases the owners of the centres here in the territory.

The sector has certainly developed significantly since 2011. The sector has seen a growth in capacity since 2011 of approximately 39 per cent, with at least a further 900 places to be added in the next two years. This is certainly an issue that will need to be reflected on in coming years from a policy point of view. For a long time here in the ACT the big discussion was that you just could not get a place. People would essentially be putting their child on a waiting list the day they were born and really trying to find a place as early as possible.##

I have now heard reports, and there is certainly evidence around, that suggests that there is, in some areas at least, perhaps an over-supply of places. There are certainly vacancies around. I was actually chatting to one community member who is involved in one of the community services on the weekend. She is quite adamant that there is in fact a significant—I do not know if over-supply is the word to use; but certainly the supply has well and truly caught up. There are pressures on centres now. Some are struggling to actually achieve sufficient utilisation of their capacity to be financially viable.

This is a space that I think we need to watch very closely in the next couple of years. Certainly, in terms of the levers the ACT government has, we need to adjust them in such a way so as to ensure that the quality continues to improve and that we are very careful to get that supply and demand balance as close to right as possible.

At the same time, we must acknowledge that there are people who may simply see this as a business opportunity and who may wish to take that risk. It is a difficult one for the government to get that balance right, because we are also probably seeing a geographic difference in the way that that demand-supply equation is playing out.

Certainly, that is just one of the interesting issues that lies ahead for the early childhood and education care sector in the ACT. There are others. As I say, the quality rating system has certainly thrown up some interesting questions. I am sure that Minister Berry is thinking about those quite carefully. But as the sector continues to grow, I also hope that our community's respect for the essential role that early childhood education and care plays in supporting all of our children in the city will continue to grow.

I conclude by once again simply reflecting on the very challenging but at the same time rewarding job that the staff have. Based on my own experience, I have a great deal of respect for their energy and their dedication when it comes to looking after the youngest people in our city.

MR STEEL (Murrumbidgee) (4.10): I thank Ms Cody for raising this matter of public importance in the ACT. I want to focus particularly today on the benefit that universal access to early childhood education provides to young children here in the ACT through our preschools in the year before full-time schooling.

It is important to note that children are doing some of their most important learning during the first three years of their life. In fact, language development during this period is the foundation for all other cognitive development. There are many great providers of early childhood education and care in the ACT for children from birth to five years of age through play schools, long-day care, family day care and in-home care funded through commonwealth-funded childcare assistance. But I will focus today on preschools.

I want to turn our minds back to 2007 when the then federal Labor opposition made a commitment at the 2007 election to provide universal access to preschools as part of a new national early childhood development strategy. This was then delivered in government through the first national partnership agreement on early childhood education in 2009. The federal government introduced funding to the states and territories for preschool with the goal of all children receiving 15 hours of high quality early childhood education in the year before school.

They did this because early childhood education is proven to be crucial for a child's success at school and in later life. Access to 15 hours of preschool is the UNICEF-recommended benchmark for children's development. The reason for 15 hours preschool provision is based on significant overseas research showing the benefits of children's participation in these programs.

I have spoken many times in this place about the UK's effective provision of preschool education and effective provision of preschool and school education studies. These are highly influential pieces of research that look at both early childhood education and school education.

I want to get down to the detail of the studies based on comments by the lead author, Professor Edward Melhuish of Oxford University. What he said about this study is that they actually tracked thousands of children from when they attended preschool right through to when they completed their end of school exams up until the age of 18.

They looked at the difference between the duration that children attended preschool education—five hours, 10 hours, 15 hours all the way up to 30 hours. What they found was that all children benefit from 15 hours of preschool and disadvantaged children benefit from even more than that, up to 30 hours. So the duration that children attend preschool matters greatly.

The study also showed, of course, that the benefits of this preschool flowed through to their end of school exams. Children who attended two to three years of early childhood education did much better across science, maths and a range of different English indicators.

While the size and quality of this study has not been attempted in Australia, we know from Australian research in the longitudinal study of Australian children that early learning readies children for school and that the benefits persist. According to the Melbourne Institute, Australian children that attended quality early childhood education the year before full-time school have been shown to achieve higher results across all areas of year 3 NAPLAN—numeracy, reading, spelling, writing, and grammar and punctuation—and are up to 40 per cent ahead of their peers who had not participated in early childhood education.

The research is very cogent on the benefits of early childhood education. The minister mentioned the research that had been done around PISA testing as well. That is why the Labor government at the time wanted to increase the enrolment, attendance and duration of children's participation in preschool. The universal access program has been highly successful.

Because of this federal government investment, preschool enrolments and the number of children accessing 15 hours or more in preschool has increased dramatically. The proportion of four and five-year-old children accessing 15 hours of preschool nationally grew from 23 per cent in 2008 to 86.7 per cent in 2015 for four and five year olds.

Participation in early childhood education in the ACT has remained high because we have a commitment to providing free high-quality preschool through our government schools and through non-government schools as well. The universal access program has also been highly successful in lifting the participation rate and the duration children spend in preschool in the year before full-time schooling here.

While the ACT did not provide 15 hours of preschool in 2008, the number of children enrolled in 15 hours now has increased. As the minister mentioned, up to 96 per cent are attending. We have achieved so much, but we cannot stop now. The national partnership agreement on universal access to early childhood education expires at the end of this calendar year, the end of the fourth consecutive short-term agreement on universal access.

But we know that in 2015, when the Productivity Commission inquired into child care and early childhood learning, they recommended:

The Australian Government should continue to provide per child payments to the states and territories for universal access to a preschool program of 15 hours per week for 40 weeks per year.

Then we come back to the review into the universal access scheme. Deloitte Access Economics undertook the review. They found that:

The impacts of uncertainty regarding future funding, such as reduced stakeholder confidence, further highlight the critical role of funding in ongoing policy delivery.

We know from the amount that is provided through the national partnership agreement that this is a \$7 million a year risk to the ACT budget and funding for preschool. Nationally, it is \$400 million. This is money used to keep 15 hours of preschool for all children and to keep it free. Of course, this money is also being used to upgrade facilities and to improve the qualifications of early childhood educators, which we know is so crucial in providing better outcomes for children.

The commonwealth government really must commit to an ongoing agreement on funding for preschool for children in the year before full-time school as early as possible this year to provide certainty to families enrolling their children for 2018 and certainty to providers of preschool who need to plan for budgets and staffing.

Without federal funding for preschool, hours will be cut and working parents will be left scrambling to find alternative arrangements, putting even more pressure on waiting lists and costs. We cannot afford to have a situation where the commonwealth either cuts funding or provides funding at 12 seconds to midnight before the end of the calendar year, leaving parents and services facing uncertainty until the last minute, as they have done with previous agreements.

Canberra parents and children deserve much more than that. It is time the commonwealth committed to ongoing funding for our preschools. Around the world, smart countries are investing in early childhood education, and we should too in Australia. I thank Ms Cody for bringing forward this important issue today as a matter of public importance.

Discussion concluded.

Adjournment

Motion (by **Mr Gentleman**) proposed:

That the Assembly do now adjourn.

Fraser Primary School fete Charny Carny Hawker School fete

MS CHEYNE (Ginninderra) (4.17): Like spring, the arrival of autumn heralds fete season in Belconnen. While I do not need to remind the Assembly how well Belconnen does fetes, I do want to briefly draw its attention to some of the community spirit I have witnessed over the past month.

Early this month marked the Fraser Primary School fete. This year the theme of the Fraser fete was science, technology, engineering and maths. I have spoken a little in

the Assembly recently about how we know that the future of jobs globally is in STEM careers and thus how important it is to ensure that our children are supported and have early access to opportunities in these fields.

On top of the usual and excellent plant stalls, cake stalls and second-hand goods, the Fraser fete had interactive exhibits from Geoscience Australia, the National Dinosaur Museum, the Australian National University and the University of Canberra. Even towards the end of the fete, kids were engrossed in these fantastic exhibits. In addition, funds from the fete will be used to assist the school with the expansion of science and technology programs, including robotics, coding programs, 3D technology and other progressive initiatives.

I had the pleasure of assisting in Kerri's kitchen at the fete. Kerri runs the school's canteen. As you may have guessed, it is named after her. It is well known that there is not much to be said for my cooking skills, but thankfully that did not matter too much because Kerri had everything running like clockwork. I helped make and serve about 300 hot dogs over the course of three hours. That was on top of the canteen's other delicious options of gourmet nachos, baked potatoes and curries. I want to make special mention of the warm welcome Kerri and the other parents gave me that day, which points to the warmth and support in the Fraser Primary School overall. I would like to congratulate them on a very successful event.

Last Saturday was the Charny Carny, a community carnival which has been a fixture on the Belconnen calendar for over a decade. After a year's hiatus, the carnival was back in full force this year on the Charnwood ovals. Fittingly, it fell adjacent in the calendar to Neighbour Day, and I think that is a great way to describe the mood at the carnival: neighbourly.

In addition to plenty of rides for the young and the young at heart, including dodgem cars, there were live bands and community groups represented, such as the Belconnen Community Service and Belconnen Community Council, as well as local sporting groups who were encouraging sign-ups. Despite the threat of, and then actual, rain, the crowds stepped out and the bands played on. There was plenty of food to be had, including from the Mount Rogers Scout Group, which had one of the most impressive sausage sizzle operations I have seen.

A highlight of the Charny Carny for a while has been Apple Sauce. For those of you in the Assembly who do not know, Apple Sauce is a life-size pig. This year, Apple Sauce was, sadly, replaced by Ham Solo, H-A-M Solo. While I was saddened to hear that Apple Sauce has retired, his cousin Ham Solo aptly stepped into the role from a galaxy far away. I apologise if I might be hamming it up, Mr Assistant Speaker, but may the pork be with the Charny Carny for years to come. Again, my sincere thanks to the Charny Carny committee, who made me feel so welcome throughout the day.

Finally, I want to make mention of the Hawker primary school fete, which is being held this Sunday from 10 am to 2 pm. Many Belconnen residents will have seen the excellent posters and roadside signs dotting the landscape, and I encourage everyone to get along. The fete will have an international food stall, reptiles, cupcake decorating, a buskers corner, a cake stall, a plant stall, a silent auction and much more. Of particular interest to many people will be who will end up kissing the crocodile.

I will finish by putting on the record my thanks to the committees involved in bringing these special community events to life. There is an enormous amount of behind-the-scenes volunteering work that starts many months out. I would also like to put on the record my thanks to the sponsors, the large majority of whom are local businesses, who generously donate their time and goods to these events and without whom these events would not be possible.

CAP Expo

MS LEE (Kurrajong) (4.22): I rise today to talk about the Connect and Participate Expo, the CAP Expo, held over the weekend. The CAP Expo is a community event to showcase all the various groups and activities available to Canberrans of all ages and abilities. It was held for the first time in 2014 and was established as an event to showcase the opportunities for Canberrans to join groups with common interests and to construct social links. The expo has since grown to be an important platform for people to easily learn about the various ways to participate in exciting organisations around Canberra. Engaging with recreational groups that teach and encourage activities like dancing, martial arts, bushwalking and music is good for all Canberrans' physical, mental and emotional health.

This year there were over 100 stalls, from organisations involved in sailing and equestrian, food stalls, community councils, and radio stations. I had the pleasure of meeting some of these organisations as well as reconnecting with some familiar faces. I take this opportunity to talk about some of the organisations that I spoke to over the weekend.

I mention 1RPH, a radio station designed for the print handicapped, which includes people who are visually impaired, paraplegic, affected by arthritis or MS, or dyslexic. I understand that there are some members in this Assembly who volunteer for 1RPH.

Mrs Dunne: For many years.

MS LEE: Yes, many years. It was lovely to be able to connect with them. Their programs include reading from daily newspapers, magazines and books, and they do themed programs on issues ranging from health and science to travel and gardening.

Pegasus, another not-for-profit community organisation, provides people with disabilities with access to horseriding. Horseriding is not only fun, but a great opportunity to improve the confidence of people who take part. It also contributes to improving physical attributes such as coordination and balance. Pegasus has grown from its modest beginnings of two ponies for two hours a week, with a majority of the work done by the two co-founders, Bid Williams and Judith Burns, to now more than a dozen horses, with a volunteer base of over 140 dedicated Canberrans. Pegasus are no doubt concerned about their uncertain future in the new NDIS model.

There is the National Parks Association, who are dedicated to keeping our bush capital beautiful. I have taken them up on their offer for a hike out to Namadgi and Yankee Hat next month, so we will see if I come back from that unscathed.

There is Sailability ACT, an active member of Canberra's sporting and disability community. Sailability welcome all people in Canberra to sail on Lake Tuggeranong. They have the facilities to teach the most basic skills as well as providing more challenges for experienced sailors. It was good to see the crew show off one of their new boats at the expo. Earlier in the year, I and some of my colleagues in the Assembly were able to go out to the launch of this new boat, have a sail and experience firsthand the great benefits of being out on the lake on a wonderful weekend afternoon.

There is the Canberra Seniors Centre, based in my electorate of Kurrajong, in Turner, which encourages healthy ageing amongst those above the age of 50. It conducts positive activities and classes. For example, today the centre held events ranging from Italian to porcelain painting and jazzercise.

These are only some of the fantastic groups I caught up with at the expo, but a common theme running through all of these organisations is that they are highly dependent on dedicated volunteers with lots of heart and a very real, strong sense of social responsibility. It is a testament to Canberrans' willingness to fulfil their civic duty that the CAP Expo can have over 100 different organisations working for the benefit of all Canberrans. I take this opportunity to thank each and every one of those organisations and each and every one of the volunteers for everything they do for the Canberra community.

Planning—Gungahlin

MS ORR (Yerrabi) (4.26): I rise to speak about the Gungahlin town centre planning refresh that is currently being conducted by the Environment, Planning and Sustainable Development Directorate. As members would be aware, Gungahlin is growing rapidly and, over the coming years, the town centre will see an increase in development with the construction of light rail and the release of land for commercial and residential opportunities.

It is important that, as the town centre changes over time, the infrastructure is able to support the needs of the community. The planning refresh will review the quality of public spaces, access to the town centre, and how active travel and active living principles can be better established and facilitated in the area.

During the election campaign and since being elected, residents of Yerrabi have consistently spoken with me about planning in the Gungahlin town centre. I was very encouraged when the planning refresh was announced, as it provides residents with an opportunity for significant input into the future of our town centre and how it develops.

Building heights have long been a topic of discussion within the Yerrabi community, and in 2014 the Gungahlin Community Council undertook a survey which found that the vast majority of respondents preferred building heights of 10 storeys or less. Until recently, however, we have not had a building height limit in place and many developments taking in a range of heights, some in excess of 10 storeys, have been progressed.

With each development, building heights have been further debated, and residents have raised a range of views with me regarding what they see as suitable for the area. I am really glad the planning refresh will be addressing building heights in the area.

From the discussions I have had with residents, it is also clear that the community wants a town centre that is interactive and engaging. There are a number of ways that this can be achieved, for example, by creating a more pedestrian-friendly zone, encouraging businesses to utilise space along the verge of Hibberson Street and also ensuring that there is adequate public space for recreation.

The development and revitalisation of public spaces is vital to the vibrant atmosphere of the town centre. While there are currently two public recreational spaces, future development in the town centre will have an impact on these areas. It is vital that planning and design processes take the community's ideas and opinions into consideration. The current community engagement process aims to do this, with over 600 submissions already received. I am confident that the future of the town centre will reflect the will of the community.

If future development sees us moving to something quite different to what is already there, we need to be sensitive and responsive to the impacts on existing residents, businesses and the natural environment. The planning refresh provides the community with an opportunity to share their thoughts and ideas on the future of the Gungahlin town centre. It is an exciting chance for Yerrabi residents, businesses and the wider community to influence the change that is occurring in our town centre and to have their say on the future of planning.

Results from the online survey will determine what key issues need to be addressed and how government can work with the community to deliver a vibrant and accessible town centre for both residents and businesses. I encourage all residents and stakeholders to visit the your say website and take part in the planning refresh survey, which closes on Friday, 14 April.

ACT Health—mental health data submissions

MRS DUNNE (Ginninderra) (4.29): I use this time in the adjournment debate to seek leave to table the documents that I mentioned in a debate earlier today. This includes a letter that I wrote to the Auditor-General on 6 February about the ROGS report and some other information that the Auditor-General had given me—I had sought some clarification—a letter, undated, from the Auditor-General, but received by me on 14 February, which answered some of the questions that I asked but said that, in relation to the major information that I sought in relation to the ROGS report, she had directed it to the Health Directorate, and a final letter from the Auditor-General dated 23 March saying that the Auditor-General was not in a position to answer my questions that I had asked her in relation to ROGS data. I seek leave to table those documents for the information of the chamber.

Leave granted.

MRS DUNNE: I present the following papers:

Health data issues—Copies of correspondence to:

Auditor-General from Mrs Dunne MLA, dated 6 February 2017.

Mrs Dunne MLA from the Auditor-General, undated.

Mrs Dunne MLA from the Auditor-General, dated 23 March 2017.

Canberra Greyhound Racing Club

MR PARTON (Brindabella) (4.31): I rise to praise one of Canberra's iconic, great sporting clubs, which had a wonderful community event on the weekend which drew 12 other clubs together to raise money in the interests of community. The iconic sporting club that I speak of is the Canberra Greyhound Racing Club, which ran a very successful clubs challenge night on Sunday night in conjunction with their race meeting.

This was another great community initiative whereby the greyhound club invited sporting clubs to nominate local athletes to compete in a series of 70-metre sprints to qualify for the final of the clubs challenge later in the night. The heats were run between the races, with the contestants dashing between the 540-metre starting boxes and the finish line.

There were representatives from 12 Canberra and surrounding region sporting clubs. I will mention them: the Canberra Greyhound Racing Club; Gungahlin Eagles Rugby Club; Gungahlin Jets AFL; Gungahlin Bulls Rugby League club; West Belconnen Warriors, who brought a large and very loud cheer squad; Ainslie Tricolours from the local AFL; Belconnen Magpies AFL; Tuggeranong United soccer club; Belconnen United soccer club; Easts Rugby; Queanbeyan Whites Rugby Union club; and North Canberra Bears Rugby League club.

Supporters from these clubs swelled the already large numbers in attendance on Sunday night. There was a real carnival atmosphere, despite the fact that those opposite are mistakenly of the belief that greyhound racing is out of step with community values in the ACT. It was very clear to see that the community values what is going on out at Symonston.

I must make note to the Assembly that in annual reports hearings I asked the minister how he and the government came to the conclusion that greyhound racing is out of step with community values. Mr Ramsay took it on notice and wrote to us. I was expecting a scientific answer based on polling or a reference to a research document. But no: the only answer that Mr Ramsay could provide was that the result of the election was an indication that greyhound racing was out of step with community values. Mr Barr told us earlier that people were voting for light rail, but it seems they were not; Mr Ramsay assures me that they were all voting primarily to end greyhound racing.

But back to the community and the annual clubs challenge. I must congratulate Jacob Patmore, an 18-year-old speed machine from the Gungahlin Eagles Rugby Club, who absolutely blitzed the final. He won it easily and picked up \$750 for his club. I am salivating at the prospect of young Jacob working his way through the grades and then starting on the wing for the Brumbies, because, let me tell you, nobody will catch him.

This wonderful community event distributed \$1,100 back to grassroots local sporting clubs. Those who participated made it very clear that they were very keen to return and participate next year.

The greyhound club is intending to run another club challenge later in the year, this time for the ladies. Those of us on this side of the chamber are all looking forward to that.

Many whom I spoke to mentioned their dismay at the continuing non-appearance of Mr Ramsay, Mr Barr and/or Mr Rattenbury at their beloved venue. If Mr Ramsay, Mr Barr or Mr Rattenbury wish to get directions to the greyhound track, my office is more than happy to provide them. Indeed, if they give me enough warning, I am happy to give them a lift out to the track. I am sure we would have plenty to talk about on the drive out to Symonston, and carpooling is wonderful for all of us.

If Mr Ramsay, Mr Barr or Mr Rattenbury had attended on Sunday night, they would have had the pleasure of meeting former greyhound trainer Ricky Small, who suffered major injuries in a work accident some years ago. Ricky was the recipient of a \$30,000 community donation from the Canberra Greyhound Racing Club which enabled him to purchase a modified vehicle to drive himself around. Ricky and I had a long conversation about how much that donation has changed his life. He was absolutely gobsmacked that this Labor government is blindly pursuing this ill-founded, absurd decision to attempt to clumsily end this unblemished sport here in the ACT. Long live the greyhounds.

ACT Brumbies

MR PETTERSSON (Yerrabi) (4.36): Canberra is under attack. Our beloved Brumbies have been talked about as the team to get the chop for a newly structured Super Rugby competition. The powers that be in SANZAAR and the ARU are in top-level, super-secret meetings about the future of our club. The latest whispers say that it is the Western Force that needs to worry, but the calls for the Brumbies to leave our capital have a long history.

I have a deep and abiding passion for the Brumbies club. Many of you would not know this; heck, none of you should know this. One of my very first jobs, as a high school student, was to work for the Brumbies. I was probably the luckiest kid in Canberra. Most of my peers spent their holidays in the kitchen of a fast food restaurant. Not me. I was selling Brumbies merchandise in shopping centres across Canberra, and when I was really lucky, I got to work at the Brumbies headquarters in Griffith amongst the hustle and bustle of the players. My deep appreciation comes from seeing these athletes taking on the world, many of them Wallabies, training on a local Canberra oval.

The reason this is so important is that they are Canberrans. They are not getting flown in on lucrative contracts from across the countryside; these are local Canberra players who have come up through the ranks of the Vikings, Norths, Easts, Wests or Gungahlin Eagles.

Canberra gets a lot of unfair criticism in the media. We are teased about our small population, and we are teased about the politicians that visit our city. Madam Deputy Speaker, do you know what criticism we never get? How bad our local Rugby team is. The Brumbies have led this country in Rugby Union for generations. We have the best Rugby Union team in the country. You cannot buy a record like ours. Some clubs may try, but you cannot replicate a culture and community like ours that drives these results.

One of the highlights on the Canberra social calendar is the home and away match with the New South Wales Waratahs. We love watching our boys drive up the Hume Highway and towel up our New South Wales cousins. Madam Deputy Speaker—and this is an important point—it is not the size of your state that should matter. If the size of your state had anything to do with success, the Rebels and the Force have a lot of explaining to do.

This should be a decision about what is best for the game of Rugby Union. I call upon SANZAAR and the ARU to cut the speculation. I call on SANZAAR and the ARU to do the right thing. I call on SANZAAR and the ARU to do the right thing by Rugby, and that is to stand up for the Brumbies.

Aboriginals and Torres Strait Islanders—Bundian Way

MR MILLIGAN (Yerrabi) (4.38): On Sunday this week I had the pleasure of attending the sharing stories, run by the Committee on Racial Equality, at the Friends (Quaker) meeting house. John Blay spoke about the Bundian Way and shared stories of early interactions between first nation peoples and the early settlers in the Eden hinterland and the Snowy Mountains.

The Bundian Way is a descriptive name, taking its name from the Bundian Pass in the Snowy Mountains, which was the easiest walking route from the tablelands of southern New South Wales to the coastal plains just south of Merimbula. The route passes through state forests, national parks and rural and coastal areas. It begins at Mount Kosciuszko, or Targangal as it is known to some of the Indigenous peoples, and runs for some 330 kilometres, finishing at Twofold Bay. Two thirds of the Bundian Way lies in national parks and state forests, with much of it untouched by western civilisation. In fact there are areas where cars have never been, and you can see the track still very clearly.

The stories for the afternoon were told to us by John Blay, naturalist and author of *On track: searching out the Bundian Way*, who began his work in the 1970s by immersing himself in and travelling on the tracks and recording the many stories of the Bundian Way. John shared with us stories and photos of the natural flora and fauna to be found along the Bundian Way. He told us a story of the romance of white

settlers who fell in love after traversing the Bundian Way. There were women's stories of gathering food, stories of swamps, the good places for growing the yam daisy and the sacred trees, where coolamons were removed for carrying the collection of fruits and yams.

He told the story of the people he met and who helped him: Ozzy and Elder Cruise and their son, BJ. He explained the importance of the Bundian Way, which was used by the first peoples to travel to celebrate corroborees, to collect food such as yam daisies and Bogong moths, which he explained as tasting amazing, not unlike cashews.

John shared the stories of the government surveyors, Townsend and others, who recorded many of the Aboriginal names which we still have access to today. Townsend was the one who first mapped the Bundian Way, a resource John used many times during his research and work.

John was particularly interested in the work of Oswald Brierly, who showed great respect for the Indigenous people of the day, which in the middle of the 19th century was unusual. John shared in detail the painting of life at Bilgalera, also known as Fisheries Beach, and shared a story of the whaling conducted at the beach with the help of the local knowledge of the Indigenous people.

It was an amazingly interesting afternoon, though warm, which allowed us to be taken on a journey across the Indigenous landscape and learn something more of the Indigenous way of life and the impact of white settlement. It also made me realise again the age of this land but also that the borders we now recognise do not mean much to the Aboriginal people. It is good to know that work is continuing on this amazing pathway.

Heart Support-Australia

MRS KIKKERT (Ginninderra) (4.41): I wish to take a few moments this afternoon to speak in support of Heart Support-Australia. Heart Support-Australia has grown into a nationwide, non-profit organisation that supports heart patients but it has its humble origins here in the ACT and maintains its head office in Belconnen in my electorate of Ginninderra.

Heart Support-Australia's beginnings date back to 1986, when Canberra Max Nancarrow found himself struggling after a heart bypass operation. At his six-week check-up Mr Nancarrow was told by the doctor that he was okay to go home and carry on with his life. He did not feel okay, though, and he struggled to cope with everyday life. More importantly, he had nobody to talk to who understood what living with a heart condition was really like.

The stress of having no support created additional trauma, not just for Mr Nancarrow but also for his family members. To fill this void, he and a few others facing the same problem eventually formed three support groups—one here in the ACT, one in Batemans Bay and one in Brisbane—originally called the Australian Cardiacs Association. The Australian Cardiacs Association changed its name to Heart Support-Australia in 1997 to better reflect the role of the organisation and its focus.

Branches of HS-A can now be found in every Australian state and territory, where it pursues its mission to minimise the psychosocial and physical impacts of heart conditions on Australian families by providing lifelong social support encouragement by peers, role models and helpers alike. HS-A also provides information, including an online resource library, and has established rehabilitation initiatives for cardiac sufferers at various stages of their condition. HS-A relies heavily on donations and volunteers to accomplish all this good work and has been the recipient of support from not-for-profit organisation SHOUT, another locally grown charitable organisation, for more than 15 years now.

I am proud of people like Mr Nancarrow who have the courage and the initiative to turn personal difficulties into something good, in this case, making sure that other Australians will never have to face the lack of support that he endured; and I am equally proud of SHOUT which, for more than 35 years, has provided self-help and support groups in the ACT with crucial support services

Many of these groups, like Heart Support-Australia, are small community organisations managed by volunteers who provide a lifeline to people with health conditions. Thank you Heart Support-Australia for all that you do. It is my sincere wish that you will be able to serve people for many years to come.

Question resolved in the affirmative.

The Assembly adjourned at 4.45 pm.