

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES

(Reference: Appropriation Bill 2003-2004)

Members:

**MR B SMYTH (The Chair)
MRS H CROSS (The Deputy Chair)
MRS V DUNNE
MR J HARGREAVES
MS K MacDONALD**

TRANSCRIPT OF EVIDENCE

CANBERRA

FRIDAY, 23 MAY 2003

**Secretary to the committee:
Mr Derek Abbott (Ph: 6205 0199)**

By authority of the Legislative Assembly for the Australian Capital Territory

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

The committee met at 9.34 am.

Appearances:

Ms K Gallagher, Minister for Education, Youth and Family Services, Minister for Women and Minister for Industrial Relations
Department of Education, Youth and Family Services

Ms F Hinton, Chief Executive

Mr T Wheeler, Executive Director, Corporate and Training and Adult Education

Ms B Baikie, Executive Director, Children's, Youth and Family Services

Mr J Coleborne, Executive Director, School Education

Mr T Toshack, Acting Manager, Finance

Ms A Thomas, Director, Human Resources

Mr F Duggan, Director, Youth Services

Canberra Institute of Technology

Mr P Veenker, Chief Executive

Mr A O'Leary, General Manager, Corporate Services

Mr P Kowald, Acting General Manager, CIT Solutions

Chief Minister's Department

Mr R Tonkin, Chief Executive

Mr N Manikis, Executive Director, Multicultural and Community Affairs Group

Ms S Hall, Director, ACT Office for Women

Ms P Davoren, Executive Director, Public Sector Management and Labour Policy Group

Ms P Shakespeare, Director, Work Safety and Labour Policy, Public Sector Management and Labour Policy

Mr W Foster, Senior Manager, Employment Policy and Workplace Relations

Ms M Whitten, Director, Corporate Services

Mr P Hextell, Director, Accounting Policy

Mr K Phillips, Financial Controller, Corporate Finance

Ms J Plovits, Occupational Health and Safety Commissioner

Mr I York, Chief Finance Officer

Ms J Collins, Workplace Safety and Education and Information

Mr W Creaser, Chief Inspector, Dangerous Goods

Mr P Ulrich, Manager, Labour Relations and Workers Compensation

Ms M Mannion, Manager, Regulatory Leadership

THE CHAIR: Good morning. We will begin. There are a few formal things that we need to do first. The first is a warning or guidance to witnesses. You should understand that these hearings are legal proceedings of the Legislative Assembly, protected by parliamentary privilege. That gives you certain protections, but also certain responsibilities. It means that you are protected from certain legal action, such as being sued for defamation for what you say at this public hearing. It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter.

Minister and departmental witnesses, your evidence today is being recorded by Hansard to prepare the committee's transcript of proceedings. It is therefore necessary for you to speak clearly into a microphone when you answer questions. Officers who are seated at the back of the room should come to the main witness table if called on to respond to questions. Please do not speak from the back of the room. It would assist the committee staff and departmental officers if witnesses could also state clearly when a question is being taken on notice. It would greatly assist in the preparation of the transcript if witnesses would state their full name and the capacity in which they are appearing on the first occasion that they give evidence.

Minister, would you like to make an opening statement?

Ms Gallagher: Yes, thank you, Mr Chair, I'll make a brief opening statement. I begin by thanking the committee for the opportunity to appear today and take part in the estimates process. I think overall this budget has been a good one for Education, Youth and Family Services. We've maintained funding in real terms, we've provided some additional money for salary increases and 10 new initiatives are being funded.

Over the next four years, \$2.1 million will be provided to strengthen our response capacity for protecting children at risk of neglect and abuse. We'll also be providing \$500,000 for targeted assistance for schools which have concentrations of students from disadvantaged families. There is also additional funding for the impact of the SACS award on non-government organisations to ensure that they can keep their good work going and also for providing a youth worker in each government high school at around \$2.6 million over the next four years.

In the area of youth, almost \$1 million has been earmarked for work with youth through the police and citizens RecLink program, one that certainly the Chair should be very pleased to see. Also, we have built on our youth initiatives last year of about \$1.2 million for youth interact and youth services in northern and western Belconnen. The establishment of a career education support service at both government and non-government schools at a cost of \$1.8 million will, we believe, provide valuable support services to schools as they prepare and guide students in that transition phase.

Other education initiatives maintain the focus on quality and excellence, renewing government school curricula and increasing the level of curriculum expertise available—a core initiative in strengthening the relevance and quality in schooling and a key one to keep our young people engaged in this throughout their schooling years. The school excellence initiative, costing around \$500,000, extends to school development programs and includes extra capacity to critically look at the performance of schools, look at ways to improve and strive for even higher standards.

The budget also provides \$1.5 million in extra funding to the non-government school sector for kindergarten to year 3 in recognition of the importance of the early years of schooling. Also in recognition of the importance of those early years of schooling, preschools will receive around \$1 million in extra funding to help with cleaning and consumables.

We have continued to honour our commitment to spending an extra \$27 million in education over four years, and we still have two years to go. In developing this year's budget for education, we listened carefully to stakeholders, including what has come out of the Connors inquiry and advice from two ministerial councils.

The budget provides \$7.4 million for new education initiatives over the remaining three years of the commitment and an extra \$16.3 million in actual funding for government schooling—in total, \$18.2 million, including our increased funding to non-government schools.

In conclusion, Mr Chair, I would also like to acknowledge your agreement to let this committee meet late this morning due to my commitment to my daughter. Thank you for that.

THE CHAIR: An absolute pleasure, Minister. Minister, I'd like to start the day on a sad note. I'm sorry, members of the committee, that I haven't mentioned this to you. You mentioned RecLink in your opening address. It is with great sadness that I report that one of the members of the RecLink team, Sean Mills, died earlier this week. He leaves a wife and three young children. I'd just like to put on the record—perhaps you could pass it back to the officers who have been implementing the RecLink program—my personal sadness at Sean's death. I think that a large number of young Canberrans are going to feel a great loss, simply because he did such a wonderful, fabulous, committed and wholehearted job. If you could pass back to those members of your department that worked with him my regards and, I assume, the regards of the committee on the passing of Sean, who was a great bloke and great Canberran.

Ms Gallagher: Yes.

THE CHAIR: Minister, earlier this week it came to light that, initially, a member of staff and now, we understand, members of staff of the ACT department of health prepared a budget estimates 2003 document which actually alerted members of the public service on how to avoid answering questions of the Estimates Committee. Are you aware of any such documents being circulated or promulgated in your department?

Ms Gallagher: No, not at all.

THE CHAIR: And you've asked and checked that that is the case.

Ms Gallagher: I have had discussions with Fran Hinton and there is no such document.

THE CHAIR: Ms Gallagher, a question that I've been asking most of the ministers as they've come through is: are there any breaches of the Financial Management Act by your department in the last 12 months that have been brought to your attention or that do exist?

Ms Gallagher: No.

THE CHAIR: The third matter that I'll go to quickly and then move to other members is that on page 52, attachment 3, the ownership agreement between the Treasurer and the chief executive of the Department of Education, Youth and Family Services, is the only staffing profile chart that is worthy of note in all of the budget documents and the

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department is to be congratulated. Oddly enough, you would be the only department that appears to have any movement in staff numbers or profile. Well done for at least taking the time to put the chart in place and, secondly, for making it so comprehensive.

I note on page 53, however, and I'm assuming that Mrs Cross will want to follow this up, that you give a diversity of equity breakdown of all the classifications except for the senior executives. Is there a reason for that and could we suggest that next year you might include the executives in your breakdown of diversity and classification as well?

Ms Gallagher: Yes, sure.

Ms Hinton: It has been our practice only to provide that kind of information where the size of the grouping is large enough not to identify particular individuals and in the case of the Department of Education, Youth and Family Services there are only 15 executives, so a breakdown of that sort of information would be difficult.

MRS CROSS: Minister we're very grateful that we could start later this morning, I can assure you.

Ms Gallagher: Would you like to finish early as well?

MRS CROSS: No, the media are here and we want to make sure the media know we're doing a very good job. There are a couple of themes that I'm pursuing through the course of the estimates. One is that of empire building. The second is that of the number of women in the senior executive service ranks.

I have noticed so far in every department that in the upper levels they're top heavy with men—not that I have any problem with you, gentlemen; I think you're wonderful. However, there does appear to be a gender inequity issue and what I would like you to do, if possible, and you can take this on notice, is provide this committee with a list of senior executive service women in the ranks.

Ms Hinton: I could probably do it now, Mrs Cross. There are only 15 in total.

MRS CROSS: How many women in that 15?

Ms Hinton: About eight, of that order.

MRS CROSS: Of the 15 SES officers in your department, more than half are women; is that right?

Ms Hinton: We'll just do the maths and let you know in a couple of minutes.

MRS CROSS: That would be great. You can take it on notice.

Ms Gallagher: But I think, Mrs Cross, the point you raise is relevant and, with my IR hat on and my Minister for Women hat on, I've certainly been conscious of the fact that across jurisdictions and in the Commonwealth public sector we face a similar issue and it's one that is worth taking notice of.

THE CHAIR: Not that we're suggesting there be a bias against blokes.

MRS CROSS: Not at all.

Ms Gallagher: Of course not. I don't think we could achieve that.

MR HARGREAVES: There is no such bias, I can totally assure you.

MRS CROSS: Minister, I congratulate you if what I've heard so far is the case. Perhaps a little of your approach will rub off on your cabinet colleagues. Do you want to continue your question at this point in time?

THE CHAIR: No, I'm fine, you can go for yours.

MRS CROSS: Okay. Professor Tony Vincent has just completed a report into government education in New South Wales. One of the findings was about the relationship between the physical attributes of the school and the self-concept of students. Are you aware of this report? If you are, have you applied any of those findings to the schools in the ACT?

Ms Gallagher: I'm certainly aware of the report. I haven't looked at it in detail, but that's probably something that we will be looking at because we can learn from research done in other jurisdictions. I'm not certain what you're specifically wanting me to look at. You raised a couple of points there.

MRS CROSS: The report finds that a lot of it relates to the health of the child, the self-esteem of a child, how it affects their schooling. For those of us that have had a quick look at it, it's actually a very useful tool and I wondered whether, if you were familiar with it, you were intending to apply some of the theories of that report to the local system. You can take it on notice.

Ms Gallagher: Certainly, we will be looking at the report, but I think it's also important to acknowledge the work that we're already doing here in relation to that and we do recognise, in all honesty, the increasing complexities of issues that young people are facing, right down to kindergarten and through to year 12.

With a lot of the work that the department is doing in putting action plans together—student support action plans, indigenous action plans—the initiatives in terms of curriculum, providing youth workers and addressing disadvantage through the equity fund are all looking at ways that we can support the physical side and the wellbeing of young people as they enjoy their learning process.

It's something that's at the forefront of our minds. Gone are the days when education is just about maths, English and the core learning areas. The responsibility of education providers has broadened and it is much more about looking after the whole child and even to the child's family because that does affect their educational outcomes. We want to see young people achieving the best they can through the education process and part of that is acknowledging the whole person. So we are aware of it and we're doing a lot here, but we can always learn from other jurisdictions.

MRS CROSS: I'll just go on to my next question. On page 292 of BP 4, under total liabilities, is the following statement:

The Department has a mature workforce, with levels of emerging costs currently running in line with accruing employee provisions.

The word "currently" concerns me a little. Does it carry an implication that this might not be the case in the future and what are your predictions with regard to employee emerging costs in this area?

Mr Wheeler: Essentially, what that is doing is alerting readers to the fact that there are high levels of employee entitlements accrued in our records, in our financial affairs, and that over the next few years a lot of those will begin to retire and when they do there'll be payouts associated with that. It's nothing more than a statement about the age of the work force.

THE CHAIR: In terms of work force planning, what is being done? We must cross, I guess, a Rubicon where there is a hump or a large number of teachers will retire in a short period of time. What's being done to ensure that we've got the quality of teachers that our students deserve into the future?

Ms Gallagher: I'll let Fran expand on it, but it was certainly something that came through the Connors report, alerting us to the issue of the ageing work force. She recommended some measures that we could look at in terms of addressing that, in terms of promoting teaching as an opportunity within our own education systems.

I guess it's also part of a broader recruitment strategy, and the department certainly embarks on a very comprehensive recruitment strategy each year, beginning in March, I think, to meet our needs, but also to target in particular areas where there is a need. So it's certainly something that we are aware of and we'll be looking at strategies. We have no problem in terms of recruiting teachers here as all the positions are filled, but it is something to keep in mind as we near an age where significant numbers of teachers will be retiring. I'll hand over to Fran.

Ms Hinton: Thank you. It's an issue that we've been looking at for some time. Indeed, in the certified agreement before the last one, before the current one, we introduced a beginning teacher category which enabled us then to change some of our recruitment strategies from one that just recruited level one teachers to one that looked at targeting a particular range of beginning teachers in their first two or three years of teaching in order to address that profile issue, rather like in the broader public service there's a graduate assistance program, and that has actually started to bear some fruit. You can see the effects of it when you look at our ageing profile, because when we started this profile, it went like this in terms of age and we have now increased the numbers of people in their late 20s, early 30s.

That's been one strategy. A second is that we have established over probably the last 12 months an organisation and people development section whose focus is to look at the work force planning issues and their implications for the department as a whole. Our recruitment has broadened much more; we're recruiting much more interstate than we had previously.

The final aspect in terms of our ageing profile is that we are giving particular regard to our induction processes. As we have increasing proportions of new staff into the system, induction becomes more important, so that we can share that knowledge. Equally, we have to pay attention in other parts of the organisation to the transfer of knowledge and the development of young people so that we don't lose the experience in a very short space of time.

MRS CROSS: You mentioned recruitment and how you're expanding the way that you're recruiting, which is terrific. One of the great concerns that have existed not just in Canberra but nationally has been boys education and having male role models in the school system for young boys. What are you doing to address that issue?

Ms Hinton: Our recruitment processes are based around merit and we're very fortunate that teaching positions in the ACT are highly sought after; so, generally speaking, for most areas we have far more applications than positions to fill. But the selection process is based very clearly on merit. We have taken some approaches in our recruitment that involve taking beginning teachers in our system on our recruitment drives, so that when we travel to university campuses interstate we not only take people from the central office to do that selection process, we actually take beginning teachers from the schools who've been teaching in our system for a couple of years and we take both male and female teachers because that's a process that demonstrates to students in universities who are looking for places to work that we have a system that values a gender balance in the system.

MRS CROSS: But at the moment we have a gender imbalance.

Ms Hinton: That's right.

MRS CROSS: This is one of those cases where we don't have enough male teachers and it is a concern that exists not only in the ACT but nationally. It is recognised that it is a severe problem and it does affect the way young men relate to their peers and their teachers in the schooling system. It is a specific gender issue.

Ms Hinton: That's right, and what I'm trying to do is to explain to you how the department works within national and territory discrimination legislation to make working and teaching in the ACT an attractive place for male teachers. Part of that is the way in which we promote and use as role models the very successful young male teachers that we have in our system.

MRS CROSS: How are you promoting it?

Ms Hinton: We take them to university campuses in terms of our recruitment drives, so that we aren't just taking a female or a bureaucratic approach to that. Secondly, on our website we use vignettes of beginning teachers who are very happy working in Canberra and we use young men as well as young women, who describe their experiences in working in Canberra and living in Canberra, because in today's world the lifestyle questions are also important questions for individuals in terms of choosing where they want to work.

There are lots of strategies that actually demonstrate and show male teachers, particularly young male teachers, working in Canberra. We can talk in a moment about what we do about boys education, but you would be aware that under discrimination legislation it would be quite inappropriate and against the law for us to discriminate.

MRS CROSS: I understand that, Ms Hinton. I understand that you're trying to make Canberra an attractive place for people to work in. I don't believe that that is the major issue as to why we have a decreasing number of male teachers in the education system in Australia, and Canberra of course. The concern is: how do we change the perception of young men wanting to go into the education vocation and alleviate their concerns on the potential for being accused of sexual crimes, which I understand is one of the reasons why a lot of these young men are not choosing the education vocation? How are we addressing that?

Ms Hinton: I think this is a very complex issue and it's certainly not a direct causal relationship with one factor to the outcome. There's a lot of work going on nationally through the national ministerial council to develop some strategies that look at the issues about why it is and the research about why it is that men are not looking for careers in education to the same extent.

The reason I was emphasising the recruitment issue is that the recruitment process is the process that is likely to change or maintain, at least, a balance of male teachers in our system in the next two or three years, so there is a short-term response and there is a much longer term response that's necessary.

The short term has to be addressed through the recruitment process and trying to get an increasing proportion of the young men that are graduating from universities to come to Canberra, so that's an important strategy that we can pursue and we are. In terms of the longer-term issues, we're looking at these things nationally, but it is a mix of many different things.

THE CHAIR: Before we progress, Mr Pratt has a supplementary question.

MR PRATT: Boy and girl students need to have good male and female role model teachers, clearly. What percentage of male teachers occupy, on average, primary schools, particularly primary schools, at the moment?

Ms Hinton: We think it's about 30 percent. We certainly publish that figure in our annual report.

MR PRATT: Okay. That figure is still current, is it?

Ms Hinton: I'm giving you a rough figure. We will be providing before September the position as at 30 June.

MR PRATT: Is that figure as low as 15 per cent in some schools, as is often reported?

Ms Hinton: It's possible because some schools are very small and we're only talking about a staff of perhaps seven or eight, so one change makes a difference.

MR PRATT: Do you agree that we need to find clever strategies to attract male teachers? I don't know that you answered it completely, but how do you think we can get around the industrial relations issues and the legal issues regarding the proactive recruitment of male teachers, particularly for the primary schools?

Ms Hinton: I don't think it's an industrial relations issue. It's an issue for the legislatures of the country, really.

Ms Gallagher: Also, we need to be looking at ways to encourage males to choose a bachelor of education as their career choice. If you're producing graduates where the numbers between male and female are already different—I'm not sure what they are; I can probably find those for you—then the pool that you've got to enter the merit process is already different. The numbers are already different, so you don't have the number of males to enter the merit process to actually win the positions.

That's something that's being looked at nationally in terms of promoting teaching as a profession, as a real career choice. I think that, historically, it's been much more that women have made the choice to enter the profession. I think that is changing, but we need to look at ways to change it further.

MR PRATT: In terms of what we've seen come out of Connors and other studies, would you agree with those reports that there is a significant gap in performance between boys and girls in schools, Minister?

Ms Gallagher: Certainly, in areas there are. There are areas where boys do better than girls and there are areas where girls do better than boys. I think some of the work that was done with Dr Martin's report showed that there were areas where boys needed extra support, but he believed that that could be done within a coeducational setting and that girls would benefit from some of those strategies as well. So I'm not sure. Jim will add to this. Certainly, I think that those reports or that research indicate that there are things we need to do to support boys, but that we can do it in a co-ed capacity and that girls will do okay out of it as well. Jim might have something to add there.

Mr Coleborne: Mr Pratt, in our submission to the House of Representatives standing committee on the education of boys, we accepted that our situation was a little different to the national situation with respect to the recruitment of teachers, that the situation really was about selecting the very best teachers that were available for any position in schools, that what we needed was quality teaching to engage students in their learning and that that isn't gender specific to the identify of the teacher.

A great deal of work has been done in the ACT to identify improved outcomes for the education of boys. The previous government commissioned a report by Dr Martin to identify a whole range of strategies, and we've moved forward to identify a framework to improve the education of boys and substantial professional learning and development is to take place with our teaching staff to ensure that we achieve those outcomes as part of our forward planning.

Ms Hinton: You asked about the significant differences in achievement. Again, I don't think there are any clear answers to this that enable us to reach clear-cut conclusions. It's quite interesting that we know that in literacy boys, in aggregate, do not perform at the

same level as girls. On the other hand, there are boys who are performing just as highly as girls and there are some girls who are performing just as badly as boys.

We also know that girls continue on at a higher retention rate to year 12 than boys and that, in aggregate, girls tend to perform better at year 12 than boys. On the other hand, we also know that by about age 25, according to statistics produced by a range of people, including the Dusseldorp Foundation, girls earn less money on average than boys and that they have higher unemployment rates than boys.

I think we ought to be a little wary of jumping to too many conclusions about what the particular situation is for a group of the population that represents 50 per cent, that we need to recognise that there are many different kinds of subgroupings and it's often the intersection of particular factors of disadvantage that lead to outcomes for particular groupings within the total cohort and to understand that, important as education is, there may be a range of other kinds of skills that contribute to success in life, other than performance in some relatively narrow school-based tests.

MR PRATT: Okay, so you wouldn't necessarily agree, Minister or Ms Hinton, that the persistent theme of the 4 per cent gap in terms of retention of boys through to year 12 versus girls and the core subject performances are significant issues? You wouldn't agree that we need to move urgently to do something about the gender balance of teachers, particularly in primary schools, to address that theme?

Ms Hinton: I am certainly not convinced that the issue of retention is an issue that relates to the gender balance of teachers. I am concerned that there are young people who are not completing a full education, because we know that their life chances are lessened by lack of a solid foundation in education and training. But I would not put that down simply to an issue of gender balance in the teaching work force. I believe that there are far more complex factors at play in that. As Mr Coleborne says, the issue is probably about engaging young people in their education, finding education programs that are relevant to them, and providing the family support processes that enable them to benefit from the education that's available for them.

MS MacDONALD: While we're talking about the issue of imbalance, I'm curious about the issue with principals. I know that in certain other states there's a gender balance issue which reverses when it gets to the principal stage, where it goes from having mainly females in the teaching ranks but when you get to the principals stage there is a switch to there being mainly males in the principal ranks. Is that the case in the ACT? I've been looking at the ownership agreement and I can't actually see it within here, so I was just curious as to whether that's the case.

Ms Hinton: Yes, it is, and we will report that again in our annual report. But I do have figures that absolutely confirm the situation that you've described. With our level one teachers the balance is that we have 568 male teachers out of a total of 2,500, which is roughly one-fifth, whereas at the principal level it's more like 31 out of 78, so we're getting down to something like a third, a bit over.

MR HARGREAVES: I want to raise for clarification an issue that I've raised at almost every estimates hearing I've ever been to and even before that, that is, the issue of counselling services in the schools. I have to say that I was absolutely delighted to see an amount being provided to increase the counselling services in our schools.

Ms MacDonald pointed out that in the first year there would be \$215,000. I assume that's a half-year effect, because the second year is \$649,000. I assume that means we're going to kick it off in, say, term one of 2004 and the first six months will be the lead time. I assume that's the story.

Ms Gallagher: For the youth workers in schools, we're staging it. Correct me if I'm wrong: in the next year we are looking at having eight out of the 17 recruited and into the schools and we'll be consulting with education communities about where those people need to be in the first year. That's partly due to the need to get the model right and also the shortage of youth workers in the ACT and the need to be able to stage that recruitment process, but that's the reason why those figures are the way they are.

We're setting up a reference group to work through the review of counselling report. I imagine someone else can say where that's at, but that's certainly being commenced and it's to look at the models that were outlined in that report. I guess that the emphasis from my point of view will be on how do we best support the counsellors who are currently in the schools, because they certainly came out of the report as being highly valued and highly desired to remain as counsellors with teaching and psychology qualifications, but how we expand on that.

I guess the youth workers are the first step in extending and enhancing the current counselling services that we have in schools. We're also looking at some training opportunities for the counsellors who are currently in the schools. We're also looking at some of the work force planning issues which came up through the report. This is a key and very significant area in schools, particularly in high schools. Parents are highly satisfied with it. The work counsellors do is highly sought after. The need is there. We've just got to make sure that we get the model right in introducing the youth workers and looking at other ways to implement what the counselling review suggested.

MR HARGREAVES: I notice that it has a growth pattern in that it goes from \$215,000 to \$649,000 to \$880,000 and then, I presume, you will just tick on price increases, the CPI and that sort of stuff, which is fine. It's nice to see it gradually coming on stream. We're aware of the shortages of people in the youth sector. I think it's a fair comment to make that if you've got people who are good in the youth sector you hang on to them; you don't let them go. I mean, that's nothing short of suicide.

Ms Gallagher: That's right. Certainly, we're having discussions with the Youth Coalition about their ideas on how we can best introduce that into schools, so there's going to be some significant cooperation between the youth sector and the education sector.

Ms Hinton: That process has already started with a very successful program that we have been funding at the Catholic University, which is a master of youth studies. The people enrolled in that master of youth studies are a mix of teachers, youth workers from the non-government sector and people from refuges and a range of community organisations.

I've been fortunate enough to go out and have discussions with both the staff and the individuals who are undertaking that master of youth studies. We've found that the professional conversations that have been generated with the people coming from different perspectives have been really valuable in looking at the ways in which we can, collectively, assist young people.

MR HARGREAVES: I'm curious in this sense about departmental relationships. Internally, they are fine because you've got a lot of fabulous operators in Family Services and, presumably, there are lots of synergies within the department in that sense, which is great. I'm curious to know whether you're going to adopt a multidisciplinary approach in terms of involving groups such as the Child and Adolescent Mental Health Service. As to where I'm coming from, my main concern is to stop youth suicide in high schools. That's my big thing. So could you tell me something about the relationship that exists between yourselves and the Child and Adolescent Mental Health Service and organisations like that?

Ms Gallagher: I think that's one of the things that need to be worked through with this reference group. The counselling report put forward four options, one of which was a multidisciplinary approach, and that's the one that I saw as a way whereby we could immediately proceed with the youth workers. The multidisciplinary team, when it's broken down in the report, has other support workers within it. I guess they're the discussions we need to have with the P&C and the union as we proceed with the counselling review. It only came out before the budget. I think those discussions need to be had, but maybe Fran's got something to add.

Ms Hinton: We're very keen, as the minister said, to look at developing arrangements for the welfare and counselling of people in schools that provide a wider mix of services but, notwithstanding that, there are certainly arrangements in place now that have quite strong connections between different kinds of services. For example, our senior counsellors work very closely with CAMHS; indeed, there's a memorandum of understanding in place. Also, at the level of case management there are connections between a range of these sorts of services.

The real thrust, I think, in the counselling review is the notion that, with the changing needs of young people, it may be an appropriate time to move away from the model which had just school counsellors who were trained as teachers and had counselling qualifications as well to one where there is a wider range of people involved. Certainly, the traditional school counsellors would continue to play a very significant role—we acknowledge the importance of their role—but there may also be a place for people who are just psychologists without teacher training. There's a place for youth workers, there's a place for a range of different services.

MS MacDONALD: I'd like to congratulate the minister and the department on actually taking this initiative. I know Mr Hargreaves has been an advocate of it for a long time. Certainly, the health of school-age children report of the Health Committee has raised this as a major issue. In relation to the issue of counsellors within schools, will you be looking at those recommendations from that report and using this to tie back into that report as a way of addressing those issues?

Ms Gallagher: To the health of school-age children report? Yes, we'll certainly be responding. I think Simon Corbell's area is actually coordinating that response, but a significant number of those recommendations certainly come under this portfolio and we'll be addressing each one of those recommendations. It was interesting to see that a lot of what the counselling report had sat quite nicely with some of the recommendations out of that standing committee's report. I think it's good to see we're all recognising that young people have increasing needs and we need to be looking at ways that we can best support them. I think that's a goal that all of us share. That's evident from the standing committee's report.

MS MacDONALD: I can't recall whether it has come out of the report, but I know that in the visits that we did in that inquiry it was coming out quite clearly that there was a lot of pressure being placed on the health service in particular because the schools couldn't adequately meet the counselling service needs of lots of students and lots of students were falling between the gap. I know that it has been the aim of the department and the previous minister to try to get the departments to operate in a more interconnected way.

Ms Gallagher: Yes, that's right, and some of the results from the counselling review showed the reasons why young people weren't accessing counsellors, and still overwhelmingly it's to do with academic performance or concerns they have with their learning. But, as you break it down, it does go down into substance abuse issues, mental health and things like that, and I think the work of a trained youth worker could support those needs and work in conjunction with other health providers that that young person might be in touch with.

MR HARGREAVES: You talk about support services through counselling for the kids and that sort of thing. What involvement are you having with the families of those people who need support to make sure that the kids get the best opportunities?

Ms Gallagher: That's a hard one. In terms of the youth workers, the angle we've found that has been successful in my discussions with the Gungahlin youth centre is the fact that young people may have a different relationship with youth workers than they have with counsellors and there is the fact that some confidentiality might be given to those young people on particular issues where families might not need to be informed. They have been really successful with young people choosing to share their experiences. Certainly, I think that schools as communities is a very good program. It works very much with the families to address what's happening.

THE CHAIR: A fine initiative, Minister.

Ms Gallagher: It was a fine initiative; I don't mind saying that at all. It is a very good program and I've had discussions with some families which have benefited from that program and I have no doubt that it is really assisting those young people.

THE CHAIR: I couldn't agree more, Minister.

MS DUNDAS: Has a decision been made yet on whether the youth workers in the schools will be employed by the department or actually contracted from external youth work organisations?

Ms Gallagher: No, we'll be employing them.

MS DUNDAS: So they will actually be employed through the department.

Ms Gallagher: Yes.

MS DUNDAS: You've just said that young people have a different relationship with youth workers than they do with school counsellors. Do you think by having the youth workers as part of the schooling system, not that there's anything wrong with the schooling system, but actually having them in the same structure as the rest of the teachers and the rest of the school counsellors will impact on that relationship that is established with external youth workers?

Ms Gallagher: They'll certainly be employed as youth workers. I guess it's a new area for us in terms of our staffing profile within schools. These people will be youth workers. They won't be counsellors, they won't be teacher trained. That's why we're having these discussions with the Youth Coalition on how best we can implement this to ensure that the benefits of having a youth worker are received by the young people themselves. I'm not sure whether the nature of the employment relationship, whether the department employs them or the youth sector employs them, will be a matter that maybe affects the young person's decision whether to access them. I don't know whether that link can be drawn.

Ms Hinton: The difference probably is where we want them to be. If we want them to be in the schools as part of the schools and developing relationships with the young people that are there in the schools all the time, then it makes sense for that to be an employment relationship with the ACT government.

However, the point you make is an interesting one. As we work through all the different issues that have been raised through the counselling review process, it may be that we will want to consider having as some part of the total mix of services that are available a part that is available outside the government—not particularly about the youth workers, but generally about counselling. It applies equally in terms of counselling. But that's something that we'll need to work through.

We're not rushing in terms of the counselling review because it does raise a great many issues and, as Ms MacDonald said, we have the benefit now of the Assembly standing committee's report on the health of young people. We need to work these issues through with our own counsellors first, which is what we're doing, and then with a working party which will be established in the next few weeks and we have to keep thinking about what are the best kinds of models that will deliver the best kinds of services for the students in our schools.

MS MacDONALD: You've mentioned the master of youth studies at the Catholic University. I understand the University of Canberra was looking at some form of program for teachers to go through if they wanted to become a counsellor as well. Has there been any further work done on that?

Ms Hinton: The University of Canberra does have a program of that kind. In fact, I think we're funding it all, probably. We're certainly funding the people who are in it, so I suspect it may not occur without that. We met with representatives of the University of

Canberra within the last couple of weeks. We have a liaison committee that involves representatives from the University of Canberra, the department and the Australian Education Union. It's jointly chaired by the university and the department. At that meeting we talked about the need for more counsellors and discussed the fact that we would be expecting at some time in the next couple of months to be producing a tender document probably for an academic institution to be able to provide some program in counselling for us.

Mr Coleborne: Mr Smyth, could I make a further comment about the effectiveness of the youth workers in a multidisciplinary sense? We believe their work will be much enhanced in a multidisciplinary model because quite often the young people involved are working separately, say, with a counsellor, a social worker or a youth worker, but by working in a multidisciplinary context a lot of the engagements and interactions that occur can be much better communicated, so that instead of working separately with different groups of people, the young person concerned works in a holistic way with a team of people who all understand the common issue. So we would think that the youth worker model will work much better in a multidisciplinary context. All of the models had some sense of a multidisciplinary nature about them and those details, as Ms Hinton has said, are yet to be worked through.

MR PRATT: I wish to follow up on Ms Dundas' earlier question about the vexed issue of disengaged students, disruptive students, and what they do to the environment. Clearly, this is a fundamental concern, I think you would agree with that, in terms of excellence in schools.

Ms Gallagher: I will just put it in context a little. In the government education system, about 37,000 children are attending school each day. I'm not sure that the level of disruptive children needs to be overstated. But in terms of the increasing complexity of young people, yes, we acknowledge that, and that's why we've put forward some initiatives this year as priorities. All of them will assist with engaging particularly those young people who are at risk of not engaging or are already disengaged.

MR PRATT: Okay. In respect of the discussions about youth worker programs, what we currently have with school counsellors, would you agree that an integrated system of youth workers, school counsellors and even teachers who are more capable in the pastoral care area would be desirable?

Ms Gallagher: Yes.

MR PRATT: Is this not the best way perhaps to engage with those children who are disengaged?

Ms Gallagher: Well, that's what we're doing. I should acknowledge—you've raised a good point—the role of the teachers in the classroom day by day in supporting these young people. Once they do come in contact with counsellors, it's in addition to the support that's being provided to them throughout their classroom on a daily basis. But you're right to raise that; that's part of the picture.

MR PRATT: So you would agree that having in place youth workers and school counsellors is not sufficient and that we do need to do something about improving the capabilities of teachers to undertake that pastoral care role as well. Do you have a plan to do that, apart from what we've just heard about the University of Canberra program which is also available? Is that now something which we might institutionalise?

Ms Gallagher: I'm not sure I'm following you, other than to say that it's in the art of teaching, I think, to support the young people in your classroom and our teachers across the sectors do that extraordinarily well. In terms of the professional development opportunities that are provided to teachers, we believe the initiatives in terms of curriculum and some of the extra support through the equity fund will support the work that they're already doing. They're very much a part of the approach at an individual level to ensure that young people achieve the best educational outcome that they can achieve. They're a key part of that. The youth workers and counsellors complement that picture.

MR PRATT: Ms Hinton earlier made an interesting comment about the location of youth workers. That is a very important issue. Do you intend to ensure that the youth workers who are recruited to those positions also pick up an educational background, that is, that they understand entirely the education system so that they can interface with school counsellors and teachers? Don't we need to ensure that they are also picking up an education capability?

Ms Gallagher: Are you talking about whether youth workers need another qualification other than being a youth worker?

MR PRATT: Not necessarily another qualification, but certainly oriented towards and inducted into the education culture.

Ms Gallagher: Absolutely. It's an innovative approach. I'm not aware of it's being done in another jurisdiction to the level that we're committing to here. That's why it's important to us. I will be meeting with the counsellors, hopefully, very soon. I haven't checked my diary, but I certainly want to meet the counsellors themselves, and also with the Youth Coalition.

That's why I think that phasing in of this program is essential, because we may need to tinker at the edges and we may need to look at ways for the youth workers themselves to be inducted into an education setting permanently. It will be a different setting for those youth workers and I think it's an exciting program, but I accept that those issues about how the model actually comes together in the end still need to be work through. That's why we need to have this working group and all these discussions going on.

MR PRATT: Okay. How much success have you had to date in terms of community-based schooling and the link between the department of education and those agencies dealing with it to encourage parents of disengaged children, for want of a better term, to come forward and participate in the discussions and programs that need to be undertaken to build up those kids? What success have you had in the last 18 months?

Ms Gallagher: Fran's probably in a better position.

Ms Hinton: One of the characteristics of all parents, I believe, whatever their circumstances and however much they may struggle, is that they want the very best for their children. The challenge comes in working through with that individual, through the difficult circumstances that they have, by working with the schools. We've had more experiences than I can count where the schools have been very successful in getting parents to come and be engaged in their schooling.

I was at Narrabundah Primary School the other day, where there was ample evidence of that sort of activity going on. That's mirrored across a range of other schools across Canberra. But we don't keep statistics about the number of times that parents would come into the school to talk about a particular activity, to have a cup of coffee with the teacher. It would be a mistake also to think that we are totally successful in these matters as well. There are some individuals in our community, as I'm sure everybody here knows, who have very, very challenging circumstances, and it's a process of taking a couple of steps forward and one step back sometimes. But there's a lot of work going on in that area.

MRS DUNNE: This has been an interesting discussion, but I want to get back to the budget and the maths. Earlier in the week my mental arithmetic was not all that brilliant, but there are a few things I want to clarify. It is said in BP 2, as elsewhere, but BP 2 is a nice ready reckoner, that there has been an increase of \$14.7 million in estimated outcomes, but, looking at last year's BP 2, there was \$334.7 million in government schooling, and there is \$352.7 this year. There seems to be an \$18 million increase in total expenditure on government schooling. Can someone explain to me the difference?

MS DUNDAS: They're spending more. Isn't that a good thing?

Ms Gallagher: The opposition doesn't always think that, Ms Dundas.

MRS DUNNE: BP 2 says that you're spending \$14.7 million more on government schooling, and if you look from program to program, year on year, between BP 2 last year and BP 2 this year you come up with \$352.7 million this year and \$334.7 million last year, which is a difference of \$18 million. I'm just wondering what's happened.

Mr Wheeler: I think the \$334 million that you're referring to is the budget figure for last year.

MRS DUNNE: Yes.

Mr Wheeler: The estimated outcome is actually \$337.997 million.

MRS DUNNE: So you're not comparing budget with budget, you're comparing actual year with budget.

Mr Wheeler: Budget with the estimated outcome, yes, the latest figures. Everybody does it. That's the form of the budget papers.

MRS DUNNE: What's the difference between last year's budget figure of \$334 million and the outcome?

Mr Wheeler: It's about \$3 million, I think, a bit more than \$3 million.

MRS DUNNE: Where did you get the \$3 million from?

Ms Hinton: I'm having a little trouble with the question.

MRS DUNNE: Last year's budget said that on government schooling you would spend \$334.7 million and Mr Wheeler has just said that when you compare projected actual outcomes with this year it gives you \$14 million as opposed to the \$18 million between BP 2 last year and BP 2 this year you get an \$18 million difference. I wanted to know why we were saying there was only a \$14.7 million difference. Therefore, we've come up with a \$3 million discrepancy and Mr Wheeler is going to tell me where it is.

Mr Wheeler: It's not a discrepancy. Basically, it's the costs associated with the teachers' EBA.

MS MacDONALD: I've got a few questions. I will start with the curriculum renewal project, which is a big area. I note that it goes from preschool to year 10 across eight broad learning areas. Can you tell me what the eight broad learning areas are and can you tell me a bit about the renewal project and how it will work?

Ms Hinton: I'm sorry, what was that?

MS MacDONALD: The curriculum renewal project on page 175 of BP 3. It's one of the initiatives. I'm curious about what the eight broad learning areas are and also to know about how it will work.

Ms Hinton: The eight key learning areas are English, mathematics, studies of society and environment, technology, health and physical education, the arts, languages other than English, and science.

MS MacDONALD: How are you going to be progressing it?

Ms Hinton: We are relying in this particular initiative on quite detailed advice that was given to the minister by the Government School Education Council on the best possible approaches to reviewing curriculum. The intention is to establish a resource team within the department. It will be headed by a director, Jeff Mason, who is the current director of curriculum assessment. He will be off line to head up that project and he will be seeking assistance from, probably, a deputy principal and some executive teachers to conduct the review process, with the benefit, of course, of a reference group that will involve representation from the non-government sector as well. They will also be advising on the redevelopment of the curriculum frameworks for ACT schools.

MS MacDONALD: And what's the time frame?

Ms Hinton: We expect that the review process, the consultation process and the design, support and development of curriculum materials will probably take about 18 months.

MS MacDONALD: So that's to develop the materials but not to actually roll them out.

Ms Hinton: No. It's quite a difficult task. We've talked about the current eight key learning areas and you'd recognise that that's across preschool to year 10. The current curriculum documentation setting out the outcomes and the sequenced learning outcomes that students progress through during their schooling from preschool to year 10 is about this high when you add all of those different sorts of areas. Part of the challenge will be to see whether there are different ways in which we can organise the curriculum and perhaps bring that down more into some essential learning with a bit less detail.

MS MacDONALD: And with that, when you actually roll it out, how will you be providing professional development?

Ms Hinton: The initiative provides quite a substantial chunk of funding for professional development of teachers and support from the centre.

MS MacDONALD: Will each teacher be given time off line to learn about the new curriculum, will it be done on a school by school basis or are you still working that out?

Ms Hinton: Given that this is a couple of years away, the detail of that will need to be worked through. In putting the initiative together, we were certainly very conscious that the professional development of staff was a very big component of it, as you're rightly suggesting, and that needs to be factored into it. But the exact way that that will occur will need to be worked out.

MRS DUNNE: Minister, the three point whatever million dollars we were talking about before, could I have on notice a breakdown of that money?

Mr Wheeler: Could I respond a bit further? On page 296 of Budget Paper 4 there's a note about government payment for outputs. While it's dealing with government payment for outputs, that really flows through to the result that you're looking at. It's the difference between the estimated outcome from the original budget. I mentioned the EBA, the wage increases. There's a slight amount for increased Commonwealth funding and a reduction in funding for superannuation.

MRS DUNNE: That's the answer to the question that I just asked.

Ms Gallagher: I think so.

MRS DUNNE: Thank you.

MR PRATT: Minister, the introduction of smaller class sizes in the ACT, quoting what you said some time ago, has resulted in a decline in student places and some decreases in enrolments at schools that had previously attracted additional enrolments from other than the local area. That was said in response to one of my questions.

Ms Gallagher: About smaller class sizes?

MR PRATT: Yes.

Ms Gallagher: I don't remember it.

MR PRATT: Why did a positive initiative result in fewer children being enrolled in government schools, and where did those children go?

Ms Gallagher: Trevor can answer that.

Mr Wheeler: The effect of smaller class sizes is, effectively, to soak up some of any surplus space you might have. So particular schools would have less space available to take out-of-area students than they might otherwise have had. But those students would presumably just stay in the government system; they just can't go to that school any more because it hasn't got any capacity. Where the school has sufficient surplus capacity, even after introducing smaller class sizes, presumably there is no inhibition, no barrier, to them enrolling out-of-area students.

Ms Hinton: One of the judgments we made when the class size initiative was first introduced was to work with individual schools that were taking close to capacity in the primary sector and were taking a number of students from out of the area about reducing their out-of-area intake in kindergarten, which would then flow through to allow them to have the space for the lower class size initiative, so it's about individual schools.

MR PRATT: Are we to infer from this that perhaps we are achieving smaller class sizes because of natural movement rather than the changes to the structure that the program seeks to undertake?

Ms Hinton: Smaller class sizes are achieved by putting more teachers into schools, and that's what's happened. There's a bit of movement between schools around that, but it's related to the staffing entirely.

MRS DUNNE: From that discussion, it seems that perhaps an unintended consequence of the smaller class sizes—and I don't want to criticise the initiative, because it's a good one—is that it actually militates against choice. There's less chance of being able to enrol in an out-of-area school if you want to.

Ms Hinton: There is still substantial capacity to enrol in an out-of-area school and parents in the ACT exercise that choice. But, regardless of whether this is because of the small class size initiative or because a school is at capacity, in those circumstances there is reduced capacity for students to enrol in it. There are capacity limits on schools.

MRS DUNNE: Yes. Could you indicate to the committee, on notice, the number of schools which reach capacity and can't enrol out of the area?

Ms Hinton: I don't think that we would be in a position to give you that information. We could give you the information on schools that are at capacity, but a number of those schools would be with out-of-area enrolments.

MRS DUNNE: But that's not what I asked. Actually, I'd like to know whether there are schools in the ACT which cannot take out-of-area enrolments. You did say that the lower class sizes would mean that you would be discouraging out-of-area enrolments. Rather than going backwards and forwards, could you get back to me?

Ms Hinton: Yes. I'm just trying to check because I'm not sure that we collect information of that kind, but I am very confident that there is no school in the ACT that is at capacity and drawing entirely from within its priority enrolment area.

THE CHAIR: Is it possible to get a breakdown of how many students are in each school, how many are from within the area and how many are out of the area?

Ms Hinton: Yes, we can. I wasn't sure that we were able to provide that information, but apparently we can.

THE CHAIR: Perhaps we could take that on notice.

MRS DUNNE: Mr Chairman, just a procedural thing: rather than having the backwards and forwards which actually takes up everybody's time, we can have the questions taken on notice. If you decide in the course of the day that something needs to be clarified, come back.

MRS CROSS: I know you're doing it to be helpful. I know you're doing it to get answers for us quickly. So it's not a criticism; it is just procedural.

MR PRATT: I wonder if you could clarify something in terms of this smaller class size program. There is something I can't quite get a grip on here and there is probably a perfectly good answer and, no doubt, I'm about to hear it. The aim of the smaller class initiatives was to increase resources in primary and other government schools. If that's the aim, why are there 100 fewer teachers in the ACT school system now than there were last year? What does that mean? Why is there this conflict in movement?

Ms Hinton: Could you refer us to the page, please?

MR PRATT: I can't, but I'll come back to you on that.

MR HARGREAVES: It's going to take a while to answer the question in that case, isn't it?

MR PRATT: Not necessarily.

MR HARGREAVES: They can't answer the question if you don't know what page you're talking about.

Ms Hinton: Ms Thomas will answer it.

Ms Thomas: The number which I believe you're referring to, Mr Pratt, which I think was quoted in a question that you sought from the department and which showed a reduction between the number of full-time equivalent teachers employed in 2002 compared with the number of full-time equivalent teachers employed between January and April of this year, shows, in fact, a reduction.

That was simply because you asked for the number of teachers employed by the department in 2001, 2002 and 2003. Traditionally, that figure will increase over the period of the school year as there are people retiring, being replaced, et cetera, so it's not a fixed

number of full-time equivalent positions; it's actually the number of people coming and going. So we'll expect that number to increase by December.

MR PRATT: Okay. Just to help me out, and you can take this on notice, can you give me a breakdown of the number of teachers in the primary, secondary and college areas so that I can determine what those patterns are, please?

Ms Thomas: Yes, we'll take that on notice.

MS DUNDAS: I have a question regarding CPI indexation, especially for contracts that you've had throughout the youth sector. There was a lot of concern last year that the increase that was given as part of those contracts was not actually the CPI. From memory, it was 1 per cent, as opposed to the 2 per cent that was set as the CPI. What amount are you paying as indexation this year to those organisations? Is there any provision to catch up on the amount of funding that they lost last year?

Ms Gallagher: The indexation for this year is 2½ per cent, but my understanding is that there is not the difference between the 1 per cent of last year and the 2½ per cent.

MS DUNDAS: So the organisations are going to be 1 to 1½ per cent behind in perpetuity?

Ms Gallagher: I wasn't around last year in this position, but that was a savings measure. I know that the community sector felt very strongly about that, that they were disadvantaged, and that's why this year we've made sure that they've got their full indexation.

MS DUNDAS: Just to quickly follow up on that, last year the department had to meet efficiencies, but that seemed to come completely through the Youth and Family Services end of the department and a lot of money then went into Education. I'm not saying that the money shouldn't go into Education, but it did appear that the rest of the department was suffering for those efficiencies. To meet ongoing efficiencies, has it been spread more across the department or is the focus still on making the Youth and Family Services end more efficient, or will there actually be a realisation that perhaps Youth and Family Services are at the limit of their efficiencies and now there's more money going back towards that end of the department?

Ms Gallagher: I think your question is whether efficiencies are being found just in terms of Youth and Family Services and not across Education. Certainly in the budget there are no efficiency savings sought specifically in Education, Youth or Family Services. In fact, this year priority was given to Youth and Family Services in terms of the initiatives, in terms of child protection, RecLink and the SACS award increases for the community sector to ensure that they can meet the cost of the SACS award. Does that answer your question?

MS DUNDAS: It does, thank you. On a different topic, I know that you don't have responsibility for tertiary education in the ACT, but the Nelson review into higher education, from memory, included a provision to reduce the number of people on university councils. The ACT appoints members of university councils at both the University of Canberra and the ANU. How are you approaching that section of the Nelson review and the impact it will have on the ACT's involvement in tertiary education?

Ms Gallagher: As we all know, the Nelson review was a very serious, comprehensive review of higher education and it has had an impact on higher education communities around Australia; we all know that. Some of the issues have been articulated in the press.

In terms of the areas that we can look at locally, we'll be doing that. Certainly, the view of this government is not to reduce in any way the commitment we have to the higher education sector in the ACT. I need to look at it and get some advice on the Nelson report. I don't know if Fran has something to add.

Ms Hinton: My recollection is that the vice-chancellor of the University of Canberra has expressed some interest, mild interest, in issues to do with reducing the size of the council, so I'm sure that the university itself will be providing advice to the minister and the government about its views as well.

MS DUNDAS: But do you have a position on whether you want to maintain the current number of ACT government appointees to both of the councils?

Ms Gallagher: I think that's probably something that the government needs to consider in the course of time, once we've sought the input. I know there's a diversity of opinion about the position. I guess I need to talk about that with my colleagues before the government comes up with a response. But we'll be doing that, Ros.

MRS CROSS: One of the things that we've been doing with all ministers all week is allowing them to refer to departmental staff for answers if they have answers and we'd like to continue with that process. If you feel that it will take too long, you can take it on notice. But, given that you do have departmental staff here, I think that we should extend to you the courtesy that we've been extending all week to other ministers.

My question is regarding the Blue Gum School. We have a concern with the Blue Gum School; it's been a concern for some time. Can you tell me where you're at with that, because there seems to be an inconsistency with the advice they're getting from your office, Minister, and the advice they're getting from the department?

Ms Gallagher: In terms of where we're at with Blue Gum? Okay. Blue Gum has been a complicated situation—I think we all accept that—and it's been ongoing for some time. Blue Gum are seeking accommodation for their school for next year. I'm firmly of the opinion that it's not the responsibility of the education department to provide a non-government school with accommodation. I've been very clear about that in my discussions with Blue Gum.

The Connors inquiry acknowledged that Blue Gum was a school that had been disadvantaged by the introduction of the SES funding model because they had come afterwards, so they didn't have their funding maintained. Certainly, Lindsay Connors recommends that the ACT, in our rejection of the SES model, acknowledge that Blue Gum is in a particular position compared to any other school in the non-government sector. Again, we're in discussions with Blue Gum about how to address that equity issue, and Blue Gum are aware of that.

MRS CROSS: The ACT government rejected the federal government's SES funding scheme as being fundamentally flawed.

Ms Gallagher: Yes, that's right.

MRS CROSS: As you know, Blue Gum has been arguing for this for some time, ever since the SES funding scheme was introduced. Their initial response to your announcement, Minister, was very positive. However, they've now been told by the ACT education department that it intends to continue funding Blue Gum using this flawed SES funding scheme, a funding scheme that has been rejected by the ACT government. The department says that nothing will change under MCEETYA until it comes up with a new funding model.

To get some idea of the time frame, MCEETYA has been trying to come up with a uniform, Australia-wide model registration process for 23 years, unsuccessfully, which is a pretty long time, yet the Connors report specifically stated that the funding for Blue Gum School be handled differently from that for other schools because it was a different kind of school.

Ms Gallagher: That's right.

Ms Hinton: There has clearly been a miscommunication. There is a difference between the government's response in terms of the broad funding mechanisms for funding non-government schools and the government's response in relation to addressing the Blue Gum situation.

MRS CROSS: The information that has come to us differs from what you're—

Ms Hinton: I find it very hard to believe that Blue Gum has been advised anything other than the fact that their funding would continue under the current arrangements until the minister makes a decision.

Ms Gallagher: Yes, that's exactly what Blue Gum have been told, and we're looking at it, Helen.

MRS CROSS: Thank you.

MR PRATT: I have a supplementary question on Blue Gum which I'd like to book in for after morning tea. Before we break, can I just go back and clarify an issue? I apologise, Ms Hinton; I found the document on the 100 difference. In 2001, there were 3,068; 2002, 3,109; and 2003, January to April, 3,001. To add to the question on notice, I ask you to drill down and compare those numbers for January-April 2002 and January-April 2003, which might be a better way of comparing apples with apples, unless you want to say something now.

Ms Hinton: The issue is that the question you asked was about the number of teachers. Ms Thomas was explaining that when a teacher goes on long service leave, for example, and gets replaced by another teacher, we have two teachers on our books. Consequently, a simple head count around teachers is not a particularly helpful scenario. What we do,

however, for our annual report, which will be available at 30 June and which will enable comparisons year on year, is to do full-time equivalents.

MR PRATT: These numbers from the minister quote full-time equivalent positions.

Ms Hinton: It's full-time equivalent numbers of teachers, because when we have someone on long service leave they're on our payroll and they count, but so does the replacement teacher.

MR PRATT: Would it help if the question on notice response drilled down a bit deeper and categorised some of those different types of teacher commitments? Could you have a look at that January-April window?

Ms Hinton: I don't think we're able to do the January-April, but we will be producing, as we do each year at 30 June, quite detailed information about that which is a point of comparison that can be made with previous years.

THE CHAIR: Can you at least see whether it's easy to do the January to April comparisons?

Ms Hinton: I've just been advised that we can't.

THE CHAIR: You can't do it at all?

Ms Hinton: No.

MRS DUNNE: That wasn't the body language I was getting from Ms Thomas. I thought you said that you didn't know but you'd try.

Ms Thomas: I don't believe we can, but I will check. I don't believe we can.

MR HARGREAVES: I believe that Ms Thomas' body language was clear cut there.

Short adjournment

MR HARGREAVES: A few years ago I was agitating for extra money to go into Quamby and it did, thanks very much to the Liberal government of the day. The money was well deserved. I understand that there has been a continuation of the refurbishment program for Quamby to address many of the issues there. I have lost the reference to the information in the budget papers. I would like to know for the record how much there will be, over what period and what we are going to get for the money.

Ms Gallagher: There is \$13.2 million in the budget. From memory, there will be \$6 million this year and \$6 million the year after. I haven't got the page open, but that's roughly it. This money is to address the coroner's report in 1999, I believe, in terms of—

MR HARGREAVES: The 1996 incident.

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Ms Gallagher: Yes. There was a report in 1999 which recommended major improvements to the facility. It responds to some of the comments in the Aboriginal deaths in custody report. There has also been a standing committee inquiry recommending a major refurbishment of that facility.

Currently, it doesn't meet standards for juvenile detention. It's very serious that we address this, and that's why the government has put this money into it. Basically, the focus of the refurbishment will be on ways of meeting the individual needs of the detainees and the different client mixes. Currently, there are some limitations on how you separate detainees, which is a problem.

There will also be some work done on the education facilities there. We announced recently that we're going to have a school board for the Hindmarsh Education Centre, so that it will be like any other school and have a school board, which is a really positive statement.

We're looking at some improvements to the education facility and improved facilities for detainees with disabilities and indigenous detainees in terms of looking at induction processes and assessment units. We're also looking at the provision of recreation facilities which currently aren't provided for at Quamby. I think it's a very important piece of work. The previous budget allowed for some design work to be done and the money coming through will enable that design work to be proceeded with.

MR HARGREAVES: I've been to Quamby a number of times and have to say that the quality of the staff there is just unbelievable.

Ms Gallagher: It's extraordinary, yes.

MR HARGREAVES: It is extraordinary. There are a couple of things that I want to see whether they have been addressed. One of the horror aspects of it internally is the exercise yard for those people requiring a greater level of security than others.

Ms Gallagher: Yes.

MR HARGREAVES: And one of the aspects of it which concern me is the way in which the exercise yard actually encroaches on the general recreation area or the general interior part of the facility. On the one hand, for those people in it to see what they can get out to is a good idea, but for the people outside looking in it's not a very good thing and I have my concerns about that. Is it the intention to address that part of the issue?

Ms Gallagher: In terms of privacy for the detainees—

MR HARGREAVES: And also the actual look of humanity, because it is something which doesn't look very humane.

Ms Gallagher: Frank Duggan is here. I will ask him to come up and address that specific item, but I agree with you that it's a very important part.

Mr Duggan: The area that you're talking about will be fully refurbished. We will take down the caged area that you're talking about. The new intake assessment unit will have an outdoor facility where security will be maintained but young people will have privacy and the outdoor recreational areas at their disposal. One of the things we're doing at the moment is we're very concerned when a young person is in that area and we assess them very quickly to get them out into the mainstream residential units.

MR HARGREAVES: At the moment, of course, when people first go into Quamby you've no idea whether they are going to be a self-harm risk. Hence, the need for significant security while they're there and being assessed.

Mr Duggan: I think it's more the significant safety issues. We see the safety issues at the moment for a young person who may or may not self-harm as being of paramount consideration to us. Once we know that they've been assessed by the CAMHS worker and our own case management service, we move them out of that area very rapidly and they join the mainstream. We try to have our educational assessments done within two to three days, depending on the young person. The CAMHS assessment is done within a day, the health assessment within a day and then they start entering the regime of going to school and being part of the overall program that we offer.

MR HARGREAVES: I understand that on quite a number of occasions during the year the police have no alternative but to take young persons who are homeless or find themselves temporarily outside the home environment, usually due to some kind of breakdown, to Quamby for their own safety and the magistrates will then, as it were, put them on bail, but they actually spend overnight or a couple of days there. I am interested—and we'll talk about this at some other stage—in whether the government can address that issue in terms of relief services. But in terms of Quamby, what sort of pressure does that put on the staffing arrangement and the facilities there, given that you know that these folk are not going to be longish-term guests?

Mr Duggan: A young person will only come into Quamby if they've been subject to police intervention or court intervention, so they're actually remanded for an offence. The second issue is obviously dependent on the needs of the young person. We engage the young person immediately. Staff on the late afternoon shifts would be working immediately with refuges and their families. Another service system is to see where we can get the young person out.

The turnaround rate for remands is that about 55 per cent leave within three days. We have begun to look at those figures and try to understand where the young person is going. We're also very conscious of whether there is a support program and have started looking at opportunities to develop them and to decrease the number of admissions.

MR HARGREAVES: I understand that there was some benchmark work being done on recidivism rates? How far down the track are we with that?

Mr Duggan: We did the data collection set on that and we hope to be producing that in the next couple of months as a formal document about recidivism rates for the cohort of young people we dealt with during the period from 1999 to 2000 and then we counted them two years later to see whether they had reoffended. We hope to produce that as a fairly strong document so that we can get a measure of our interventions and take that

further about what worked and what didn't work and look at some particular circumstances of each individual client.

MR HARGREAVES: And they'll be measured against interstate comparisons.

Mr Duggan: Yes, we've used interstate comparisons of the same research done in Victoria to give us a methodology to work to, and it will be good to see how the ACT is comparatively tracking against other major jurisdictions.

MR HARGREAVES: It is interesting that we actually picked up the Victorian methodology for the pilot, the trial or the statistics, because it's my understanding that interstate jurisdictions are using Quamby as their benchmark for quality of achievement. We are getting visits from people interstate, are we not?

Mr Duggan: Yes, on quite a regular basis for interstate and we've had some international visits about the training programs that we're offering to our staff. It has been recognised nationally as a leader in professional development.

THE CHAIR: Minister, in budget document No 2 you say that there are 35,637 students in 94 government schools. What percentage of school-age students in the ACT is that?

Ms Gallagher: Sorry, I didn't hear the first bit.

THE CHAIR: On page 10 of Budget Paper 2 you say that there are 35,637 students in 94 government schools. What percentage of the total school-age population is that?

Ms Gallagher: I understand it's around 61 per cent.

THE CHAIR: Therefore, 39 per cent are in the non-government sector?

Ms Gallagher: That's right.

THE CHAIR: In the lead-up to the election, Mr Stanhope promised to share the \$27 million from our free school bus system. My understanding is that his idea of sharing is that, across two Stanhope budgets, \$28.3 million has been allocated to government schools, while only \$2.5 million has been allocated to non-government schools. Do you believe that that's fair?

Ms Gallagher: Yes, I do.

THE CHAIR: How do you justify that as fair?

Ms Gallagher: Partly because it's a little more complicated than just the ACT's contribution to non-government schooling. We need to acknowledge that the Commonwealth is a significant and ever increasing funding partner of the non-government sector and that does have implications for the actual money that the non-government schools get and the decisions that the government takes about the best use of the ACT's money available for education.

In terms of this budget, out of \$7.4 million the non-government sector got a share of \$1.5 million for supporting the earlier years of education. Also, the non-government sector will benefit from and will be asked to participate in the curriculum renewal process, which again will have a flow-on effect to the non-government schools themselves. The career education initiative will also be available for non-government schools.

So, in terms of putting a dollar figure on it, it's a little more than just adding up the money that was in last year's budget for the Catholics and IT and the one initiative which was funded specifically for the non-government sector.

THE CHAIR: Basically, of the extra money that the Stanhope government has allocated to education, 92 per cent has gone to the government sector, which only represent 61 per cent of the students in schools, whereas the non-government sector has picked up about 8 per cent and represents almost 40 per cent. You are from the party that always talks about equity and fairness. How is that fair?

Ms Gallagher: As I said previously, the non-government sector has a tripartite funding arrangement between the parents, the Commonwealth and the ACT system. The ACT, and I sit here as the minister for education, sees its primary responsibility in ensuring that the public education system is of a high quality, as it is, and is there for every child in Canberra, regardless of their background or their capabilities, to access a public education if they choose.

I say that wholeheartedly and this government supports that, and that influences the decisions we make about the money that we have available to fund commitments to the education sector in the ACT. It's those beliefs in terms of our responsibility to public education that guide our decision making.

THE CHAIR: If, for instance, the non-government sector were to close down and those students came back to the government sector, it would mean that the spending would have to increase by two-thirds or you would have to cut substantially the spending per student in government schools. In effect, the non-government sector really does subsidise the government sector. What, in terms of fairness, stops you from raising, for instance, the per capita grants, which are currently only 17 per cent of the spending on the government schools, and working towards increasing that?

Ms Gallagher: The decision government takes is about how best we allocate the money we have available to meet the needs of students across the sector, and they're the decisions that we've taken. I understand that the non-government sector feel that we should be doing more for them. They're certainly very clear in their representations to me that they feel this way. As I said, the decision made about the funding allocation to non-government schools was very much based on what this government sees as the best use of the money available.

THE CHAIR: So supporting non-government schools is not seen as a good use of the education dollar.

Ms Gallagher: We do support non-government schools, Brendan. We cooperate with them and we have lots of partnerships with them.

THE CHAIR: Increasing at the rate of about 8 per cent as against the 92 per cent for the government sector.

Ms Gallagher: You can't just see it in terms of the ACT funding here; you have to acknowledge that since 1996 the Commonwealth funding of the private sector, the non-government school sector, has increased significantly, at a much higher rate than their support to the government system.

THE CHAIR: But their support to the government system has also increased.

Ms Gallagher: Not by anywhere near the terms that it has in the non-government sector.

THE CHAIR: Do you think that it is a bad thing that the federal government support for the non-government sector is increasing more?

Ms Gallagher: It influences the decisions we take about the money we have available. We have to look at the big picture, Brendan. We can't ignore the fact that the Commonwealth is a major funder of the private sector.

THE CHAIR: But what you have just said, effectively, is that the federal government's bias—not bias, the federal government's increased support towards the non-government sector—

MR HARGREAVES: That is a bit Freudian.

THE CHAIR: Bias, as a technical term, is not judgmental. If there's a bias towards the non-government sector in the federal government and you think that's a bad thing, surely conversely the bias of this government towards the government sector at the ACT level is equally as bad. On the one hand, you're saying that we're allowed to have a bias because that's the best use of money, but the federal government is not allowed to have a bias because that is a bad use of money. Why isn't there some equity? Perhaps you could set the federal government the example of equity by showing some fairness in the way you distribute your money.

Ms Gallagher: It's the reality of the framework we're working in, Brendan. We think we have been fair in consideration of all the elements that go into formulating the dollars that enter the non-government sector and the government sector. We think we have been fair.

THE CHAIR: The community doesn't.

Ms Gallagher: There is a difference of opinion. Particular elements of the community do not. I wouldn't say it's united across the education sector.

THE CHAIR: On your own figures, 39 per cent are unhappy with the allocation.

Ms Gallagher: I'm not sure you could say that all the people who participate in the non-government sector are. It is just ridiculous to use the actual number of students in school to substantiate the point you're marking. People have chosen to attend non-government schools; that's fine. We work with the non-government sector here and they provide excellent education opportunities for young people, but the government made decisions

based on the framework we work in nationally and the money that we have available in the ACT. A strong, vibrant public education system that has the capacity for all and doesn't turn away any is the primary focus of the government in terms of education funding. I've said that a number of times. I know people disagree with it, but that's the way it is.

MRS DUNNE: Among the new initiatives is additional funding for the non-government school sector of \$370,000 for K to 3 this year, with some built-in growth in the outyears. What will the \$370,000 deliver for non-government schools in K to 3?

Ms Gallagher: It's increasing the per capita grant for students within the sector, so every student will have an increase in the payment they get in the years K to 3.

MRS DUNNE: What happens in the outyears when the current kindergarten kids get to year 4?

Ms Gallagher: This initiative is focused on K to 3 in recognition of the early years of schooling, as we've done in the government sector.

MRS DUNNE: Is there any understanding with the non-government sector as to what they might do with that money? Have there been any commitments?

Ms Gallagher: We haven't been prescriptive about it precisely, because I think it's up to those schools to make those decisions about how they use the money.

MRS DUNNE: And what does \$370,000 in this year translate into in terms of per capita grants?

Ms Gallagher: In the Catholic systemic schools it would be, I believe, about a \$100 increase per student for a school that's in category 10. It's about a 12 per cent increase.

MRS DUNNE: And you've got \$370,000 in this program which needs to be offset, I think, with the abolition beginning on 1 July of the interest subsidy scheme. How much does the subsidy scheme cost each year?

Ms Gallagher: It's about \$2 million?

Mr Wheeler: \$2.8 million is the total limit of the scheme.

Ms Gallagher: But that money is only becoming progressively available, because we're maintaining our commitments under the scheme. It's only being closed off to new applicants.

MRS DUNNE: What do you mean by new applicants?

Ms Gallagher: The money will become progressively available. I think it rises to about \$1 million in 2006-07; I might be a bit wrong. As the money becomes available, we are committed to reinjecting that money into the non-government sector in per capita grants, which I think is a suggestion, or looking at increased funding for students with disabilities. Those decisions haven't been taken, but we will be speaking to the non-government

sector. I've certainly had representations from them. They are concerned that this money might be used to pay their current indexing, so it's not really being returned in addition. I've certainly made it clear to them that it will be in addition to that.

MRS DUNNE: Next financial year, because of the phasing out of the interest subsidy scheme, how much money will not be paid into the non-government sector through the interest subsidy scheme?

Ms Gallagher: About \$36,000, rising to about \$300,000 and then up to \$1 million in 2006-07.

MRS DUNNE: When will it get to \$300,000?

Ms Gallagher: I think in the year after next, \$36,000.

MRS DUNNE: Next year you're going to give \$370,000 with one hand and take away \$36,000 and the next year you're going to give \$379,000 and take away \$300,000.

Ms Gallagher: We're not taking it away. It will be in addition to this.

MRS DUNNE: Sorry, what will be in addition to this?

Ms Gallagher: The \$36,000 will be in addition to the \$370,000. We're not taking it away.

MRS DUNNE: Yes, but it's \$36,000 that they don't get?

THE CHAIR: Yes, so it should have been \$406,000.

MRS DUNNE: It's \$36,000 that they don't get.

Ms Gallagher: But they will get it.

MRS DUNNE: I asked: how much money will the non-government sector not receive in 2003-04 as a result of the phasing out of the interest subsidy scheme?

Ms Gallagher: Okay. The answer to that is nothing. They will receive the money. It won't be received through the interest subsidy scheme.

MRS DUNNE: So you're actually saying that the quantum of money going into the non-government sector will remain the same and the \$36,000 that they were going to get by way of interest subsidy is going to be returned to the non-government sector by some other means?

Ms Gallagher: Yes.

MRS DUNNE: And when is that going to happen? Everyone is nodding, but—

Ms Gallagher: As soon as it becomes available. I'm not sure of the date that that money becomes available, how the scheme operates. I don't know the specifics of it. I need to talk to the non-government sector about how they would best like to see that money. In

the response to Connors, we've said that the opportunity is there in terms of increasing the student per capita grants or for students with disabilities.

There are some options there. We haven't worked it through with the non-government sector, but in terms of messages—and maybe I haven't been clear enough—that money will be returned to the non-government sector across-the-board, rather than through the interest subsidy grants to particular schools. Instead of being shared amongst—

MRS DUNNE: The ones that are building?

Ms Gallagher: Yes, the schools that have been accessing the interest subsidy scheme, it will be shared across the entire sector, every school.

MR PRATT: Every dollar?

Ms Gallagher: Yes.

THE CHAIR: Are you concerned that this will halt the building of new non-government schools and may put extra pressure on the government system?

Ms Gallagher: No. I think the interest subsidy scheme had an historic context as an incentive to come to Canberra and build schools. It is in recognition of the fact that we have, overall, a declining student population and we have a very firmly established non-government sector here, with 43 schools.

THE CHAIR: Is the non-government sector declining?

Ms Gallagher: No, the non-government sector is not declining.

THE CHAIR: So the sector that is growing is having interest subsidies cut from it, while the sector that is actually declining—it is only slight, but the numbers in the government schools are going down—will still pick up the lion's share of the money.

Ms Gallagher: Those schools can still build. What we're saying is we won't be paying the interest on those loans.

THE CHAIR: But for a small school, say, the Burgmann Anglican School in Gungahlin—

Ms Gallagher: The Burgmann school has done very well out of the interest subsidy scheme.

MR PRATT: The Burgmann school is also likely to pick up a fairly significant part of the student load that might otherwise be carried by the government sector.

Ms Gallagher: Yes.

MR PRATT: Do you know how many of the poorer independent schools and the significant number of Catholic systemic schools are going to have development programs cut as a result of this move?

Ms Gallagher: I think you're better off directing that to the Catholic Education Office; they would have that information.

MR PRATT: But are you aware of the actual detriment that will now come about as a result of the reduction?

Ms Gallagher: Am I aware of specific cases? No, I'm not.

MR PRATT: Well, even the theme across.

Ms Gallagher: Look, this was a decision taken by government. We have a non-government system that's urging us to increase its funding and the equity across the sector. The decision was taken that the interest subsidy scheme has not delivered equity in terms of dollars across the sector and, to meet our belief or our recognition that we should be spending money equitably, the decision was made to close the scheme and to provide those funds across-the-board so that every single student in the non-government sector would benefit from them.

MR PRATT: What you're saying is a school which is fairly well off—reasonably well off, anyway—and has a fairly good record with a bank and has gone to a bank about building some extensions has actually been the recipient of this interest subsidy for a long time, but small schools that haven't got a really good bank record and may or may not get a loan to do the extensions are now actually getting supplementary funding because this has been spread across-the-board, so the smaller schools are actually better off and the larger schools are no worse off; is that right?

MRS DUNNE: Except that the minister said that she didn't know what the impact would be.

THE CHAIR: Except nobody gets any supplementation now or assistance for building, do they? The smaller schools will actually receive the—

Ms Gallagher: For new projects. Our commitments under the scheme will be—

MR PRATT: Even for currently planned projects.

Ms Gallagher: Projects that are currently receiving money through the interest subsidy scheme, or approved, will continue to have that money available to them. This is closed off to new applicants.

MR PRATT: Do you agree, Minister, that the obstruction of a number of deadlocking programs which are on the books of not so rich non-government schools is going to have a detrimental impact across the ACT education system? I mean the holistic ACT education system. The impact there will have an impact here.

Ms Gallagher: No.

MR PRATT: You don't agree with that?

Ms Gallagher: No. I think that if you look at the figures—

MRS DUNNE: Why would she agree with that?

MR HARGREAVES: What part of no don't you understand?

THE CHAIR: I think that the minister is quite able to answer on her own.

Ms Gallagher: Mr Pratt, if you look at the figures, the poor schools did not benefit from the interest subsidy scheme.

THE CHAIR: Well, it does beg the question: why didn't you then design a system that would have benefited the less well off non-government schools, instead of scrapping the scheme entirely? If you are concerned that poorer non-government schools weren't benefiting as much as they could from such a scheme, why not change the scheme, instead of scrapping it totally?

Ms Gallagher: Because it was a decision based on and very much guided by equity matters. We believe that our public dollars should be shared equally and reinvesting this money in the non-government sector provides the equity outcome that we're seeking.

MR HARGREAVES: So the super small school is being treated in exactly the same way as a really rich one; they're all getting the same amount of money.

Ms Gallagher: They will.

MR HARGREAVES: That sounds equitable to me.

MS DUNDAS: The last budget, the 2002-03 budget, had the initiative of funding for the youth services in north and west Belconnen. Some of the allocation of this funding has caused a little bit of media interest in Belconnen.

Ms Gallagher: Yes.

MS DUNDAS: But last year, the money allocated was \$151,000. This year, the money allocated is \$133,000. Can you explain why that money drops off?

Ms Gallagher: Can I call on somebody for that answer?

MS DUNDAS: Yes.

Ms Hinton: The scheduling of the funding had regard to establishment costs in the first year, which involved obtaining some equipment and setting up some systems, that were not necessary for the outyears.

MS DUNDAS: On the establishment of that equipment and those systems, is that money going to be spent by the contractor who won the ongoing contract or by the provider who was working in the initial stages? Has that extra money for establishment been spent by Belconnen Youth Services Incorporated or will it be spent by Belconnen Community Services?

Ms Hinton: Assets that were acquired during the program will transfer to the new provider.

MS DUNDAS: So the money was spent by Belconnen Youth Services Inc. and they established the systems, the equipment and the assets, but they'll then be transferred as part of this?

Mr Duggan: We're actually talking to the Belconnen Youth Centre at the moment about their asset allocation because there's quite a range of assets they purchased from a range of programs. We're doing an asset audit, with their permission, with their accountant. Once we establish all the assets, we'll do the transfers that appropriately need to be followed up.

MS DUNDAS: And you expect that as at 1 July 2003 the program will be on track to provide the services across Belconnen.

Mr Duggan: We've received a transitional plan from the new provider. They would like to do some wide consultation with the young people in the area. They've set up a young people's forum, they've also set up a stakeholders forum, and then they will try to roll out the programs based on what they perceive to be the needs identified by young people in the area. I think that it is a very consultative strategy that they have entered into.

The new provider is very anxious to get on with developing the programs and they're working very hard to establish them as soon as possible from the takeover period. We also have a provider who is still using the premises and we have to do transitional work with them. We will have a joint meeting on Monday to try to clarify some of those issues.

MS DUNDAS: On a different topic, I have a question about page 297 of Budget Paper 4. There's a new initiative relating to the statutory response to children and young at risk, which has been allocated \$500,000. The employee expenses for this project are \$403,000, as shown at the bottom of page 297. How is that \$403,000 going to be spent? Is it going to be spent on admin staff, is it going to be on people writing legislation or is it going to be on youth workers? What is the other \$77,000 going to be spent on?

Ms Hinton: The funding will be spent on staff, on intake workers, for example, and the remaining \$70,000 is for support costs associated with computing, telephones and that kind of administrative expenditure.

MS DUNDAS: How many intake workers do you expect to get for \$400,000?

Ms Hinton: They won't all be intake workers.

Ms Baikie: There will be up to eight officers in the centralised intake, but they won't actually be all from these funds. We will be taking some workers from the regional offices. But we expect that there will be a centralised manager, which we have advertised for, two PO2 workers, an admin officer and two senior practitioners.

MS DUNDAS: Is that eight plus six?

Ms Baikie: No. Sorry, there will be eight in the centralised intake.

MS DUNDAS: Which includes a centralised manager.

Ms Baikie: Yes.

MS DUNDAS: And then two PO2s, the admin and the two senior practitioners.

Ms Baikie: The two senior practitioners will be in the regional offices.

MS DUNDAS: How many staff in total?

Ms Hinton: Is the question: how many new staff in total?

MS DUNDAS: Yes.

Ms Baikie: The manager, two caseworkers, an administration person, a training person and that's it.

MS DUNDAS: Okay. Where will the regional offices be?

Ms Baikie: Where they are currently located.

MS DUNDAS: Which is?

Ms Baikie: At Belconnen and in Tuggeranong, and the centralised intake will be at a new location in the centre of Canberra.

MR HARGREAVES: I'd like to know how this initiative is going to change things with respect to how we protect kids from neglect and abuse. It's actually a part of the standing committee's considerations and this information is quite relevant.

Ms Hinton: One of the most important tasks in statutory child protection is the assessment that's taken initially when the report is made to the office, because that's the time at which an assessment must be made of the relative risk and a decision about the speed of intervention. This initiative will enhance the quality of that initial decision making at the point at which the report comes in. That will be the first way in which it improves the way in which we protect children. It will also set in place some improved data standards and some quality assurance mechanisms that will enable us better to monitor and ensure that we are protecting children.

MR HARGREAVES: There are two prongs to this question. Will this mean that there will be an interagency multidisciplinary approach to this particular way and will it mean that there will be one record per child and not the plethora of records which has existed in the past?

Ms Baikie: I can answer that. The centralised intake will provide a one-point contact so that all people across Canberra will know where to put their reports into. It will also provide the opportunity for better feedback to the reporters. In terms of working with a number of agencies, we're currently developing an interagency guideline that will actually

draw in all the roles of the various agencies that protect children and work to protect children so that everybody is much clearer on their roles and their arrangements in terms of reporting and working with children. Certainly, the one case plan for one child is a very important aspect and that will be here as well as when we're working with young people.

MR HARGREAVES: I have to say that I'm heartened to hear all this; this is really good news. Has the bogeyman of confidentiality and privacy stood in the way of this sort of approach in the past, that people have been a bit territorial about their paperwork?

Ms Baikie: That's one of the reasons for developing the interagency guidelines so that everybody participates and is very clear on how they connect and, where information sharing is required, that's done with the permission of the client so that we're actually focusing on the clients' needs and the best outcomes for the clients.

MR HARGREAVES: When the case history of a particular child or person for that matter kicks off, is that the first point of contact and not when the caseworker decides to do something about it? Is that right? Am I getting that right?

Ms Hinton: You're getting that right. When the report comes, there is an initial risk assessment undertaken.

MR HARGREAVES: As soon as that phone call is answered they're on the books?

Ms Hinton: That's right.

MR PRATT: Minister, are you aware of the outcome of the last MCEETYA schools resource task force meeting, which discussed the five principles of resourcing?

Ms Gallagher: Yes.

MR PRATT: In that meeting, all state ministers signed off on a very significant declaration which stated that a primary goal of governments in Australia was to service all students in education across all sectors; their primary goal was to service all students. You've stated here today that the primary role of the ACT government is to support the government sector schools. How do you reconcile your statement with the ACT government's position and how do you reconcile the ACT government's position with that of MCEETYA?

Ms Gallagher: Sorry, can you just repeat that?

MR PRATT: How do you reconcile the ACT government's position in terms of its primary role being to support the government sector schooling framework versus the MCEETYA position, the framework of all ministers, which is to support in funding terms all students of all sectors equally?

Ms Gallagher: I'd want to have a look at the word "equally" there, but the MCEETYA task force that you talk about on resourcing is made up of officials, but what the states—

MR PRATT: Signed off by ministers.

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Ms Gallagher: The Commonwealth didn't agree with the position that the states were taking, but—

MR PRATT: They abstained until they saw more of the outcome of the report, but they haven't rejected it.

Ms Gallagher: No, they just haven't signed on. Trevor wants to answer because I think he is on that task force.

MRS DUNNE: Sorry, Minister, has the ACT signed on?

Ms Gallagher: Yes.

MRS DUNNE: So the ACT has signed on to treating all students with the same sorts of priorities. That's not the sort of thing that you were talking about this morning.

Ms Gallagher: What I was saying this morning was that we see our primary responsibility as to ensure a public education system is there for all students that wish to access it, which has been very clearly the position of this Labor government for some time. I have said that on a number of occasions. That does not change the fact that we recognise the non-government sector as an important component of the education community here. We have recognised that in the way that we have made decisions about the best use of the education dollars. Trevor, did you want to add something?

Mr Wheeler: Minister, if I could just elaborate on how the MCEETYA framework of principles and the work that the task force is undertaking hang together. It's the outcome of a concern by states at the direction that Commonwealth funding of schools was taking. Those principles are the first of three steps that MCEETYA is seeking to achieve, that is, to get to a position where there is a fair and reasonable set of funding arrangements that cover all public funding of schooling, Commonwealth and state.

The Commonwealth actually didn't sign on to those principles; all the states did. The next stage of work is to actually look at the costs of schooling, and that's what the task force of officials is doing, but at the end of that the aim is to bring that work back to MCEETYA and go to the next stage, which is to look at alternative funding models. Those alternative funding models will actually look at all public funding, Commonwealth and state, and those principles that you've referred to, Mr Pratt, are an attempt by the states to get the Commonwealth to accept their obligations as well in terms of the total schooling population, not just one sector. So it's quite a complicated exercise and there are no guarantees how this will pan out in the future; it will be a matter for ministers down the track.

MR PRATT: Did the Commonwealth vote not to support the outcome or did they merely abstain?

Mr Wheeler: I think they abstained from the principles.

MR PRATT: That's right. Why did they do that? Perhaps it was simply because the report had only been handed up and they hadn't had time to analyse that report.

Mr Wheeler: There had been no report to analyse. They felt that, despite the consultation that had been undertaken in the development of those principles, there needed to be more consultation.

MR PRATT: Correct. That's right. Minister, in your response to Connors on the matter of ISS, the interest subsidy scheme, you said, "At a time of a declining total student population within the territory and a continuing demand for government schools in developing areas it is not sound public funding policy to use scarce funds to subsidise non-government schools." Given that statement, how will you address the community's concerns that this government is not committed to a homogenous, well-supported, diverse education system drawing on the strength of both sectors?

Ms Gallagher: How will we address the community's concerns?

MR PRATT: Against that statement.

Ms Gallagher: It's a decision that the government has taken about the best use of the money available and you've just read out exactly why we've made that decision—based on declining student enrolments overall and on the need to provide public education opportunities in new areas. Committing the money that is currently within the interest subsidy scheme back into the non-government sector is recognition alone that we see the importance of the non-government sector.

We are not taking money away from them, money that is currently available. So it's not a loss; it's actually going right back in and it's going to be shared across-the-board, so every single student in the non-government sector benefits from it, as opposed to the way the scheme is operating now, or had been operating, where particular schools were doing very well and those students were certainly benefiting, but at the expense of the majority of students in the non-government sector who weren't enjoying those benefits. If the non-government sector is now saying to us that they'd like to see increases in per capita grants, that is precisely what we're doing with this money.

THE CHAIR: But it does beg the question, Minister. Your excuse seems to be that the money wasn't benefiting children in what I would term poorer non-government schools, so why didn't you design a system that would help the poorer non-government schools to build up their infrastructure, a system that perhaps didn't allow for the more wealthy schools to apply for these grants?

MS MacDONALD: The minister has already answered that question.

THE CHAIR: And the minister has just put a different spin on it.

Ms Gallagher: Sorry, Brendan, can you repeat it as I missed that question.

THE CHAIR: Your point was that you removed the funding because it wasn't being applied equitably, that schools that were perceived to be more well off were getting a larger share than the non-government schools that were less well off. Why didn't the government, in terms of equity and fairness, actually redesign the system so that it was weighted towards those poorer non-government schools that have a perceived need for more infrastructure, rather than just getting rid of the scheme altogether?

Ms Gallagher: It's a combination of a variety of reasons. At the end of the day, it was a decision by the government that this is the best way to use this money. That was the decision taken. But it has to be viewed, as I've said, with the whole picture of the education community that we have here in the ACT; the fact that we have a number of schools now. We have 43 non-government schools and about 98 government schools and we have a declining population.

The government has to ensure that our public infrastructure is maintained to a high degree. We also have to ensure that new public schools are built in growing areas, as we have in the building of the Amaroo school. This was the decision that was taken. You also have to acknowledge that the block grants that are available from the Commonwealth in terms of infrastructure for non-government schools are still there and are still used by the non-government sector. We've made a decision that paying the interest on capital loans was not the best use of that money. I know that there is disagreement between us, around this table, on that but that is the decision that was taken. We took the view that the use of that money would be best shared across the sector and that's the way it's going to be done.

THE CHAIR: Did you consult with the non-government sector about that specific issue before you made the decision?

Ms Gallagher: We did, extensively, yes.

MRS DUNNE: Specifically on that point, Minister: you said that there's a declining total school population. Yes, there is, but the decline is in the government sector.

Ms Gallagher: No, we are talking about the total number of students overall.

MRS DUNNE: Yes, but there's a constant shift of proportions out of the government sector and into the non-government sector.

Ms Gallagher: There is a slow and steady decline now in the government sector, yes. But I'm talking about total student numbers within the sector.

MRS DUNNE: Yes, I know you're talking about total student numbers. There is a steady decline in government school student numbers which is not being matched in the non-government sector; is that right, Minister?

Ms Gallagher: Certainly there has been a slight decline in the government sector and an increase in non-government, yes.

MRS DUNNE: Right, so there's a decline in the government school sector which is not being matched in the non-government sector. You went on to say, Minister, that you have a responsibility to provide infrastructure in the non-government school sector and the infrastructure—

Ms Gallagher: No, in the government sector?

MRS DUNNE: Yes, you have a responsibility to provide infrastructure in the government school sector and the implication of what you said was that you were not going to see government money spent on infrastructure in the non-government schools. This is what it boils down to. You're saying there are schools which have done very nicely, thank you, out of the interest subsidy scheme and you cited here as an example the Burgmann school in Gungahlin.

Is it not the case, Minister, that that's a cyclical thing in the process of establishing 40-odd government schools, that as a school establishes itself it benefits from the scheme and that as schools are established they move on. So the schools that are establishing themselves, like Burgmann, are going to receive perhaps the lion's share in this particular time slot, because they are establishing. Established schools might go out and build another wing of classrooms or something like that and they will get a smaller ongoing benefit, but they've received the substantial part of their benefit already because they're established schools, but the establishing schools like Burgmann are facing a situation where their planning has just been stymied by the change in these arrangements.

Ms Gallagher: I don't believe so at all. In actual fact the majority of the money has not gone to establishing schools; it's gone to the established schools.

MRS DUNNE: You say it goes to the established schools.

Ms Gallagher: Yes, it has.

MRS DUNNE: Can you give us a breakdown of where the money goes?

Ms Gallagher: Yes, it's in Connors. I've got a table here; I'll just find it for you. Canberra Girls Grammar, \$5 million; Canberra Boys Grammar, \$3.4 million.

MRS DUNNE: Over what period?

Ms Gallagher: This is from 2002 for the next 15 years. This is till 2020. The entire Catholic systemic system of, what, 28 schools, \$2.7 million; Burgmann Anglican College, \$1.8 million; Radford College, \$1.7 million, and then it progressively goes down.

MRS DUNNE: But when you've got schools which are in the growing phase—for instance, Burgmann and some of the newer non-systemic schools—it, like any enterprise, requires the expenditure of money. They make those decisions on the basis of how things lie at the moment, so they've actually made decisions about whether they will build three classrooms, four classrooms or whatever on the basis that they have access to particular schemes. One of those schemes is the interest subsidy scheme and that's being phased out, so that for the final phases of the development of a school like Burgmann it is not going to be there, but they would have already made decisions premised on the existence of the scheme.

Ms Gallagher: Every school had to apply for that money and there was a certain amount of money in it, so I would be worried if every school that was planning to establish or refurbish was relying on actually getting money through the interest subsidy scheme. It would be a concern if it was based on that presumption. That would be a worry. So no, I would not agree with you, Mrs Dunne.

MR PRATT: Would you have looked at perhaps reallocating the bag of gold, so to speak, in terms of priority, but at least keeping that funding within the sector?

Ms Gallagher: Yes. As I've said, it is in the sector; it is staying in the sector. Perhaps I need to be clearer about that. But this is a decision that has been taken about the best use of the money available and it will stay in the sector. Importantly, it will stay in the sector equitably across-the-board, every single student.

MR PRATT: Isn't it true historically that when governments take money away, they rarely give it back?

Ms Gallagher: We're not taking money away. I don't know how much clearer I can be on this subject. We're not taking the money away.

MRS DUNNE: You're doing away with the scheme and there is no transparency at the moment as to where that money is going. You're saying, "We're working on it; we're thinking about it." In this budget, there is a whole swag of—

MS MacDONALD: That's not what the minister said at all, actually.

MRS DUNNE: "We will go into consultation with the non-government school sector." That is what the minister said about how we might apply that money. What is happening here in this budget, in education as in elsewhere, is that when you drill down you find that we've got a scheme, we've got an initiative or we've got something that's happening, the implications of which and the application of it haven't been thought out. This is another example, Minister, where you don't know how you are going to—

Ms Gallagher: We did think it out, Vicki.

MS MacDONALD: That is not what is being said at all, Mrs Dunne.

MRS DUNNE: Go back to the *Hansard* and look at what the minister said. The minister said, "We have not worked out how we will allocate the funds. We will talk to the non-government school sector." How can the non-government school sector be satisfied that the full quantum of the money that is in the system will stay in the system?

Ms Gallagher: Can I respond to that? The reason I said that was because, out of respect to the non-government sector, I think they should have a say about that money as it becomes available.

MRS DUNNE: You said you'd already consulted with them.

Ms Gallagher: No, we consulted with them in terms of our response to Connors. Certainly, all the non-government sector raised the issue of the interest subsidy scheme. I was aware they were opposed to the closure of it before I made that decision, but it was a decision that the government took about the best use of that money.

The money is staying in the sector. We're not taking it away. I don't know how much clearer I can be, but the issue about consulting with the non-government sector is more because I think they should have a say about how that money is allocated. They're telling me there's a need for more money for students with disabilities. Maybe that's where they'd like to see that money spent; I don't know.

I think I'd also face outrage from the non-government sector if I said, "This money has become available. This is how you will spend it." That's not the situation I'm in now and I don't want to be in it. It's not because we haven't thought through the decision or we haven't considered it, not by any means. I spent a lot of time on this decision. It's much more about giving the non-government sector an opportunity to say, now that we've made this decision, how they'd like to see this money spent.

MS MacDONALD: Turning to page 176 of Budget Paper 3, the career education support service is another initiative for which I commend you, Minister, and the department for providing. I am curious as to where the career education support service is going to be run out of. Is it going to be run out of the main part of the department?

Ms Gallagher: Yes, it is.

MS MacDONALD: With regard to that, if Ms Hinton or somebody else could give a bit of information about how it's going to run, I'd be interested to hear it.

Mr Wheeler: About how it will operate?

MS MacDONALD: How it will operate. Also, I'm making the assumption that there will be some work done with training and adult education in relation to this because of the role that they play in training and because this is to assist kids in their transition from school to work. I'm wondering if any thought has been put into SNAP as well in terms of that. What can you tell me about the program?

Ms Hinton: We certainly intend to run it quite closely with our VET in schools types of activities. Indeed, in organisational terms, the career education support service will operate out of the training and adult education branch alongside the VET in schools activity.

The initiative has arisen because it's been clear that, whilst the careers advisers in schools do a very good job, it's very difficult for individual teachers in schools, government or non-government, to be able to keep across the full information about the range of occupations, possibilities, qualifications and pathways in today's world. There's rapid change in occupations, rapid change in occupational requirements.

The rationale for this service is to act as a resource for careers teachers in schools in sharing information with them, in establishing networks, in providing leadership, in conducting professional development, in providing access to suitable support materials. It will also be, as a central point, an area that can liaise better with industry and business and therefore make connections between business and industry and careers advisers and students in terms of career options.

MS MacDONALD: So it will link in with VET and there will be consideration given to linking in with things such as school-based new apprenticeship programs?

Ms Hinton: It will link in with them in the sense that the school-based new apprenticeship programs are part of a pathway that you commence in school, starting a training program whilst continuing with your school education and then moving forward into other activities post-school in the training area or elsewhere. But the main focus of this particular initiative will be on working with the teachers in government and non-government schools, rather than working with the students in government and non-government schools. So it will be assisting the teachers in the schools in the work that they do.

MS MacDONALD: As I said, I commend the initiative because I think it's one that is greatly necessary. I know that there's been a lot of pressure on careers counsellors. I can get on a soapbox here for a bit and talk about the fact that less than 30 per cent of the students leaving high school go on to university and yet they are not getting that information that there are other legitimate training grounds. I'm curious as to what sorts of things will be done. Will they be sent off to see what sorts of courses are available?

Ms Hinton: There's a range of resources available now, but they're not necessarily in a form that's easy for the teachers in schools to be able to access or to pull out. One of the things that come to mind is that a teacher in a high school or a college might contact the careers education service and seek some advice on a particular pathway, a particular option. So they would do that research, they would provide the information and put it back into the schools. But it might also be in terms of people who are doing school-based new apprenticeships, as you talked about, SNAP, and it might be arranging with those teachers for businesses to come along and provide sessions that might help in terms of the activities and planning for the future for the students.

MS MacDONALD: Something similar to the T3 program which is being run between TAFE and Toyota, which the Education Standing Committee saw the other day. It's a SNAP, but it's not being run through the colleges. Are you looking at something like that?

Ms Hinton: It would be looking at how it builds on that. It's not about VET in schools. It's not about increasing the VET in schools. That's a separate issue and a lot of work is going into that area. But that's not what this is about. This is about how we can assist students with making that transition from school to post-school options in both the government and the non-government sector. That's about resources information and professional development for the teachers.

MS DUNDAS: Just to clarify, this will be used for teachers from year 7 to year 12. You said high schools and colleges just recently, Fran, so is it year 7 to 10 or year 7 to 12?

Ms Hinton: Certainly, it will cover colleges as well, high schools and colleges.

MS DUNDAS: Has any thought been given to linking in with the career counsellors at the CIT? I understand that they are quite underresourced in the work that they're trying to do. Will it be able to provide support to them?

Mr Wheeler: We haven't developed our thinking that far, but the one think we are clear about is that it's going to be as wide and as all-embracing as we can make it, because what we are looking for is an effective service that supports teachers in giving advice to students. We're going to be working with the non-government sector as well as the government. We're going to be working with industry and business, as Ms Hinton has said. We're going to be working with the community—anywhere that we can make links.

MS DUNDAS: It's quite possible that the program will be extended to the career counsellors at CIT; that decision hasn't been made yet.

Ms Hinton: I think I would see it that the career counsellors at CIT would be part of the linkages that Mr Wheeler is talking about, just as the people at the universities are going to be part of those linkages, too, and the business community is going to be part of the linkages.

MS DUNDAS: I'm not talking of CIT being part of the pathway or the transition from leaving school, but actually bringing in the career counsellor, using the resources, to help the students at CIT—not for CIT to be seen as an option, not that it isn't. The difference I'm trying to make is: at what level will CIT be involved as an outcome for year 12 students or are we looking at outcomes for the students at CIT?

Mr Wheeler: If you're talking about the materials and support being developed, once it's developed it will actually be available to anybody.

MS DUNDAS: So it will be available to the counsellors at CIT?

Mr Wheeler: Of course. We would hardly sit there and say, "You can only have this if you're a career adviser in a school." Once that material is there, they can access it. I forget the name of the association, but I'd imagine the CIT careers people are part of that association. They're all going to be very much involved. This is an inclusive thing. We don't want people sitting on the outside saying that they could help or they could benefit but we're there saying that we don't want to talk to them. It won't be like that at all.

MS MacDONALD: With regard to that, Mr Wheeler, materials will be developed, but will there be a phone-in service as well?

Mr Wheeler: That's what we've got to look at. It's not primarily aimed at students ringing up the support unit; it's the support unit servicing and supporting teachers.

MS MacDONALD: No, I meant for the teachers.

Mr Wheeler: Yes, I'd imagine they would be able to do that. There'll be a lot of what we might call outreach work, where the unit is actually going round schools. I imagine we will have some way in which teachers can get in touch with the unit. It may be they just want to know where to find something. They may want a bit of advice, they may want to visit and they may be identifying a gap in service that the unit can help with.

Ms Hinton: One of the things that they'll be able to do very profitably, I think, is to put together web-based materials, drawing on what's already there, in ways that will be easy for the teachers in government and non-government schools to use when they're after something on wool classing or whatever it may be, pointing out where that goes.

MS MacDONALD: We don't have wool classing any more!

Ms Hinton: Okay, whatever.

MRS DUNNE: I want the minister's response, if I could, to the comment that Mr Wheeler made when he said, "We haven't developed our thinking that far yet." This is another initiative in the budget on which the policy development doesn't seem to have been done.

Ms Gallagher: There is a difference between the preparation of a budget initiative and getting the money successfully into the budget and then the implementation phase. I don't think we've made any secret of the fact that we like to talk to people involved in the process to bring together a package that's going to do the best with the money that's available. If you'd like to see all the decisions made prior to the money coming through the budget, then that's a position you might take, but it's not one that we take.

MRS DUNNE: But if you haven't developed your thinking far yet, does this mean that you are actually going to be able to implement the program in the time?

Ms Gallagher: Yes, we will be able to implement it on time for the next school year, 2004, and the work will be done following the passing of the budget and the money becoming available.

MS MacDONALD: It is similar to the argument on the difference between an aim and an objective in a teacher plan, isn't it? I've remembered that from earlier days.

THE CHAIR: What is the difference?

MS MacDONALD: I still hadn't worked it out after three years of teacher training, Mr Smyth. I wish to ask about getting the information out on the career education support service. Is there an element in there for promotion in terms of getting the information out to college teachers that this service is available?

Ms Gallagher: I would see that probably as a very important part of the project, particularly in our aim to ensure that it's not only the government system, but also the non-governments that understand that this is a service that's available. Yes, I think it will be very important.

MS MacDONALD: Good luck with it, anyway. I'm glad to see it from this end.

Ms Gallagher: Thanks, Karin.

MR HARGREAVES: I would like to ask a question about who bears the costs of students who come into the ACT from elsewhere. For example, we don't turn kids away, I understand, from government schools. There is a bit of an argument about private areas

and those sorts of things, but at the end of the day they get looked after in some form. In terms of the kids coming in from Queanbeyan or anywhere like that, what would be the financial arrangements vis-a-vis New South Wales?

Also, talking about the actual cost borne, what about students coming in from overseas? The daughter of a friend of mine comes from Fiji and she is a full boarder at one of the boarding colleges. I don't know whether that's a full fee paying arrangement or whether that person from overseas is actually getting the benefit of the Commonwealth funding. How do we make sure that we get our fair share of reimbursement for those costs?

Ms Hinton: You've raised a number of different categories.

MR HARGREAVES: I'm sorry about that.

Ms Hinton: In terms of students from New South Wales, you're correct, they can attend our schools and they are treated broadly in the same way as we treat ACT students and their education is funded through the ACT government appropriation. The adjustments are made for that through the Grants Commission process when cross-border enrolments are a factor. That means that the ACT has cross-border enrolments reimbursed to the extent of the standardised costs. To the extent that the ACT puts more into education than the standardised costs, then the ACT bears the cost of that.

MR HARGREAVES: On that issue, before you get onto the other ones, I recall the difficulties the ACT had with the reimbursement of mental health costs under the cross-border arrangements. The ACT came off second best every time it argued the point with either New South Wales or the Grants Commission. Are we doing okay with the Grants Commission, because we are talking about the sorts of disadvantage loadings, aren't we?

Ms Hinton: I would not pretend to be an expert on the Grants Commission process and probably would be reluctant to get into a discussion on it, Mr Hargreaves.

MR HARGREAVES: Are you satisfied, then, that we are getting the best outcome humanly possible, Ms Hinton?

Ms Hinton: I think they're questions that would be better directed to the Treasury.

MR HARGREAVES: All right, I'll do that.

Ms Hinton: There are Commonwealth government guidelines about the treatment of international students. Students coming in under certain visa categories are entitled to be educated as part of the government system without charge. In a range of other visa categories, the Commonwealth government expects that the students will be charged the full cost. We have diplomatic students in our schools, too, and we are compensated for that through the Grants Commission process. I'm aware of that, and that's another factor we put in. International students, our full fee paying ones, we charge them the full cost of their education.

MR HARGREAVES: When you contribute to the cost of non-government schooling in the ACT, and we have talked about the number of kids involved there, are those full fee payers and internationals counted in terms of the money that we hand over to those schools?

Ms Hinton: In the census processes, international full fee paying students are not included nationally, government or non-government, for those reasons. Just as we don't get funding from the Commonwealth government for those students in government schools who are full fee paying international students, so the non-government schools also would not get funding from the Commonwealth or from the ACT for those students that are meeting the full cost of their education themselves.

MR HARGREAVES: It would be fair to say, then, that the non-government schools are not getting a double bite at the cherry?

Ms Hinton: No.

MR HARGREAVES: That's good. Thank you.

MRS DUNNE: I'd like to go back to the initiatives, Minister, and touch on the additional funding for preschools, which is something that I applaud. Having had experience of five different preschools, I know how difficult it is for preschool communities to raise money. I think this is quite a good initiative. Minister, does the funding of \$125,000 this year and \$254,000 next year, et cetera, come within the \$27 million?

Ms Gallagher: Yes, it does.

MRS DUNNE: It does come within the \$27 million, okay. In that case, my question is: in what sense does the funding for cleaning and consumables come within the commitment to providing education services inside the school gate, which was the aim of the \$27 million over four years?

Ms Gallagher: Because it's providing support to the educational outcomes of children.

MRS DUNNE: Sorry, it's cleaning and toilet paper.

Ms Gallagher: That's certainly one of the suggestions we've made. There are discussions going on with the Preschool Society about how best they'd like to see that money spent. Again, we are saying that the money has become available and now we would like to talk about how people would best like to spend it.

MRS DUNNE: But you've made some commitments already to cleaning and consumables.

Ms Gallagher: That's certainly something that the preschools have been seeking for some time.

MRS DUNNE: Yes, I know, and I think that it is timely and perhaps overdue that there is some contribution to preschool education in the ACT of this sort in addition to what is already given, but I want to know: in what sense is this an educational contribution in the

terms that were given for the \$27 million, because it seems to me that cleaning and toilet paper, although essential and very important to the running of a preschool, as with any other school, do not have direct educational contributions?

Ms Gallagher: I disagree. I think it's in the whole package of the cost of providing education to our children. It's certainly including the costs of schooling in the primary to college years. This is something that the Pre-School Society themselves have been seeking for some time, for a number of years.

MRS DUNNE: But why is it coming out of the \$27 million?

Ms Gallagher: Because it's a part of the educational outcomes of the children that are attending. We are including preschools in that money.

MRS DUNNE: In this \$27 million there's curriculum renewal, there's increased money for K to 3 for non-government schools, which is presumably for class sizes, there's school equity, there are excellence initiatives and there's cleaning and toilet paper for preschools.

Ms Gallagher: And that is certainly the area that the preschools were lobbying very hard for in terms of some money.

MRS DUNNE: I understand that, Minister, and I don't quibble with your giving money for cleaning and toilet paper to the preschools. What I quibble with is that it comes out of this bucket of money which was aimed at educational initiatives. Why is it coming out of there?

Ms Gallagher: Yes, that's right. I think, again, it's just a fundamental disagreement, Mrs Dunne. I don't agree with the line that you're taking. Cleaning and consumables are part of the educational experience of young people in preschool.

MRS CROSS: Minister, looking at BP 4, output 1.1, page 310, the government primary school education measures under quality and effectiveness show that years 3 and 5 students are meeting national literacy and numeracy benchmarks. But on page 311, under output 1.2—government high school education, the measures under quality and effectiveness do not show the results on years 7 and 9 literacy and numeracy. Are years 7 and 9 tested on literacy and numeracy?

Ms Gallagher: Yes.

Ms Hinton: We test years 7 and 9 in the ACT on literacy and numeracy and we report the outcomes of that process to the ACT community. There is at the moment national work going on to try to report information on year 7 literacy and, I think, numeracy against benchmarks, but that work is not yet complete nationally. Once that work is completed nationally and we are in a position to report that against a national benchmark, we will do so.

MRS CROSS: Studies are being conducted now for those classes. I'm wondering why they weren't done before.

Ms Hinton: Nationally?

MRS CROSS: Yes, and here.

Ms Hinton: The national process work started at year 3 and it's reading, writing and numeracy—spelling we've been trying to do, with some difficulty—and then moving forward into year 7. So it's just a question of the timetable nationally. There has been some time spent working on this process.

MRS CROSS: I know from having spoken to you, Ms Hinton, going back some time when I was chairing the education task force that literacy and numeracy are very critical areas that we need to address in the education sector, but it would have been for me, I suppose, a fundamental measure that should have been included in future budget papers. But you're saying that it's still something that is being addressed nationally, so you've got to wait.

Ms Hinton: We are not in a position at the moment to report year 7 data against a national benchmark because there are no nationally agreed arrangements for that yet. It's getting close and we hope that that will be completed before too long, but I understand that there are technical hiccups in the process at the moment. There are some strange things in the technical process that raise questions about validity in the year 7s, so they've gone back to try to work out what the problem is.

MRS CROSS: I notice that the primary school outcomes drop off as the students get older. Do the testing outcomes drop off significantly for high school students, leaving you a little embarrassed perhaps to include them in the budget?

Ms Hinton: We don't have a benchmark to include them against at the moment. We report our year 7 and 9 literacy results publicly against profile levels and we track those on a three-yearly basis and produce a publication that's distributed and looks like that one, but that's not a nationally comparable result and that's the difference.

MR HARGREAVES: I have a question for the minister. The people next door to me have three kids. One of them is fine, one of them has an intellectual disability and one of them has a physical as well as an intellectual disability and the stories that have come across my back fence in terms of their difficulties at school with integrating into mainstream and those sorts of things have been pretty horrid. They have just been an unfortunate part of the schooling of these kids. I know you've just announced a new model for students with disabilities and I thought I might take this opportunity to explore it a bit with you. Could you give us some more detail on how that's going to help these kids out?

Ms Gallagher: Yes, we announced just recently a new model for assessing the resource needs of students with disabilities. The model is based on what a student needs to access a school, so some of those physical considerations and personal support needs, and then what a student needs to participate within that educational setting. As someone who has worked in the disability area, I think it's a fantastic way forward. It focuses less on the disability and more on the educational goals of a student, regardless of the disability they might have in addition to that.

It's going to be rolled out initially in the special schools this year and in 2004 implemented into the mainstream schools where we have learning support units, autism units, et cetera. I guess the outcome of it will be interesting to see. I think it's one of those unknown things. Certainly, within this financial year we'll be needing to meet the resource needs within the existing budget. As the information becomes available, I believe it'll help to inform us on the resources that we need. We might have enough. It just might need some shifting in terms of reallocation of the existing resources.

The other important thing is that we'll be involving parents very closely in the process and getting them to join with the schools and the people doing the assessments to ensure that everyone is in agreement about what the student actually requires. I think it's a positive way forward, but certainly a little unknown in terms of how the allocations will work out.

We're also inviting the non-government sector to work with us again in terms of looking at support that students with disabilities have in the non-government sector.

MR HARGREAVES: You used the term "student-centred resourcing". Is that just a financial thing or is it overarching?

Ms Gallagher: It's more that we're focusing the resourcing on the students' needs, rather than a disability resourcing tool which focuses on the disability. We are saying that we need to look at the student. The students' needs direct the process and there'll be a very thorough appraisal process that will be worked through step by step with the family to ensure that that student is given the adequate support that they need, not only to physically exist in the school setting but to participate within it.

MR HARGREAVES: I must say that, of the constituents who have spoken to me over the last five or six years, I have tended to hear from parents of kids with disabilities in terms of their preschool exposure or their primary school exposure, but I very rarely hear about kids with disabilities in high schools and colleges. I would be interested to know from a departmental perspective whether the same problems are there, whether they've been fixed, whether they just go away when a kid grows to a certain age or what happens, because I don't have a feel for that sort of problem and experience in schools.

Ms Hinton: They certainly don't go away. We have students of that age enrolled in Koomarri and the Woden Special School and attending special units at Dickson College and Canberra College. Then, of course, there is the transition for them post-school. Sometimes one of the most difficult periods for parents is the transition from school to post-school opportunities.

It's hard to talk about students with disabilities in the broad because there's such a significant spectrum of need. There are some students with mild disabilities who can proceed very comfortably through the schooling system, some of whom are doing some vocational education courses, which is fantastic to see, and then taking places in the work force. But there are others for whom that's very challenging and that's a very difficult position for their parents as well.

MR HARGREAVES: Thanks very much for that.

THE CHAIR: I have a couple of questions on page 293 of Budget Paper 4. Minister, at the start of 2002-03 the total equity for the department was \$633 million. I notice you're projecting that over the four years that will drop to \$567 million. Can we have an explanation for that decline of about \$66 million?

Mr Wheeler: Essentially, that will relate to our capital program and the growth in new schools offset by the depreciated amount of our capital. That's where most of our equity is. We've got \$650-odd million in capital, so any changes in that are usually around that area.

THE CHAIR: The years 2003-04 and 2004-05 have quite large capital injections—\$50 million and \$20 million. What will we achieve with those injections?

Mr Wheeler: On the injection for 2003-04, there is a note to the statements to this effect, but firstly it's the new capital works program. It's the rollover of programs that commenced in 2002-03 which are funded over more than one year—in other words, work in progress. There is also \$10 million for our 27th pay which, as you may know, falls every 11 years and has to be paid in 2003-04.

THE CHAIR: The outyears 2005-06 and 2006-07 have capital injections of just \$225,000. Is that because we don't know or we've just not put numbers there, or what?

Mr Wheeler: The main determinant of capital injection these days is the capital works program. Usually, you'll find that there is the current year plus one more year, because the funding is usually spread over two years. After that it falls away until we get a new program.

THE CHAIR: The operating result for the department was meant to be minus \$23.5 million. You've actually come in at minus \$22.5 million, so congratulations on saving \$1 million, unlike the health department, which managed to blow its budget by about \$20 million. But the outyears are fairly flat. You seem to always run at a loss of about \$24 million. How do we sustain that?

Mr Wheeler: Essentially, with the funding that the department receives, which is pretty similar to any other agency, we are not actually funded for depreciation. Depreciation is a non-cash expense and the government chooses to provide that to us as a capital injection based on its capital works program each year. So you find that, with some exceptions, the depreciation and the operating loss are more or less the same.

THE CHAIR: If you went back to the capital injections you would expect something similar. You've got \$14 million, \$50 million and \$20 million. That would therefore halt the erosion of your equity.

Mr Wheeler: I think so. The decision around maintaining your equity in a sense is secondary. The primary decision is about the quality of the infrastructure that you've got and using what capital funding you get as wisely as you can.

THE CHAIR: You're obviously writing off the value of your equity as it ages and declines, but is that an indication that we're not putting enough into school maintenance?

Mr Wheeler: No, that's accounting treatment for an asset that's ageing. The maintenance you spend on a building is not capitalised and doesn't show against the value of the asset. That's what that is there.

THE CHAIR: This is strictly capital.

Mr Wheeler: That is strictly capital.

MR PRATT: Minister, my question was begun to be answered but hasn't been completely answered. What specific programs are now in place to raise the quality and effectiveness of teaching in ACT schools? How are those programs evaluated? Do we have any performance indicators?

Ms Gallagher: Yes.

MR PRATT: What are the performance indicators?

Ms Gallagher: Your question is about what support we provide to teachers to ensure they're providing—

MR PRATT: Personal development—not only that, but departmentally. What do you determine are the priorities in terms of improving standards?

Ms Gallagher: It's a bit of an HR question. I'm not certain about the specific detail, but there is certainly a range of professional development support provided to teachers. I will be corrected if I'm wrong, but we certainly provide four days or five days off at the beginning of the year to undertake professional development prior to the school term commencing.

There's a range of performance appraisals that the department engages in. There are professional learning opportunities. Fran probably wants to talk about those a little more. I think it's recognised that it's a very important part. Teachers are the key to learning—we all know that—and learning is the key to a future, so we understand the importance of the role that teachers play and the importance of constant professional development in achieving quality outcomes for both the teacher and the students.

It's something that is in the enterprise agreement with teachers. Certainly, as that enterprise agreement comes up for renegotiation this year, I know that'll be a key part of the discussions between the department and the union about how we can support the work of teachers better. I might hand over to Fran.

Ms Hinton: I think that a very important part of it has been the introduction over the last few years of the professional pathways program for teachers and the professional appraisal for principals.

THE CHAIR: A fine program.

Ms Hinton: Thank you, Chair. The principals program was implemented first and it involves each principal negotiating a performance agreement, usually with the director of schools but with other directors in the system as well. It's focused very much around the

student outcomes and establishing an agreed number of goals about student outcomes in that school. It involves the initial meeting, a meeting during the year and a summary report and analysis of that at the end of the year. That's in terms of principals.

We also have a set of professional descriptors for principals and teachers. We're updating some of that work now on principals with a new capability framework. Similarly, we have introduced a professional pathways program for teachers, which involves each teacher also undertaking a performance plan and working through ways in which they can improve their classroom strategies. It's very much focused on classroom strategies and student outcomes through that professional appraisal process.

It is a system that has created quite a lot of interest nationally in terms of the work that we do. We took quite a long time with its introduction, as some of you will remember, in order to make certain that we had done all of the professional development work with the teachers and principals to make certain that this was a real process and a real appraisal and not just a paper process.

We've done some preliminary evaluations of it—formative, not summary, evaluations—and we're certainly quite pleased with the outcome. There are also processes within the enterprise bargaining agreement that provide for more pathways to improvement. In cases where teachers may be struggling, there is a defined pathway to assist them, where possible, to improve that performance.

MR PRATT: In terms of the PD policy, have you considered mandatory activities? When you sit down with teachers and you assess pathways and the opportunities available, do you have or will you be considering in the future mandatory steps to undertake improvements where you identify certain weaknesses in individual performances?

Ms Hinton: We have mandatory ones at a whole-of-system level in some areas. We've had some in IT, for example, where everybody in the system had to do some work on that. Similarly in drug education, all teachers in the system had to be involved in professional development in those particular activities. In terms of the individuals, I don't think we've made it mandatory but I don't think there has been any difficulty either when the need for PD is identified. What's more important than making it mandatory is making certain that the individual is directed towards the training that's available and engages in it.

MR PRATT: Under this system, if the teachers haven't followed your career encouragement advice to move on and personally develop themselves, will the performance appraisal report reflect that willingness or unwillingness?

Ms Hinton: It depends on the quality of the teacher. It's far more of a concern if there are performance questions about the teacher than about a high performing teacher perhaps not following up on a professional development suggestion. Part of our process involves, as I said, a pathways to improvement program and that does require the individuals to do the professional development and to be supported, because it isn't simply a going off to a course activity; it's about being supported with strategies to improve.

MR PRATT: But it is based on encouragement.

Ms Hinton: Yes.

MRS DUNNE: I'd really like an assessment from the minister, if I could. Minister, I've asked this question of ministers before. Do you consider yourself the minister for education or the minister for government education?

Ms Gallagher: I consider myself the minister for education.

THE CHAIR: Ladies and gentlemen, thank you very much. Minister, thank you very much for the attendance of your staff. We'll see you back at 2 o'clock as the Minister for Women and the Minister for Industrial Relations.

Luncheon adjournment

THE CHAIR: Good afternoon, Minister, and welcome back to the year 2003-04 estimates hearings. Thank you for bringing your staff with you to answer our questions. We'll do the housekeeping measures first, which I will know off by heart by the end of this fortnight. They are to be read to all witnesses prior to evidence being given.

You should understand that these hearings are legal proceedings of the Legislative Assembly protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal actions, such as defamation, for what you say at this public hearing. It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter.

To assist with the smooth running of the day, Minister and departmental witnesses, your evidence today is being recorded by Hansard to prepare the committee's transcript of proceedings. It is therefore necessary for you to speak clearly into a microphone when you answer questions. Officers who are seated at the back of the room should come to the main witness table if called on to respond to questions. Please do not speak from the back of the room.

It would assist the committee staff and departmental officers if witnesses could also state clearly when a question is being taken on notice. It would also greatly assist in the preparation of the transcript if witnesses would state their full name and the capacity in which they are appearing on the first occasion they give evidence. Thank you.

Minister, would you like to make an opening statement on behalf of the Minister for Women's Affairs?

Ms Gallagher: Yes, just a brief one, thank you, Mr Chair. I think this past year the Office for Women has delivered some outstanding work in relation to enhancing the role of women in our community and in relation to the violence framework that was launched a couple of months ago. The office has done considerable work in terms of responding to the Select Committee on the Status of Women's report. The Office for Women also provides extensive secretarial support to the Ministerial Council on Women and pulls together all the necessary ingredients for the International Women's Day, alongside, of course, their normal policy work.

I think this year's budget has attracted some criticism in relation to what's in it for women. I think there's a perception out there that not enough was done for women. Whether it is a perception or whether it's just articulating how some of the initiatives will impact on women is a question that I'm still considering myself.

Certainly in relation to the initiatives: there were many initiatives that will support women in the community, and in particular vulnerable women in the community. Perhaps these initiatives in relation to how they would support women weren't articulated very well in that initial phase of the budget being launched. I think there's some work that I need to do in the next year in terms of addressing some of those perceptual concerns, and I intend to do that.

Also in relation to some concerns that there wasn't a statement about women in the budget and articulating exactly what the government is doing for women in the ACT: again, that's something that I'm going to be looking at this year for next year's budget.

I just thought I'd make that opening statement before any questions.

THE CHAIR: Thank you, Minister, because that's exactly where I'd like to go to: the Women's Electoral Lobby. A media release of the day points out, as you've rightly said, that the status of women report came down last year. I think you know a little bit about it.

Ms Gallagher: I do.

THE CHAIR: It says that the status of women's report made 83 recommendations but this budget includes no new funded initiatives for women. It also goes on to say that the Women's Electoral Lobby ACT is also disappointed at the lack of support for women's advocacy organisations in this budget. Then it concludes with the statement that the fact that no new funding has been allocated for this strategic plan for women does not bode well and adds to the impression that this is a budget with a lot missing.

Minister, is there a reason why there was no specific initiatives for women in this budget?

Ms Gallagher: I'm aware of the criticism that it's received, particularly from women's groups around the community. Certainly the view of the government in relation to the funding of initiatives was very much that the initiatives were funded from a holistic point of view—the community as a whole would benefit—but certainly, at the micro level within those initiatives, many of them will be directed at women; particularly in areas where the select committee had made recommendations, such as mental health and outreach workers in relation to the homelessness strategy.

But again, I think it is fair to say that the women's sector seemed to be articulating the view that they would prefer to see specific programs funded for women, which is something that we need to consider as a government. Again, the areas which are always articulated are in, say, housing and mental health—areas like that. Certainly within the initiatives that were funded in this year's budget, there is a component of that money which will be, on my understanding, funded to women.

We certainly have had some discussions with service providers that provide services to women to that effect. I understand my colleagues in their capacities as Minister for Health and minister for housing have done that as well.

THE CHAIR: I have to say that I think that's unacceptable in that clearly, in relation to women's issues, we've got a significant report on the table. It contains a number of recommendations which, I think, in the main, were well received by everybody, in the expectation that something might happen. But the fact that 50 per cent of the community in one way have not received significant funding, or any funding for them specifically, I think, is unfortunate.

Groups like Toora have contacted me to express some of their disappointment, particularly the lack of outreach workers for women with mental health and other complex needs. Again, there is a lack of support for additional supported accommodation. Their email goes on and on. Homelessness needs haven't been looked at; the effectiveness hasn't been looked at.

Then you say that some initiatives will help women. They say that there seems to be confusion; your department's told them to see Bill Wood's department. They seem to be getting conflicting reports.

It strikes me that this is a budget that does not have a focus on women's issues.

Ms Gallagher: I don't necessarily agree with you, Mr Smyth. In relation to Toora: my understanding is that those issues that they've raised in that email have been resolved to their satisfaction. That's my understanding.

MRS CROSS: Does that mean there's been another outreach worker given to them?

Ms Gallagher: I'm not sure of the details of it—I haven't had the discussions—because it is in under the health area. I believe—and I haven't spoken to Jacqui Pearce myself recently—that their concern about it was more the fact that the initiative wasn't articulated to the level that they needed for information. That articulation of that initiative has been given to them now and that issue has been resolved.

MRS CROSS: Has that been given to the minister by your department or by another department?

Ms Gallagher: It's been through health; it has been dealing with Toora.

MRS CROSS: I remember vaguely Toora wrote to all of us about this, and they were concerned.

Ms Gallagher: Yes.

MRS CROSS: I remember in my budget response speech I mentioned this issue, and Minister Wood sort of called and said, "I think we've fixed it up, I think we've fixed it up." I said, "Well, how have you fixed it?" Toora hasn't come back to us to say they're happy, that it's okay, so could you possibly take that issue on notice and then come back to us?

Ms Gallagher: To see whether Toora are happy?

MRS CROSS: Yes. To make sure that extra outreach worker has been dedicated to them.

Ms Gallagher: Okay, sure.

THE CHAIR: On Monday we may actually ask Toora whether they're happy or not. I think they're one of the community groups that we've asked to appear.

Ms Gallagher: Sure.

MS DUNDAS: I think there are two issues that Toora raised. One was with regard to the mental health outreach worker; the other was the initiative relating to homelessness which, in Budget Paper 3, listed families in crisis, homeless people and capacity, enhancement of existing SAAP. Can you tell us whether or not any of that \$2.4 million in this financial year will go towards women's services?

MRS CROSS: What page are you on, Roslyn?

MS DUNDAS: 167, BP3.

Ms Hall: My understanding of that—and, again, it's another department, so we don't have the full details—is that there was \$2.4 million allocated to the homelessness strategy. \$1.2 million of that was directed towards the three identified initiatives that Ms Dundas has just outlined.

MS DUNDAS: So that's family, single men and homeless people?

Ms Hall: That's right. Within the family component of that, it's looking at women. With regard to the other \$1.2 million from the budget, it's my understanding that the homelessness strategy, which is currently under development, is going to inform the future directions and will also help to determine the allocation of that \$1.2 million for outreach and other community support projects including—particularly this is one of Toora's concerns—single women with mental health and drug and alcohol issues.

MRS DUNNE: So when's the homelessness strategy going to be finalised?

Ms Gallagher: I think that's probably a question to be aimed at Mr Wood.

MS DUNDAS: To go back to something that Mr Smyth raised earlier, the response by the Women's Electoral Lobby to the budget: one of the 83 recommendations from the status of women report was the need to support women's advocacy in the ACT. The government's response to the status of women report indicated that they already do that in the areas of health, through the Women's Centre for Health Matters and some other organisations.

Was there any consideration given to actually supporting women's advocacy outside the areas of health, allowing them to be funded to participate in all aspects of the community?

Ms Gallagher: The key area for me, in terms of women advocacy, I think, is the support that the Office for Women provides the Ministerial Advisory Council on Women, which is, as you know, Roslyn, taken from a broad representation of women in the community, certainly to provide advice to me but also to advocate on behalf of the areas they represent to government. Certainly, a substantial part of the work of the Office for Women is to provide secretarial and other support to that committee.

MS DUNDAS: Just to clarify, then—and there was some confusion about this when it was initially established—are the women on that committee there as individual women or are they there representing organisations?

Ms Gallagher: Well, I wasn't around when they were initially appointed, but I think they're there individually nominated. Many of them are there representing—it's a mix, isn't it? Sorry, Sue, you're better off answering that, thanks.

Ms Hall: Within the guidelines of the Ministerial Advisory Council on Women, I think there are 16 positions, and up to six positions can be for people representing organisations.

MS DUNDAS: And what then do you identify as those six organisations that are represented?

Ms Hall: Well, that would vary from council to council; it's not a set number; and specific organisations do not have a set place on the council. The overall composition of the council is viewed as to what groups are going to be best represented on it, because there may be an individual person that may come from a particular area. The overall composition of the council is looked at when selecting the members to ensure that there's a diversity of experiences, a diversity of backgrounds, a diversity of interest areas represented.

MS DUNDAS: So at the moment—

Ms Hall: And at the moment—and this is going from memory—WISENET, the Multicultural Women's Advocacy and the Older Women's Network are represented on the council; they're the ones that I can remember off the top of my head at the moment.

MS DUNDAS: What about the YWCA of Canberra or the Women's Electoral Lobby?

Ms Hall: They're not represented, but they—

THE CHAIR: If I could interrupt: perhaps, Ms Hall, we could have a full list. You might take that on notice and provide us with a full list of who's on the committee and how they are chosen, what's the process that's followed.

Ms Hall: Sure.

MS DUNDAS: And just to wrap that line of questioning up: there's no thinking within the government that they should be providing funds to support women's advocacy outside of that council?

Ms Gallagher: The government response to the Select Committee on the Status of Women did not coincide with the budget deliberations for this year but, as I said when we responded in relation to the 83 recommendations, it was something that would guide the decision making of government in years to come. That's how I saw the document. In fact, we supported all but one of the recommendations or supported in principle some of them. The government response to that wasn't considered just in the time that was done with the budget, but those recommendations will be used to inform the budget process for next year.

MS DUNDAS: Do you have any explanation why the government's response to that report was delayed?

Ms Gallagher: My understanding of it is that, because it required a significant level of coordination amongst agencies in getting responses back and the Office for Women coordinating that work, that delayed the response. Also there is the fact it was tabled in November; then we had the three months to respond. But that coincided with Christmas. Then there were the January bushfires, which tied up a lot of resources not only across CMD but also other agencies. That had an impact on the delay.

THE CHAIR: So from November to 18 January no work was done on the government's response to the status of women report?

Ms Gallagher: Well, I don't think it's fair to say that, but the response wasn't ready in the time that it was due to be tabled. It should have been tabled in line with that three-month response date. I don't think it's fair to say that no work was done between that time. The level of coordination to address the recommendations, because they did cover nearly every agency in the ACT public service, was something that couldn't be met within the time frames, considering the other issues—specifically the bushfires that occurred and tied up resources well after 18 January.

THE CHAIR: So were any recommendations made to cabinet in the budget process? Were any bids made for money for women's programs?

Ms Gallagher: No, not a specific initiative for women.

THE CHAIR: So you had a report with 83 recommendations, with high expectation in the community, and not a single bid for money was made in the budget process?

Ms Gallagher: Well, there were bids. The initiatives were funded. There was no one initiative specifically funded for women, but mental health, support for carers and addressing elder abuse, all of those are things that came up in the select committee report and were funded in this year's budget.

I can say no to a specific one: did we fund a program targeting women suffering from elder abuse? No. But: did we fund something for addressing elder abuse? Yes. Will that have an impact on women? Yes.

THE CHAIR: I'm just concerned, though, that as the Minister for Women you did not make a single submission to cabinet during the budget cabinet rounds. There's budget cabinet 1, 2 and 3. I assume they started fairly late last year and continued right up to May. But there wasn't a single bid on behalf of women in the ACT, as minister.

Ms Gallagher: Again I don't think it's fair to say that because you're trying to change things. What we were funding was initiatives which do provide support for women. Again, if you're saying a specific program for women to address their mental health: no, we chose to fund a mental health initiative which women will benefit from; there's no doubt. But you can't say that we did not do a thing for women in this year's budget; that's just not fair.

THE CHAIR: Did the part of the department that looks after women's issues prepare a single submission to cabinet seeking funding in this budget?

Ms Gallagher: For a specific women's initiative?

THE CHAIR: Yes.

Ms Gallagher: No.

MRS CROSS: Why not? Let me backtrack a bit. I know that you're very committed to women's issues because I had the pleasure of working with you and Ms Dundas on the Select Committee on the Status of Women, which you chaired. So I have no doubt about your commitment to women's issues.

Before you became Minister for Women I remember I was in this very same room last year talking to Mr Tonkin questioning him on the money that, if any, had been allocated to set up the Office for Women. I recall we had a very interesting conversation, Mr Tonkin. I was sitting over there, and I said, "Given the government's commitment to women's issues, what has been allocated to set up the Office for Women?" You said, "No, no specific money has been allocated. What we're doing is we're using existing resources." I said, "But by using existing resources you are disadvantaging another area and putting those people into women's issues when you're disadvantaging others." Basically what you're doing is sharing resources. I said at the time that if the government—because you were just a public servant—is genuinely interested in women's issues they have to make a separate allocation to have separate resources to man that office.

If the reason that the response to the report isn't back is the level of coordination with agencies has got to be comprehensive, obviously we don't have the resources to do it in a timely way. I don't see any money in this budget specifically for the Office for Women.

I would've expected to see money in this budget, given the questions that were put to you last year on the significance of women's issues and having separate resources rather than stressing the resources that are in that department already. In fact, I recall your words were, Mr Tonkin, "shared resources". So, where's the money? If you are genuinely committed why isn't there money in the budget?

Mr Tonkin: The question was taken on notice the other day, on Monday, whereby you requested information as to the split-up of the resources within community affairs, and that response is with the Chief Minister. So there are resources which are allocated to the Office for Women within what is shown in the budget as community affairs. So the resources are there. That is point one.

Point two is: the minister has said, “In developing a response to the comprehensive report prepared by the Assembly committee, it was a whole-of-government response. That requires consultation and contributions from the whole of government.”

As the minister has also pointed out, the report was handed down on 18 November. You then run into the Christmas holidays. There is actually a downturn in activity which occurs at that sort of time, for obvious reasons. We then were confronted by the fire and all the stuff that’s flowed out of that. That’s substantially disturbed the normal flow of process. If we hadn’t had the bushfires—and I wish we hadn’t had the bushfires—we would have had a response with the minister earlier.

The third point I’d make, as the minister has made, is that many of the initiatives or suggestions contained in that report go to broad-based policy issues of which there are a number of responses in this budget. Whether you tag them as women’s only or, as the minister said, you tag them as responding to a community need, be it elder abuse, mental health or homelessness, they are responding and are benefiting women in the community.

So it is a matter, as you say, not for public servants but for politicians to decide whether initiatives are branded and isolated as for women or for the multicultural community, for Aboriginal affairs. In some of these things there is a broader based benefit, so that the needs being expressed by particular groups in the community can be responded to. It’s one of those finely balanced choices where I don’t think we’re underfunding the office—I’d like to have more money for the Office for Women, as I would for multicultural and everything else—but I’m alert to the fact it is a finite bucket of money.

What we do have now, which we didn’t have before, is an office, under Sue, which reports directly to the minister. I don’t intervene in the flow of information. I may scribble on the top, “I think this is a good idea,” a bad idea or whatever, and the minister will ultimately tell me what I can do with my idea or my view. So there’s a clear flow of information through the process, and I think that’s a satisfactory way of proceeding within the overall limited resources that we’ve got.

As a last point: as the minister has said, the government’s response sets up a policy frame of reference which will inform initiatives going forward, so that when we come up with a concept on a whole range of government initiatives, and possible initiatives, it will be able to be considered in the context of: from the point of view of women and their particular needs, how can the program be shaped or constructed to fulfil those outcomes that have been desired, while perhaps fulfilling some other outcomes? So it is a finely balanced choice here.

MRS CROSS: Mr Tonkin, thank you for that answer. Can I just ask this question: again, I’d like to know why it was there were no submissions made by the Office for Women, if in fact you say that the money that has gone to women’s issues are broad-based issues which are in other departments, such as community care and health.

Mr Tonkin: Well, I'm trying to remember back.

MRS CROSS: Why have we got an Office for Women? What are they there for if they're not there to look at specific women's issues, which means that if they're looking—

Mr Tonkin: Well, I—

MRS CROSS: Can I just finish, Mr Tonkin? If they're there to be addressing specific issues for women, why is it they're not putting the submissions forward to ask for specific buckets of money that the minister can then allocate in the way she sees fit?

Ms Gallagher: I think, Helen, the way the Office for Women has evolved is: it's a policy group. I don't want to mislead people about the Office for Women. It's a small group of women who work there. I think they're all women, aren't they? Yes?

Mr Tonkin: Sadly, it's lacked a gender balance.

THE CHAIR: Noted, Mr Tonkin.

Ms Gallagher: The emphasis has been on policy development. As the office evolves, I think that could possibly change into something else, but in these early stages—it's been 18 months, I guess, that it has very much been a focus on policy and informing whole-of-government processes about policies in different departments and looking at cabinet submissions and how they affect women—it hasn't been a sort of service delivery part of the department at all. I don't imagine it will get to become that.

I think one of the areas the select committee recommended was to have a women's grants program where women's groups could access, I would imagine—we never really talked about it at the committee at great level—small amounts of money to do particular projects, not unlike some of the grants programs that are available in the multicultural area. It was one of the recommendations of our report, and I think that's a really valid avenue to pursue.

I think it is very important that we have a diversity of women's groups in the community. They might not necessarily want ongoing funding or substantial funding, but there are times when things arise that they are after particular bits of money and I think it would be very useful to have a program which supported that sort of work. And that's certainly something that we have supported in principle in the report. I guess it's just finding that money.

MRS CROSS: How much money did your office get last year?

THE CHAIR: Last budget.

Ms Hall: In the last budget? I'd have to look at that. I think it was a question taken from last year that we provided, but I'd have to take that on notice to give an exact amount.

MS DUNDAS: I asked on Monday if that answer could be explained.

MRS CROSS: Roslyn, we're not finished.

MS DUNDAS: Sorry, but I'm just making another point.

THE CHAIR: Through the chair, please.

MS DUNDAS: Maybe the question that was taken on notice on Monday could be expanded, to find out what was spent in 2001-02, 2002-03 and what's planned for 2003-04 for all different offices?

MRS CROSS: Are the three positions that are in your department, Ms Hall, all at the SES level?

Ms Hall: The positions in the Office For Women?

MRS CROSS: Yes.

Ms Hall: There are four positions: there's a senior officer grade B, a senior officer grade C, an ASO 6 and an ASO 5.

MRS CROSS: Well then the gender issue doesn't apply here, because my questions all week regarding the gender issue have been that all departments have been top heavy with men at the SES level, and, at the ASO 5 level down, they're very heavy with women. I know that's something that you, Minister, and I have a very strong commitment on. You nearly got away with it, you nearly had me convinced, Mr Tonkin. I'd like to know what you're doing in your department to address the gender inequity at the senior levels?

THE CHAIR: For men?

MRS CROSS: For women.

Mr Tonkin: Well, as the head of the public service, my commitment is to the selection of people in every instance on merit. I'm not particularly interested as to the person's gender. What I'm interested in is that the outcome of the selection process in every case is completely fair and open, and merit is the outcome.

I think if you actually look at the statistics of the ACT public service, compared with other public services, both at the senior executive level and more generally, you'll find that we do better than the Commonwealth in our representation of women at more senior levels. That's one of the things.

If you look at the composition of people on committees, it's been a long-standing objective of successive governments in the territory to achieve a gender balance on advisory committees and boards, et cetera. I think we've continually progressed towards that quite well. The field is hard to fill in some cases. You've got professional groups. Some professions just don't have the women who are present. In other groups we have an overpreponderance of women.

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I think it's valid to point out that in some of the better remunerated boards women aren't as well represented as they might be, and it's an ongoing objective to change that. But in the public service I think we do much better than comparative jurisdictions in terms of the number of senior women that we have. As I say, I'd like to have more women in senior levels, but I also want the best available person selected on merit.

MRS CROSS: Thank you. Last question, Minister, related to the same issue.

Ms Gallagher: I was just going to add to that. In relation to attracting women and keeping women in the public service here: I think some of the conditions that are in the new template agreement that was negotiated and finalised earlier this year in relation to family friendly work practices—14 weeks paid maternity leave and all those initiatives—very much target supporting women to consider the ACT public service a great place to work but also supporting their return to work after they've had children. I think that's a really important way of retaining women in the public sector so they work their way up to those senior positions.

MRS CROSS: Well, hopefully your government can lobby to ensure that the women in the business community get that same benefit, given they fund public service maternity leave. Your cabinet is made up of one woman and—

MRS DUNNE: Sorry, Mr Chair?

MRS CROSS: This goes to my question on gender inequity. Your cabinet has four men and one woman.

Ms Gallagher: That'd be me.

MRS CROSS: That's you. Were you bullied into accepting nothing for your department, given that you've got four overbearing men in cabinet who say, "Now don't ask for anything, Katy, because you don't —

Ms Gallagher: Not at all. There was no bullying. There's no bullying that goes on at all, and I wouldn't say I've accepted nothing for the department. The Office for Women is funded and, certainly in the robust discussions that were carried on in terms of the initiatives, there was a lot of discussion about how these initiatives support women. So there was certainly extensive debate, and my cabinet colleagues provide a lot of support to me in relation to advancing the status of women in the ACT.

Mr Tonkin: Mr Chair, before you go to Ms Dundas' question: Mrs Cross asked a question about dollars last year.

MRS CROSS: Yes, I did.

Mr Tonkin: Funding for the Office for Women in 2002-03 was \$373,000, in round numbers. The projected budget for 2003-04 is \$408,000, again in round numbers, out of the total funding of the area.

THE CHAIR: Of the area.

Mr Tonkin: And that'll be part of the question on notice response.

MRS DUNNE: Just to follow up on the questions that Mr Smyth asked about the 83 recommendations of the status of women report of which, now, Minister—am I right?—the government has accepted at least in principle, 82 of the 83 recommendations?

Ms Gallagher: That's right. Yes, supported.

MRS DUNNE: Which one didn't you support?

Ms Gallagher: It was one about extending the Women's Information Referral Centre to a 1800 number and extending its hours of operation. The government's response said that we didn't see the Women's Information Referral Service as being a crisis line for women to contact, that crisis lines are already funded and that the service that the Women's Information Referral Service offers should just be kept as it is at the moment, which is information and referral.

MRS DUNNE: It's interesting that you made the recommendation and then you couldn't carry it through. You're in a unique situation, Minister, in that you chaired the committee and then became the minister who has carriage of the government response. So I think that it's a highly unusual circumstance, but it's also highly unusual that, if you were committed to a recommendation when the report was tabled, you ceased to be committed to it in the government response process. Why is that?

Ms Gallagher: You're right. I am in a very unique position. I'm not sure anyone else has been in this position actually where they've chaired a committee and then, before a response is tabled, they've become the minister of the portfolio. I don't think it has happened. When you become the minister I think you get the benefit of advice from departments about what those recommendations mean, and you take that advice. The advice was there was—

THE CHAIR: Do you?

Ms Gallagher: Yes, I did, in this instance. The advice was that the Women's Information Referral Centre offered a particular service and we already funded quite a number of crisis lines or lines women can contact if they are in need. We weren't convinced of the demand for extending that service after hours or to a 1800 number.

MS MacDONALD: There's a follow on from that question, though.

THE CHAIR: Have you finished?

MRS DUNNE: I haven't finished. Do you want to talk about the Women's Information and Referral Centre specifically?

MS MacDONALD: No.

THE CHAIR: There's a supplementary to come.

MRS DUNNE: There's a supplementary. You said before that there were no budget-round submissions from the Office for Women in relation to women's affairs, and the rationale seemed to be that the key recommendations are actually in other service delivery departments, and the Office for Women is not a service delivery department. But then you went on to talk about a modest grants scheme. Why didn't you propose a modest grants scheme?

Ms Gallagher: It wasn't brought forward as an initiative, Vicki. I think it could have been. I'm learning things all the time from being a minister. I don't pretend that I entered that budget process knowing how everything worked, how everything operated and how everything came out at the end. Also because we hadn't finalised the response and the government hadn't signed off on the response to the Select Committee on the Status of Women's report, we were in a difficult time frame where that finalisation was occurring at the same time the budget was finalised. As I've said, I think it is something that we need to seriously look at in terms of our deliberations for next year's budget.

MRS DUNNE: Do you feel that you've dropped the ball on this?

Ms Gallagher: No, I don't.

MRS DUNNE: There are 82 live recommendations and we don't see one of them put into effect in this budget.

Ms Gallagher: Well, again, I disagree with you. There were recommendations about addressing women's mental health, there were recommendations addressing outreach workers, there were recommendations about elder abuse, there were a number of recommendations that didn't have a budgetary implication that are already being pursued.

No, I disagree with you completely. I think there are a number of recommendations, including areas like sport, where we're increasing allocations to women's sport which was again another thing that came up in the Select Committee on the Status of Women's response. So I think overall we are heading down the path that the select committee recommended, but that document is a substantial piece of work. I've been saying, even from when I was chair, that this document should be used to guide decisions that are made about funding, priorities and policy development for years to come.

MRS DUNNE: In that case, Minister, do you think that you could provide for this committee on notice those areas of the 82 recommendations that have had some impact on the budget, whether they're in sort of mainstream things and not necessarily identified as women's issues?

Ms Gallagher: All right.

MRS DUNNE: And for those other things which, as you just said, have non-budget implications that are being progressed? The clear message so far is that nothing has happened out of that. There are 82 recommendations. I'm giving you the opportunity to prove that I'm wrong.

Ms Gallagher: Well, that's certainly a line that you're arguing, Mrs Dunne.

MRS DUNNE: No, I'm actually seeking information, Minister.

Ms Gallagher: I understand.

MRS DUNNE: And I'm asking you to provide me with it.

Ms Gallagher: What I'll say to you is that I think that piece of work will take longer than three days; it's a substantial piece of work. There are four workers in the Office for Women, so I think you need to accept that in looking at how we do that.

I'd also like you to view the fact that the government response to the report was finalised—I can't remember the exact dates, but I can get them for you—sort of outside the budget process. If you're prepared to look at it in that way, then, absolutely. Be mindful of that.

Mr Tonkin: Can I just add one part to the answer the minister's given, which goes to the question of budget bids. When we were developing budget proposals across the whole of government and certainly in the Chief Minister's Department we were alert to the fact that this 2003-04 budget was going to be a very tight budget, and there was a government direction or advice that departments should be particularly constrained in the number of bids that were made.

You can run a budget process in a few ways: you can sit back inside departments and roll everything up to government and let the government constrain them; or you can take a view of what you think are ones which are strongly in contention and you can put those up.

We chose to take a conservative view of what was possible to be funded within the economic environment which we were confronted with, and that's why there are only a small number of bids which went forward from Chief Minister's Department, as there was for quite a lot of the other departments as well. You can play the game and say, "Okay, let's roll them all up," and the cabinet knocks it off; or you can say, "Given all the things that are already under way, we can cope this year," and we look to the future."

MRS CROSS: So next year's election budget will be huge for women. I'm so looking forward to that. Great.

MRS DUNNE: This says some very interesting things, Mr Tonkin, about the way you advise government. You'd spent a lot of time sort of weeding out the things that you didn't think were worth while but the government may have a different set of initiatives.

Mr Tonkin: Of course, but it's not as if departments are the only people who produce bids. I'm saying, "If you're going through a process, it's an easy option to come up with a whole pile of bids and wish lists and roll them into a budget process." That's really easy to do. You just end up with a bigger, thicker pile of papers that you hack your way through in ERC. There are different views of how to go about this.

MRS CROSS: Could we get the wish list from your office, Ms Hall? Give us a wish list that you would have put forward if you were allowed.

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THE CHAIR: But they didn't put any forward. There's a supplementary. I do make the comment, though, Mr Tonkin and particularly to the minister: ACT WorkCover got \$345,000 for the destruction of fireworks. I'd volunteer to do that for nothing. I could make use of all of that money.

Ms Gallagher: I'm not sure you'd meet the standards, Mr Smyth, but anyway.

THE CHAIR: I know exactly how to light fireworks, Ms Gallagher. But there's the parallel: \$345,000 extra for the destruction of fireworks, nothing for women. You talk about a government with priorities and looking after people.

Ms Gallagher: It's not "nothing for women".

THE CHAIR: I think the public will be amused.

Ms Gallagher: It's not "nothing for women", but I've been over it and you just keep repeating it.

THE CHAIR: Supplementary, Ms MacDonald.

MS MacDONALD: Just talking about the report: I think it's worth noting that having 82 out of 83 recommendations fully supported is actually quite remarkable. Do you know of any other instances where that percentage of recommendations has actually had support?

Ms Gallagher: No, I don't, not in my short career.

MRS DUNNE: But we don't know of any situation quite as unique as the situation the minister finds herself in, having authored the report and then being in a position to act on it.

MRS CROSS: I think we should be kind to this minister. It's the previous minister we've got the problems with. That was the problem.

Ms Gallagher: It's okay. We'll certainly get the information you're seeking because there are a substantial number of the select committee responses that didn't require a budget initiative to proceed with. In terms of our commitment to women: I think the work that the Office for Women has been doing signifies the importance that this government places on the status of women, and particularly in areas like the violence framework where we've got a comprehensive framework to ensure either that violence is prevented or that women are given the appropriate support. So I think we need to acknowledge that a lot of the work that's going on wouldn't necessarily have taken the form of a budget initiative.

MS DUNDAS: Minister, you mentioned that part of the work of the Office for Women is to look at cabinet submissions.

Ms Gallagher: Yes.

MS DUNDAS: Did the Office for Women look at budget submissions?

Mr Tonkin: In terms of revenue submissions, no, they don't. As we said, I think the other day, the budget processes are different from the normal policy processes of cabinet submissions. So you don't normally or as widely circulate cabinet submissions which relate to budgetary issues. You certainly don't circulate revenue submissions at all, other than to the central agencies. You just don't do it.

MS DUNDAS: That's the revenue submissions?

Mr Tonkin: Revenue proposals are very tightly held. In a broader budget context, clearly the Office for Women contributes to what we put forward, but they don't get involved usually in the detailed considerations of budget cabinets.

There's also a time cycle that works on budget cabinets, it's an accelerating pace thing, a lot of the stuff is emerging very quickly before the meetings, and so often you're getting it out of Treasury and dealing with it very, very fast.

It's not like the normal, structured process. For a normal cabinet submission there's a process that a draft submission's developed, circulated to agencies, coordination comments are provided, and certainly in that context the Office for Women contributes to our coordination comments from the Chief Minister's Department.

There is also a place on the front of each cabinet submission where the impact on women is noticed specifically. In other words, it's one of the things on the front page: what are the implications, et cetera? Then when we go forward, when the submission is finalised and lodged, the department—the Chief Minister's Department, in this case—prepares a briefing note for the Chief Minister on the issues, on that submission, and we develop that collectively inside the department.

Again, if there are particular issues relating to women, they'll be noted in that comment. So there are a series of opportunities for the Office for Women to contribute to the general run of policy processes. As I say, budget processes are somewhat different.

MS DUNDAS: So you're confident that through the general cabinet processes the Office for Women saw every cabinet submission?

Mr Tonkin: I couldn't swear that they see every cabinet submission, but there is certainly a process we run inside the department where cabinet submissions are circulated to all the areas. Again, it's a matter of time and space and workflow. I know, from looking at my desk, there's usually a pile of draft cab subs that high sitting there. You're doing that as well as everything else, so you've got to try to get the views in and respond. There's a time line, and the machinery rolls forward.

But the opportunity and the process are there. I'm sure that Sue couldn't tell you what she hasn't seen, because it's a rather philosophical issue.

MS DUNDAS: How was the Office for Women involved in the development of the budget, if they weren't looking at budget submissions?

Mr Tonkin: They were involved in considerations inside our department as to what we were going to be involved in, but they weren't involved—

MS DUNDAS: But as part of a whole-of-government approach?

Mr Tonkin: They weren't actively—unless Sue's going to correct me—involved in—

Ms Hall: No. I suppose the other thing is the comment on the government's initiatives. The Office for Women also had a role, in that community organisations provide budget submissions, and we did comment on any submissions from community organisations which related to women and provided advice to the Department of Treasury on those.

MS DUNDAS: You said earlier today—and we know it—that the Office for Women has a whole-of-government role in the promotion of women's affairs across the whole of government. So how come the Office for Women wasn't actively involved in the whole-of-government development of budget submissions?

Mr Tonkin: You just don't have the time and space to do that. The other point I'd make is that the Chief Minister's Department does have a role in all of those things. The Office for Women sits within the Chief Minister's Department; the Office for Women works for me; and so I have a responsibility in respect of women's policy issues as well. I have, not being a woman, some sensitivities to the issues and the needs, and I certainly have an active role in considering them all.

It's like the Office of Multicultural Affairs doesn't necessarily get involved in it—and again they work for me—so the Chief Minister's Department, as a department, bearing all those responsibilities, is in a position, when we see stuff, to consider the constituencies, if you like, whom we represent. We're not just there as a coordinating agency; we have constituencies—and they are women, multicultural affairs, Aboriginal and so on, sustainability and all those factors. So we impact at that holistic level every time we look at something. How does this run? Is this going to benefit women?

Let's take homelessness as an example. There were propositions for homelessness—dealing with single men, for families and for other groups—and so you're asking the question: how does that relate to all the needs of the constituencies that we represent? Elder abuse is a similar thing.

MS DUNDAS: So, through the work that you were individually doing as the head of the Chief Minister's Department, not necessarily the Office for Women, do you think that all of the budget submissions were, before they reached cabinet, carefully considered for their impact on women?

Mr Tonkin: No, you can't say that, if only because a lot of the submissions which come forward to government have got nothing to do with gender. There might be a submission to do with the roads maintenance program; it's hardly going to be something which is affecting women.

MS DUNDAS: I'll disagree with you, and we'll have a philosophical debate later.

Mr Tonkin: We can have a philosophical debate, but when you go through the process, and you go through and you advise ministers as to what they might consider in the budget cabinet, you try to take this joined-up government view of things. What you're really

doing—it's almost a negative effect—is you're saying, "Is that missing something? Is it going to have a negative impact?" or "How can we make sure it is more broadly expressed for a better positive impact?"

So you can apply the addressing of the objective in a series of ways. It doesn't have to say, "Is it targeted to women?" Well, you might say, "Does it meet all the community needs? Does it reflect socio-economic spread?" We know where the women sit in particular place in a socio-economic spectrum.

A lot of this comes just, I suppose, from experience; and subliminally you sort of say, "Is it a fair initiative?" It's like lots of other things; it's like sustainability; it's not as if everything that's sustainable is going to come through the Office of Sustainability.

What you want is for everybody across government to consider in their proposals the principles of sustainability so that it's built in. It goes back to when our equal employment opportunities set-up was first introduced. You start off as a specific step in a process, then you build a set of principles in so that ultimately it's second nature.

MS DUNDAS: Well, do you think that the consideration of women is becoming subliminal across the whole of government?

Mr Tonkin: "I think it's still got a way to go" would be my fair assessment of that. I think it's like a lot of things: better than it was. Could it be better? Absolutely.

MRS CROSS: Mr Tonkin, why is it that Ms Hall, who's the director of the ACT Office for Women, hasn't said a word? I'd really like to hear from you.

Ms Hall: The reason I haven't said a word with regard to this particular process is that I'm not involved with that process and Mr Tonkin is; so it wouldn't be appropriate for me to speak.

MRS DUNNE: I'd like to follow up on that, Mr Chairman. I go back to something that Mr Tonkin said a couple of minutes ago and then refer it back to something he said earlier in the piece. A few minutes ago, Mr Tonkin, you said, "The Office for Women works to me." Earlier in the piece you said that the Office for Women works directly to the minister. Can you explain that apparent contradiction?

Mr Tonkin: Yes. I'm the chief executive of the Chief Minister's Department. I have responsibilities there for all those activities which are undertaken within that department. Within that department, certain elements of that department have direct lines of reporting to ministers. And ministers have an absolute, unfettered right, of course, to talk to whomever they like within the department.

So in terms of policy direction and settings for women's policy: that is clearly a matter for the minister, and there's a clear, unfettered line of communication between the Office for Women and the minister. But ultimately under the Public Sector Management Act, I retain responsibility for the activities of the Office for Women, as I do for every other part of the Chief Minister's Department. So that's the explanation.

MRS DUNNE: That's the explanation, the public service explanation, but I actually want to know about practical, every day intervention. Actually Mrs Cross said he's just a public servant.

MRS CROSS: I wasn't putting you down. Excuse me: for Hansard, I have the greatest respect for public servants; I'm one of them.

MRS DUNNE: I really want an answer as to how much practical, day-to-day intervention is there by Rod Tonkin into that line of communication between the Office for Women and the minister.

Mr Tonkin: Virtually none—no, not none. Submissions which go up on matters of women's policy are signed by Sue as the head of the Office for Women. On some occasions, if they're matters of more significant policy, they will come through me and I have the opportunity to write something on it. Usually that's my signature, which means yes, I agree and endorse what's said. If I have some different view I'll write it on.

A lot of the other times the material goes straight through, and I'm an information copy; so I don't see it before it eventually gets to the minister. There is no filter, if that's what you're getting to. It's not as if a draft is prepared by the Office for Women, I review it, change it, sign the thing. No, that's not what I do.

MRS DUNNE: Minister, when you have your sort of periodic meetings with agency heads, whom do you have your meetings with, in your capacity as Minister for Women?

Ms Gallagher: I was just about to say that actually, Vicki. With the IR hat on, Rob's involved in those meetings. With the Office for Women, it's directly with Sue.

MRS DUNNE: Thanks for that. This doesn't relate directly to the budget, but I thought the opportunity can't go by, Minister. I'm sure you would be aware of the discussion in the community on the issue of sexual slavery.

Ms Gallagher: Yes.

MRS DUNNE: And there were raids yesterday on brothels in the ACT.

Ms Gallagher: Yes.

MRS DUNNE: And two women with irregular visas were taken into custody.

Ms Gallagher: Yes.

MRS DUNNE: I don't know whether it's as a result of that or it's just a coincidence, but Ms Nori in New South Wales is proposing that there should be some more action. What are you, as the Minister for Women in the ACT, going to do about this issue? I just want to put you on notice that I will actually be raising this with the Attorney-General as well.

Ms Gallagher: Well, I can say that Jon's already indicated his support to seek to join the New South Wales task force on this. He made that announcement this morning.

MS DUNDAS: Last year the then Minister for Women, Minister Stanhope, announced—I've forgotten the title—the domestic violence strategy for women or the violence against women's strategy.

Ms Hall: It was a violence and safety framework.

MS DUNDAS: I can't find that listed as an initiative in last year's budget or this year's budget. Can you provide us with details of how much money has been expended on that project, whether or not it is a resource intensive project and how that project is going?

Ms Hall: The policy framework was tabled in March.

MS DUNDAS: But the implementation of it.

Ms Hall: Part of the policy framework is an annual action plan.

MS DUNDAS: Which the minister announced.

Ms Hall: The first action plan for this is out. Also, within annual reports, there will be reporting on progress against those actions. There's a plan that's been put in place for updating that annual action plan.

I'll go back. We do have an interdepartmental committee on women's policy, which is one way of spreading the word across agencies. At the last meeting of that interdepartmental committee on women's policy all of the agencies were advised then that we would be providing a template to them in September for them to provide input for the next annual action plan for the framework.

MS DUNDAS: So the framework and the strategy are all a reporting mechanism as such; they don't necessarily require funding for actual implementation.

Ms Hall: It's a policy framework and its aim is to help to promote and encourage an across-government approach to addressing issues of violence and safety with regard to women. In doing so, it identifies three shared outcome areas which each agency, within their service delivery or program policy development activities, is focusing their efforts on to work towards those outcomes.

So in terms of saying that we need money for it: we did, within the Office for Women's general budget, of course, use some of that in terms of consultation, paying for that, the printing of the document, et cetera, et cetera. But the plan itself doesn't necessarily need money. However, you could say that, within this year's budget, elder abuse strategy and the directions that it will take will fit within that framework and will form part of the action plan.

Also within JACS, one of the budget initiatives was the piloting of sexual assault data and research trying to improve on that. That is part of the action plan; it's within the action plan for the policy framework at present. However, there are other actions that are going on; for instance, the review of the Protection Orders Act. That doesn't need specific money; that's part of the core activities within JACS; but it's been identified as one of the actions that will assist in meeting one of those outcome areas of the framework.

MS DUNDAS: Thank you.

THE CHAIR: I think we have one final question on women's affairs.

MRS DUNNE: I just wanted to go back and recap something you said before. Minister, is it the case that there are no SES members of staff who have direct policy input into the women's policy and the women's unit is headed up by a non-SES officer?

Ms Gallagher: That's right, yes.

Short adjournment.

THE CHAIR: We will reconvene the meeting of the Estimates Committee. I would now like to welcome the Minister for Industrial Relations. Because of the change in staff, I'll do the housekeeping. You should understand that these hearings are legal proceedings of the Legislative Assembly, protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal action, such as being sued for defamation for what you say at this public hearing.

It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter. To assist with the historical record of these events this afternoon, Minister and departmental witnesses, your evidence today is being recorded by Hansard, to prepare the committee's transcript of proceedings.

It is therefore necessary for you to speak clearly into a microphone when you answer questions. Officers who are seated at the back of the room should come to the main witness table, if called on to respond to questions. Please do not speak from the back of the room.

It would assist the committee staff and departmental officers if witnesses could state clearly when a question is being taken on notice. It would also greatly assist in the preparation of the transcript if each witness would state their first name and the capacity in which they are appearing, on the first occasion on which they give evidence. Thank you for your cooperation.

Minister, would you, as Minister for Industrial Relations, like to make a short statement?

Ms Gallagher: I don't think so, Mr Chair. Considering the time, I'm happy to go to questions.

THE CHAIR: The government's industrial relations agenda has seen a number of bills put in place. What is it that you are trying to achieve as the Minister for Industrial Relations?

Ms Gallagher: Can you be more specific about the bills you're talking about—or do you mean just in general?

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THE CHAIR: Things like long service leave and industrial manslaughter. There are now several bills, either on the table or before committees—some from the government and others from private members. I was wondering what your aim was—as Minister for Industrial Relations.

Ms Gallagher: The industrial relations direction of the government is something that is no stranger to the Labor movement, or to members of the Assembly. We're very supportive of enhancing the rights of employees, ensuring safe workplaces and effective occupational health and safety legislation. I guess that covers the industrial manslaughter bill, which is the subject of another committee's inquiry at the moment.

We have a strong industrial relations agenda, and we're pursuing that. We have agreements in relation to election commitments and specifically in relation to some matters agreed with the trade unions. We're implementing the agenda with which we went to the election.

THE CHAIR: Could you tell me where the review of the Occupational Health and Safety Act is up to?

Ms Shakespeare: In 2002, the Occupational Health and Safety Council had a couple of matters referred to it for inquiry. One matter is the scope and structure of the Occupational Health and Safety Act and the other is the compliance model established under the Occupational Health and Safety Act.

The council has established two subcommittees to progress these reviews. We're expecting the compliance model subcommittee to make its report by the end of this financial year—if not shortly afterwards—and for the scope and structure of the Occupational Health and Safety Act review to be completed by September 2003.

THE CHAIR: Minister, when would it be your intention to bring forward a new Occupational Health and Safety Act?

Ms Gallagher: It's difficult to predict that, when the work's under way. It would be difficult for me to give you a time frame for that.

THE CHAIR: The part of the process that we undertook, as government, was to prioritise the reform of this area. It was put to us that the most essential act to be reviewed was the Workers Compensation Act. I'm aware that that took approximately five years. I think the outcome was fabulous, but five years is a long time. Given that we started the review in, I think, 2000 and that it's now 2003, will this be another five-year process?

Ms Gallagher: I hope it will not be a five-year process.

Ms Shakespeare: Can I clarify something? Are you talking about the development of the amendments to the Workers Compensation Act, which commenced on 1 July last year?

THE CHAIR: No. I'm talking firstly about the review of the existing Occupational Health and Safety Act, which was put out for comment some time ago. I think that was in 2000, but I'm happy to be corrected on that. As it's now 2003, I'm wondering where that work is, and how it's progressing.

We're seeing other legislation coming forward from the minister. However, I would have thought that the most important act you administer—with the Workers Compensation Act—is the Occupational Health and Safety Act. Yet, until now, we have seen no movement on that.

Ms Gallagher: I don't think that's fair. There is work on that. As Minister for Industrial Relations, I'm yet to bring forward any legislation myself. There is legislation in the house which was introduced by the previous minister, in relation to industrial manslaughter. As you said, the long service leave legislation was introduced by a private member.

THE CHAIR: Would you like to take that on notice—and get back to the committee—as to when we might expect to see even a draft of a new Occupational Health and Safety Act?

Ms Gallagher: Yes, certainly.

MRS CROSS: This relates to WorkCover and the destruction of confiscated fireworks expenses—on page 146 of BP 3. I apologise if I've gone out of the routine. Looking at table 6.2.2, I notice an allocation of \$345,000 in the 2003-04 budget for the destruction of confiscated fireworks. I wanted to find out why.

Ms Plovits: That money was in the budget as an initiative to destroy 37 tonnes of fireworks, which I currently hold at the fireworks depot. These are seized fireworks, fireworks surrendered by members of the community, fireworks which have come to us through either the police or customs—and, obviously, through our own processes. The whole of that 37 tonnes of fireworks is not ready for destruction. Twenty-five tonnes of fireworks are still subject to appeal.

This money was put in to make sure that, when we start the destruction process, we have a way of doing it. The process of destroying fireworks is a long-burning one. It is not just blowing up the fireworks. Many people have offered to assist us with that.

THE CHAIR: I've got a volunteer bushfire brigade that would love to undertake such activity—probably free of charge!

Ms Plovits: I wouldn't need the incentive money, if I could take up all those offers.

THE CHAIR: The \$345,000 could buy us a new tanker.

Ms Plovits: Nevertheless, the act describes how to destroy these kinds of explosives, and we're bound by that legislation.

THE CHAIR: Let's amend the act.

Ms Plovits: It requires a burning-pit to be built. The method we will be using is one that will be done at a facility in New South Wales. Approval for that was required through the environmental protection people. In total, it amounts to that kind of money to get rid of that quantity of fireworks.

MRS CROSS: I am concerned that so much money has been allocated for the fireworks, when there are other areas in which I believe we could have better spent that money. I notice that, in last year's budget, there was an allocation of \$380,000 for the destruction of confiscated fireworks.

Ms Plovits: The process in dealing with the fireworks is around securing them. That means that, because the location of them was made public and we were then subject to vandalism, we had to put guards in place.

Putting guards in place on a facility like that takes money. The money for last year was used in protecting the explosives against an event caused by either third parties or by theft. You might be aware that, in the Northern Territory, there was theft from the explosives magazines. That was because they weren't under 24-hour guard. I will ask Mr York to comment.

Mr York: Was the \$380,000 the amount identified in this budget paper?

MRS CROSS: No. We found the \$380,000 in last year's budget papers, under destruction of confiscated fireworks.

THE CHAIR: On page 63 of BP 4 in this year's budget, it shows an expected outcome for the 2002-03 year for security, legal and disposal costs of fireworks as \$380,000.

Mr York: That's correct. That is an application for a Treasurer's Advance during 2002-03. That covers more than disposal of fireworks. It covers a number of components—if you wish me to go into those.

MRS CROSS: Speak up a little.

Mr York: The \$380,000 Treasurer's Advance covers three components. One of those components relates to legal costs awarded against the government, which we had to pay, totalling \$103,000. Then there was additional security, as the commissioner has explained, totalling \$157,000—and fast-tracking of the disposal of the fireworks, totalling \$120,000 this year.

MRS CROSS: So that amount of money included legal costs. In addressing the fireworks issue, how much money have we been spending on legal costs?

Mr York: I'm happy to take that on notice, to get the exact figure. However, in 2001-02, it was about \$350,000.

MRS CROSS: Please take that on notice for 2001-02 and 2002-03. If you could provide that to the committee, that'd be great.

Mr York: In the 2002-03 year to date, it's about \$120,000. There's a reduction on that of about 60 per cent from last year to this year.

Ms Plovits: We'll take it on notice.

Mr Tonkin: That's the complete answer, Mr Chairman, so there's no point in taking it on notice.

Mr York: Were you looking for a breakdown of the—

MRS CROSS: Repeat your answer.

Mr York: To the end of April, in the year 2002-03, it's about \$120,000—and in the year 2001-02, it's \$350,000.

MRS CROSS: That's just legal costs?

Mr York: That's legal costs that ACT WorkCover incurred.

MRS CROSS: That's close to half a million dollars in legal costs. Who is it that we're fighting, so we can't regulate it and do something about it? Why is it that we're spending so much money on legal costs, when we could be putting that money into something more useful?

Ms Plovits: At the end of the day, WorkCover is required to regulate a certain set of legislation. One of those pieces of legislation is the Dangerous Goods Act, and this matter comes under that.

The reason we are running this kind of regime around fireworks is simply because we're trying to address matters which have been brought to our attention. We then bring those matters to the attention of the Director of Public Prosecutions, and he agrees that they should be run. In that sense, we are in a situation where an external body agrees that it's appropriate to run these cases—and we run them.

MRS CROSS: Is there a problem with the law? In fact, I referred this to committee last year so we could have an inquiry into this issue, look at the industry and regulate it. Out of that inquiry came a list of recommendations, which were good. Have you made recommendations to the minister as to what laws have to be changed, so the WorkCover situation can be tightened and, therefore, you don't have to spend lots of money on legal costs?

Ms Plovits: As part of that process, we made a submission, which the committee considered. The government then took into account the recommendations of the committee—and its own—and responded. I believe it's probably more appropriate for the policy side of the business to respond.

Ms Shakespeare: The government responded to the standing committee's findings. Some of those findings included identifying problems with the operation of the legislation at the moment—and recommending a redrafting of the legislation. The government response was tabled on, I think, 12 December last year and the government accepted that the Dangerous Goods Act needed to be redrafted.

We've now got policy officers working on that. It's a fairly large project though. There are nine different categories of dangerous goods. Explosives is just one of those, and fireworks is one part of explosives.

We have additional requirements to introduce the regulation of other types of hazardous substances. As part of that process, we're reviewing the Dangerous Goods Act and also implementing the agreed national ban on chrysotile asbestos. There's a lot of work to go through, but we're working on redrafting the legislation now and addressing the problems identified by the standing committee last year.

MRS CROSS: Thank you. Minister, when do you expect that to be finalised and tabled in the Assembly?

Ms Gallagher: As soon as we can. In relation to the long weekend that's coming up, Penny's area has been involved in discussions with the fireworks industry about making some adjustments for this year. However, they wouldn't be included—because the legislation isn't ready. It will be included as soon as that work can be done, so that it's in place as soon as possible.

MRS CROSS: Can we expect it some time this year? Can you give us an indication?

Ms Gallagher: Yes—that's the target.

MR CORNWELL: Minister, I still find it difficult to imagine that \$345,000 is being spent. You state on page 146 that it will provide for the destruction of 37 tonnes of fireworks confiscated. Leaving aside the gender equity question, as to whether an equal number of men and women are going to be involved in this destruction, for \$345,000, you could almost have sent the fireworks to the Iraq war and had them destroyed there. Could we have a break-up of what is involved in this? From what you were saying to Mrs Cross, it appears that some of it is involved in legal activities.

MRS CROSS: Quite a bit of it.

MR CORNWELL: Nevertheless, is that to provide for the destruction of the 37 tonnes confiscated?

Ms Gallagher: We can provide you with the breakdown.

MR CORNWELL: I would like that.

Ms Gallagher: Moving 37 tonnes of fireworks is an expensive business.

MR CORNWELL: Pardon?

Ms Gallagher: It is an expensive business moving that amount of explosives or fireworks safely, in accordance with the requirements we have to follow. But we can give you the breakdown, Mr Cornwell.

MR CORNWELL: Thank you. I would also like to learn from the government if, finally, this territory is going to bite the bullet on the question of fireworks, as to whether we are going to allow them to operate here at certain times.

I accept what you've said about the forthcoming cracker night. Are we going to go ahead and do it, or are we going to close the whole thing down? It seems to me that it is costing the territory a great deal of money fiddling around with fireworks—\$345,000—and last year \$380,000. For what purpose? Can we have any guidance from the government on this?

Ms Gallagher: The government has responded to the report of the standing committee, clearly outlining our position. That is to look at the Dangerous Goods Act and redraft it, effectively—and to find a balance where people can have the opportunity to use particular sorts of fireworks at a particular time of the year. We give recognition that we need to balance a few competing interests here—but the government's position was tabled in December last year.

MR CORNWELL: What is the situation in New South Wales?

Ms Gallagher: I don't know the situation in New South Wales. Penny can probably answer that.

Ms Shakespeare: As far as I'm aware, in New South Wales, fireworks are available for sale year-round to licensed pyrotechnicians, as they are throughout Australia. New South Wales also has permit arrangements for people who are not licensed pyrotechnicians. I think they have to submit an application and provide evidence that they're fit and proper people to hold fireworks.

I believe that is fairly similar to the ACT. However, they don't restrict the use of shopgoods fireworks to one weekend a year, as is the case in the ACT. Members of the public can purchase fireworks only for a period of two weeks and then use them over three days, which is the Queen's birthday long weekend in June.

MR CORNWELL: Which is the same as the ACT?

Ms Shakespeare: That's how it is in the ACT. In New South Wales, you can apply for a permit to use fireworks year round. There isn't a requirement for it to be at a particular time.

THE CHAIR: Would the commissioner like to give a rundown, state by state?

Ms Plovits: What Ms Shakespeare said is fairly accurate. To run a display, the licensed pyrotechnicians can meet the requirements to do that in most of the states and territories. As far as sales to private people, for use in their private premises, are concerned, the only two areas which allow a season, as it were, are ourselves and the Northern Territory. They have a two-day season, whilst we have two weeks, within which are the three days.

The other states and territories, like South Australia, don't allow private citizens to hold even the smallest of displays—or they require a number of hoops to be jumped through, as to how they can run the displays.

The availability of fireworks on the legal market is constrained by those things. As to where people can access them in other ways, we've got information from various states and territories that there's still a problem of people obtaining them without going through these processes.

MR CORNWELL: Why don't we have the same tight controls as other states?

Ms Plovits: Other states experience the same types of situations as we do.

MR CORNWELL: I'm coming to that question in a moment—but why don't we have the same tight controls?

THE CHAIR: Perhaps it's a question for the minister.

MR CORNWELL: Minister, why don't we have the same tight controls—or do you like people having their letterboxes blown up?

Ms Gallagher: Well, no—it's not something I particularly enjoy. The government has made its response to the standing committee's inquiry.

MR CORNWELL: How many prosecutions have been carried out in the ACT for the illegal use of fireworks in, say, the past 12 months? Have we any figures on that?

Ms Plovits: We have no prosecutions for illegal use, at this point in time, because we've concentrated on the supply—rather than the users. We've had a number of prosecutions in relation to illegal supply and illegal keeping. There are currently five briefs with the DPP, resulting in nine charges, which are still awaiting the outcome of a Supreme Court case before they're progressed. We had a case where Mr Gavin—the Crackerman—pleaded guilty to four charges. That's where so many of the fireworks have come from, in two separate seizures.

MRS CROSS: From that one supplier?

Ms Plovits: That one supplier.

MR CORNWELL: These are suppliers, are they?

Ms Plovits: These are suppliers.

MR CORNWELL: They're not individuals who are blowing-up letterboxes—to bring it down to a local suburban problem.

Ms Plovits: One of the things we and the police find hard about these cases is that they destroy their own evidence as they go along, if you see what I mean. The fireworks are destroyed and the letterbox is destroyed—and it's unlikely that there are fingerprints on either. The people are aware of it when the noise occurs, but the person has probably gone by the time anybody can get there to look at it.

MR CORNWELL: Of course, if you didn't provide them with the wherewithal to do the destruction, then it wouldn't be a problem, would it?

Ms Plovits: I certainly don't provide them with the wherewithal.

MR CORNWELL: No. I'm asking a general question.

THE CHAIR: It's a statement rather than a question, Mr Cornwell.

Mr Tonkin: Before we proceed, Mr Cornwell asked a question about the breakdown of the \$380,000. We can provide that now.

THE CHAIR: No. The question on notice was as to a breakdown of the cost of destruction, which is \$120,000 from last year—and \$345,000. So it's a total of \$465,000 that you'll be able to account for?

Mr Tonkin: I apologise—\$345,000.

Ms Plovits: I understood that to be the legal costs.

MRS CROSS: That's right. I think Mr Smyth's got it confused. They are the legal costs they explained.

Mr Tonkin: On the \$345,000, Ms Plovits can give you the breakdown now, if you would like that.

THE CHAIR: My understanding of Mr Cornwell's question was as to the breakdown of the cost of destruction.

Mr Tonkin: Exactly. That's the answer you're going to get.

MRS CROSS: Those are not the figures you quoted.

THE CHAIR: I'm sorry—it is. In this coming year, it is \$345,000, but there was also \$120,000 from the current year?

Mr Tonkin: Yes.

Ms Plovits: We've accelerated the destruction process. The contract's been signed and, of that \$345,000, \$120,000 will be paid this year. To explain the break-up, the licenses to do the destruction, including environmental licenses, are approximately \$67,500; the destruction process itself will occur over a two-year period, taking into account things like summertime, when it's totally inappropriate to have fires, as we know; and transport and storage is \$95,000.

I told you that the destruction would occur but, apparently, I didn't tell you that it is \$95,940 over that period. Transport and storage—that is, moving them from where they are and taking them to where they have to go, and for the people to load them into the situation safely for safe transport, and then to unload them into magazines—is \$48,176. The disposal process itself—that is the labour for working it through—is \$58,727 and the insurances for the protection of that end of the business are \$21,626.

Mr Tonkin: It is all plus GST.

THE CHAIR: What does the total come to?

Ms Plovits: The figures I've quoted come to a total of \$291,957, but GST is not counted in there.

THE CHAIR: Okay. Could you table that list?

Ms Plovits: I will type it up and send it to you. I'm sorry—it's in my rather scrappy writing.

MR CORNWELL: Thank you.

MS DUNDAS: I don't know if this has already been asked but the last budget included \$400,000, to continue on for four years, for the regulation of the Dangerous Goods Act. That was to provide for increased legal and security costs associated with significant non-compliance, and increases with regard to the Dangerous Goods Act. When we asked about this at the last estimates hearings, the specific issue was in relation to fireworks, which needed this increase of \$400,000.

Can you tell us how the \$400,000 was spent in the 2002-03 year, and how it's going to be spent in the 2003-04 year? By my calculations, it looks like it means that, between July 2002 and June 2004, you're now spending one and a half million dollars on the Dangerous Goods Act and fireworks through this \$800,000 over two years, plus the \$380,000 and plus the \$345,000. That's an excessive amount of money to be spending on one piece of legislation. Can you justify that?

Ms Plovits: These matters arise because of breaches of the legislation, which we're required to prosecute. That's where the situation arises from. It's not something I look for voluntarily. When the problem is presented to us to manage, we manage it. The \$400,000 each year is provided to us on the basis of meeting security and legal costs. We return whatever is unspent to government.

The security costs went up with the publication of the location of the fireworks depot, which meant that, initially, we had to put 24-hour guards in place, whereas, previously, we hadn't needed to do that.

Guarding is not normally required under the legislation. However, because of the publicity, there was vandalism and there were threats in relation to people accessing those fireworks, so we had to put guarding in place. Initially it was two guards/24 hours, because there are not always other people around the location. I don't intend to discuss the security arrangements any more, because that would be inappropriate. It is an expensive process, and a burden was put onto the whole situation by the publication of the location.

The situation for the outyears is that to move the fireworks we currently have at the fireworks depot to the other location to get them destroyed reduces the security costs immediately. Of course, we're then back in the situation where, if we don't spend the \$400,000, the remainder goes back to the Treasury.

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MS DUNDAS: So \$400,000 was spent for the 2002-03 year?

Ms Plovits: Yes.

MS DUNDAS: Plus the \$385,000 that came through the TA?

Mr York: Yes.

MS DUNDAS: You're not yet sure whether you'll need to spend the whole \$400,000 for the 2003-04 year?

Ms Plovits: It depends entirely, each time, on what's presented to us by way of breaches of the legislation. At this point in time, with the fireworks going to their destruction, there is the possibility that we won't have to use the \$400,000 this term.

MS DUNDAS: You mentioned that a lot of the money was being spent on security costs, and that you needed guards at the depot. Has any of the money—the \$400,000, the \$380,000 or the \$345,000 planned—been spent on the security of individuals working for ACT WorkCover?

Ms Plovits: A small proportion is spent on security for the office area—because of the nature of some people—and there are other arrangements made for people as needed. I think it's inappropriate to give details.

MS DUNDAS: We won't need to go into detail about the other arrangements, but I would like to know figures spent.

Ms Plovits: The figures, of themselves, reveal the arrangements. That tells you what you're buying, to establish how much guarding, or whatever, there is. That's why we're reluctant to give that kind of detail.

THE CHAIR: Could I suggest, Ms Dundas, that you might like a private briefing from the commissioner through the minister. There are some operational details there which I suspect are sensitive.

MS DUNDAS: You've given us a breakdown on how much of the \$380,000 was spent on security and, of the \$780,000 that has been spent on this issue, the amount spent on security. You've already said that that covered two guards for 24 hours. Can we assume that the rest was spent on the other arrangements?

Ms Plovits: Yes.

MR HARGREAVES: Mr Chairman, perhaps that should be a question on notice, because there is a lot of detail in there. It might be more useful to see it laid out on a piece of paper.

Ms Gallagher: I think the chair's suggestion of a briefing on that matter might be more appropriate, due to the security issues. I think it would be much better, Ms Dundas, if we could do it that way.

MS DUNDAS: But can we get an answer to the basic question, which is: out of that \$780,000, how much was spent on security? That is all forms of security.

Mr York: The total amount, approximately, for security costs, out of that \$780,000, is around \$440,000—being for guarding and patrolling.

THE CHAIR: You would be happy with a private briefing, if the minister arranges that for you?

MS DUNDAS: I will consider whether or not I want to take the information privately.

MR CORNWELL: I'd like to be joined in that, if you decide to go ahead.

MS DUNDAS: You can make a decision about your own private briefing.

MRS CROSS: I'm looking at the costs and the money that's been expended in this area. I understand the sensitivity in some parts, so I won't address areas of sensitivity. As a commissioner, how do you determine what you are going to pursue down a legal path or what you can resolve with a fine—getting the authorities involved and trying to restrict expenditure?

Ms Plovits: To get a fine requires a prosecution. For those matters, we prepare a brief for the DPP and the DPP considers whether he wants to proceed with prosecution. Thus, there's an independent decision made as to whether a matter goes to prosecution.

Looking at the statistics in our annual report, we prefer to use education, warning notices or improvement notices, depending on which act you're looking at. We find that those methods get a much better long-term safety outcome than going straight to prosecution. We don't do that much prosecution.

That's at the top of a wide pyramid which has advice at the bottom. We have independent processes around the matters which go to prosecution under the Dangerous Goods Act, if that's the one we're talking about. We handle things mostly by advice, investigation and perhaps some enforcement through the issue of notices or written directives, if it's the Dangerous Goods Act.

Generally, we would move to prosecution only if we had a situation where there was a pattern of breach, if the breach was a serious one, or one that the DPP indicated there was a public interest in prosecuting.

MRS CROSS: What if your workers turned up to a business in, say, Fyshwick and found someone selling fireworks illegally? Could your people close them down on the spot? As a statutory authority, I thought you had the power to do something there and then, rather than having to go through the court process. It's like a policeman being able to give you a fine if you speed.

Ms Plovits: No, we don't have the power of a fine in that way. If we see an illegal sale at a shop or other location—it doesn't always have to be at a shop, of course—obviously we tell people to cease. We've got two ways of enforcing that. One way is to seize the fireworks, which is how we start accumulating them.

MRS CROSS: Can you do that straightaway—when you're there?

Ms Plovits: We can do that, if we are concerned about a safety issue. We then have to proceed to a prosecution, if we feel the matter is serious enough to do that.

MRS CROSS: You have every right to seize the fireworks, if someone is breaking the law, but what is it that makes you go from the seizing point to prosecution, if you've already got the goods that they're illegally selling? What have they done, subsequent to that?

Ms Plovits: Perhaps I will ask the Chief Inspector of Dangerous Goods to elucidate further on this.

THE CHAIR: Given the time and that there are a number of other questions beyond fireworks, could I ask for a brief explanation of the process? Mrs Cross, you might like to get a private briefing as well. It is a complex process that the staff have to go through, and I'm not sure that the Estimates Committee is the place to hear it.

MRS CROSS: If you can keep it brief, that'd be great.

Mr Creaser: Once we seize goods, we have a window of 60 days in which to present a brief to the DPP for prosecution. They have to launch the matter—lay the charges—within that period of time. If not, we are under an obligation to return the goods to their owner. So, once we seize goods, we are bound to move down that path.

MRS CROSS: I might seek a briefing from the minister.

MRS DUNNE: This is a technical question, Ms Plovits. There is \$345,000 for the destruction of 37 tonnes of confiscated fireworks. How do you destroy 37 tonnes of fireworks?

Ms Plovits: You can't do 37 tonnes at one time.

MRS DUNNE: It would make a jolly big bang!

THE CHAIR: You can.

Ms Plovits: No, unfortunately it doesn't. This is the whole problem with it. It's not like high explosives, where you put the fuse in and the whole lot goes bang at the same time. Thirty-seven tonnes is 37 tonnes of tiny things that need to go off. If you put one piece of high explosive in and blew it up, you'd have 37 tonnes of tiny fireworks spread all over the countryside.

The act requires us to burn them—that is, not set them off but burn them. The safe way to burn them is in pits, with mesh over the top—or some similar kind of arrangement. To avoid reaching a mass explosion hazard point, you do them in quantities of approximately 200 to 500 kilos at a time. That's why it takes so long. That's why it's so complex.

MRS DUNNE: You could re-use the pit, I presume—you don't have to dig it again?

Ms Plovits: Yes, we can.

THE CHAIR: We will now move onto a new subject.

MS TUCKER: I have some questions about the on-the-spot fines for breaches of OH&S requirements. I'm interested to know how many have been issued.

Ms Plovits: None have been issued, at this point. We have been taking some advice in relation to the on-the-spot fines. Perhaps I should refer that to the policy people.

Ms Shakespeare: The Occupational Health and Safety Council has set up a group to review the compliance model under the Occupational Health and Safety Act. It is looking at the current provisions for on-the-spot fines under the OH&S act. That is one of the things it is looking at. We have legal advice that the provisions, as set out in the act at the moment, are not effective in practice.

Probably the basic issue stems from the fact that we don't have a lot of occupational health and safety regulations in the ACT. Consequently, when the on-the-spot fines regime was introduced, the offences under the Occupational Health and Safety Act were high level, duty-based offences—things that are difficult to issue an on-the-spot fine for because it's often not clear whether there are offences applicable under the act, and whether people have met duties of care to a reasonable standard.

Probably the best way forward would be to develop a body of regulations stipulating black and white offences, as in other jurisdictions—where it is quite clear to a health and safety inspector whether or not an employer, or another person who's subject to an offence provision, has met the requirements of the act. The committee is having a look at the on-the-spot fines and how the scheme can be fixed so it works properly.

MS TUCKER: Did you say there was legal advice to suggest that it wasn't feasible, because you couldn't quickly establish whether someone was guilty or not? Is that what you're saying?

Ms Shakespeare: The legal advice was essentially that, because WorkCover inspectors would be issuing the on-the-spot fines, they would need to collect the same amount of evidence as they would for a normal prosecution to support an on-the-spot fine. If it was challenged and they didn't have prosecution level evidence, then there was no way of enforcing it. There was legal advice tabled in the Assembly at the time of the debate on the on-the-spot fines legislation. The government has also had subsequent legal advice.

MS TUCKER: Could we see that subsequent legal advice? We saw the first advice.

Ms Shakespeare: Subject to us clearing that with the Government Solicitor's Office, which provided the advice, that shouldn't be a problem.

MS TUCKER: Okay.

Ms Gallagher: We are trying to proceed with areas where we feel that on-the-spot fines could be introduced. I guess that would be in areas where it is more black and white. There's certainly interest within the industry, to see some form of on-the-spot fines being introduced. There may be a way to introduce that concept in some areas while we look at how we can address it in the broader legislation and regulations.

Ms Shakespeare: We have regulations on certification of plants. Offences under those regulations are not currently scheduled for on-the-spot fines. That is something which I expect the committee will recommend—that they be scheduled for on-the-spot fines.

MS DUNDAS: Regarding the \$310,000 allocated in last year's budget for the infringement notice scheme, how was that spent over 2002-03? How do you expect the \$310,000 allocated for this financial year to be spent?

Ms Plovits: In 2002-03, the work required to make the on-the-spot fine scheme, or similar, succeed has been underway. There are 22 codes of practice under the Occupational Health and Safety Act. We've been examining those codes to determine the ones which we would be recommending to government become regulation for the on-the-spot fine process. In some parts, we've been contributing to national initiatives around the national standards. Our codes generally tend to come from those.

We've also produced guidance material, pending the resolution of these issues, in relation to workplace violence, fire and emergency systems in buildings. We provide advice for building owners, in particular, where fire and energy systems need to be maintained, rather than put in.

We have the occupational health and safety toolkit. That goes out with the WorkCover at work program. It helps people to become compliant in 10 relatively easy steps—for the less complex workplaces—in the context of hazard identification and management.

The building and construction industry handbook is very popular. I couldn't put my hand on one today, but it's about that size. That is for construction people on the worksites to carry in their pockets. At the meeting of the construction industry task force today, it was stated that they are supporting the printing of another 1,000 of those, as part of what's going on. The \$209,000-odd was spent on this work at this point. This work required staff—and that's how the money's been spent.

MS DUNDAS: It was \$310,000.

Ms Plovits: Well, \$310,000, or whatever it was. I thought it was \$309,000 last year.

MS DUNDAS: Last year's Budget Paper 3 shows \$310,000. By the end of this financial year, that \$310,000 will have been spent on resources and reviews. What will the \$310,000 that's allocated for 2003-04 be spent on?

Ms Plovits: that will tie-in with the work the Chief Minister's policy area has been undertaking. We're looking forward to, in the following year, consolidating the work we're doing, working with them and freeing-up inspectors to assist with the implementation of what flows from these processes, so inspectors have the technical support they need in the field.

MS TUCKER: How many inspectors are there?

Ms Plovits: Do you mean all inspectors in WorkCover?

MS TUCKER: Yes.

Ms Plovits: We're up to 28 this year.

MRS CROSS: What page are you looking at, Ms Plovits?

Ms Plovits: I'm looking at my notes.

MS TUCKER: How does this compare to the number of certificates? When you get a certificate for an inspection, can you get a situation where you have—sorry, forget that. It doesn't make sense. Are those inspectors full time?

Ms Plovits: All of the staff are full time, except one person on the workers compensation supplementation fund scheme.

MS TUCKER: I'm interested to know how the inspectors are structured.

Ms Plovits: There are 22 inspectors involved in occupational health and safety and dangerous goods. Of those, 12 have a direct focus on OH&S every day. There are eight dangerous goods gas inspectors as well, who are partly involved with OH&S. The flexibility of the team means that there are 22 who can work in the OH&S area on a daily basis. We use those teams flexibly to address the kinds of situations we're faced with. For example, with the hangar collapse, we've had to reprioritise resources to facilitate the investigation.

There are also six inspectors in relation to workers compensation. There are three on the ground now and three being recruited, even as we speak. This is as at today's count of people, given that there's always a churn, with someone leaving and someone else coming in.

MS TUCKER: Are the inspectors divided into industry groups, or do they all do everything?

Ms Plovits: They're divided into industry groups. Nevertheless, I'm pleased to say that, with the ongoing training they have in those areas, they're able to move flexibly as the need emerges. I have brought my telephone book with me. This shows that, on the workers compensation side, they're divided out because their main areas of investigation are the Workers Compensation Act, the Long Service Leave Act and the Annual Leave Act.

On the occupational health and safety and dangerous goods side, we've got what's broadly called the construction team and the MERC team. That caters for manufacturing and those sorts of areas—and the government areas. Then we've got the dangerous goods team as well, with the gas inspectorate. It's lined up that way, but that whole group works collaboratively in dealing with things as they come to the fore.

There was a recent explosion in Fyshwick—a tanker exploded whilst under repair. We were able to have both a dangerous goods person and an OH&S person looking at that, in relation to both those acts.

MS TUCKER: There have been concerns expressed to me that the coverage of the inspectors is not broad enough, and that they can look at a particular site without having the time to look thoroughly. One example given was that of the Phoenix building on Northbourne Avenue, where the site sheds fell into a hole. The sheds were checked, cleared and then fell into the hole again. Also there was an electrocution incident in Fyshwick. This begs the question: is there enough time for the inspectors to do their work properly?

Ms Plovits: I believe the inspectors do their work properly. Of the two you're talking about, the electrocution is still under investigation by us and by the police. It's inappropriate for me to comment on that one, with a coronial inquest under way.

The collapse at a corner of the Phoenix site, if I recall correctly, was because there was a discontinuity in the ground, arising from an old undisclosed oil tank. At best, we would be having to search for the person who had never disclosed the existence of that oil tank. The issue was not that anybody had been injured, at that point, so, to track that person down would not have been a wise investment of our resources. We've had a number of meetings. I've got one next week with the Phoenix site people. We are keeping an eye on the processes on that site, as we do with several large construction sites.

MS TUCKER: When that shed fell in, didn't they identify why it happened?

Ms Plovits: Yes. It was because of the discontinuity in the ground.

MS TUCKER: They identified it later—after it fell in the second time—you're telling me?

Ms Plovits: I'm only aware of it falling in once. I stand to be corrected, but I'm only aware of the one time.

MS TUCKER: I understand it fell in twice—that was the point of the question. Maybe you could check that.

Ms Plovits: It was fully investigated when we looked at the collapse—and that's what was found. We put in place a considerable safety regime, where they had to stabilise the site. You might describe it as reclaiming the site to start the building again, and maintaining the safety of the part of Northbourne Avenue which was affected by the collapse—in the lane nearest the footpath. We were involved in a considerable amount of work there, for a couple of months.

MS TUCKER: I'd be interested to know if it fell in twice. Maybe you could check that.

Ms Plovits: I'll search on that matter for you and let you know.

MS TUCKER: The information I've been given is that it did happen twice. I'd like to know if that's correct or not.

There have been a number of crane-related accidents. There was one at Tidbinbilla and there was the Belconnen accident last year, when a crane fell on a shed. I'm interested to know if there was follow-up by WorkCover and whether they checked the tickets of the crane operators involved.

Mr Creaser: Each of the incidents you've mentioned have been investigated. Currently, two of those have been put forward to the DPP, with a view to prosecuting, so we probably can't comment further. In any event, they have all been investigated. Part of the investigation is checking to see whether operators have the appropriate certification.

MS TUCKER: I'm wondering if we could have a copy of the organisational chart showing the areas covered by the various inspectors, and what their duties are. You've explained that there's flexibility.

Ms Plovits: It may not be appropriate in this form, but I'll send it to the committee.

THE CHAIR: You'll take it on notice and supply it to the committee?

Ms Plovits: Yes.

THE CHAIR: Perhaps this question is for the minister. She might like to tell us who's doing the work. You have a labour policy group in Chief Minister's which looks after legislation and policy advice to the government.

Ms Gallagher: Yes.

THE CHAIR: I notice that, in Budget Paper 4, in the first dot point under WorkCover on page 55, it also says that they're working on amendments to the Workers Compensation Act. How does that process work? Who's got the responsibility, so it's being done in a coordinated, rather than an ad hoc, way?

Mr Tonkin: We have a policy area, which is Ms Shakespeare's area. We also have an implementation area, which is the commissioner's area. It would be rather remarkable if, when developing a new policy or a revised policy, you didn't consult the people who implement it.

THE CHAIR: That is true, but are the amendments being prepared by the implementation area or by the policy area?

Mr Tonkin: They are prepared by the policy area. I can be corrected, but it is clearly a role for the doers to advise the policymakers whether the doing could be done better.

THE CHAIR: I wondered whether WorkCover resources were being expended on the writing of amendments.

Ms Gallagher: No.

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MS DUNDAS: On 19 May, the *Canberra Times* reported that Justice Terence Higgins had said that dangerous goods officials had adopted an obstructive and uncooperative attitude in their dealings with the fireworks industry. He went on to criticise officials for nonsensical and fundamentally flawed decision-making.

Do you have any response to what the justice was saying? Do you feel the need to rethink the way dangerous goods officials have been operating, in line with the justice's comments?

Ms Plovits: I think the better document to refer to is the decision of the Chief Justice. I'd be happy to provide a copy of that, so you can see the full decision.

MS DUNDAS: Those comments were made as part of that decision—they were a direct comment on the staff.

Ms Plovits: I believe you need the context of the decision, to understand the full nature of what he was talking about.

MS DUNDAS: You don't have any comment on the activities?

Ms Plovits: The other matter everybody is reminding me of is that, today, we lodged an appeal against that decision.

MS DUNDAS: You still haven't answered my direct question.

THE CHAIR: Maybe not—go cautiously.

MS DUNDAS: Okay. There was a report which said that dangerous goods officials were obstructive and uncooperative in their attitude.

Ms Plovits: This was the *Canberra Times* report—yes.

MS DUNDAS: It quoted Justice Higgins, in making those comments. I'm trying to find out whether or not you believe that your dangerous goods officials were being obstructive and uncooperative.

Ms Plovits: I don't believe my staff are ever obstructive or uncooperative. They are professional people doing a difficult task. I think it's important to read the full decision. I can't comment any further—because of the fact that we've lodged an appeal.

MS DUNDAS: Have you found any need to counsel your staff or review operations, in light of the decision handed down?

Ms Plovits: No.

MR CORNWELL: My question is to the Minister for Industrial Relations. I notice that, on page 387 of Budget Paper 4, the third dot point, the 2003-04 highlights to be pursued, reads:

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... protecting the rights of existing Totalcare employees and that industrial relations matters be addressed in a fair and equitable manner.

Minister, what provision is made—and where is it—for Totalcare workers who may be made redundant as a result of the current investigation into Totalcare? This is the second part of my question: I'm a bit confused as to government policy in relation to this. You, as industrial relations minister, seem to have one point of view and one of your colleagues—Mr Berry—seems to have another. I wonder if you could clarify the situation.

Ms Gallagher: I don't think there is a differing view between Mr Berry and me, but there was some confusion about what was intended to be done by the working party Ted set up. That confusion has been cleared up—I believe to Mr Berry's satisfaction. As industrial relations minister, I've visited the workers at Totalcare a couple of times, to hear firsthand their concerns about the future of Totalcare. I've also written to them, addressing questions asked of me during those meetings.

There were certainly areas where I believe we cleared up confusion as to the role of the board, the role of the shareholders and the role of government in making a decision about it. I believe the working party has finished a report to the Treasurer, outlining options for the government, but that nothing has come to caucus on that for consideration.

MR CORNWELL: Would those be financial options?

Ms Gallagher: The working party was very much Ted's area. I wasn't involved in it in any way.

MR CORNWELL: But you are the Minister for Industrial Relations.

Ms Gallagher: That's right.

MR CORNWELL: If they were financial options, where may I find them in the 2003-04 budget?

Mr Tonkin: Totalcare is not a budget-funded agency.

THE CHAIR: Therefore, do any redundancies or payments made come out of the Totalcare budget?

Mr Tonkin: A discussion as to whether there have been any redundancies is purely speculative.

THE CHAIR: True. If there were to be redundancies, where would the funding come from?

Mr Tonkin: When the government reaches a position on the outcome—as to what is to happen with the functions presently undertaken by Totalcare—a series of consequential actions will follow. Those consequential actions could be that those functions are placed somewhere else, or some other decision could be made.

Again, it is purely speculative to determine to ask them to come to a conclusion, at this point, as to what the outcome will be; and, following from that, what would be any fiscal consequences. What is clear, however, is that the workers in Totalcare have rights and entitlements, all of which will be fully protected.

THE CHAIR: I think, on Monday, the Chief Minister said that there was no central redundancy funding pool in the budget. If redundancies were to occur, where would such money come from? Would it be expected to come from Totalcare, or would it come from the budget?

Mr Tonkin: I'm not in a position to speculate as to whether there would or would not be any redundancies.

MR HARGREAVES: Mr Chairman, can I suggest to you that that may well be a question to put to the Treasurer in recall. The financial aspects of this are not within the purview of the Minister for Industrial Relations.

THE CHAIR: Except that Mr Tonkin would be the one who could advise where such money might come from.

MR HARGREAVES: The Minister for Industrial Relations does not have carriage of those payments.

THE CHAIR: The point is that it's not contained in the budget.

Mr Tonkin: Mr Hargreaves is correct.

MS DUNDAS: For clarification, Minister, you haven't seen the report of the working party as yet?

Ms Gallagher: I haven't seen the final copy—no. I've had discussions with the unions, as they've been involved in the working party.

MRS DUNNE: Have you seen a draft?

Ms Gallagher: I have seen a draft—yes.

MS DUNDAS: When do you expect to see the final report?

Ms Gallagher: I don't know. It's currently with the Treasurer.

MS DUNDAS: This is a WorkCover question which is also a broader industrial relations question. Do you believe you're striking the right balance between resources allocated to litigation and resources allocated to visiting workplaces, to check whether safe systems of work are in place? As Ms Plovits said earlier, that's your aim—to work with people to make sure their workplaces are safe. Do you think you've found the right balance?

Ms Gallagher: There is a balance there with the work being done with WorkCover at Work—with their newspaper and their small business toolkit. All the educative strategies are highly popular with businesses and organisations which seek their advice.

With regard to the costs of litigation, that area is out of WorkCover's control, to some extent. They have responsibilities under the act to pursue breaches and infringements, and there are associated costs involved.

WorkCover does not seek the occurrence of those situations, by any means. It is all part of the balance. The whole focus—on education, preventative strategies, occupational health and safety month and all the initiatives being undertaken by WorkCover—is aimed at addressing the hard end of the wedge, where it ends up in litigation. Jocelyn might want to extend on that.

Ms Plovits: To me, at the end of the day, the issue is: do we have any statistical evidence to demonstrate whether the approach we're taking is successful or not? I'm happy to hand up data in relation to what's happening at the moment.

This is an independent report from the National Occupational Health and Safety Commission, based on workers compensation data—so it has that limitation. Nevertheless, apart from the retail sector, it definitely shows that this kind of approach—the balance we're taking in relation to education and enforcement—is helping the ACT to achieve a safer workplace regime than the Australian average.

The yellow line is the Australian average and the blue line is the ACT. Our fatalities and injury rates are less than the Australian average. Looking down the chart, these are the areas which we've agreed, at the national level, should be the focus of work. Clearly, for the ACT, mining is not as big an issue as it might be for Western Australia or New South Wales.

THE CHAIR: No—and there was an excellent outcome for the year.

Ms Plovits: There was a fabulous outcome for the year.

MR CORNWELL: I know my wife thinks so, when she is in the garden.

Ms Plovits: I'm pleased to show you these statistics. They verify the fact that the huge advisory approach we are taking, which has been a turnaround for the inspectorate—they used to be called jackboot inspectors—has made a successful difference to the whole of the community.

MS DUNDAS: Based on the information from this report, are you increasing your focus on the retail trade?

Ms Plovits: Yes. That's what WorkCover at work is about. You might have seen the van. This toolkit goes with it. We have visited over 900 workplaces since the commencement of the WorkCover at work program. These tend to be the small retail places in the various urban centres—as well as moving into the big retail centres.

WorkCover at work has started to make a difference and will be evaluated. We have a program, with incentives, to assist people who show that outcome. The other program, which the minister launched during health and safety month, is the zero injury program. This is where we've taken information from our database to look at the types of

employers and/or industries which could best use an intervention from WorkCover. That's a polite way of saying they have a high injury rate.

The insurers and the employers who have been identified are working with us. The whole idea is to look at their occupational health and safety system, or help them to introduce one if they haven't got one. We look at it over a two-year period, and they move from where they are now. We make assessments as we go through the processes. This involves targeted inspections with them, as well as an OH&S audit. Obviously, if they come up that high on our agenda, they need to have that kind of big assistance.

The idea of these kinds of targeted inspections is to give people the opportunity to improve before we arrive. If we then find areas where there has not been an improvement, then they clearly need more assistance, rather than working it out for themselves. That's the way we're working it through.

MS MacDONALD: Ms Plovits, you have talked about the comparison chart. I note that, in the papers you've handed up to us, the chart gives comparisons with the national priority industries.

In the ACT, we don't have a mining industry. Nor do we have much of an agriculture, forestry or fishing industry. Our manufacturing industry is small; we have virtually no transport industry and our storage industry would be minimal. Do we have our own priority industries in which we're looking to improve? Retail trade would be one of the larger industries in the ACT, although we've performed worse in comparison with the rest of the country.

Ms Plovits: No. We perform worse in comparison with the Australian average. If I gave you, say, Tasmanian statistics, you would see that they are a lot worse still. Our strategic plan has the analysis in it which looks at the data in relation to the ACT. Basically, it shows that the key industries being looked at nationally are the same important industries that we should be looking at in the ACT.

MS MacDONALD: We should be looking at mining, should we?

Ms Plovits: No—I was going to say with the exception of mining, as I pointed out earlier. They are in the order of priority—retail; a difference is property and business, but health and community services, construction and education for the ACT—that is both private and government; accommodation, cafes and restaurants, are in there. Those are the peak areas for the ACT. Hence, there is a correlation between some of the national things, but we have our own priorities as well.

We're working with people on those priorities. The next task force to be set up is the health task force. That will start working with that broad and divergent industry to work through what levers can be pulled, to assist them to improve in occupational health and safety.

The construction industry task force has been an extremely positive experience for both the industry and WorkCover. It has had some significant outcomes. We have worked together to achieve that.

The health industry task force is the next one. As the WorkCover at work program moves through the retail sector, it is starting to engage the construction sector as well.

In consultation with the property and business industries, we're developing a code of practice for businesses involved in the transportation of cash—throughout the ACT. That is an area they all identified as an area needing assistance. We obviously support the people involved in the ACT public sector injury prevention and management project in what they're doing.

Equally important are the types of injuries. People say, "Ho hum—we've got to hear this again." But they should be the most exciting things to deal with. I refer to body stressing, which is the modern terminology for manual handling. Then there are trips, slips and falls. They can be falls from heights, but mostly they are through people tripping over cords and things on the ground, or a person being hit by a moving object.

MR HARGREAVES: Like a bus?

Ms Plovits: Fortunately, not too often by buses. Then there's a broad group entitled unspecified. By targeting both the industry type and the injury type, we get the combination we need.

MRS DUNNE: Did I hear you saying, Ms Plovits, that you're also targeting the hospitality industry?

Ms Plovits: Yes. I'd be happy to send you a copy of this.

MRS DUNNE: I've got all that. You said you have a task force for the health industry. When is there going to be a task force for the hospitality industry—or is there one already in operation?

Ms Plovits: There isn't one already in operation, but we do arrange target inspections with them. The area of that industry we're looking at is accommodation, cafes and restaurants—not every part of the hospitality industry. That's one of the areas next on our list. The order of priority is lower there. The best way to assist them, at this point in time, is through targeted audits.

THE CHAIR: We will now move on to the workers compensation supplementation fund on page 339 of Budget Paper 4, for the year 2003-04. Have we any questions?

MR HARGREAVES: No. I think it's a terrific idea.

THE CHAIR: How is the fund travelling? I notice the notes show that some of the claims from HIH are diminishing. One of the things the previous minister floated was the possibility of a need for a levy to replenish the fund. Can we have a quick update?

Ms Plovits: I understand the government has determined that, for this coming financial year, there's no need for a levy. As to how the progress is tracking, out of the 770 claims, we are down to having 150 claims open. The team has been doing an extraordinary job of closing-off claims. There are now 618 closed claims. The reason this is so important is

that, the longer a claim runs, the more it features as a cost item in actuarial analyses. I'm sure some of you already know this, but others may not.

I refer to page 341. The new actuarial analysis showed a drop from the initial \$64 million from the first analysis done, based on the records provided at the time and having no history—in other words, a volatile situation. You can see that the most recent actuarial report gives a projected liability of \$22 million and a 90 per cent risk liability of \$38.8 million. This is shown in the figure at the bottom of the table on page 341 as a deficit of \$4 million.

The next actuarial report is due at the end of this financial year. Given that we've run off the cases a lot faster than predicted—despite the fact that claimants have received their appropriate amounts in managing those cases—I expect we may well see, in the next financial year, that that is no longer a liability on the fund.

MS DUNDAS: From the table on page 340, there was an increase in other revenue due to a re-evaluation of the HIH liability. It's projected that there won't be any revenue for the 2003-04 year. Then there is \$2.1 million for the 2004, 2005 and 2006 financial years. What is the other revenue coming in in the outyears?

Ms Plovits: That is, again, the situation where the government has decided not to put a levy in for the coming financial year.

MS DUNDAS: But there is expected to be a levy in 2004-05?

Ms Plovits: It's the way it's written at this point in time. As it's a decision which will be made by the government every year, they've kept the figure in the table in the outyears, pending a permanent decision for each of the outyears.

MS DUNDAS: Okay, but that's the projected levy, if we were to have one?

Ms Plovits: Based on current figures. It will depend on whether it is determined that one is needed. It's looking increasingly like there won't be a negative situation in the fund. If that is determined, then obviously it'll be a different figure as time goes on and there's a different type of fund amount involved.

THE CHAIR: I'm not sure if you can answer this question. The new arrangements for workers compensation came into place on 1 July last year, so we've now had them for about 11 months. Is there any comment you can offer us on how they've been received by employers, and whether or not you've seen any effect on the workers compensation premiums?

Ms Plovits: It's a little early to see the effect on the premiums. Looking at the database, we're seeing an increasing level of compliance. That may or may not be a result of the legislation—it may be a result of inspection and compliance. Nevertheless, with the education campaign which went with the introduction of the new legislation, there has certainly been greater awareness.

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In respect of the new arrangements, the insurers, WorkCover and the Chief Minister's Department have worked to educate the various stakeholders about what's needed. That of itself has increased understanding.

All injuries have to be reported, to be covered by insurance. The injury rates now being reported are focusing people's minds on the injury registers, and what is happening in their organisations that needs to be reported. It is partly that which helps us understand who needs to be on the zero injury program.

Employers are reporting that it's focused their minds and helped them understand where their hazards are. Insurers are reporting the fact that they are finding it's a much better approach. Anecdotally, at this point, the rate and durability of return to work appears to be improving, but obviously we'll need at least a couple of years to monitor that trend.

THE CHAIR: But so far, so good?

Ms Plovits: So far, so very good.

THE CHAIR: Minister, thanks to you and your staff for attending. I'd like to make a final closing remark. You might not be aware of it but you have working in WorkCover the Emergency Services Volunteer of the Year—Jim Bodsworth, who I understand is one of the construction inspectors in WorkCover.

Ms Plovits: That's right. He is a construction inspector.

THE CHAIR: Present at the volunteers awards last week, he was nominated and chosen, from a sterling class of volunteers, as the Volunteer of the Year. What you might not know is that Mr Bodsworth heaved the commissioner to lend us a ute, which you gave up readily.

Ms Plovits: He didn't have to "heavy" very hard!

THE CHAIR: For a period of two or three weeks in January, that ute certainly assisted the Guises Creek brigade to carry out their duties. Mr Bodsworth is also one of the volunteers. He's the commander of the emergency services group out at Guises Creek. You might like to pass that acknowledgement on to one of your staff for a job well done and an award or commendation well earned.

Resolved:

That, pursuant to standing order 243, the committee authorises the publication of evidence and submissions received by the committee during this hearing, together with any supplementary material arising from the public hearing.

The committee adjourned at 4.38 pm.