



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2008-2009

(Reference: Appropriation Bill 2008-2009)

Members:

MS M PORTER (The Chair)
MRS V DUNNE (The Deputy Chair)
MR M GENTLEMAN
MS K MACDONALD
MR B SMYTH

TRANSCRIPT OF EVIDENCE

CANBERRA

TUESDAY, 20 MAY 2008

Secretary to the committee:
Dr S Lilburn (Ph: 6205 0490)

By authority of the Legislative Assembly for the Australian Capital Territory

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

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The committee met at 9.31 am.

Appearances:

Corbell, Mr Simon, Attorney-General, Minister for Police and Emergency Services

Department of Justice and Community Safety

Leon, Ms Renee, Chief Executive

Brodie, Mr Bill, Senior Project Officer, Security and Emergency Management Branch

ACT Parliamentary Counsel's Office

Clifford, Mr John, Parliamentary Counsel

Public Advocate of the ACT

Phillips, Ms Anita, Public Advocate

ACT Electoral Commission

Green, Mr Phillip, Electoral Commissioner

Office of Regulatory Services

Phillips, Mr Brett, Executive Directors

ACT Corrective Services

Ryan, Mr James, Executive Director

Folpp, Mr Barry, Director Prison Project and Deputy Executive Director

Legal Aid Commission

Crockett, Mr Andrew, CEO

Independent Competition and Regulatory Commission

Schreiner, Ms Shelley, CEO

Baxter, Mr Paul, Senior Commissioner

Public Trustee for the ACT

Taylor, Mr Andrew, Public Trustee

ACT Emergency Services Agency

Manson, Mr Gregor, Commissioner

Foot, Mr David, Deputy Commissioner (Ambulance)

ACT Policing

Phelan, Mr Michael, Chief Police Officer

THE CHAIR: Thank you very much for appearing today before the Select Committee on Estimates 2008-2009. I presume that you are aware of the contents of the yellow privilege card and you understand the privilege implications contained within it.

Mr Corbell: Yes.

Ms Leon: Yes.

THE CHAIR: Thank you very much. I move:

That the statement be incorporated in Hansard.

The statement read as follows:

The committee has authorised the recording, broadcasting and rebroadcasting of these proceedings in accordance with the rules contained in the Resolution agreed by the Assembly on 7 March 2002 concerning the broadcasting of Assembly and committee proceedings. Before the committee commences taking evidence, let me place on record that all witnesses are protected by parliamentary privilege with respect to submissions made to the committee in evidence given before it.

Parliamentary privilege means special rights and immunities attach to parliament, its members and others, necessary to the discharge of functions of the Assembly without obstruction and without fear of prosecution.

While the committee prefers to hear all evidence in public, if the committee accedes to such a request, the committee will take evidence in camera and record that evidence. Should the committee take evidence in this manner, I remind the committee and those present that it is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly. I should add that any decision regarding publication of in camera evidence or confidential submissions will not be taken by the committee without prior reference to the person whose evidence the committee may consider publishing.

THE CHAIR: We will start with the overview for half an hour and then we will go to the output classes. Do you want to make any opening remarks, attorney?

Mr Corbell: No, I do not intend to make an opening statement but officers from my department would be very happy to try to answer your questions.

MR GENTLEMAN: I go to the priorities listed on page 223 of budget paper 4. We have a note about the construction of the new Emergency Services Agency headquarters. I wonder whether you could bring us up to speed with where that is and what funding has been allocated for that.

Mr Corbell: I can indicate generally but I think it may be better to answer that question in detail when the commissioner and the ESA are present this afternoon. The government has significantly revised its brief for the ESA headquarters, and that was following the decisions taken in the 2006 budget. That revision has allowed us now to proceed with detailed negotiations and planning for the new facilities at Fairbairn.

The government remains committed to the Fairbairn location. I do not have it with me this morning, but I would be very happy to provide you with a detailed time frame on that this afternoon.

MR GENTLEMAN: That would be great, thanks.

MR STEFANIAK: I see, about halfway down the dot points, reference to expanding the closed circuit television network to enhance public safety in the city centre, entertainment precincts and places of mass gathering. How many new CCTVs will be installed and where? I think I saw somewhere else that your program is due to be completed in June 2009. How many are we talking about and where?

Mr Corbell: I will get the exact number for you, but the expansion is quite a significant expansion. We are, first of all, expanding the CCTV network within the city centre itself. There are a range of areas in the city centre that previously had not been subject to CCTV coverage that now will be, including areas both on the eastern and western sides of the city itself. That is to take account of an increase in residential and entertainment activity on the western side of the city. We are now seeing an increased residential precinct there and obviously increased nightlife activity; so there is an expansion in that regard.

Importantly, the government is very proud to be expanding the CCTV network into the Manuka and Kingston entertainment precincts. This is an issue that has been of some concern for property owners and retailers, shopkeepers in those locations, for a number of years now. I have been out and spoken with the shopkeepers in Manuka and Kingston and have had the opportunity to get their feedback on the desirability of the CCTV network in those locations. They have strongly welcomed this expansion; so it will also proceed in the Manuka and Kingston areas.

Further, the expansion also takes account of the role of Manuka oval as a pre-eminent sporting venue and provides for security surveillance in that location. And that builds on the government's commitments in previous years to provide coverage at the interstate bus depot at the Jolimont Centre in the city and at Canberra Stadium.

The expansion also includes EPIC and allows us to provide CCTV coverage at key points in EPIC. Obviously, that is a major-event venue—events such as Summernats, the National Folk Festival and others—and gives the police the capacity to monitor in those locations. In terms of the exact number of cameras and the exact locations—

MR STEFANIAK: And where they are exactly going.

Mr Corbell: The exact locations are still to be finalised. Obviously we are in a detailed planning stage now, but Ms Leon or her colleague can provide you with some more detail on that.

Ms Leon: The exact numbers of cameras will also depend to an extent on the design phase. We engage technical experts who can provide us with a detailed design to—

MR STEFANIAK: Have you engaged people yet?

Ms Leon: There will be a procurement process to engage people. It is expected that the design phase will commence in July; we have already taken action to start going through a proper procurement process for that. The exact number of cameras will depend to an extent on that design phase, because the experts advise us on how many

you need to get complete coverage of the relevant streetscape that needs to be covered. That design phase will commence in July; we ought to be in a position to start installing cameras in October at Manuka Oval and in November at EPIC. Installation in Manuka and Kingston will start in November—through to January for Manuka and Kingston.

MR STEFANIAK: Thanks for that. Wouldn't it be more sensible to do Manuka and Kingston first?

Ms Leon: The reason why we are further advanced—

MR STEFANIAK: Or the oval.

Ms Leon: with EPIC and Manuka is that we have already undertaken a considerable amount of the feasibility and scoping of that under work that was funded in last year's budget. Last year's budget funded for the scoping exercise for EPIC and Manuka, but not for the installation. This year's budget is funded for the installation, and for the scoping as well as installation for Kingston and Manuka. So we are already well advanced on the EPIC and Manuka Oval work.

MR STEFANIAK: You mentioned—it sounded quite sensible—designing where they should go. I think you used the word “sweeping”. Are these cameras going to be fixed or programmed for sweeping coverage areas?

Ms Leon: I believe they are programmed for sweeping, but I will ask Mr Brodie to assist us with the technical detail.

Mr Brodie: The cameras that will be placed at Manuka and Kingston will be tilt-pan zoom cameras which will have the capacity to rotate 360 degrees zoom and tilt. They will be controlled from a monitoring centre, but they will have the capacity to be pre-programmed. Panning capacity will depend on whether they are being operated by operators at the time or left on the preset.

MR STEFANIAK: Will the extra ones in Civic—the minister referred to east and west Civic—be similar cameras?

Mr Brodie: They will be the same sort of cameras, yes.

MR STEFANIAK: When are the extra cameras in Civic due to go in?

Mr Brodie: Again, the planning stage will be in the first half of the year, and we will progress as the planning allows.

MR STEFANIAK: After January? We have some time frames anticipated for Manuka and Kingston. Are those extra ones in Civic going in after that or at the same time?

MRS DUNNE: On the subject of monitoring, can you give us a very brief run-down on how the infrastructure will work? There will be a control room or a set of control rooms somewhere. To what extent will they be monitored and what are the resources?

Mr Corbell: The government's current position on that is that all of the cameras will be networked to a new point in the Winchester Police Centre. Currently the existing CCTV network is linked to the City Police Station. The government has provided funding for the relocation of that monitoring capacity and point to the Winchester Police Centre, which will align it with the police's call-taking and dispatch area, and also their police operations centre. At this stage the funding is to provide the necessary infrastructure for monitoring. Once the installation is complete, the government will give consideration to resourcing for a ramped-up monitoring capacity. At this stage we have not provided that capacity.

MRS DUNNE: What does "ramped-up monitoring capacity" mean?

Mr Corbell: The issue that needs to be determined is whether we need to monitor on a 24/7 basis or whether we only—

MRS DUNNE: So whether you have got people there 24/7?

Mr Corbell: Yes, or whether we provide that more on a needs requirement, which has been the current practice. The current practice is that monitoring occurs by police officers as and when they determine that it is operationally necessary. I believe that we do need to move, and the government agrees that we do need to move, to a more permanent and ongoing monitoring capacity. The Chief Police Officer and I are currently investigating a range of approaches adopted in other jurisdictions to determine the best methodology and the best funding model for that. In general, the favoured approach at this stage is for a civilian monitoring capacity supervised by police. That is the experience in other jurisdictions; that appears to be successful. More detailed assessment is occurring so that government can make a decision on the funding for that permanent monitoring capacity.

MR STEFANIAK: Do you have the answer?

Ms Leon: Mr Stefaniak, in terms of the timing for Civic, the installation for the Civic safety cameras is anticipated to be between October and February; it will commence in October and should be completed in February. I can give you some preliminary indication of the number of cameras, subject to the detailed technical work that needs to be done. We are expecting approximately nine cameras at Manuka Oval and nine at EPIC at this stage. There is scope for some tweaking of that, depending on the overall design work that needs to be finalised. We have not yet got to the stage of forecasting the numbers for Manuka and Kingston.

MR SMYTH: As a supplementary on that, you do have money in the budget for it. How did you determine the amount of money in the budget if you do not know what numbers you require? Is this project being limited by the funds or will this be a fairly good attempt at putting CCTVs into Manuka and Kingston?

Ms Leon: The project has been costed on the basis of a number of assumptions that are derived from the work we have already done in the areas where we have put CCTV. At this stage, I do not like to commit to the actual numbers of the cameras in advance of the detailed work having been done. Obviously, we have done quite a lot

of work on CCTV, both in Civic and at EPIC and Manuka, so we are in a position to make reasonable estimates about the costs that will be required—not only for cameras, which are not always the most expensive part, but for cabling, poles, connection to the network and so on.

MR SMYTH: So the question to the minister is this: if it is found that you have got inadequate funding to meet the needs as detailed by the security experts, will more money be made available? Will the project just be to the limit of the expense or will it be done incrementally?

Mr Corbell: I do not think that either of those prospects will arise, because I am very confident of the assessor's statements that have been done to date in this regard. We have already undertaken a very significant level of policy work and planning work for the other precincts. It is important to remember that this is stage 3 of the CCTV network project. We have the experience of two stages behind us; we have a very strong understanding of the technical considerations that need to be brought to bear in our decision making. We have already had a detailed analysis and assessments undertaken for a number of precincts. They are properly informing the budget case. I do not for a moment believe that we will be unable to deliver the project.

MR STEFANIAK: What is the total budgeted cost for supply and installation?

Ms Leon: Can I just add this for Mr Smyth? The estimate for the cameras in Kingston and Manuka and the costing on which it is based are for between 10 and 15 cameras, which we think will be more than ample for the needs of those precincts.

MR SMYTH: So between 10 and 15 for both?

Ms Leon: Between 10 and 15 for each. Mr Stefaniak, you wanted to know the total costs?

MR STEFANIAK: Yes. What is the total budget and cost for supply and installation? And while you are at it, what recurrent costs are budgeted for the operations for 2008-09?

Mr Corbell: The capital cost for this budget for this new stage, phase 3, is \$3.161 million.

Ms Leon: That is for Kingston and Manuka, Mr Stefaniak.

Mr Corbell: Then there are some expenses and depreciation as part of that.

MR STEFANIAK: Does that include the oval or is it just the shops?

Mr Corbell: No, that is the entertainment precincts.

MR STEFANIAK: And the recurrent costs of the operations for 2008-09 in the outyears?

Mr Corbell: Expenses of \$490,000 and depreciation of \$186,000.

MR STEFANIAK: Why have you done Canberra Stadium, EPIC and Manuka Oval before the night hotspots? What is the rationale behind that?

Mr Corbell: This government has really taken the initiative on greatly expanding the CCTV network. We inherited quite an antiquated system—not a digital system and not a reliable system. The government has had to prioritise—

MR STEFANIAK: I think you opposed the initial installation, but anyway.

Mr Corbell: The government has had to prioritise its expenditure. It is important to remember that there are two key drivers for the expansion of the CCTV network. The first is safety in places of mass gathering and the potential of those places of mass gathering as sites for possible terrorist activity. That is an important consideration.

The second is more broader community safety and more effective deployment of police resources in nightspots. So the government has taken the decision, Mr Stefaniak, that the places of mass gathering were the first priorities. That is why we have provided funding at our interstate transport centre—the only public interstate transport facility, which is the bus facility in Jolimont in the city—and then obviously Canberra Stadium and Manuka Oval. We are now rolling it out further into entertainment precincts and other venues where there are large gatherings of people, such as EPIC.

MR STEFANIAK: Are they all working, minister? I have heard over the last couple of years that sometimes you have had as many as six out of 15 in Civic down. Are they all actually in working order now and able to be monitored, the ones you have got?

Mr Brodie: Currently all of the cameras, except one in Civic, are working. There is one which has been taken down and we are going to trial a new camera. That should be installed today or tomorrow. That requires a modification of the mounting of poles, so a fair bit of fiddly work had to be done, but it has been removed so that it can be placed in the new area.

THE CHAIR: As we have only got 10 minutes more on the overview area, Mr Gentleman, have you got another question? You might go to another subject area now.

MRS DUNNE: I just have a couple of overview questions.

MR GENTLEMAN: I have, thank you, chair. In budget paper 4, at page 249, the operating statement for Justice and Community Safety, the superannuation expenses have gone up 20 per cent in the last budget and employee expenses have not gone up to a similar degree. Can you explain, minister, why the superannuation expenses have gone up dramatically?

Mr Corbell: Yes, I will just seek some advice on that.

Ms Leon: I am advised that the superannuation does depend on the mix of whether

people are more in the PSS or the CSS or in the newer schemes that pay out nine per cent. So, because it is not always possible for Treasury to predict the workforce mix in any one year, superannuation does go up and down a bit. The costs in the budget papers always end up reflecting the actual amount, and any savings are returned to the Treasury. I am told that, for the current year, we are trending under what was our expected budget and that, in fact, we will spend less on superannuation than we had budgeted for.

MRS DUNNE: I am just trying to get my head around that answer, sorry. In the initiatives on page 81 of BP3, minister, we have now got Supreme Court payments. What that seems to be—correct me if I am wrong—is an increase in jury fees and expenses for jurors. In what sense is that an initiative?

Mr Corbell: It is a significant initiative in that jury fees have not been increased at all for over a decade, and they are now falling significantly behind payments received by jurors in adjacent jurisdictions such as New South Wales. They also need to take account of the fact that the costs of being a juror, in terms of incidental costs, have risen. For example, parking in the city is now more expensive. Issues to do with payments for lunches and other incidental expenses have also gone up during that time. It is in direct response to representations by the Supreme Court that I have made the decision and sought the government's agreement to fund an increase in juror payments.

MRS DUNNE: Okay. On the next page, additional funding for liquor regulation is \$241,000 this year and slightly more in the outyears. What do you envisage happening with that money in addition to additional liquor inspectors, or is it just liquor inspectors?

Mr Corbell: This funding is to provide for additional liquor inspection and compliance capacity. You may recall, Mrs Dunne, that the Auditor-General was critical of the capacity of the Office of Regulatory Services to conduct adequate inspections and compliance activity under the Liquor Act in her report last year. The government has taken the decision that we do need to respond proactively to the Auditor-General's recommendations. She identified the need for additional capacity, and we agree. We have provided additional funding which will give us two additional inspectors.

MRS DUNNE: So it is just staffing costs?

Mr Corbell: It is two additional inspectors; it is just over a million dollars recurrent over four years for the payment of those inspectors. This will improve our capacity to undertake inspections in a range of areas—first of all, in terms of licensees' compliance with their conditions and obligations under the Liquor Act, and it will also assist with some of the administrative functions in terms of processing occupancy loading, applications and assessments and a range of other things associated with the operation of licensed premises. This is a significant improvement in our liquor licensing capacity, and it builds on the work the government is doing to improve compliance and the tackling of issues related to alcohol-fuelled violence and antisocial behaviour.

As members would be aware, we are currently undertaking a detailed review of the Liquor Act, which has not been reviewed since the 1970s. We are also investing in improved police presence, on-the-spot fines for police, the CCTV network and the Nightlink taxi service. They are all government responses to deal with alcohol-related violence in the city centre and entertainment precincts, and this initiative will play a small but important part in that.

MR STEFANIAK: You refer in the sixth dot point on page 223 to strengthening the liquor regulation regime. Does your answer to the question there refer to that dot point?

Ms Leon: That refers also to the fact that there is already a discussion paper out envisaging a range of reforms to liquor regulation. In addition to the two additional inspectors, there will likely be a government response to the community consultation on that discussion paper.

MR STEFANIAK: What is the time frame for the implementation of the new regime, whatever new regime you come up with?

Mr Corbell: The discussion paper is still out for public comment at this stage. That closes at the end of June. The government will then consider the submissions that have been made and the response to that discussion paper. We will develop policy proposals that we will then publicly announce, and that will inform legislative reform after that. This will be an ongoing process. The exact timing of legislative reform will depend on the detail and extent of reform that has been identified as necessary during the consultation process.

MR SMYTH: Minister, on page 245 of BP4 there are a string of rollovers on projects in capital works that your department has been handling this year. Can you explain to the committee why we should have any faith in your department's ability to deliver capital works when so many of the projects have been upgraded? In particular, the one I think I am most concerned about is the sexual assault reform program which has been rolled over. Why was that not delivered in the 2007-08 year?

Mr Corbell: Funding for the sexual assault reform program was provided in the second appropriation, so it was provided in October last year—that is less than 12 months ago. That is the capital component for new closed circuit television remote witness capacity at the Supreme Court and the Magistrates Court. That is a detailed project that is taking longer than six months to complete.

The exact issues I would need to seek some advice on, but it is important to stress that it is less than a year since the government provided that funding. There is a rollover because of the second appropriation. Obviously, in the normal course of events, agencies would have 12 months to deliver these projects, but because of the second appropriation there was a lesser period of time. It is reasonable in those circumstances to recognise that it will be rolled over into the coming financial year. The details of that I will ask Ms Leon or another officer to outline.

MRS DUNNE: Has any of that money been expended?

Ms Leon: The sexual assault reform program consisted of \$4 million over four years, and that included recurrent funding for a range of specialist support positions within the Office of the Director of Public Prosecutions, Victim Support ACT and the Canberra Rape Crisis Centre. Those positions have all been filled, so that money is already expended and support is already being provided to sexual assault victims by those extra workers.

As to the remote witness facility and the upgrade of the equipment in the Supreme Court and Magistrates Court, the specifications are close to conclusion and the construction work is expected to be completed in this calendar year.

MRS DUNNE: So when is it going to start?

Mr Corbell: I will need to take that question on notice, Mrs Dunne.

MRS DUNNE: That is fine.

MR SMYTH: I have just one final one; it will be quite quick. It is about the new forensic medical centre. It talks of the relocation of the FMC from the existing site in Kingston. Where will it go?

Mr Corbell: I announced last week that it will be relocated to the Phillip light industrial area. There is an existing government property in that light industrial area, mixed business area. It is the old parks and gardens depot in Phillip. That site has been identified as the site for the new FMC. Part of the funding will allow us to identify whether that building can be refurbished for this use or whether it should be demolished and a new building built.

MR SMYTH: I was curious as to what other sites were considered and what makes Phillip such a good site for it.

Mr Corbell: It is desirable to have the forensic medical centre in a relatively central location; it is also desirable that it be located close to our primary hospital facility. There are two drivers there. The first, obviously, is that a more central location allows easy access for police and forensic medical staff; the second is that a large number of the bodies that need to be transported to the forensic medical centre are as a result of deaths at the hospital. Under the Coroners Act, any death that occurs within, I think, 72 hours of a medical procedure must have an autopsy undertaken, so a large number of the autopsies that occur are as a result of deaths following medical procedures.

MR SMYTH: Why not locate it at the hospital?

Mr Corbell: The hospital campus is significantly committed as part of the government's \$300 million redevelopment project, as members would be aware from the budget announcement. There are a significant number of new facilities that are already committed on the hospital campus site, including a new mental health precinct, a new women's and children's facility, an upgrade of parking and an upgrade of a range of other facilities. It is not necessary—and the advice I have from our police, forensic and other specialists is that it is not necessary—for it to be located on the hospital grounds, but it is desirable that it be in close proximity. It is important to

remember, too, that the facility is under the jurisdiction of the coroner and is controlled by the coroner, not by the health provider, so the separation is also desirable from that perspective.

MR SMYTH: Could you take on notice to provide information on where the bodies come from—what percentage come from the hospital and what percentage come from, say, motor vehicle accidents and other sorts—

Mr Corbell: Yes, I can provide some data on that for you.

Ms Leon: Mrs Dunne, in relation to the question you asked about the commencement of work on the remote witness facility and the Supreme Court and Magistrates Court upgrades, we are currently anticipating that work to commence in July.

MRS DUNNE: Ms Leon, to ask more on the subject, is the \$998,000 for improved court technologies separate from—

Ms Leon: That is separate from that.

MRS DUNNE: Does it in any way relate to the sexual assault reform package?

Ms Leon: There are two aspects of the improved court technology. One is providing a platform to enable more electronic filing of court documents; the other is to improve the CCTV facilities within the court. At the moment, witnesses in a number of cases—not only sexual assault cases—may give evidence from the CCTV fitted out cell in the court, but the quality of the audiovisual has not been good for a little while. So that is upgrading that facility. It will also assist victims in sexual assault cases, but it is not part of the same funding.

THE CHAIR: Thank you. We will go to output class 1.1, the policy advice and justice programs. Mr Smyth, do you have a question?

MR SMYTH: I do indeed. Minister, there seems to be a 15 per cent increase in the budget compared to the estimated outcome for this year. What is the reason for this? Are you expecting to get a lot more policy advice? Are we going to have more justice programs?

Ms Leon: Mr Smyth, what page are you on?

MR SMYTH: On page 229, output class 1.1, budget paper 4.

Mr Corbell: There is no doubt that the government has a very busy legislative program at the moment, Mr Smyth.

MR SMYTH: Between now and the election?

Mr Corbell: No, for the last 18 months. Indeed—

MR SMYTH: In the last 18 months we have been going home early on government days.

THE CHAIR: Excuse me; can I just remind you that—

Mr Corbell: I am trying to answer the question, Madam Chair.

THE CHAIR: That is right. When the minister is trying to answer the question, you will desist from speaking.

Mr Corbell: The government does have a very busy legislative program.

MR SMYTH: I am sure it does.

Mr Corbell: We are undertaking reform in relation to committal, sexual assault and liquor; we have introduced changes to the firearms legislation and on-the-spot fines for police officers to enforce; we are undertaking major improvements in relation to CCTV. I am advised that the main change in that output payment is a result of the new initiatives in CCTV and sexual assault reform.

MR SMYTH: You have said that there will be a new room set up to monitor this at the Winchester centre. How many staff are envisaged to be in that?

Mr Corbell: As I already indicated to Mrs Dunne when I answered her question, those assessments are currently ongoing. The Chief Police Officer and I are examining a range of options for the monitoring capability at Winchester. At this stage, the government will be operating the network in the way it is currently operated, where it is monitored on a needs basis, but the strong view of the Chief Police Officer, me and the government is that we need to move to a more permanent, ongoing monitoring capacity; the details of that are currently being investigated.

MR SMYTH: If the details are being investigated, how much money is in here and how have you identified how much money should be in here for that control?

Mr Corbell: The government is being quite up front about this: there is no additional funding at this stage for an enhanced monitoring capability. I have said that from day one. That is subject to further detailed analysis. Once the network is largely rolled out—you have to remember that the network will not be physically in place and completed until probably the end of this financial year; that provides the government with time to get the model right for monitoring and then provide that funding in subsequent budgets.

THE CHAIR: Mrs Dunne.

MRS DUNNE: I am fine with output class 1.1.

THE CHAIR: Are there any more questions in this area? We will go to output 1.2, legal services to government, which is still on page 229.

MR SMYTH: Again there is a \$500,000 increase in this. Is this just growth in the cost of the services or is there a specific reason?

Ms Leon: There are two components of that \$500,000. Just over \$100,000 is from the whole-of-government revaluation of buildings and assets that has gone across the whole of government this financial year. The rest is just the increase in wages and superannuation that applies generally across the portfolio.

MRS DUNNE: So there are not extra staff?

Ms Leon: Not in this budget.

MR SMYTH: I note, though, in the accountability indicators on page 234, that, in relation to the timely legal advice provided to the government, the target was 90 per cent but the estimated outcome was only 85 per cent. Is there any reason for not achieving that target?

Ms Leon: The Government Solicitor has advised me that the reason for that is that there was a period of the year when they had a significant increase in the proportion of advice that was sought on an urgent basis. Their priority has to be advice that is urgent, and the performing of the urgent work—the increased amount of urgent work in that very short time frame—has impacted upon the timeliness of the more routine work—only in a fairly small way, but it does mean that the overall performance of the office is still at a very high standard because it is meeting the time frames on a larger component of urgent work.

MR SMYTH: When you say that it is good, how does it compare with other jurisdictions in terms of timeliness?

Ms Leon: I do not think that the Productivity Commission does a jurisdiction-by-jurisdiction comparison on legal services. I think it would be one of those instances where we would find it was difficult to compare line for line.

Mr Corbell: Different jurisdictions have very different arrangements. In large jurisdictions, many government agencies have their own in-house counsel and do not rely on a centralised legal service as we do here.

MRS DUNNE: How many staff do you have providing advice?

Mr Corbell: Can I take that question on notice so that I can provide you with an answer on that?

MRS DUNNE: Yes, sure. I am quite happy to take that on notice.

Ms Leon: Mrs Dunne, I am advised—I can give you the exact figures on notice—that there are about 30 professional staff—solicitors—and about 20 support staff and paralegals.

MRS DUNNE: We will take it on notice, thanks.

THE CHAIR: We will go to the next output class, 1.3, legislative drafting and legislative information.

MR STEFANIAK: Madam Chair—

THE CHAIR: Mr Stefaniak, just wait to see if committee members have questions first before you go bowling in.

Mr Stefaniak: I will do that; they seemed a bit slow.

THE CHAIR: Thank you. Mr Gentleman?

MR GENTLEMAN: Firstly, I congratulate the government on extra funding for this area. I have been working with parliamentary counsel on my bill and I have been very pleased with the responses that they have given to our requests. From page 235 in 1.3, I note that the average cost of the production of material has been reduced over the last year; they have actually increased their efficiency. Have there been extra staff added to the office?

Ms Leon: There was extra staff provided to the office in last year's budget. As you say, Mr Gentleman, the office performs at a really superlative standard. The quality of the work and the commitment of the officers in the Parliamentary Counsel's Office are really outstanding. The fact that they are able to continue to meet and exceed their targets as well as bring down the cost per page is just a testament to their professionalism.

MR SMYTH: There have been several concerns raised in public recently about the size of legislation, particularly acts. For instance, the Children and Young People Act is 800 pages now.

MR STEFANIAK: It is 900.

MR SMYTH: This is an enormous volume of work. Is there any way of being able to simplify that? I know that a couple of weeks ago Crispin Hull had an article claiming the absurdity of these acts—that it is impossible for people to get across them. Is that trend going to continue—that the acts will be bigger—or is there some way we can make this work more effectively?

Mr Corbell: It is a bit difficult for me to comment on legislative proposals that are not immediately within my portfolio knowledge, and I do not have a detailed understanding of some of the uses behind the establishment of some of those acts. Certainly, with the Children and Young People Act, I can assure you, Mr Smyth, that I am aware that there was the potential for it to be bigger. The government made some important decisions to reduce the size of that act. At one point, I think it looked like being a third bigger again, but some changes were recommended, which the government accepted, to reduce the scale of that act. I acknowledge members' concerns about the size of some pieces of legislation, but there are a range of factors at play. I might ask Mr Clifford if he would like to outline those.

Mr Clifford: Thanks, minister. The minister is quite correct in that. Part of the problem is that, if you have got a complex area of law, one approach is to put it all into one piece of legislation. Another is to break it down. There is no easy answer to that. There are those people who find it easier to deal with everything in one book.

There are others who would prefer to look at the particular areas of the law in a smaller piece of legislation.

From our perspective, I think large bills are much more difficult to manage. There is an awful lot of paper that a lot of people do not really need. Yet there is still that view that a comprehensive piece of legislation that covers all aspects of a topic is still valuable. So it is a trade-off always. Ultimately, it is the client's preference as to the final form of the bill.

Mr Corbell: Certainly, in relation to the Children and Young People Act, the government was very conscious of that. In particular, Minister Gallagher, who has primary responsibility for large slabs of that act, and stakeholders were of the view, which the government supports, that there was a preference for the law relating to young people and children to be located in a single document, which everyone could access and refer to, rather than make multiple references across the statute books. As Mr Clifford said, these are trade-offs; there is no right answer; but the government was certainly conscious of the view amongst stakeholder groups that it was preferable to have the law relating to children and young people largely located in a single document.

As members would be aware, that bill does make reference to other acts, particularly the Magistrates Court Act. Consideration was given as to whether or not those elements should not be in the Magistrates Court Act and instead be in the Children and Young People Act, but the government took the decision that that was not the right approach and that those provisions should be in the Magistrates Court Act. These are the considerations that the government has had in its mind and those are the factors that are driving the size of that particular piece of legislation.

MR STEFANIAK: What stakeholder groups? Clearly we have had complaints from a number of people about how any one person can understand this legislation. It is actually going to be harder for practitioners using that act, as an example, to understand what they are required to do.

Mr Corbell: I think it is probably best to refer that question to Minister Gallagher. She is the Minister for Children and Young People; she does have primary responsibility for much of that act. Obviously I have some responsibility in relation to the Magistrates Court, the Childrens Court and so on. However, the primary considerations were driven by the children and young people sector and I think it is best that you raise those questions with Minister Gallagher.

MRS DUNNE: Specifically on the areas that relate to your portfolio, the schedule, which is the substantial part that relates to your portfolio, will, on the passage of the bill, disappear and all of those things which are currently in the schedule to the act will go to a range of sentencing things so that the rationale for having everything in the one act has been broken down by your own department. I am actually not complaining; I think that is actually a good thing.

Mr Corbell: Again, that was for ease of drafting, ease of implementation and future reference. Certainly, the view of the government was that it was appropriate that those justice elements around sentencing, operation of the Childrens Court and so on should

be retained with other relevant sentencing legislation.

One of the primary considerations there was that, as sentencing practice develops, we wanted that to develop consistently across both adult jurisdiction and the children's jurisdiction and not have a situation where the sentencing practice differed in ways that did not take account of developments and how the courts were managing these issues. So by having it sitting in the Magistrates Court Act and the relevant sentencing acts, we have been able to maintain that nexus.

MR STEFANIAK: There are other acts. I think the scrutiny committee recently commented that there seems to be a tendency for some very big pieces of legislation to be put before the Assembly. As a general rule, the Children and Young People Act is one. There is one you mentioned, the Firearms Act. That is a big piece of legislation. I think the comment made by the scrutiny committee was: "Surely it is preferable to keep the old principle, the KISS principle, if you can keep it simple, smaller is actually better." Why are we seeing a tendency for much larger acts in these bills that are placed before the Assembly?

Mr Corbell: These are major reforms in often very complex areas. For example, the Planning and Development Act, another piece of legislation I am very familiar with, is a complete rewrite of a piece of legislation and an implementation of, often, nationally agreed best practice models. Whether it is the planning and development legislation, whether it is children and young persons, firearms, these are complex policy issues that involve, in many instances, complete rewrites of legislation that had not been touched for many years. So it is inevitable that there will be an increased level of complexity but I think it does highlight the government's commitment to major reform of these pieces of legislation rather than just tinkering around the edges.

MR STEFANIAK: One question, which they could take on notice: could you perhaps provide how many pages of legislation have been drafted in each of the past five years for acts, regulations and other matters?

Ms Leon: I think you will find that in the annual report for last year, until the end of last year, and it will appear again in this year's annual report to bring us up to date.

Mr Clifford: There is a complete breakdown in tables at the back of our component of the annual reports.

THE CHAIR: We will go to 1.4, public prosecutions.

MRS DUNNE: In 1.4, there is an 11 per cent increase in the budget from 2008-09 over 2007-08. Can you account for that?

Mr Corbell: I will have this confirmed, but my understanding is that that is the increase in funding providing for the sexual assault reform program, which is \$134,000 for additional prosecution services.

MRS DUNNE: So that was additional staff?

Mr Corbell: Additional staff.

MRS DUNNE: How many?

Mr Corbell: I think it is one or two positions. I would have to take it on notice.

MRS DUNNE: Take it on notice, yes.

Mr Corbell: But my recollection is that it is one or two positions. The other changes are just fair value, revaluation of buildings and leasehold assets and some others.

Ms Leon: And indexation, wage increases, superannuation and the like.

MR MULCAHY: Attorney, you may well have to take this on notice, but you may have it at your fingertips. For each of the last three financial years, are you able to provide figures for how many criminal matters have been referred to the DPP by the police for prosecution, how many of these referrals have resulted in prosecutions and how many of these prosecutions have resulted in convictions?

Mr Corbell: I would have to take it on notice but I can provide that.

Ms Leon: Returning to the question that was asked a moment ago, I am advised that that is three staff in the DPP.

MRS DUNNE: It is three staff.

Ms Leon: A combination of prosecution and witness assistants.

THE CHAIR: No more questions in this area? We will go to 1.5, protection of rights. The Public Trustee statement of intent is included in this area.

MR GENTLEMAN: I have a question here. I notice the increase in funding and, on page 223 of budget paper 4, there is a dot point under “Priorities” expanding the guardianship work of the Public Advocate to assist more vulnerable members of our community. Can you expand on the work that is going on there?

Mr Corbell: I will ask the Public Advocate, Ms Phillips, to answer your question.

Ms Phillips: What was your question?

MR GENTLEMAN: Ms Phillips, the question was in regard to the priorities on page 223, with respect to expanding the guardianship work of the Public Advocate. I have noticed some increased funding in this output class as well. Can you tell me about the work that is going on there and the expansion of your work?

Ms Phillips: Yes, we have been fortunate in obtaining additional resources for the next financial year and the outgoing years, in order to have additional guardianship staff. As you are probably aware, for some years I have been explaining that the complexity of guardianship has increased enormously over recent years, so that we are probably getting a different group of people as guardianship clients. Traditionally, many guardianship clients were either young adults with intellectual disabilities

whose family could not be their guardian or could not support them, so that we were guardian of last resort, or elderly people who had nobody else to care for them. We are getting an increase in the age cohort of about 35 to 55—an enormous amount of people who are unable to care for themselves because of a range of illnesses, disabilities, accidents et cetera. I have selected that area as a priority because I think we, as the guardianship area of the ACT, need to concentrate more on providing services to that cohort.

MR GENTLEMAN: Is there any particular evidence of what is driving this growth in that age cohort?

Ms Phillips: We are looking at what it is that is contributing to it. Two particular groups that are in that cohort include people who are surviving car accidents with brain damage. This group of people may not have survived in other times, but because of increased technology they are now surviving, but need somebody to care for them. The other group is the group with what we call mental health dysfunction, who have dysfunction in the way that they behave because of a range of factors. Long use of drugs and alcohol is contributing particularly to men in their late 50s and 60s who are severely brain damaged because of alcohol and, increasingly, drug use.

MRS DUNNE: I have a question about the range of changes to the Children and Young People Act and the investigations in previous years in relation to reporting to you about children in the care of the territory who are then subject to abuse again, for instance. How are your relations with the Office for Children, Youth and Family Support, and child protection? I want to know about the level of satisfaction or dissatisfaction with the range of reportings and the responsiveness with your office and child protection. It has been an area of some controversy in the past.

Ms Phillips: The Public Advocate role, as you are aware, is a dual role in the ACT in that I am the adult guardian and have those responsibilities. But the Public Advocate Act is unique in jurisdictions in Australia in that it gives the Public Advocate a role in relation to monitoring particularly services provided to young people and to people with other disabilities that mean they cannot do this for themselves. So this is other than guardianship entirely.

The office has pursued this function very diligently and fearlessly in the past, so that our relationship with particularly the office for children and young people now is on a very good basis. We work very collaboratively with the office in relation to the services they are delivering for young people. In the past we based most of that on developing monitoring in terms of compliance. So there are certain events listed in their act that they must report to us when they occur. We have traditionally replied in terms of compliance, as to whether they get those reports to us in a timely fashion. In the nearly three years that I have been in the position, I have moved that to a much more qualitative look at what the office is doing. So our relationship is not so clearly reflected just in the compliance any more.

In terms of compliance, I am very happy with the way the office is reporting to us. My concern increasingly is about the quality of the services provided, particularly in relation to the increase, again, in the complexity of cases that we get, even with very young children and families. Because of that complexity, the office has increased

demand to respond in a very much more qualitative manner. We are now monitoring that in a much more careful and robust manner rather than just the compliance in terms of whether they are getting the reports in to us.

MRS DUNNE: So it is more than box ticking?

Ms Phillips: Absolutely.

MRS DUNNE: Could you give the committee some instances of the types of complexity that you are encountering that may not have been encountered five or 10 years ago?

THE CHAIR: You probably need to be very careful in case some—

MRS DUNNE: Yes, in general terms. I do not expect Ms Phillips to identify particular cases.

Ms Phillips: Thank you. One of the groups of children that I am particularly concerned about at the moment are 11, 12 and 13-year-olds who have complex needs, particularly in relation to their behaviour. I am referring to behaviour in terms of violence, aggression and not being able to live in society or live with their families at home. There is a lack of services to deal with this group—and it is an increasing group of young people.

THE CHAIR: Ms MacDonald, do you have a follow-up question?

MS MacDONALD: Yes. Following on from that, you explained the increased complexity, and I appreciate that. Is part of the problem as well the ability to find the staff who have enough experience and training in the area? I know this is not a public advocate's role, but—

Ms Phillips: You are right: it is not our role. However, in monitoring the services we certainly monitor the way children are case managed, for example. I have nothing but praise for staff in OCYFS in terms of their commitment to a very complicated situation. They do not get a lot of accolades.

MS MacDONALD: It is not a glamorous industry.

Ms Phillips: All that we read about is when something goes wrong, not the hundreds of cases that they deal with all of the time. I have nothing but praise for the staff.

We are also looking at the needs of young people in out-of-home care. That brings in a whole other group of staff—carers, foster carers and professional and skilled carers who can deal with these young people, particularly those with complex and challenging behaviour. That is another group of staff that we look at and monitor. In truth, there are not enough people who are skilled, experienced and qualified in those areas in Australia, not just in the ACT.

MRS DUNNE: Just to follow up on that point, Ms Phillips, is it a lack of expertise in terms of just sheer bodies to deal with this or is it a lack of an agreed modality of

treatment? “Treatment” is not the right word. Is there the research to underpin the best way to approach these young people and we are lacking the people to do it, or have we not done the research?

Ms Phillips: It is a bit of both. There are people who, throughout Australia, are piloting different schemes to deal with this particular group of young people that is emerging throughout Australia. There do not seem to be services that have, over years, proved that they are the best way to deal with these young people. But they all require really skilled and committed staff. Sometimes one-on-one staff have to be employed to care for young people with this behaviour. Certainly, in our advocacy area, we are looking at research into what other jurisdictions, even internationally, are doing in relation to these people, and we are sharing that information with OCYFS as well.

MRS DUNNE: Presumably with the education areas as well. One of the risks is that these issues are siloed: is it a child welfare issue or an education issue? Perhaps your role in some way is to get the communication going between those silos.

Ms Phillips: Absolutely. Because we have that role over all government departments, that is exactly right. So when a young person is suspended or excluded from school and then has behaviours that roll into another area, the office needs to work with the school and we need to be involved in monitoring that whatever treatment and care he is getting covers all of those areas—his education, his health, where he lives and his relationship with his parents and his peers.

THE CHAIR: We will now have a morning tea break.

Meeting adjourned from 10.39 to 10.55 am.

THE CHAIR: We will now deal with output class 1.6. Mrs Dunne, I believe you have a number of questions in this area.

MRS DUNNE: Not a vast number. Mr Green, we are coming up to an election and the upgrading of the roll is important. There were federal changes to the upgrade of the roll. Is there anything being done by the ACT that is in addition to what is needed for the federal roll?

Mr Green: The changes that were made to the commonwealth electoral roll have been in place for over a year. They were in place for the federal election last year. The Australian Electoral Commission put a lot of effort into having the roll as accurate as they could make it for the federal election in November last year. The ACT Electoral Commission is working with the Australian Electoral Commission under our joint roll arrangement to have the roll as up to date as possible for our election in October this year.

MRS DUNNE: I understand that. My question was: is there anything that needs to be done for the ACT roll which is over and above what is necessary for the commonwealth roll?

Mr Green: The ACT commission will be instituting an advertising campaign for our election, as we always do, which will be focusing on getting people on the roll for the election by the roll close. The only thing that has changed recently as a result of the legislation that went through the week before last is the change to the enrolment and voting status of prisoners. Changes at the commonwealth level, in the first instance, gave all ACT prisoners the right to enrol and vote. That particular set of amendments to the Commonwealth Electoral Act were struck down by the High Court and they reverted back to the situation where prisoners in prison for more than three years were not eligible to enrol or vote for the ACT or for the commonwealth.

As a result of the legislation that went through the Assembly two weeks ago, now all prisoners in the ACT are entitled to enrol and vote. So for the first time we have an ACT-only category of enrolment for prisoners in jail for three years or more. The ACT Electoral Commission will be working with the corrective services people to encourage people who are going to be eligible to enrol for the ACT election, who are currently under sentence, to get on the roll for the election.

MRS DUNNE: What was the impetus for the ACT changes in the face of the High Court decision?

Mr Corbell: The rationale for that is the government's belief and view that being incarcerated does not mean the suspension of all of your human rights. The right to vote is a fundamental human right. It is the government's strong view that simply because you are sentenced to a period of imprisonment it does not suspend other rights. The right that clearly is suspended is the right to liberty, and that is a sanction imposed by the community for certain offences. But we do not take the view that that means there is some form of what I think has been called civil death, where all of your other rights as a human being are immediately lost. Consistent with our commitments around human rights principles, we believe that just because you are incarcerated it does not mean you lose the right to vote in elections.

MRS DUNNE: This is probably a question for Mr Green: are there any other groups that are only enrolled in the ACT that are not enrolled on the commonwealth roll?

Mr Green: No. The only technical difference between our roll and the commonwealth roll is where a federal member of parliament is entitled to be enrolled for the electorate or the division that they represent, whereas in the ACT they have to be enrolled for the location in which they reside. Otherwise, the commonwealth roll is the same as the ACT roll.

MR GENTLEMAN: Minister, my question comes back to the priorities in budget paper No 4 at page 223. One of the priorities in regard to this year's election is the electronic marking of electoral rolls in polling places. Mr Green might be able to let us know how that is going to occur.

Mr Green: Yes, this is something that has been trialled in various other jurisdictions over the last year or two. The thing being trialled is the use of personal digital assistants, or PDAs. An electronic copy of the electoral roll on the PDA has been used to look up people's names on the electoral roll and mark your name as having voted on the electoral roll. We are fortunate because the Queensland Electoral Commission has purchased enough PDAs so that we were able to borrow those from them, essentially for the cost of freighting them from Queensland to Canberra, and to provide them to every polling official in the ACT. So, rather than having to print an extremely large quantity of paper rolls, have them marked in the polling places and then get them freighted, usually to Sydney, to have them scanned and then freighted back to Canberra to have them stored for four years, which is a very expensive and very paper intensive process, we are looking at using PDAs instead.

We are currently having software written that will adapt what has been used in the other states for ACT purposes. So the objective will be something that is cheaper, more environmentally friendly, faster to use and at least as safe if not safer than the paper method that we use. There are lots of benefits for voters and polling officials, as well as cost and environmental benefits.

MRS DUNNE: Does it give real-time information?

Mr Green: The way that it will work is essentially mimicking the way that the paper rolls work. There will be a process of backing up the markings in the polling place to a central PDA in each polling place. But they will not be linked from one polling place to another.

MRS DUNNE: So you can't tell whether someone is voting in real time?

Mr Green: No, that is right.

MR GENTLEMAN: Do you see a point in the future when this will take over and there will not be paper?

Mr Green: I am hoping that in this election we will not need those huge quantities of paper rolls, and we will have one master set in every polling place as a back-up in

case the PDAs fail. But, because they are stand-alone devices that are battery powered and we will have plenty of spares, I do not see any reason why they will fail on any large scale.

MRS DUNNE: I presume that the difference in the appropriation is the cost of \$2 million to run an election?

Mr Green: That is right, yes.

MRS DUNNE: A very modest price for democracy.

THE CHAIR: Thank you, Mr Green.

MR GENTLEMAN: We look forward to seeing you at the end of October.

THE CHAIR: We do, indeed. We will now go to output class 1.7, regulatory services.

MR GENTLEMAN: I want to go to page 231 in this output class. The federal government at the moment is looking seriously at binge drinking in Australia. Can you tell us what funding and policies you are putting forward to help to address this issue in the ACT?

Mr Corbell: The key piece of policy work that is currently being undertaken is a wholesale review of the Liquor Act. The Office of Regulatory Services, which performs the functions of the Liquor Licensing Board, is centrally involved in that work. I have released a detailed discussion paper on the range of options that the government believes should be considered by the community to reform our Liquor Act. Our Liquor Act was established in 1974 and has not been reviewed since that time in any significant way. We are undertaking a very major piece of policy work.

The government is very concerned about the level of alcohol-related violence in our community. Whilst we are fortunate that it is not as severe as in some other places around the country, it is nevertheless a very real problem. The government is committed to that wide-scale review. I am seeking feedback from the Australian Hotels Association, liquor licence holders, community organisations, the police—for anyone with an interest in liquor licensing to have their say.

The discussion paper talks about a whole range of possible measures. It talks about more of a risk-based approach to licensing. It talks about the possibility of lockouts; the changing of closing hours or operating hours; changes to the regulatory regime; and changes to the clients and the range of penalties that are available. A whole range of things are dealt with. I strongly encourage anyone to have their say on that.

The other measures that the government are taking that complement this very important piece of policy work are as follows. First of all, there is an increase in enforcement and compliance action. The Liquor Licensing Board and the liquor licensing inspectors, along with the police, have significantly stepped up the compliance action over the last 18 months to two years. We have adopted a policy position of naming licensed venues that are found to be in breach of the act. That is something that I have now done on a number of occasions when the Liquor Licensing

Board has determined a penalty for a breach of licence conditions. We have seen penalties of up to \$10,000 levied against licensed premises after breaches of their licence.

In addition to that, the government is focusing very strongly on improving public safety and perceptions of public safety in entertainment and nightspot precincts. On that, I would refer you back to the discussion we had earlier today about the CCTV network expansion. There is the increased police presence. The establishment of the third roster for police is really paying dividends in terms of availability of police on the ground. In the portfolio of my colleague Mr Hargreaves, the development of the Nightlink taxi service is having some real benefits in terms of getting people out of the city more quickly and preventing the build-up of aggression and frustration that can occur when people who already have had quite a bit to drink are waiting for a cab in the early hours of the morning.

All of those things are part of a quite coherent and coordinated strategy to respond to issues around public safety and alcohol-related violence.

I am hopeful that the review of the Liquor Act itself will give us a new range of tools to deal with some of the problems we are seeing at the moment with some licensed premises.

MR GENTLEMAN: We have seen other states look at their hours of operation; New South Wales is now looking at a 3.00 am cut-off, I think.

Mr Corbell: Yes.

MR GENTLEMAN: In my mind, anyhow, that would dramatically reduce costs to the territory. If you do not have to staff ORS people at that time in the morning and if you do not have to provide transport outside those hours, it would have an effect on the costs of the territory.

Mr Corbell: All these options are on the table. The government does not have a concluded view on any of those at this time. We are in a consultation process. We have the discussion paper out and we are really seeking feedback from everyone with an interest in this matter. That is what we are going to continue to do. The discussion paper process concludes at the end of June. Then the government will be in a position to talk about some more detailed policy approaches, having been well informed by the feedback we get from the stakeholder groups.

THE CHAIR: Dr Foskey has a supplementary question.

DR FOSKEY: Yes. I was wondering if you have got any way of evaluating those various measures that you just described—for instance, whether you can say at this point whether naming licensed premises that had somehow run against laws and regulations has had any repercussions in terms of the benefits that you would like from them.

Mr Corbell: It is probably a bit early to tell at this stage, but as part of our review of the Liquor Act we are drawing on evidence-based policy approaches from around the

country. I have already had a meeting with one of Australia's leading academics in this area to get her views on how these issues can be advanced and what evidence informs them.

DR FOSKEY: Who is that?

Mr Corbell: I am sorry; I cannot recall her name now. I am happy to tell you; I will take it on notice. It is a matter of a lot of interest around the country. The evidence base is varied. In some parts of this policy area, there is quite a good amount of evidence around what works and what does not; in others it is not so well examined. We will also draw on the practical experience of other jurisdictions—other liquor licensing bodies in other jurisdictions. We will draw on their experience—on what works and does not work for them and whether or not it is applicable here in the ACT.

THE CHAIR: We might go to corrective services.

MR STEFANIAK: Could I just ask one question?

THE CHAIR: Just one quickly; okay.

MR STEFANIAK: I refer to page 238. Why was there an increase of 25 per cent in complaints during 2007-08—estimated outcome—compared to a budget of a negative five per cent?

Mr Corbell: Page 238, did you say?

MR SMYTH: Yes, line (f).

Ms Leon: I am advised that there is not any particular trend about where those complaints have come from. Obviously, this is a customer-driven indicator rather than one that is driven by the particular work of the office. It may just be that we had quite a lot of people who were more assertive about asserting their rights last year. I am told by the Office of Regulatory Services that there was not any particular pattern about those complaints and it was not that it reflected any particular level of poor activity in one particular sector.

MR STEFANIAK: How many complaints did you get that year—just in terms of the actual number of complaints?

Ms Leon: I will just get some advice on that.

Mr Phillips: We get in the vicinity of 8,000 telephone complaints per year in relation to fair trading matters across a whole range of areas. As Ms Leon said, it is not limited to any one particular field; it covers the whole field of the regulator.

MR SMYTH: You are saying that you average 8,000 and that this year it will be 10,000 complaints—up 25 per cent?

Mr Phillips: The measure rate relates to the level of compliance, not necessarily the number of complaints. It relates to what we find after we investigate those telephone

and physical complaints that we receive. It does not reflect the number; it reflects the level of compliance.

MR SMYTH: If you receive, on average, 8,000 complaints, how many did you receive this year?

THE CHAIR: Is this information in the annual general report?

Mr Phillips: The actual information is not in the general report. I can take on notice for Mr Smyth how many complaints we have received to date, but it will be for only the 10 months of the year.

MR SMYTH: That is okay. Can you offer some analysis of what areas the complaints are in specifically?

Mr Corbell: We will attempt to provide some breakdown of that.

MR SMYTH: Minister, are you concerned about such a big growth in the number of complaints?

Mr Corbell: I do not know whether it is a significant growth in the number of complaints. As Mr Phillips says, this is a client-driven measure; it is difficult to predict. Without more detailed analysis of figures, I really could not comment on whether or not it is a significant change—or, indeed, whether a significant issue has arisen.

MS MacDONALD: Yesterday we heard from UnionsACT as part of the community groups that came before us. There was a comment made about the capacity to employ more inspectors within WorkCover to deal with occupational health and safety concerns in the workforce and also concern about enforcement where breaches were discovered. Do you want to make a comment on that?

Mr Corbell: Thank you, Ms MacDonald. I am very familiar with the concerns being raised by UnionsACT on this matter. It is something about which I have had some detailed discussion with the union representatives. The government acknowledges that our inspectorate functions around OH&S are under considerable pressure at the moment, but we are moving to try to alleviate that. First of all, there is an active recruitment campaign underway within ORS. We currently have seven OH&S inspectors, and the government has provided funding for an additional three OH&S inspectors in this year's budget. We were also provided funding for an education officer function. So we are boosting the resources of ORS to meet the challenges that exist, particularly in the construction sector, around occupational health and safety.

The government has also undertaken some detailed work at this stage in consultation with the OH&S council on the development of new work safety legislation which is due to be introduced in the latter part of 2008. That will provide for a better regime for managing work safety in the territory, and I think it will be a model which is strongly endorsed by both unions and employers.

The government is committed to addressing these challenges. There is no doubt that

the current environment, in terms of the still very busy private construction sector, is putting pressure on our inspectorate function. At the same time, our ability to retain skilled inspectors is being hindered by the fact that those inspectors can receive significantly higher levels of pay and conditions working in the private sector. That is also a challenge for us. The government is looking at both sides of the equation in terms of improving resources to our inspectorate—an additional three inspectors in this budget—as well as providing for a new legislative framework to improve compliance and occupational health and safety on the job.

THE CHAIR: Thank you very much. We will go on to the corrective services output.

MRS DUNNE: Minister, you were quoted in the paper on Sunday, I think, as saying that the Alexander Maconochie Centre is on time and on budget. My recollection was it was a \$110 million prison. The building cost, according to the budget paper, is \$131.3 million. There is now work for the chapel, which is welcome, at half a million dollars. There are also transitional costs which do not appear in the capital works budget but appear in the initiatives in BP3; they have a capital component of \$900,000. Can you explain what the transitional costs are and, in particular, what are the capital components of that?

Mr Corbell: This is funding to provide for the transition of both sentenced prisoners from New South Wales into the ACT jail and also for the transition of remandees from the existing remand centres into the new jail. It is also to then reconfigure the Symonston temporary remand centre to allow it to revert to its previous role as a periodic detention centre.

MRS DUNNE: So the \$900,000 there is for the PDC?

Mr Corbell: There is \$900,000 for the Symonston temporary remand centre to reconfigure it for periodic detention. That involves, I am advised, the relocation of drug storage rooms and related security equipment, upgrading of yard cells, providing an additional entrance, fire escape, plumbing upgrades, and the conversion of existing offices to accommodation units. The \$900,000 includes \$600,000 for construction, \$100,000 for planning, design and supervision, a contingency of \$30,000, procurement fees of \$30,000 and so on.

MR SMYTH: Just on Symonston, since it has been opened as a remand centre, how often has it been used?

Mr Corbell: It is used all the time.

MR SMYTH: What number of prisoners have used the facility, if you could give us—

Mr Corbell: Quite frequently to capacity. I would need to take that on notice as to the exact number. I can assure you it is used all the time and, certainly in the last 12 to 18 months, quite often to capacity.

MRS DUNNE: Minister, how many places are there for remand, sentenced and transitional prisoners currently, and how many will there be when the Alexander

Maconochie Centre opens?

Ms Leon: The total remand capacity is 99 beds at the moment, though, in practice, one cannot usually fill to the total capacity because of the need to keep certain classes of prisoners separate from other classes, as is normal in the operation of a prison. There is not a capacity for sentenced prisoners at the moment because we send them to New South Wales, so we just pay on a per head basis.

MRS DUNNE: So how many sentenced prisoners do we have at the moment?

Ms Leon: The total number of sentenced prisoners at the moment is about 100, but obviously it does fluctuate up and down. The capacity in the Alexander Maconochie Centre will be 301 beds, though, again, the operational capacity is usually about 15 per cent below that because of the need to keep different categories of prisoners separate—that is, males separate from females and so on.

Mr Corbell: That includes both remand and sentenced.

Ms Leon: That is right.

MR SMYTH: When the prison opens, how much will it cost to build?

Mr Corbell: To build?

MR SMYTH: Yes.

Ms Leon: I think it is in the vicinity of \$131 million, but I will ask Mr Ryan.

Mr Corbell: I am advised \$131 million.

MR SMYTH: So the half a million dollars appropriated for the construction of the chapel is money that was already in the budget?

Mr Ryan: No.

Mr Corbell: No, it is additional money.

Ms Leon: When the prison opens, the chapel will not already be constructed.

MR SMYTH: So at this stage it will still cost \$131 million?

Mr Corbell: Yes.

MR SMYTH: What other aspects of the original design have been diminished to live within the \$131 million?

Mr Corbell: I think I have answered this question previously, but I am happy to answer it again. The key elements that the government removed from the original design proposal included a number of beds. Originally the bed capacity was 374; it is now 300. The government has also removed the provision for a gymnasium building

and the chapel and has also reduced the scale of the transitional accommodation facility.

THE CHAIR: Okay. Mr Gentleman has a question; Mr Seselja is next and then Dr Foskey after that.

MR GENTLEMAN: Thanks, chair. Minister, on page 239 of budget paper 4, the table there shows average cost for prisoners per day for remand currently and then the average cost for prisoners per day for periodic detainees. Can you give us a comparison for those costs?

Ms Leon: For 2007-08 the average cost per prisoner per day will be, on the remand side, \$440 and, on the sentenced side, \$239 per day. That is based, of course, on averages across the whole year. The actual cost on any one day will depend on how many remandees and prisoners are in the system. So the total, if you combine those averages, works out at \$328 per prisoner per day, including both remandees and sentenced for the current year, 2007-08.

MR GENTLEMAN: Projected down the bottom is \$200. Is that for 2008-09 in the new prison?

Ms Leon: In the new prison.

MR SESELJA: That is periodic detainees.

MR GENTLEMAN: I see.

THE CHAIR: Mr Seselja.

MR SESELJA: Thank you. Good morning, minister. I just wanted to drill down on some of these figures, particularly the ongoing running costs. The total cost for corrective services is \$43.719 million. We have got figures scattered through the budget, such as the \$3.3 million odd for operating costs of the Alexander Maconochie Centre. The cost per prisoner remandee per day is \$317, which, on a quick calculation, I think is around \$23 million to \$24 million a year. Are you able to give us a bit of a breakdown as to where all those figures come together and, in particular, how much has been allocated in this budget for running costs of the prison, and is that \$3.3 million additional to that cost per day?

Ms Leon: Perhaps I can start, Mr Seselja. As you say, the total estimated budget for running the prison will be \$23 million in the 2008-09 year.

MR SESELJA: Is that listed anywhere in the budget? Sorry, it may well be, but I could not find it easily. Is the \$23 million separate?

Ms Leon: It is part of the corrective services output, but, of course, corrective services runs the prison as well as community corrections. The two are not disaggregated in the budget papers, but the total estimated budget is \$23 million. There is some offset against that, of course, because there is the existing money that we are paying for sentenced prisoners and the existing money that we are paying for the current remand

centres. That is why the amount you see in the budget is not the full \$23 million, because most of that was already in the operating base.

If you wanted a breakdown of what that is for, the staffing is just under \$16 million, and that is for both custodial staff and support and administrative staff, including program managers, catering and so on. The non-staffing costs, supplies and services, are \$5.4 million, and that is for food, linen, power and maintenance of the facility and so on.

There is also some cost on the departmental side for just the increased level of corporate support; we put an extra 90 staff on. You also have additional staff required to provide personnel services and IT services and so on, so there is a small amount of additional corporate support for the additional staff.

MR SESELJA: Okay, so the departmental costs are disaggregated—

Ms Leon: They are part of that additional cost.

MR SESELJA: and then included in the 317 figure, which gets you to the \$23 million?

Ms Leon: That is right.

MR SESELJA: So the \$3.379 million for 2008-09, that is additional expenses over and above what is being spent currently, combined, for New South Wales and to run the remand centre?

Ms Leon: That is based on the current numbers that we are actually spending. As you know, the prison is funded on the basis of a certain capacity, so whether you have got 200 prisoners or 260 prisoners in it, it costs you the same amount to run. So we are running the prison based on staffing it to its capacity. While it is not at full capacity, it will look like it is costing a bit more. If we had that full capacity of 260, under the current system it would be costing us more than the Alexander Maconochie Centre costs us. The comparisons depend on one having the same number of prisoners to do the comparisons on.

MR SESELJA: But, as at today, the \$3.379 million represents the extra costs as opposed to what you are paying right now and what you expect to be paying in the next financial year for these services?

Ms Leon: Extra costs based on the current number of prisoners—they are extra. If you were comparing it to the same number of prisoners as the AMC will accommodate then the AMC is cheaper. You break even at about 245 prisoners.

MR SMYTH: When are we likely to get to 245 prisoners?

Ms Leon: That is a matter for the courts, really.

Mr Corbell: That is a very difficult matter to predict. There is no established mechanism of predicting at what point that will occur.

DR FOSKEY: Can I ask a question?

THE CHAIR: Dr Foskey, yes.

DR FOSKEY: A couple of months ago—maybe this has been resolved—there had not been a decision made around delivery in the prison of health services and perhaps a whole range of services which I cannot enumerate. Could you tell me which, if any, community organisations are going to be contracted to deliver some services and whether those arrangements are yet in place?

Mr Corbell: I will ask Mr Ryan.

Mr Ryan: The detail of the health services question is something you really should get from health when they appear before the committee. They have, I note, in the budget, been given an additional \$1 million, I think it is approximately, to what they currently have. What that translates to exactly by way of an enhanced service—and it certainly will be an enhanced service, compared to what they get elsewhere—and so on is something I cannot answer.

The involvement of other organisations in the community in what we deliver by way of services is something that we have already embarked on sorting out. In particular, there is an intention—and it is budgeted for this year—to establish a therapeutic community within the confines of the AMC. In doing this, we will be collaborating with ADFACT and, indeed, any other relevant community organisation to ensure that what we deliver—

DR FOSKEY: What is ADFACT?

Mr Ryan: The Alcohol and Drug Foundation ACT—to ensure that what we deliver within the AMC can be continued by way of some through-care arrangement, not only whilst we have them under supervision after they have left the AMC but also when they enter the community. There are a number of other organisations that we still have not finalised our arrangements with and we expect to conduct a through-care workshop within the next month.

DR FOSKEY: Does that mean you will have finalised those arrangements by then?

Mr Ryan: Yes, indeed.

DR FOSKEY: Can you table for the committee a list of those organisations that you are negotiating with?

Mr Ryan: Yes, we can.

DR FOSKEY: That will be great; thank you. I have one more question on that. There is a lot of goodwill towards the prison in the ACT, as you would be aware.

Mr Ryan: In most people.

DR FOSKEY: A number of people I know are interested, in a volunteer capacity, in being involved, contributing their skills, being part of these programs. Is there any mechanism whereby they can offer their skills, the not inconsiderable skills they are to bring?

Mr Ryan: Yes, there is. We have already started on that as well by way of identifying those, firstly, who are interested in becoming part of what we are trying to do in delivery of services and then establishing which groups should be recognised and accredited as visitors.

We will go through a process of accrediting those groups and individuals within those groups who we think can help us. There will no doubt be many of those. The accreditation process is one that we have not started yet but we have identified the lists of organisations from which they are likely to come.

DR FOSKEY: Would you be able to table that for the committee, too, please?

Mr Ryan: Yes.

MR SMYTH: To follow up some of those questions: how many health practitioners by number and type will be on the site or is that—

THE CHAIR: That would be for the Minister for Health.

Mr Corbell: You should ask the health department. They are responsible for corrections health services.

MR SMYTH: If you are negotiating with them, you must be aware of what services they are going to provide?

Mr Ryan: No, I am not aware of the detail at all.

MR SMYTH: At all?

Mr Ryan: No.

Ms Leon: Of course, we have had involvement in the development of their proposal and it has been considered at a whole-of-government level, but we do not do the final determination of that service. I think it would be unwise for us to attempt to comment on the final detail of it.

THE CHAIR: We will leave that to the Minister for Health; she will be here tomorrow.

MR SMYTH: Will health bill corrections for the provision of that service?

Ms Leon: Health has been directly funded.

Mr Corbell: The government is paying health directly.

MR SMYTH: I see. That is for health, is it?

Mr Corbell: Just to clarify how this works, I draw your attention to the relevant legislation that went through the Assembly last year where it was quite explicit that the statutory responsibility for delivering of corrections health rests with health. Of course, there is a close relationship but the detail of the staffing and the classification of staff within the health facility is a matter you would need to ask health about.

MR SESELJA: Those costs are not then included in the overall budget?

Ms Leon: They are in the health budget.

MR SESELJA: But they are not in this budget.

MR SMYTH: Are employment and vocational education services in the education budget or does corrections pay for that?

Mr Corbell: No, they are delivered by corrections.

MR SMYTH: How much will be spent on voc education?

Mr Ryan: I will have to take that question on notice to give you the exact figure, but we have embarked on an arrangement with an external organisation to deliver the vocational educational training services for us, on the basis of a contract.

MRS DUNNE: Who is the external organisation?

Mr Ryan: Auswide is the name of the organisation.

MR SMYTH: You will give us a breakdown of the cost and what services they will provide?

Mr Ryan: Yes.

MR SMYTH: How much will be spent on victim awareness? In the rehabilitation process, how much focus will there be on victim awareness amongst those that have perpetrated crimes and how much will be spent on it?

Mr Ryan: Once again, I would have to give you the figure separately but, in every case, prisoners would be asked to address their offending behaviour through programs and through their case managers. In particular, the therapeutic community organisation represents a fairly large slice of what we would spend there but I would have to separately break down that cost for you. The big difference with the AMC is going to be that no-one will come out of the AMC without having addressed their offending behaviour and without having been in some form of program, which is not currently the case for our prisoners in New South Wales.

MR SMYTH: I understand. How much will be spent on substance abuse rehabilitation and who will provide that service?

Mr Ryan: I can provide that for you.

MR SMYTH: Yes, that as well. Is it intended to help people improve their general life skills, as opposed to education and vocational? If so, who is providing it and how much will be spent on it?

Mr Ryan: Once again, that will come through the vocational and educational training contract, which will also account for things like preparation for release, which would cover things like preparing a prisoner to enter the community again, applying for a job and accessing services in the community.

Ms Leon: The other aspect of that is the cognitive skills program. As you might know, that capacity to take in information and make sensible decisions based on that information is a part of the cognitive skills program that you might also characterise as life skills.

MR SMYTH: So you will tell us what cognitive skills will cost and what services will be provided?

Mr Ryan: Yes. Perhaps the most important aspect of life skills will be the fact that, when prisoners graduate to living in a cottage, they will essentially be living in a house and they will be asked to prepare their own meals, budget and do things that perhaps they have not done before. It will prepare them, in a way, to live in a normal situation.

MR SMYTH: That is great. Will there be any work obligations on the prisoners?

Mr Ryan: Yes. The difference between the AMC perhaps and some other prisons is that we will not rely on industries to keep prisoners busy. Our focus is vocational and educational training and addressing offending behaviour. With the numbers that we have and the divisions within those numbers that we must have—men, women, remand, sentenced and people who are separated for protection reasons—it is difficult to establish viable industries. By that we mean a work arrangement that generates a profit and covers our costs.

We are still exploring some opportunities there, but we do not need those things to keep prisoners busy. We will keep them busy enough with the vocational and educational training, plus the normal work tasks that are available in a prison anyway, such as laundry, keeping the grounds clean and running the kitchen.

MR SMYTH: What do we pay prisoners? What is the hourly rate or the daily rate?

Mr Ryan: I would have to defer to Mr Folpp on that question.

Mr Folpp: The unemployment rate, from memory, kicks off at about \$3 a day. It is a tiered approach on a privilege regime. They commence their employment at around \$5 per day; that is for normal service employment throughout the facility. That then starts to escalate as we look at each prisoner's programs, educational needs and what they are actually attending. Therefore, if a prisoner was employed for five days a week and he was also attending to his offending behaviour through programs, then he

or she may be paid, for example, around \$6.50 a day. A prisoner who is employed full time and who is actually attending the programs and education on top of that will get paid about \$7.50 a day.

MR SMYTH: What is the entire budget for the corrective programs and the education programs? What are the various components, the breakdown and the pay scale?

Mr Corbell: We can provide that. I qualify that by saying that some of these contracts are yet to be awarded. So there may be some generalisation around some of that, because the final contract figures are yet to be determined, but we can certainly provide a breakdown of what we anticipate.

MRS DUNNE: Minister, how many staff have been recruited and what is the target establishment for the opening of the prison?

Mr Corbell: I will ask Mr Ryan; he has those figures. We recruited about an extra 60 staff. What is the total establishment, Mr Ryan?

Mr Ryan: As the minister said, we have recruited about an extra 60 staff. That is uniform staff, and we have a number of non-uniform staff recruited as well, and still more to go. The total numbers at the AMC will be: uniform staff, 132, non-uniform staff, 42, giving a total of 174.

MRS DUNNE: And you have had to recruit about 60 new staff?

Mr Ryan: We had to recruit about 60 new staff and about another 30 non-uniform staff. This number has varied and changes from week to week, depending on who leaves the organisation. Suffice to say that right now we have enough uniform staff for the AMC.

MRS DUNNE: What are those people doing while the AMC is being completed?

Mr Ryan: They were recruited early on purpose so that we could release existing staff to undergo the fairly lengthy amount of training that they need to have before they move into the AMC. That program is underway.

MRS DUNNE: So the existing staff are essentially remand centre staff?

Mr Ryan: Those at Belconnen and Symonston.

MR GENTLEMAN: Where does that training take place?

Mr Ryan: The training takes place at Belconnen and Symonston, and some of it in here. In due course they will all be doing extra training on site. We have some officers on site already, but as soon as we have the facility handed over to us we need to spend about four weeks to do training on the site, particularly to familiarise people with the technology that is available there, the layout of the site and also to conduct some exercises with other stakeholders such as police, fire and ambulance.

MRS DUNNE: Minister, where have the new staff been recruited from?

Mr Corbell: A large number have been recruited from outside the territory, particularly in the surrounding regions of New South Wales. I had the real pleasure of meeting a large number of the new staff and their families at a graduation late last year, and a surprising number of people have come from quite long distances. I met a gentleman from Bourke, for example, who has brought himself and his family here, and there are people from northern parts of New South Wales, from Victoria and South Australia. There have been quite a large number of people from outside the territory as well as some people from inside the territory. I know that corrective services have also undertaken recruitment activity in New Zealand. We have had a strong level of expression of interest from people in New Zealand. I am not familiar with whether any of those people have actually made the transition to the ACT, but a large number of the people are from outside the ACT.

MRS DUNNE: Did you recruit in Junee?

Mr Corbell: Yes, we did.

MRS DUNNE: Why is that?

Mr Ryan: We recruited in Wagga and we did draw a number of existing staff from the private prison at Junee.

MRS DUNNE: At one stage, minister, you said that you did not want to recruit people out of existing prison systems because you wanted to create a new ethos, so why are we recruiting people from Junee?

Mr Corbell: I do not want to tar everyone with the same brush, Mrs Dunne. A number of new recruits are people who have previously had experience in corrections facilities.

MR SESELJA: How many have previous experience?

Mr Corbell: I would have to take on notice how many there are. My advice is that people with previous corrections experience certainly do not comprise the majority, but if people have been deemed to be suitable then they have obviously been offered a position. Having spoken to a number of people who have come from other corrections facilities, they are coming to the ACT because they do not want to work in an environment that exists in some prisons interstate. They want to work in a new model and they want to contribute to a new model. So they bring that attitude as well as the experience of what is good and bad about other correctional facilities. We give them full training in human rights principles and in the operating philosophy of the prison, which is the healthy prison model. Whilst I am happy to provide the detail of the backgrounds, I think I can confidently say that the majority of people recruited have not had previous experience in corrections.

MRS DUNNE: The people who had previous experience in corrections would have been reference-checked through the previous corrective services organisations?

Mr Corbell: There is a very detailed vetting process that Mr Ryan and his staff

undertake, and that covers all aspects. There is also psychological testing as part of this role. This is a challenging role; there is no doubt about it. It is important to stress that, regardless of a person's background, they are all run through the same training program. We do not differentiate; we do not take any knowledge for granted, and we do not assume anything in terms of the skills of the person. They are all provided with the same level of training.

MRS DUNNE: You did make a substantial point, minister in saying that you did not want to recruit out of the existing prison systems.

Mr Corbell: Yes, and I stand by it, and that has largely been the case.

MRS DUNNE: What is the gender mix? You can take that on notice.

Mr Ryan: I could not give you the exact figure. For us, the gender mix remains disappointing. We would like to do better with that, if only because we must have women on every shift, and it is sometimes a struggle to do that. We manage, but I can get you separately what that mix is. We are always on the lookout for suitable women to recruit. Of those that remain to go on course—and having recruited all the uniform staff that we need, we have about 20 now waiting to start a course if we want them—there are five or six women amongst that group that we would be very interested in.

MRS DUNNE: So you have got a waiting list; is that what you are saying?

Mr Ryan: Yes, we have.

THE CHAIR: We will have to move on because we only have 10 minutes for each output class.

MR SESELJA: We have barely touched on it. You said that we had some more questions coming here, chair.

THE CHAIR: You have had several in this output class already.

MRS DUNNE: But you also said that he could ask questions after me.

THE CHAIR: Okay, go ahead, but this is the last question.

MR SESELJA: Thank you, chair. Minister, will the separation requirements—men, women, sentenced, remanded—be complied with at all times in the new Alexander Maconochie Centre?

Mr Corbell: Yes.

MR SESELJA: With respect to the figure on page 239 of budget paper No 4 for a reduced risk of offenders reoffending, there was a 65 per cent target for 2007-08, and there is a 65 per cent target again. Is there a reason, given we are opening a new prison, that we do not have improved targets?

Mr Ryan: That target is based on the results that we have seen in the past. We think it

is a realistic target. I sometimes think it is a bit too optimistic. It is based on the application of an instrument which measures the likelihood of re-offending and that instrument itself is not perfect. I would be inclined not to try to push that up any further at this point. That does not mean that we will not be endeavouring, wherever possible, to reduce the risk of re-offending.

MR SESELJA: Minister, is not one of the ideas behind the Alexander Maconochie Centre that we will have a human rights prison in the territory and, therefore, we would reduce these indicators? Why are we not expecting that would be the case?

Mr Corbell: It is important to remember that this existing measure does not take account of any sentenced prisoners. It only involves those existing clients of corrective services in the ACT—people on a community corrections type program or periodic detention. It does not include sentenced prisoners. I think it is important to stress that, when we have that sentenced prisoner population back in the territory and we have a better understanding, as our experience will slowly build over time, of their needs and patterns of behaviour following release, we should be able to build an improvement in that figure. But that figure at the moment relates only to community corrections; it does not relate to the sentenced prisoner population, who are quite a different kettle of fish.

MRS DUNNE: It probably needs to be better annotated in the indicators.

Mr Corbell: Yes. I am happy to clarify that. It is a reasonable point.

MR SMYTH: To go back, Mr Ryan, to recruitment of staff, did we actually end up recruiting any Kiwis?

Mr Ryan: We have six Kiwis waiting. We have interviewed them. They are at the point where they only need to do a medical and come and do a course.

MR SMYTH: Nobody hopes that it will ever happen but often prisons become quite rowdy places. I assume there is an armoury on site.

Mr Ryan: Yes.

MR SMYTH: So the staff will have full training on riot control, crowd control?

Mr Ryan: Yes.

MR SMYTH: What weapons will they have access to? For instance, will Tasers be used in the prison? Are there pistols, rifles, semiautomatic weapons?

Mr Folpp: Yes, some. At the moment we are actually just working through that segment in regard to weapon control and what we should do. It is not only necessarily at the AMC but you are also aware that we have the court transport unit as well; so we are looking at a holistic approach as to what we should do there.

MR SMYTH: In court transport, the transport officers would be armed as they left the prison?

Mr Folpp: The court transport officers are only armed when they are going interstate at the moment. As far as internal escorts are concerned in the territory, they are not.

MR SMYTH: And I assume there is an armoury built in the prison?

Mr Folpp: Yes, there is. It is located in the gatehouse.

MR SMYTH: And the normal array of weaponry would be what?

Mr Folpp: Normally in an armoury within a correctional facility, you would have anything from security belts, handcuffs, batons, shields and then a variety of weaponry if it is so desired, whether it be handguns or whatever the case may be, and chemical agents.

MR SMYTH: Which is what, teargas and capsicum spray?

Mr Folpp: Yes.

MR SMYTH: Will Tasers be used in the prison?

Mr Corbell: No.

MR SMYTH: Why not? They seem to be a reasonable enforcement tool. Why will they be excluded?

Mr Ryan: We looked at this some time ago. We are at pains to try to minimise the options for force, including firearms. In looking at Tasers, we felt that we did not need Tasers. If we encounter a situation where a Taser is required we could always fall back on the AFP.

Mr Corbell: There is detailed planning occurring between corrective services and the Australian Federal Police. There is clearly a point at which prison staff—you always have to plan for a contingency—will no longer be able to maintain security on their own. If and when that scenario occurs—and we all hope that it never occurs—the involvement of the police is important; so there is detailed discussion between the police and corrective services about protocols, arrangements, communication and the respective capacities of each service.

MR SMYTH: Who will determine when conditions have deteriorated far enough inside the prison that the police might be called?

Mr Corbell: The superintendent is in charge of the facility and the superintendent has responsibility for the security of the facility.

MR SMYTH: Going back to the things that might be in the armoury, are we aware of what pistols or rifles might be purchased and in what numbers?

Mr Corbell: I do not really see what point is served by stating the type and manufacture of weapons.

MR SMYTH: I would like a cost.

DR FOSKEY: There are a lot of other areas to cover.

MR SMYTH: There is a reasonable concern. I would also like to know the cost. If you want to take it on notice, go for your life.

Mr Corbell: I am happy to take the question on notice and provide you with more detail in relation to that, but I fail to see what public benefit is served by saying whether it is X manufacturer or Y manufacturer in terms of the types of weapons available.

MR SMYTH: I want to understand the budget that you are putting together.

Mr Corbell: We are happy to provide details about the costs.

MR SMYTH: I would also like type.

MRS DUNNE: I want to follow up on this. Mr Folpp, you said you are working through this process as to what would actually be in the armoury. Is that correct?

Mr Ryan: Yes.

MRS DUNNE: So you have not finally decided what is going to be in the armoury?

Mr Ryan: No.

MRS DUNNE: Mr Ryan has said that people have trained. So they are not fully trained because they have not had the appropriate weapons training because you have not worked out what is going to be in the armoury.

Mr Ryan: That is not exactly correct. We have already embarked on training for some officers in relation to things that may be in the armoury. They are all trained on the vast majority of devices that would be in there—handcuffs, batons and firearms. As of today, every one of our officers, in their initial 10 weeks training, is trained on that, including firearms.

I think when we move to the future we may well move away from the necessity to have all of them trained on firearms. We have yet to make a decision on the precise makeup of that armoury and what will be in it, as Mr Folpp said. When we do, it could be that the training requirement will be less than it is now, not more.

THE CHAIR: I think we can now safely move to the next output class, which is output class 3, courts and tribunals. Thank you, Mr Ryan and Mr Folpp.

DR FOSKEY: Can I check whether we are going to get to the ICRC this morning?

THE CHAIR: I hope so. I am in the hands of the committee. They requested additional time for that output. We are starting a bit late on this one because they took

so much time in the other areas. I am sorry about that. I apologise.

MRS DUNNE: I wanted to touch on the new civil and administrative tribunal bill. What savings do you envisage making as a result of this new structure and where are those savings going to be?

Mr Corbell: We are not anticipating savings per se but we are anticipating a better use of existing resources than at the moment. I guess there is a difference.

MRS DUNNE: There is a difference. I understand.

Mr Corbell: So the government is not anticipating any reduction in expenditure as a result of this co-location and amalgamation of tribunal functions but we are seeking to ensure that our tribunals are given a more equal level of support across the board. At the moment, some tribunals are well resourced and have a well-established secretariat function—for example, the AAT—but other tribunals do not. We do, I think, have an unnecessary level of duplication of things such as registry service but also basic things like forms and procedures that could be standardised and harmonised across all tribunal functions.

So the intention is to bring together all the secretariat and registry support functions that currently exist for all of our tribunals into a single entity and they will support the function of the consolidated tribunal. That will allow us to do such things as standardise forms, standardise processes, where appropriate, and share staff across the tribunal functions.

MRS DUNNE: When you say “staff”, you are actually talking about administrative staff, as opposed to—

Mr Corbell: Members, yes.

MRS DUNNE: There will still be a guardianship panel, a residential tenancy panel?

Mr Corbell: There are three divisions for the new tribunal structure. Within those divisions, there will be specialist members appointed to deal with the range of matters within each of those divisions.

MR STEFANIAK: What are the divisions?

Mr Corbell: I forget the names of the divisions now. I might need to seek some advice on that. I am sorry, I cannot recall the divisions in them.

MR STEFANIAK: There are three distinct roles that they have.

Mr Corbell: There is administrative review, there is a human rights type function and then there is a general division. I stand corrected. I will take it on notice because I cannot recall off the top of my head. The three divisions encompass the range of functions currently performed. We have those administrative review functions, we have those human rights protection functions such as mental health and guardianship and there is the occupational registration and disciplinary type functions, whether that

is legal practitioners, building, health and so on. They are all sitting in that occupational registration type function.

MRS DUNNE: Does the Residential Tenancy Tribunal come under that?

Mr Corbell: Yes, the Residential Tenancy Tribunal is included.

MRS DUNNE: Which of those divisions will it come under?

Mr Corbell: Again, I would need to take it on notice.

Ms Leon: Can we provide you on notice with the three divisions and which functions appear under each of those.

THE CHAIR: Yes, that would be much better; otherwise we will be here all day.

MRS DUNNE: The point I want to drill down to is that there will be specialist panel members. People that have expertise, say, in mental health will be there and not doing administrative stuff?

Mr Corbell: Yes. The basic requirement will be that the presidential members will need to be people with legal expertise and capacity to ensure that there are proper process and natural justice principles applied throughout the operation of the tribunal's functions but then there will remain the appointment of specialist members to deal with particular tribunal activities. For example, mental health, guardianship, planning, occupational registration and disciplinary functions—all of those specialist members will still need to be appointed and will be appointed by the government for those functions.

MRS DUNNE: Will those specialist enabling acts be substantially modified?

Mr Corbell: They are all amended by the existing bill.

MRS DUNNE: But are their powers substantially changed?

Mr Corbell: No, their powers are unchanged.

MRS DUNNE: The AAT act, for instance, will still be substantially the same. What changes are the mechanical aspects?

Mr Corbell: The change is in relation to how the actual tribunal is constituted. The bill makes reference to the respective acts in relation to the powers of those individual tribunals. The government has not, in that bill, removed any of the powers or functions of the respective individual tribunals. It is essentially a mechanical act to bring them together and create a new structure for the administration of the tribunal.

MRS DUNNE: And how widely was this consulted?

Mr Corbell: It has been extensively consulted amongst key stakeholder groups, through the development of a discussion paper, which was released for public

comment last year. Comment on that closed, I think it was, late last year or early this year, and the government has spent the remaining period of time developing this model.

Broadly speaking, there was consensus amongst all stakeholders about the desirability of an amalgamated tribunal structure. There was some variety of views about which tribunal should or should not be included but, generally speaking, there was quite strong agreement that there were benefits in a consolidated tribunal function.

MRS DUNNE: Is there somewhere summarised or tabulated results of that consultation?

Mr Corbell: I have not released any consolidated summary of comments received.

MRS DUNNE: That is not the question. You said you have not released it. Does it exist?

Mr Corbell: Only that that has been provided to government for our decision making.

MRS DUNNE: Could the committee see it?

Mr Corbell: I can probably provide you with a summary of the comments received. I would be happy to do that.

MR STEFANIAK: Basically, you are not looking at making any savings, surely, by bringing all the administrative areas together?

Mr Corbell: No. As I said to Mrs Dunne earlier, it is about better utilisation of existing resources, not about reducing expenditure. We are providing improved secretariat and registry type support to all of our tribunals by bringing our disparate resources together into a single point.

Ms Leon: At the moment, some of the tribunals barely have any secretariat support; so you are essentially spreading the current, not overly generous, secretariat and registry services around so that all tribunals are getting an equal and satisfactory level of support.

MR STEFANIAK: Why bring the Small Claims Court in there?

Mr Corbell: The government took the view that there was quite a high level of support for that, particularly amongst the legal profession, and we also took the view that that jurisdiction did not need to be in the Magistrates Court; it actually distracted the Magistrates Court from the more significant matters it needed to deal with.

There were also some issues with timeliness. The small claims jurisdiction does not take precedence over more important matters that the Magistrates Court needs to deal with. In terms of improving access to justice for people who do have small claims matters that they want to see resolved, we felt that a more timely avenue to get resolution of those matters was to move the jurisdiction to the consolidated tribunal.

MR STEFANIAK: I have got a couple more questions. On page 240, if you look at (f), (g), (h) and (i), what are the reasons for the variances in indicators between the budget and the estimated outcome for 2007-08?

Ms Leon: You will see on that page a lengthy footnote that does go into the reasons, the factors that influence that. In summary, in relation to the Supreme Court, the personal injuries caseload is small but, as a proportion of the caseload in the Supreme Court, it is quite significant. You only need a small number of long-running matters—in personal injuries, it can be because the whole matter has gone away for medical reports or further investigations or matters that are outside the court's control—to lead to a number of cases exceeding the benchmark and throwing out the average.

There are also some changes because of changes we have made to the rules. Although they slightly lengthen the process, they do ensure that cases are better prepared for hearing. That has led to some cases extending beyond the benchmark.

Thirdly, in the Coroners Court, similar to the personal injuries caseload, quite often a case is still pending but it is pending because it is in the hands of some other body for further work, such as the police or the health department, where further work needs to be done before the case can be heard. That means that the case stays pending in the list, even though there is nothing the court can do to advance it.

In regard to criminal matters—and you will be aware of a number of high-profile criminal matters that have ended up going on appeal, including as far up as the High Court—they still stay on the pending and unresolved cases of the court while they are waiting to be retried or whatever. That makes the case go for a substantial period of time. Because of the small number of cases in the jurisdiction overall, you only need a few cases where something extraordinary like that happens to throw out your indicators.

MR STEFANIAK: Given that we do have these variances, why is the zero benchmark target there? Do you consider that reasonable?

Ms Leon: That is a nationally set target. We use the targets in the Productivity Commission report on government services, which is the national benchmark. We seek always to try to reach those targets but we do accept that, because we are a small jurisdiction, we do suffer from some of the statistical swings and roundabouts that you can get with a small number of cases.

THE CHAIR: We will go now to the Legal Aid Commission. Thank you very much.

MR SMYTH: What legal services and issues are not provided by legal aid, whether in house or through external providers and, of those, which do you think they should be?

Mr Crockett: What legal services are not provided?

MR SMYTH: Yes.

Mr Crockett: We do not provide advice or representation in commercial matters nor

in things like conveyancing. There is a fairly small list of services we do not provide which are provided by the private profession. In summary, we provide the range of services in matters that people most commonly come up against in everyday life, with the exception of those more commercial or land transaction type arrangements. Otherwise, we provide a complete range of services.

I am not aware of any area where we could expand services except perhaps in the civil law area where we have had a declining activity since the mid-90s when the commonwealth changed the funding arrangements for legal aid and we were forced to spend more money on the priority areas of family law and crime with the result that civil legal aid did decline, not just here but in all legal aid commissions in the country.

We are trying to build this up again now, looking particularly at areas like the needs of elderly people, homeless people and people with mental illness and also moving into the human rights area, with the act entering into a new phase from 1 January next year. They are some areas in which we do hope to expand our services over the next four to five years.

MR SMYTH: What will occur with the prisoners' legal aid service and what additional costs are being incurred?

Mr Crockett: We have received some additional funding from the territory government this year to expand the existing service we provide, which is to remand prisoners, to sentenced prisoners who will be coming in from New South Wales. Of course, with sentenced prisoners, this service will be a broader one. With remand prisoners it is invariably focused on the needs in relation to criminal charges. With sentenced prisoners you have a whole range of legal issues that can arise—problems with family breakdown, care of children, problems with Centrelink, housing and so on.

Research and experience in other jurisdictions indicates that sentenced prisoners have much the same range of legal problems that people in the community do. Our new service, our expanded service, will be meeting the needs of sentenced prisoners across a whole range of problems.

MR SMYTH: How much money was made available for that purpose?

Mr Crockett: About \$140,000, which will enable us to employ an additional lawyer and an additional support staff person.

MR SMYTH: Thank you.

DR FOSKEY: Just a quick follow-up to that?

THE CHAIR: Yes.

DR FOSKEY: Do you feel that the change in the federal government will perhaps improve funding from the commonwealth to legal aid?

Mr Corbell: Perhaps I can answer this, and I am sure Mr Crockett can add his own observations on this. I have certainly had discussions with the federal

Attorney-General about this matter, as have my state and territory colleagues. It was a matter that we discussed at our most recent meeting of the Standing Committee of Attorneys-General. Mr McClelland has indicated that the government does want to review those arrangements. The existing division between commonwealth and state and territory matters is very unhelpful and denies justice to a lot of people. It is unnecessary, and that is the strong view of all the states and territories. There is strong sympathy for that position from Mr McClelland, and I am hopeful that he will be successful in achieving a change of policy direction that provides for more flexibility.

I think it is fair to say that the commonwealth will want to retain some discretion over the matters that it funds and to give emphasis to matters relating to commonwealth law. But, nevertheless, I think our position is that there needs to be improved flexibility in how those funds are distributed and a greater ability for those funds to be made available for criminal matters which are overwhelmingly within the state and territory jurisdiction. They are very aware of those issues, and I think that that policy work is ongoing at a commonwealth level. We are yet to see any outcome, but I am hopeful of a positive outcome. That accords with your view, Andrew?

Mr Crockett: Yes, exactly. The priority for us so far as changing the commonwealth's arrangements is to be able to use commonwealth money, where necessary, in proceedings arising out of family disputes. At the moment, of course, commonwealth funds are restricted to proceedings under the Family Law Act and they do not extend to things like domestic violence or carer protection proceedings. We are hoping—when I say “we” I mean National Legal Aid—to persuade the commonwealth to at least relax the current guidelines to enable us to use commonwealth money in family dispute-related matters, and I am hopeful also that we can use it to expand our advice service, so to use commonwealth money when we are advising people about territory law matters as well as commonwealth law matters. But, as the minister says, we do not have an answer yet. I am cautiously optimistic, though, that we will make some progress with the new government.

MR STEFANIAK: With respect to budget paper 4, pages 524 and 525, why is the cost of outsourced legal aid services forecast to increase by \$52,000—if you look at the government payments it is more than that; it is about \$140,000—when the number of grants referred to private practitioners is forecast to fall by 10, from 1,460 down to 1,450?

Mr Crockett: I might have to take that one on notice, Mr Stefaniak.

MR STEFANIAK: Thanks.

THE CHAIR: Thank you, that is fine. You will take that on notice.

MR SMYTH: On page 532, at the fourth dot point, which explains the balance sheet, there is \$300,000 for property, plant and equipment, and it says that this is mainly due to a planned security upgrade. Why the upgrade, and what will be provided with this money?

Mr Crockett: We had an incident in the reception area of the Civic office last March where a client assaulted a student from ANU and the supervisor who were

interviewing him. We have ANU students working as part of the student intern program. The duress alarm system was inadequate; the response to the incident was inadequate. We got advice from a security expert, who recommended we upgrade security in our interview rooms and in reception areas generally. So this money is going to be used partly for that.

There is also to be some general refurbishment of our premises. We received some additional money from the territory to do that. The premises have not been upgraded for 10 years. We have also got permission from the commonwealth to use some commonwealth money for that purpose.

MR SMYTH: When you say that the response to the incident was inadequate, is that the police response?

Mr Crockett: No, the reaction of staff to the duress alarm. We had not had a duress incident for a number of years, as I understand it, and staff were not sure how to respond. That has now been addressed with improved training and documentation procedures.

MR SMYTH: So the duress alarm goes to an outside source now?

Mr Crockett: No, it will still be an internal duress alarm, but staff have been trained in what is to happen by way of response.

MRS DUNNE: Do you have drills in the same way you have fire drills?

Mr Crockett: We have had a drill, yes.

THE CHAIR: We might move on to the Independent Competition and Regulatory Commission. Thank you very much, Mr Crockett. Mr Baxter, welcome to the table.

MR SMYTH: Mr Baxter, in budget paper 4 at page 501 in your objectives the first dot point is to promote competition. What activities did the commission undertake in the financial year to promote competition?

Mr Baxter: In terms of that particular requirement the role that we have in the ACT has been one to provide advice to government on a number of occasions and also in addressing matters that are referred to us, particularly in relation, say, to electricity pricing for the transitional franchise tariff; to address issues to do with the extent to which decisions that might be made in relation to those prices might impact upon the ability of competing suppliers to supply product into the ACT.

On occasions over a period of time the ACT government has asked for advice on particular matters relating to competition. You may recall, for example, the review into the laundry services, which was undertaken on competition grounds a couple of years ago. But primarily it comes out of reports that we look at relating to utility pricing matters that come before us.

MR SMYTH: Are you being consulted on the cost of the dam and the flow-on effect from that project to consumers in terms of the cost of water?

Mr Baxter: I assume you are referring to the Cotter enlargement?

MR SMYTH: Yes.

Mr Baxter: Yes, most certainly. The issues there are issues relating to the capital expenditure on the development of the Cotter and other works that are designed to provide security in the supply of water to the ACT. That exercise comes before us as part of seeing the prices for water and waste water services going forward for the next five years.

As part of that, we undertake our own independent evaluations of the prudence and efficiency of the proposed costs and indeed the works. We reach conclusions on that and, to the extent that they are seen as being prudent costs and the projections, in this case, being reasonably efficient, those costs are then wound into the revenue requirements that Actew has to provide water and waste water services to the ACT.

MR SMYTH: Just on the waste water services, the government has some ideas about recycling sewage for drinking water. Will you be involved in that and do you have an opinion on the costs of that?

Mr Baxter: Certainly. The issue of the possible recycling works is a matter where a final decision has not been taken by government, but the commission has made it quite clear that in looking at that matter we would expect to have a full cost-effectiveness cost-benefit evaluation done, particularly in the context of competing potential sources of supply of water and associated reliability.

These would be the normal things that one would expect to see occurring and, while the costs of that particular project are not built into the price path that exists for waste water or water services at the moment, there is provision for us to relook at that matter over the next five years should further studies come to a conclusion that it is prudent to undertake that and it is efficient to proceed down that track.

But we have made it quite clear, and I stated this publicly and in the report on water that was released a month or so back, that the commission will be looking very closely at that matter because, in the work that we have done in the lead-up to the current price determination, it is clear that there are a number of other options. Indeed, Actew freely acknowledge that; they have publicly stated that at public hearings that we have held. There are a number of other options and those other options may be a more cost-effective and efficient way of delivering water security to the ACT.

THE CHAIR: Mrs Dunne, you have a supplementary?

MRS DUNNE: I have got a couple. Directly on that, Mr Baxter, in your assessment of cost effectiveness would you see it within your purview to look at the issues of public health?

Mr Baxter: Certainly. That matter has been raised before, Mrs Dunne, and the issue is on the table, as it were, in terms of part of the overall prudence and the costs associated with the project.

MRS DUNNE: So it would come under the remit of prudence?

Mr Baxter: One would envisage that it would be looked at as part of the cost-effectiveness proposal that would come before us and we would look at it at that time.

DR FOSKEY: I have a supplementary to that. I have become aware that, when you are establishing a price for water, like other similar commissions around the place you look at assets and do not take into account issues like supply and demand. You can contradict me if you like, but this is what I have been informed. So I am wondering whether there is any move, given the issue of climate change looming, to change the way the pricing of water is constructed so that it can work more on a demand and supply basis. What will happen is that water will go up once we have got a bigger dam and water will go up if we get a recycling plant, but it will not have anything to do with climatic conditions and so on.

Mr Baxter: I am not quite sure I fully follow the logic of the question, to be quite frank, in the sense that we—

DR FOSKEY: Would you like me to try again?

Mr Baxter: No. We do address the issue of supply and demand; I think that is the response to that. We are looking at the issue of supply and demand. In fact, the issue of demand is a very fundamental issue that we have to consider; likewise the issue of supply and the ability of the water utility to have access to water to make that supply that is required.

In the pricing determination that is made, we are looking very closely at the issue of what the impact of new investment, be it in capital equipment or operating or maintenance costs, has upon the price that people are asked to pay.

The existence of additional capital works that have been built into the current price path at the moment is designed to give that level of security that Actew is required, as it were, to provide in terms of reducing the reliance upon water restrictions while at the same time maintaining appropriate demand constraints in terms of pricing and in terms of good practice, so that people do not overuse water and we do not revert to the old practices of the past, where we have used possibly too much water for household or other purposes. So we do look at all those matters.

DR FOSKEY: I guess I go back to my question: is there a chance of moving to a pricing structure where supply and demand have a greater weight in the calculations?

Mr Baxter: Thank you for that. The issue of supply is very much there in the sense that—

DR FOSKEY: I can see that supply is.

Mr Baxter: So is demand. You will note that, in fact, prices have gone up quite considerably over the last five years; we have more than doubled our prices for the

supply of water over that period of time. The way in which prices are put together—and maybe this is the point that you are getting at—at the moment is that we have a volumetric supply arrangement which relates to how much water people use. We have what we call an ‘inclining block tariff’ arrangement, so the first 200 kilolitres that a household uses they get at a certain rate and the rate that applies after that is double that rate, and there is a small fixed charge.

The reason we have that design of pricing structure is to try to address some of the social welfare issues to do with people having access to what is a basic requirement to meet their health, hygiene and just general good management of home affairs requirements. So it is in that sort of context that we address those prices.

THE CHAIR: Mrs Dunne might need to go back to her question at this stage. I just want to check with you, minister, as we still have not done the Public Trustee of the ACT, whether you have five minutes so that we could do that, or not.

Mr Corbell: If you have got questions for the Public Trustee.

THE CHAIR: I am not entirely sure; have we? Mr Smyth has one.

MR SMYTH: I was going to put them on notice, but as they have been here all morning they should at least get a chance to come up to the desk—

THE CHAIR: One question.

MRS DUNNE: Mr Baxter, you may have heard the comments made by the Chief Executive Officer of Actew yesterday in relation to the cost of the dam and the cost of building and civil works. If the cost of the expansion of the lower Cotter dam were to increase substantially, is that a trigger that would allow Actew to come back to you for subvention on the water price to cover their capital expenditure, and, if so, how much does it have to go up before that happens?

Mr Baxter: Under the price determination that exists and the way in which we set price determinations going forward—they are what we call ‘incentive regulations’ so you actually seek to predetermine the efficient cost of both capital and recurrent expenditure and then encourage the entity to operate within that efficient cost level—the projections on capital works were provided by Actew and we reviewed those and made some slight modifications, but basically accepted those as being prudent and efficient and they will lock in now for the next five years.

In terms of the capital works, if it finishes up costing a good deal more, we have already provided in this next budget almost a fourfold increase in their capital works budget going forward for all these works and it is anticipated that what would probably happen is that Actew will organise their capital expenditure around that. So we do not reopen the determination on the basis of those increased costs they face now. What happens, however, is at the beginning of the next five-year period we would take on board the efficient costs they have actually incurred, build that into the price path and to the extent that those efficient costs have increased they can be locked into the price path going forward. But we are not going to reopen on the basis of that.

MRS DUNNE: But—

Mr Baxter: The only reopening of the determination, if I might be allowed to continue that, just to cover the point, that we have allowed in the price path in terms of capital works is if the decision was made and the proposal was then put to the commission, probably at the end of year 3 in actual fact, that either what we call phase 2 projects, that is the Tantangara water transfer arrangement whereby we buy water and hold it in Tantangara and take it out of the Murrumbidgee that way, or the water reuse project at lower Molonglo, were put forward or we subject those to review. They are the only two major capital works projects which would cause a reopening before the end of this next five-year period.

MRS DUNNE: On that subject, the reading of your decision says—and correct me if I am wrong because it is a couple of weeks since I read it—that, if there is essentially a government decision to go down either of those paths, you would relook at it. But, for instance, if the government decided to go down the path of water reuse but when you looked at it you found that it did not meet the prudent and cost-effective measure, what would happen in that circumstance—if there was a government decision to go down a particular path, but you as the pricing regulator said, “I do not think this is a prudent use of capital investments”?

Mr Baxter: What we have endeavoured to do is signal quite clearly what the commission would normally do and what approach we would use, and we would anticipate that would be the approach that would be taken anyhow, as part of any prudent decision-making process that would be made to bring those matters forward. So it would be in that context that I would envisage that we would then receive the proposal, if that was to be a proposal that was brought forward.

MRS DUNNE: I hope your optimism is rewarded.

THE CHAIR: Thank you, Mr Baxter. I think we need to go on to the Public Trustee for five minutes as the minister has kindly allowed us to extend by a few minutes. We need to do that straight away. I welcome Mr Taylor.

MR SMYTH: Mr Taylor, a stated goal of the Public Trustee is to be ultimately financially autonomous, and you state that in the CEO’s report on page 6 of the annual report. I note government payments for the outgoing years are forecast to be \$643,000 for 2008-09 with increasing amounts in the outyears. And then on page 538 I see that the dividend is decreasing in the outyears. I guess the question is: do these budgeted figures put the Public Trustee at odds with the stated goal and, if so, why?

Mr Taylor: No, not at all. The issue about the dividend is directly related to an injection of moneys from the commonwealth that we received last year that covered a relocation from our previous premises, which was undertaken at no cost to ACT government and provided us with new premises for 10 years. The need to include that, because we run a separate set of accounts to our department, skewed the figures for last year to the extent that we received in the order of \$500,000 funding and spent an inordinate amount; there was always an extra amount. This year we had to allow for depreciation of that, so in real terms the amount of dividend being paid to government

this year is in fact higher if you discount the injection of funds from last year.

The other part of the question that you asked related to the community service obligation component. The Public Trustee is largely self-funding. We receive in the order of \$600,000 seed funding for community service obligations. The \$600,000 is very roughly broken up into an amount of money that is provided, around \$130,000, for the Public Trustee's insurance requirements, quite extensive insurance requirements given the liability that we carry, IT infrastructure, and the balance of around \$400,000 would be for the provision of community service obligations, such as acting as financial manager under a guardianship financial management order.

Again, in other jurisdictions the amount that is provided for community service obligations is increased every year in accordance with a particular formula. We have sought not to do that; we have sought, alternatively, to build the business that we undertake. What I mean by 'financial autonomy' is that if we say we receive \$600,000 in funding from government each year, because we return 50 per cent of our surplus to government each year we will need to achieve a \$1.2 million surplus in order to return the government its injection of \$600,000.

Again, we have signed a memorandum of understanding with the Department of Justice and Community Safety, in part to cover the cost of the provision of services by JACS to the Public Trustee. This is probably the second year that our funding came directly from Treasury rather than through justice, so we have an anomalous situation in the sense that we are provided with funding from Treasury and we return a dividend to Treasury but the justice department carry a number of costs that we do not currently compensate them for. So we will be looking again at achieving that as part of our autonomous arrangement.

MR SMYTH: If the aim is still to be financially autonomous, and clearly it is, when?

Mr Taylor: That was a question I was asked when I was appointed to the position and I had set five years, which is the length of my contract, I guess. I am pretty sure that we will achieve that. You will notice in our statement of intent that we have a couple of fairly major initiatives that we hope will come to fruition. One is a proposal that I have made to the long service leave authority, that we take over the financial management for the authority for some \$80 million in funds that they manage. Presently, they are externally managed by an organisation outside the ACT and we believe that we can provide them with a much more prudent and diversified form of investment, within the ACT, of course, and that alone will make a significant difference to our viability as well.

MR SMYTH: Is that likely to occur? When will you have a decision?

Mr Taylor: I am quietly confident.

MR SMYTH: I also notice that one of the other dot points on page 533 talks about the continuing implementation of the review of the Public Trustee's investment arrangements, including phasing in a new international equities fund. What is the progress and what is the likelihood of that occurring in the coming financial year?

Mr Taylor: It has already occurred. We initially sought to increase our common funds to five by the addition of an international equities fund. That is commensurate with the requirements for the prudent person principle in the Trustee Act, in that we diversify as much as possible, not necessarily seeking performance but also seeking performance. As part of that, we were advised by external consultants that we should conduct a review of our investment arrangements. It had not been done; it is prudent to do that every five years, so we conducted a review through Russell Investment, external to Russell who were providing services to ACT Treasury at the time. We used them; a number of recommendations came from that, including the establishment of an international equities fund. We established the fund about two months ago. We have invested some new client funds into that and we are in the process of establishing new asset allocations to our three risk profiles.

THE CHAIR: We will have to stop now because the minister has to come back at 2 o'clock. Thank you very much, Mr Taylor, for staying the extra 10 minutes.

Meeting adjourned from 12.40 to 2.03 pm.

THE CHAIR: Do you want to make any opening remarks in regard to this particular area, minister?

Mr Corbell: No, thank you; I will try and answer your questions.

THE CHAIR: I have a sort of overview question. Pages 232 and 233, under 4.1 and 4.2, make reference to these measures in relation to community resources and services being able to (a) cope with a disaster in the first place and (b) cope with a recovery. I wonder if you want to give a bit more background on the community side of those resources—how the community is engaged, firstly in the emergency area and then in the recovery area—if you are able to do that.

Mr Corbell: Preparedness involves a wide range of strategies and measures. They range from everything to do with community education through to programs that are designed to equip members of the community with the capacity to respond to and cope with an emergency should it occur.

On the emergency preparedness side of things, education is delivered by the ESA in a wide range of ways. For example, we have the FireWise program, which provides education to rural leaseholders on preparedness of their properties in the event of a bushfire. The Rural Fire Service, the ACT Fire Brigade and the SES all undertake community education functions in terms of preparing homes for floods and storm events. For example, the SES has run a series of coordinated campaigns to improve the community's awareness of preparedness for floods and storms. Our community fire units and our RFS volunteer brigades undertake education in suburban contexts about preparedness for fires.

Those are just examples of some of the things that occur to improve the preparedness of our communities. The emergency services themselves have built into their plans a range of measures to deal with preparedness on their part. I will ask the commissioner, Mr Manson, to outline those in a bit more detail in a moment.

Prevention and mitigation is another important element. Prevention can be in the form of fuel reduction in the case of fire management. It can be around issues to do with anticipating where flood events may occur and detailed flood planning that should be in place. Measures to mitigate those risks are put in place regularly where risks are identified.

This is a very large part of the ESA's work. It is perhaps the part that is given less attention in the public debate. Public debate is more often around response, but preparedness, prevention and mitigation are essential elements of the ESA's work. One of the key parts of the government's reorganisation of emergency services in 2006 was to bring a greater emphasis to bear on mitigation, preparedness and prevention—as much as on response and recovery. I will ask the commissioner to talk a little bit more about what the services themselves do in this regard.

Mr Manson: In relation to planning, we have revised the flood plan for the ACT. We have prepared a significant part of version 2 of the strategic bushfire management plan, which is at a much higher level of detail and certainly an action-oriented plan as it starts to develop. We have undertaken a number of large exercises in the last year. We have had staff commit to exercises interstate to exercise all aspects of our operational command and control. We are proposing to do some high-rise-building exercises in the very near future, as high-rises are an emerging issue in the ACT with more high rise. We conduct regular risk assessments across the city in relation to emerging issues of changing demographics and changing suburban mix, particularly in relation to ambulance response.

We run the emergency management committee under the Emergencies Act in the ACT. That generally meets monthly; it has a charter to ask the hard questions of emergency services. It also has a role in auditing and understanding how well prepared we are. The Bushfire Council takes a very direct and active interest in bushfire matters. We are party to the Australian Emergency Management Committee and a range of Australasian fire authorities and council committees and subcommittees. Through that process, we keep ourselves well benchmarked across Australia in terms of what is happening, what is new, and also as a forum to discuss emerging issues such as building codes, compliance issues and health and safety for our staff.

The ESA has a strong emphasis on training and preparedness. That ranges from the technical competencies for firefighters, ambulance personnel and our volunteers through to higher level incident management planning and structured planning for incident control and management.

Lastly, our program has included quite a strong compliance element, particularly in relation to the Fire Brigade, providing comment to ACTPLA in relation to building developments and also in their routine activities of inspections of premises—particularly, in a joint effort with ACT Policing, for example, in liquor licensing, reviewing the preparedness and compliance with regulations as a joint program with those authorities.

THE CHAIR: Minister, I presume that draft 2 will include a lot of that and also the community recovery element that was there after the 2003 incident when there was

certainly a lot of input by the community into the recovery phase. I presume that has been utilised in the new plan?

Mr Corbell: The strategic bushfire management plan deals with management of fuel loads across the territory and how that should be dealt with on an ongoing basis. The issues around recovery are dealt with in the ACT's recovery plan, which is a separate document, administered primarily by the Department of Disability, Housing and Community Services, which has the key portfolio responsibility for recovery planning. That, of course, is done in conjunction with the ESA and other relevant agencies.

THE CHAIR: Thank you very much.

MRS DUNNE: Minister, in the rollovers of capital works, in the budget technical adjustments on page 245 of BP4, we have \$13 million for the emergency services new headquarters rolled over.

Mr Corbell: Yes.

MRS DUNNE: Why is that? My recollection is that, when this was announced back at the end of 2005, the view was that the relocation would be complete by February 2007 or mid-2007?

Mr Corbell: That is correct; that was the initial time frame. That changed as a result of the decisions the government took in the 2006 budget. That resulted in some fairly major changes to the staffing profile of the ESA. In particular, a large element of its administrative support and IT support were incorporated into the Department of Justice and Community Safety or those programs were ceased. That led to the need to revise the occupancy requirements of ESA for a new headquarters—and also taking account of the revised structural arrangements within the ESA.

Because of those decisions, the headquarters project was put on hold for a period of time until that was worked through. Now that the government has worked through those issues around the structural arrangements within the ESA and the staffing levels within the ESA, we are—right now—in the process of finalising the relocation project so that it can proceed. During this morning's session, I was asked what the time frames were on that. I can give some indication of that now if that would help the committee.

There are three key projects to be concluded as part of the Fairbairn relocation. The first is the construction of a new headquarters building. Functional design briefs for that have been completed. We are currently in the process of finalising the details of the new lease arrangement with Canberra International Airport; completion of that building is due in October 2009. Building 183 is the other key building at the ESA new headquarters site. This is an existing building on the old RAAF base which is to be refurbished. Functional design briefs have been completed for this building. The lease finalisation is currently occurring with the airport group and we expect detailed fit-out and construction activity to occur from August this year, with occupancy to be complete by the end of this year.

MRS DUNNE: This calendar year?

Mr Corbell: This calendar year.

MRS DUNNE: Who will be moving into that building?

Mr Corbell: Building 183 will accommodate the new workshops for the ESA fleet and stores component and some logistics and training functions. The final element is the establishment of an outdoor training centre. The functional design briefs for that project have been completed. Detailed design plans and land allocation processes are now underway; we expect site works to commence in September this year, with occupancy in May next year.

MRS DUNNE: This was announced back at the end of 2005. When did contracts go into place with the airport for the renting of space and land?

Mr Corbell: There was a heads of agreement signed between the government and the Canberra international airport group.

MRS DUNNE: There have been some emergency services personnel out at the airport, like the Rural Fire Service.

Mr Corbell: Yes, that is correct.

MRS DUNNE: I presume that we are paying rental or lease payments on that accommodation. Is there any other area out at the airport that has been unoccupied over that period for which we have been paying holding fees, lease payments, rents or anything like that?

Mr Corbell: A tenure sublease for what is known as the air support operations centre was signed on 15 February 2006. This has become the headquarters for the ACT Rural Fire Service, which located into that building in March 2006. It houses the helicopters based in the ACT under the National Aerial Firefighting Centre arrangements. And the fleet and procurement section of the ESA relocated to this building in January this year. As to the current arrangements in relation to other buildings, rent has been paid for buildings 53, 183 and 207 since March 2006 and for building 65 and 297 since September 2006.

MRS DUNNE: Have those buildings been occupied?

Mr Corbell: No, those buildings are not occupied. Rent is fully rebated for building 143 since March 2006, with payment only for precinct and building levies from that date.

MRS DUNNE: Sorry, can you run that by me again? You were paying rent on a number of buildings. Can you, perhaps on notice, provide the committee with the figure for what rent has been paid on those buildings?

Mr Corbell: Yes, I can.

MRS DUNNE: Then there was one building, which was not in the first list, which

you said there was remitted rent against?

Mr Corbell: That is correct.

MRS DUNNE: Could you provide the committee with a run-down on the rents paid on each of those buildings?

Mr Corbell: Yes. I am happy to take that question on notice.

MRS DUNNE: Thank you.

MR SMYTH: What is the cumulative rent paid since the first officers were moved in—to date?

Mr Corbell: I do not have a cumulative rent figure. I can tell you that the current rent for all Fairbairn buildings is \$173,636 per month.

MR SMYTH: How many officers are currently housed there?

Mr Corbell: People? I could not tell you—20.

MRS DUNNE: We have accommodation for how many, roughly?

Mr Corbell: A large number of those buildings are not suitable for occupation at this time, so I could not give you an analysis as to—

MRS DUNNE: How many people do we think will eventually go out there?

Ms Leon: The whole of the ESA will go out there, but the buildings that are presently on site are not, and never were, intended to be the place where the office accommodation would be. It was always part of the agreement with the Capital Airport Group that they would construct an office block for us. That is the building that the minister has referred to, the headquarters building. That building has not been constructed and it is not the subject of any rent payment. As to the other buildings, the largest of those is building 183. That is the one that the minister referred to that will house the workshops and a small amount of staff space for matters such as training and logistics. It is not really like an office block where you can say that it will accommodate 500 people.

MR GENTLEMAN: Does that include the accommodation for the helicopters in those buildings?

Mr Corbell: The helicopters will continue to be occupying the ASOC building, which is a building that incorporates a hangar on the perimeter of the airport.

MRS DUNNE: With the answer to the question that you said you would take on notice from me, could there be a site plan with building numbers so that—

Mr Corbell: Yes.

MS DUNN: That would be useful.

MR SMYTH: When the headquarters is completed, will it be owned by the airport group or the government?

Mr Corbell: It is owned by the airport group and leased by the government.

MR SMYTH: I want to go to the numbers that Mrs Dunne started with on page 247. They have the all-up cost as \$18,429,000. However, on page 245, under “Technical Adjustments”, there are a number of costs that do not seem to correlate with those on page 247. Can you reconcile the different numbers? There is a rollover of \$13 million. In the 2009-10 year there is a figure of \$5,200,000, which seems to be the same. But the financing and the budgeted amount for 2008-09 are \$12 million on one page and \$7.9 million on the other. Can you explain the difference?

Ms Leon: Sorry, which figures do you want reconciled?

MR SMYTH: On the bottom of page 245, there is “Rollover—Emergency Services Agency—New Headquarters”. There is \$13 million taken out of 2007-08 and transposed into 2008-09 and 2009-10 at the value of \$7.9 million and \$5.2 million. When you go over the page, to page 247, the figure for 2009-10 seems to be the same, \$5.2 million, but for 2008-09 it is financing at \$12.4 million. There is a discrepancy between 7.9 and 12.4. I am sure there is a perfectly valid reason for it that you are about to give us.

Mr Manson: We are just examining that.

Ms Leon: The reason for that is that, under the heading “Technical Adjustments”, that is only the change to what is in the base. So it is not the total cost—it is only what you are subtracting or adding—whereas the figure on page 247 is the total cost, not just the additions and subtractions.

MR SMYTH: So how much has been spent to date on the emergency services new headquarters?

Ms Leon: On the construction, not on the rent?

MR SMYTH: On the construction.

Mr Manson: To date, the only expenditures have been for some project management staffing at SOGA level and some design work by HBO as a contracted design company to the ESA through Procurement Solutions. I think the total budget spent to date in relation to that is about \$600,000.

Ms Leon: You will find the figure on page 247. The estimated outcome is \$790,000. That is what we estimate we will have spent by the end of the financial year.

MR SMYTH: So the headquarters is now a project of \$18,429,000 all up?

Mr Manson: Yes.

MRS DUNNE: Who is building the building?

MR SMYTH: It is \$18 million?

Mr Manson: Yes.

MR SMYTH: This year to date we have spent \$790,000?

Mr Manson: Primarily on design works through the architect planner.

MR SMYTH: It does say that that 790 falls in the—that is pre 2008-09?

Mr Manson: Yes.

MR SMYTH: And then in the two outyears. So we are spending \$12½ million in 2008-09 and then another \$5.2 million in 2009-10 to complete the project?

Mr Manson: That is right—the current expectation of the architecture firm and the airport in terms of timed outgoings of expenditure. The airport will bear a number of capital costs in relation to the hard stand of the new building. We will bear the capital cost of some IT infrastructure, radio communications and the refurbishment of the internals of the building and the new training centre entirely at this point.

MR SMYTH: So the airport will provide the shell and we will refurbish and then fit out the communications gear and other material as required?

Mr Manson: In a general sense, yes. Some advice will be taken. It is being negotiated at the moment between the property group in TAMS and the airport as to the most effective and efficient way of doing the exact adjustments between the shell and some internal works, which may be capitalised by the airport. That is an advantage to the airport to do it that way. The committee looking after this project is overseeing that, and it is an interdepartmental committee of Treasury, the Territory and Municipal Services property group and emergency services. We are looking to make sure that the best mix of commercial arrangements are in place to minimise capital expenditure and to also minimise the annual rent so that we get the balance correct to suit the airport and us. Given that this is a lease agreement, at the end of the lease term, when it is finalised, it is better that the capital development stay with the airport, for the obvious reasons that the government has not then spent capital money which we cannot recover.

MR SMYTH: Sure. What has caused the project to blow out from an estimated \$13 million to \$18 million?

Mr Manson: It is my understanding that the original cost was \$18 million; it is not a blowout. The \$13 million is just the rollover figure.

MRS DUNNE: Can I just clarify something? The main headquarters building is going to be built by the Capital Airport Group?

Mr Manson: Yes.

MRS DUNNE: On land that it owns.

Mr Manson: Yes.

MRS DUNNE: It will be built by it to your specs?

Mr Manson: Yes.

MRS DUNNE: Then you will lease it for how long?

Mr Manson: Currently, the government policy in the ACT varies from project to project. The airport has a policy of a preference for a 10-year lease, but we have a possibility of 10 plus 10.

Ms Leon: Those negotiations are still on foot, so—

MRS DUNNE: But at this stage it looks like 10 plus 10. In addition to the \$173,000 in rent that we are paying a month now, how much rent will there be on the 10-by-10 lease?

Ms Leon: We are currently in lease negotiations that will involve revisiting the current heads of agreement and the current lease arrangements, taking account of the new building. I think we should await the conclusion of those negotiations before we start—

MRS DUNNE: You cannot tell us at this stage?

Ms Leon: There will be commercial rates for the office block, but we have not signed a lease with the Capital Airport Group.

MRS DUNNE: Okay. I am interpreting from what you said, Ms Leon, that that \$173,000 a month may change?

Ms Leon: I think we should just let the negotiations with the airport group proceed, and we will be able, I am sure, by the next time we appear, to advise you of what the outcome of those negotiations has been.

THE CHAIR: You have a supplementary, Mr Pratt?

MR PRATT: Thanks, chair. Good afternoon, minister, Ms Leon, Mr Manson. The \$18.4 million for this relocation project: when was that, or parts of that, first appropriated? How far back has this project gone?

Ms Leon: I am sorry, Mr Pratt, we normally just bring last year's budget papers with us, so I do not have the exact date when that was appropriated.

Mr Corbell: I think it was 2005-06.

THE CHAIR: Can we take it on notice; is that alright?

Mr Corbell: It was 2005-06.

MR PRATT: Yes. That was \$18.4 million, if not even closer to \$19 million, was it not?

Mr Corbell: It was the same figure that currently appears in the budget paper.

MR PRATT: Right. So the project has been on the books since it was announced in late 2005?

Mr Corbell: Yes.

MR PRATT: Initially identified for completion as early as mid-2007; correct?

Mr Corbell: That is correct.

MR PRATT: So it was originally going to be an 18-month project. Has the main reason for this project not being completed on time been the problems of negotiations with the airport group?

Ms Leon: No.

Mr Corbell: No, not at all. As I said in answer to Mrs Dunne's very similar question, the primary reason has been the result of the government in 2006 restructuring the ESA, changing the way it does its business and changing its staffing profile.

MR PRATT: Okay, sorry about that. You must have answered that as I was walking in. Do you have a business plan for this project?

Mr Corbell: Yes.

Mr Manson: Yes, we do. We have an interdepartmental committee, which comprises senior executives from Treasury, the property group from TAMS and ACTPLA and myself as chair. That committee meets as necessary, usually once a month. We have a master project plan, and the project plan is reviewed and audited by that group. Any issues or problems forecast are facilitated by that executive level to ensure the project progresses as quickly as possible.

There are complex issues in relation to procurement, design and specification in the modern world of building industries. You do not simply design and specify any more and put out to tender; the process is more about design, sketch plans, final design and then we deal with design, documentation, construct. So it is not as simple as it used to be in the old days in relation to that process. The committee is overseeing all of those processes, so we have good, strong advice from the senior executive of Treasury and Procurement Solutions and the TAMS property group, which is, as a group, driving this project as of January this year.

MR PRATT: Would it be possible for you to table that business plan?

Mr Manson: The project plan itself, I think we can table the majority of that. There will be some commercial issues in relation to the airport negotiation which we can—

MR PRATT: I am sure we can keep those secret.

Mr Manson: We can drop them out, and I think we can table that plan.

MR PRATT: Do I presume the business plan is either a subset or separate to a project management plan? Do you have that, and could you also table that, please?

Mr Manson: I am actually referring to the project plan as the business plan at this point. The decisions were made by government to go to Fairbairn so many years ago. We have been implementing that project. We have moved at this point in time to a project-based planning instrument, which allows us to deal with business planning issues on a case-by-case basis, such as fringe benefits tax for parking, for example. That is a subproject which needed to be resolved in the policy, and legally. I think the project plan itself is more than explanatory about the process. I do not have a separate cost-benefit analysis.

MR PRATT: That was my next question. You do not have a cost analysis?

Mr Manson: I certainly have a cost analysis of the project, but I do not have the traditional business plan and cost-benefit analysis which may have pre-empted such a project in the past.

THE CHAIR: Mr Gentleman is—

MR PRATT: Sorry—is it possible to also see any risk assessment that was done for this particular project? Is it also possible that you might table the operational user requirement for this project so that—

Mr Corbell: The risk assessment—

MR PRATT: Sorry?

Mr Corbell: I am sorry; finish your question, Mr Pratt.

MR PRATT: Can you table the operational user requirement and any risk assessment taken for this particular project—if you do not have a business plan, perhaps we can find out why later—and the project management plan? That might go back to 2005. I presume the operational user requirement would have been put together in 2005 once the need was identified coming out of the McLeod inquiry. Could you table whatever you have got, please, around the entire project management?

Mr Corbell: We will provide a range of information to you, Mr Pratt, certainly. In relation to risk assessment, those are matters which the government has given close consideration to. Some of that material will be subject to normal cabinet-in-confidence processes because it entails advice to cabinet. But I will certainly make as much information as I can available to you.

MR PRATT: Okay.

THE CHAIR: Mr Gentleman.

MR GENTLEMAN: Thanks, chair. Minister, I am interested in going to budget paper 4, page 247, works in progress on the ESA station upgrades. There is \$831,000 allocated over four years. Can you give us some detail on what is going to occur with those upgrades?

Mr Corbell: Yes, thanks, Mr Gentleman. A large number of the ESA stations are ageing, and there is a need to identify what improvements need to occur in the fabric of those buildings. Also, with the growth of the city and changing demographic needs within the city, we need to reconsider the best possible location for a number of our stations, particularly ambulance and fire brigade.

The ESA is in the process of completing a detailed assessment of future locations and relocation of fire brigade and ambulance stations as well as identifying where there is a need for improvement in the fabric and quality of existing stations. This funding is designed to start that process, and I will ask Mr Manson to outline a bit further what is occurring in relation to the station upgrades item.

Mr Manson: Yes, thank you, minister. I think there are two issues here. One is the study for station design and relocation across the city, and then this item, which is regarding station upgrades, which is the normal capital program to upgrade our stations to the current building code of Australia. In some cases it is to update concrete footpaths and things which have broken up over time. So this particular item, station upgrades—\$831,000, \$680,000, \$61,000 and so forth—follows on from a study we did called the strategic asset management plan for our stations. That program has been progressing last year and will continue to deal with the priority issues to bring our stations up to a reasonable standard in relation to health and safety and current building compliance.

MR SMYTH: The Emergency Services Agency station relocation feasibility study, which was funded in this year's budget, has that been completed?

Mr Corbell: I think it is close to completion.

Mr Manson: Yes, the study got a little bit behind because the consultation phase with our individual volunteer brigades needed to be slowed up so that those people could have a proper appreciation of what was being proposed. We also sent the consultants to do a second round of analysis because we were not satisfied with the quality of the original work. That process is now nearing completion, so that we anticipate having a final report, on which, with the minister's permission, we hope to go to some public consultation once we have got a comprehensive draft report ready for consideration by us and then by the government.

MR SMYTH: If, as on page 61 of BP5, this money is consistent with the study and the study has not been completed, how do you know that you need \$2.184 million to do the design planning specifications and tender readiness, and how was that figure

determined?

Mr Manson: When we put forward \$300,000 for the study, part of the background to that was a fairly raw calculation on the strategic asset management plan and some analysis of what level of building design and refurbishment would be needed. We do have some fairly comprehensive information about each of our buildings and their state of repair. Many of our stations—ambulance and fire stations—are getting to the end of their design life. They were built of brick veneer, and a lot of them are well over 30 years old, so we have trouble with roof design and modern equipment being required to fit into those. It is hard to retrofit and it is not cost effective.

We do have a fairly good picture of what the overall capital costs for refurbishment will be, subject to the government appropriating the funds. This is worked on a percentage basis for the overall capital program that we may envisage in the future and the sort of current costing provided to us by our architectural group on what would be required to do design for the sort of work envisaged, which is 28 volunteer sheds or parts of sheds or shared sheds and some 20-odd major stations which require significant upgrade to last us the next 30 years.

MRS DUNNE: So what is the percentage?

Mr Manson: Sorry?

MRS DUNNE: What is the percentage? You said that you came to this figure on the advice of—

Mr Manson: It is generally around 10 per cent. This figure needs to be slightly higher because we need to do some master planning and cost-benefit analysis which is above just the architectural cost. We expect to go through some public consultation processes, no doubt, as we look at detailed design for individual stations.

Mr Corbell: Consistent with the government's overall strategy around infrastructure, we felt it was important to make provision for significant improvements in the infrastructure of our emergency services. This is all about making sure that they are ready for the future, ready for the future demands that they will face, and that they are properly located. So it is a long-term investment for the future.

MR SMYTH: If the \$2.1 million is 10 per cent, you are talking about \$22 million. Is that located in, for instance, the chart on pages 31 and 32 of budget paper 5 outlining the capital initiatives over the next five years, or will that be additional money?

Mr Manson: Our proposal, which the government has funded at this point in time, was to do the study to understand exactly the cost and benefits of refurbishing stations. The \$2.8 million will provide the government with very comprehensive cost estimates and design work, should it wish to proceed. Obviously, once the study report is released, hopefully in the next month or six weeks, that will give a clear indication of the likely overall costs and benefits. If you take 10 per cent of the \$20 million that we envisage for the sale and refurbishment of lands as they are rationalised for stations—for example, we might be able to move the boundaries in on some and release some commercial land to the neighbour—that is not costed into capital works. That would

be—

MRS DUNNE: So you think there might be offsets?

Mr Manson: Sorry, they are offsets. The cost may be higher than \$20 million. We do not know until we have done the detailed study. But there are also some benefits if we move out of some lands in Belconnen. As we move to Fairbairn then some lands will be released back to the—

MR SMYTH: But that land is normally returned to the property management group in TAMS?

Mr Manson: Yes, that is right.

MR SMYTH: That is not money that ESA have realised?

Mr Manson: No, I am not suggesting that.

Ms Leon: But in terms of its overall impact on the budget, it may well be that there are offsets.

MR SMYTH: Minister, you said that it is consistent with the government's overall plan for infrastructure. Has that \$20 million been included in your \$1.4 billion infrastructure plan?

Mr Corbell: I think you need to ask Treasury the total components of their forward planning in that regard.

MR SMYTH: I am asking you: have you been successful—

Mr Corbell: The government has not provided a specific appropriation at this point for that project. But provision is factored into the overall size of the infrastructure funding available to the government over the next four to five years.

MR SMYTH: If we could go back to the Emergency Services Agency headquarters, the project actually first appears in the 2006-07 budget at BP3, page 313. It is actually listed at a cost of \$17.329 million. It is now listed at \$18.429 million. It has blown out by \$1.1 million or about six per cent. Given the government's record on delivering capital works on time and on budget, are you certain you can deliver by October 2009 as a timeline and \$18.429 million as a cost?

Mr Corbell: Yes.

MR SMYTH: So it will be delivered on time and on budget.

THE CHAIR: He has just answered that question.

Mr Corbell: Yes, that is my expectation.

MRS DUNNE: Going back to the relocation of the emergency services to Fairbairn,

the RFS has been there since some time last year. Is that correct? I cannot remember exactly when you said.

Mr Corbell: Since March 2006.

MRS DUNNE: Is it the case that during a bushfire, a fire emergency, on one occasion the control room had to be moved back to Curtin because there were problems out at Fairbairn? If that is the case, what have we done to address that?

Mr Corbell: It is not because there were problems at Fairbairn.

MRS DUNNE: Was the control centre for a bushfire moved from the RFS headquarters at Fairbairn to Curtin?

Mr Corbell: Incident command was relocated to Curtin and the decision was taken last year that, as a matter of practice on high fire danger days, incident commanders or the incident management team would be located at Curtin. The reason for that was that incident management needed to occur in conjunction with other services, all of whose relevant personnel are located at Curtin. And it did not make sense to manage the incident with only RFS personnel when the other personnel who would be required to assist and coordinate other services were located at Curtin. This is one of the dilemmas with having services located across a variety of sites. It is a short-term issue until the services are co-located in a single location.

MRS DUNNE: That situation will continue until 2009?

Mr Corbell: Yes. It is a deliberate decision on the part of the operational commanders that, on days where there is the high potential for an incident like that to occur, that is, a day of high fire danger—in the event of a fire, in the case of a fire—incident management will occur from a single point rather than across multiple points.

MRS DUNNE: On a day like that, Mr Manson, what activities would be happening at Fairbairn, seeing that there would be a fair range of senior people relocated to Curtin? What would be happening out at Fairbairn?

Mr Manson: As the minister said, we instigated this arrangement for high and extreme fire weather where any event is likely to escalate quickly. Particularly last year and, unfortunately, it looks like next year as well, we have a very high level of underlying drought conditions in the landscape. Any fire has a very high potential to be a very intensive, fast-spreading fire.

As with any incident when we need to escalate quickly, we appoint the incident controller to run from the purpose-designed emergency coordination centre in Curtin. That function will transfer, of course, to Fairbairn where all the services will be around that sector. But the function is such that we need those appropriate senior people to operate from there.

In any incident—depending on the nature of it and the use of TAMS staff and other staff from other agencies—the fleet and procurement people will normally stay at Fairbairn to operate from there. A number of the other staff that belong to the RFS

will remain at Fairbairn, because they can operate from there. It is really about high-level incident command and control where you need strong liaison with key other parties, such as Actew, TAMS, police and so forth, that can be gathered together quickly and pre-emptively in relation to the weather conditions.

Mr Corbell: Just to clarify what that means, staff are not sent to Curtin when an incident occurs; they are repositioned, if you like, at Curtin in the event of an incident occurring.

MRS DUNNE: Yes, I understand that. One of the reasons for locating the emergency services headquarters at Curtin, when it was, was that, by accident or design—and I do not know which—there was a large amount of utilities redundancy in the suburb. There is the confluence of a number of electricity lines, telephone lines, things like this. That gave more security to the ESA headquarters. When the headquarters is moved to Fairbairn, what will be put in place to ensure that same high level of security and redundancy, so that if one line goes out the whole place is not going to go down?

Mr Manson: Those issues have been factored into the budget, which exists; so it is covered by the budget. There are mandatory requirements for certain radio and 000-type arrangements. They will be met at Fairbairn, as they are currently at Curtin.

Again, that is one of those infrastructure issues with the development of the airport and its expanding development which will make it easier for us to have those facilities there because of the joint provision of those services to the expanding precinct. We have a report in relation to that and we are not concerned about being able to provide, in fact, a better level of redundancy than we have now.

MR PRATT: How much more rent are you paying at Fairbairn compared to what you are paying at Curtin?

Mr Corbell: We do not pay rent at Curtin, do we?

MR PRATT: You do not pay anything at all?

Mr Manson: No. We do pay to TAMS.

Mr Corbell: I beg your pardon, there is an internal arrangement.

Ms Leon: But we are paying it. It is internal.

Mr Corbell: It is an internal payment, yes.

Mr Manson: I do not have the exact figures in front of me, but the ultimate rent at Fairbairn, I think, is a little bit higher overall, and that is largely due to the inflationary effect and the fact that we will all be together in one place. Some of our staff from Rae Street in Belconnen will ultimately end up in the new training facility. All up, our rents will be slightly higher because of the fact that they are moved from some lower level accommodation, which is cheaper, into some better, purpose-built accommodation. I could get back to you with the exact figures.

MR PRATT: Could you please? When the decision was taken in 2005—and I presume the operational user requirement was drawn up then and Fairbairn was looked at regarding its potential—was it then envisaged that the fire buildings would be so unsuitable as to require so many years of upgrade?

Mr Manson: I think the issue was that there were a range of services, such as finance, HR and things, which have now been absorbed centrally in government and in shared services. Those buildings were, as I understand it, envisaged to house some of those support services. On the building of the new headquarters, the emergency control and service people directly related to emergency control would be in the new building. Because some 50 or 60 people are now relocated to central government services, those outbuildings, which are quite small but discrete buildings—there were four of them, if I recollect properly—are no longer required.

MR PRATT: But you are still paying rent?

Mr Corbell: At this time, yes. Those are matters subject to the renegotiation currently occurring with the airport group.

MR PRATT: It is now about three-and-a-bit years since the decision was taken to relocate to Fairbairn from Curtin. I ask you whether or not it is true that the McLeod inquiry recommended:

The ACT Government should take urgent steps to upgrade the Emergency Services Bureau's operational command and control facilities—either by carrying out a major refurbishment of the existing facility at Curtin or, preferably, by locating ...

He referred to an urgent upgrade. I notice in a recent inquiry that Mr Prince, the ex-chief of the fire brigade, was quite adamant and suggested it remained an urgent need to relocate. I referred to recommendation No 19 of McLeod. Given that, is it not true that the government really failed to carry out the urgent recommendation laid down by McLeod to relocate the headquarters or refurbish them?

Mr Corbell: No, it is not true.

MR PRATT: Three-and-a-bit years later?

Mr Corbell: No, it is not true because your comment would suggest that nothing has changed in relation to the physical arrangements within the old ESB building, the existing ESA headquarters at Curtin. Substantial moneys have been spent on improving the capacity of the existing headquarters whilst arrangements are put in place for the new headquarters. For example, a new, purpose-built incident control centre has been put in at the existing Curtin headquarters that did not exist prior to the 2003 event. Significant upgrades in IT have occurred within the Curtin facility as well.

The government has done two things. We have provided some immediate arrangements to improve the capabilities of the existing building, recognising that, in the medium to longer term, that building is not suitable. At the same time, we have

progressed the establishment of a new headquarters at Fairbairn.

I certainly acknowledge that it has not met the time frames originally outlined but I would again draw the committee's attention to the reasons for that, which are primarily to do with a significant reorganisation of the ESA following the 2006 budget and a change to its staffing profile and structural organisation which has necessitated a rethink on the scale of the headquarters as was first proposed and is now being proposed.

MR PRATT: On the—

Mr Corbell: I think the important thing for me to say on this as well—sorry, Mr Pratt—is that the government now has set some clear time frames in relation to the completion of these projects. The headquarters building is due to commence construction in September this year, with completion in October next year. The refurbishment of the large building 183 is expected to occur from August this year, with occupancy in December this year. The third element, the outdoor training centre, is due to commence development in September this year, with occupation in May next year. So I have ensured that we now have some clear time frames which ESA are committed to achieving and the government has put in place a detailed process to make sure they will be met.

MR PRATT: In terms of the project management of this particular project, what is the reporting of governance framework? Can you tell us a bit about your governance framework for how you monitor the implementation of this project?

Mr Corbell: The commissioner and the chief executive report to me on the delivery of this project and on issues of adherence to time frames. There is also an administrative level oversight, as Mr Manson has said, by an interdepartmental committee which comprises senior executives from my portfolio, including Ms Leon and the commissioner, as well as representatives of other relevant government agencies, such as Treasury, planning and so on.

MR PRATT: Do you actually have or was there a governance framework drawn up, for want of a better term, and then laid down in 2005 when the user requirement was first put together? If so, can you table that?

Mr Corbell: That was work undertaken by the ESA. When that was developed, that was developed by the ESA as an independent statutory authority. So it was done by the ESA itself.

MR PRATT: So there was no ministerial directive which would form a framework for the ESA reporting back to the then minister?

Mr Corbell: I would have to go and review what the arrangements were. I was not minister at the time. I would need to go and examine what processes were in place.

MR PRATT: Would you mind?

Mr Corbell: I am happy to provide you with some further information, if possible, on

that.

MRS DUNNE: There is a heads of agreement that has been in operation at the airport since February 2006. You are paying in excess of \$2 million a year on that site. Only one of the buildings and some of the hard stand around it are occupied, I gather. You became minister in April 2006—something like that, roughly?

Mr Corbell: Around then, yes.

MRS DUNNE: At any time did you think it was necessary to revisit that heads of agreement to try to save the territory some of the money that seems to be going in dead rent?

Mr Corbell: Yes.

MRS DUNNE: And what did you decide? You thought you might revisit it. You did not revisit it. Why?

Mr Corbell: I have made a series of recommendations to government on steps that should be taken to improve the arrangements and deliver better value for money for the territory and taxpayers. I am pleased to say that government has agreed on a way forward in that regard and that is why we are now renegotiating the heads of agreement. The scale of the proposed headquarters is smaller than that originally proposed and that, I am confident, will lead to a saving down the track for taxpayers and the territory.

MRS DUNNE: But in the meantime we have spent in excess of \$4 million, probably at least \$4.5 million, in rent, which is essentially dead rent that is—

Mr Corbell: No, I am not sure whether it is that full amount, Mrs Dunne, because the rental payments were staggered to commence over a period of time. They did not all commence on the one date.

MRS DUNNE: So in the answer to my question that you said you would take on notice, we will end up with a figure on the—

Mr Corbell: Yes, I will be able to advise you when rental payments commenced. Not all rental payments commenced on the same date; some commenced before others.

MRS DUNNE: But we are currently paying something like \$2 million a year in rent.

Mr Corbell: That is correct.

MRS DUNNE: So how long will it be before the heads of agreement will be modified?

Mr Corbell: The time frame I have is that the finalisation of leasing details with the international airport is anticipated to be completed by June this year. That will allow for detailed design of respective buildings, refurbishment, and construction to commence to provide for commencement of construction in August-September this

year. So I have some clear time frames in place, and this is the culmination of a fairly extensive body of work that I, the commissioner and Ms Leon have undertaken over the last 12 to 18 months.

MRS DUNNE: When did you make the decision that you should make recommendations to the government to change what was going on out at Fairbairn? You decided that you needed to do something. You eventually made some recommendations to government, and government eventually came back and said, yes. First of all, what was that time frame; secondly, why, as the minister responsible, could you not do that without going back to government?

Mr Corbell: This is a major capital project, and it is not the sort of project that I am authorised to change unilaterally. These are matters for cabinet to make decisions about, and it is appropriate that that is done through that forum. That is no—

MR SMYTH: Did you take FireLink back to cabinet?

THE CHAIR: Just a minute.

Mr Corbell: I am just trying to answer the question. It is no different from any other large-scale capital work, and this is a large-scale capital work of importance to the territory. In relation to the time frame, Mrs Dunne, I would have to review the sequence of events, but it is some time in the last 12 to 18 months.

MRS DUNNE: Okay. If you could get back to the committee with that, I would be grateful.

Mr Corbell: I will endeavour to do my best in that regard.

THE CHAIR: Mr Gentleman has a question.

MR GENTLEMAN: Thanks, chair. My question is in regard to volunteers. If I can bring you to page 241 of budget paper 4, there is a new line under measure (k), which has changed the way that we look to deal with volunteers in emergency services. I wonder if you can tell us what you found that requires that change in direction from recruitment to maintenance of current volunteers.

Mr Manson: In relation to the performance indicators, I think the previous indicator had a 10 per cent increase per annum. I think it is more realistic that we have in some areas reached a reasonable level of volunteers. We would always like more, of course, but it is an appropriate level to manage what we are doing, particularly with CFUs, although we continue to build those. To have an indicator which requires us to constantly increase by 10 per cent is not terribly realistic or achievable. It is more about maintaining the levels we have, because we think they are appropriate. We have to maintain our level, and that is the key indicator there. So if we are reporting in the negative, because some people come and go regularly in the volunteer movement, we want to maintain at least what we have got. We would be very happy if we can report an increase above the maintenance level.

Ms Leon: I think also, Mr Gentleman, that measure (g), the former measure, had a

degree of ambiguity in it because it only focused on the recruitment process. You might be recruiting 10 per cent more people, but if you are losing 20 per cent out the other end it would not really tell you whether you were doing well or not.

MR GENTLEMAN: Not a great measure.

Ms Leon: We wanted to have an indicator that was less ambiguous and more informative, and it refers to the overall number of volunteers that we actually have on the ground.

MR SMYTH: As a supplementary to that, how many do we have on the ground?

Mr Corbell: It is 400-odd RFS volunteers, around 200 SES and around 850 to 900 community fire unit volunteers.

MR SMYTH: Is that up or down on last year?

Mr Corbell: It is an increase, certainly, in relation to CFUs. I think it is relatively constant in relation to SES and probably the same for RFS.

Mr Manson: Yes, I think overall our numbers on the ground—and our new indicator will give us that direction—have increased slightly.

MRS DUNNE: How do those numbers—the 400-odd for RFS and the SES numbers—compare to what they were in 2001?

Mr Corbell: They are better. The RFS would be better, I think.

MRS DUNNE: Yes.

Mr Corbell: The SES are about the same.

Mr Manson: We do have those. I do not have them to hand as—

MRS DUNNE: That would be good. We will take them on notice; that is fine.

Mr Manson: My understanding is that they have increased slightly. We have good recruitment. It is a bit seasonal when sometimes we lose a few volunteers who change service or change their volunteering to other parts of the community as well.

MRS DUNNE: When you count volunteers, Mr Manson, are they people who have signed up or people who are trained and ready to go?

Mr Corbell: People who are trained.

Mr Manson: People who are trained. That is, if you like, the base number that we intend to use for this recording. Those are the people who have signed up and done the course, which, in some cases, may take three or four months, depending on their availability. So a CFU volunteer does not really appear on our register until they have done their training.

MRS DUNNE: But what about RFS volunteers?

Mr Manson: Same.

MRS DUNNE: Ditto, okay.

MR PRATT: I presume you are not counting those CFU volunteers in with the RFS, are you?

Mr Manson: No.

Mr Corbell: No.

MR SMYTH: The AIMS report of some years ago suggested levels for the RFS of closer to 700 to maintain a capability over a period of time in a major event. We do not seem to have progressed anywhere near the number required. It is well and good to have a measure of increasing volunteer recruitment, but when will we get to the level suggested by the AIMS report, and, indeed, is it achievable?

Mr Manson: I think you are referring to the Dobbin report, which was prepared for the RFS and ESA in relation to how many volunteers and various types of training activities we should have. I think some of those targets depend on a strategy which you are going to adopt to maintain and manage fires in the landscape. Depending on the strategy, you might need 2,000 volunteers and, on a change of strategy, you might need 400. I think it is a little difficult to set a target until you have decided on what your strategy is.

My preferred approach is that we are continuing to try to improve our overall numbers of RFS volunteers over time. In the strategic bushfire management plan version 2, we are adopting strategies for protection of the city in relation to the capability we have of both volunteers and professional staff in territory and municipal services and the fire brigade and, of course, in relation to the capability of our neighbours, particularly to the west, in how well they can maintain the fire and keep it out of the ACT. So it is a complex issue.

MR SMYTH: Sure.

Mr Manson: But I think we would all like to see a steadily increasing number of RFS volunteers.

MR SMYTH: So what is the target at the end of 2008-09, 2009-10 and 2010-11?

Mr Corbell: The target is to maintain our existing level and allow it to grow moderately and consistently, but there is no set figure.

MR SMYTH: So there is no real target. I mean, what does moderate growth—

Mr Corbell: Well, the target is to maintain our existing levels and provide for them to grow as and when additional volunteers make themselves available.

MR SMYTH: The existing levels are very much below what was reported in a number of reports that we perhaps need 700 RFS volunteers.

Mr Corbell: I think we need to reflect on that assessment. If I recall that assessment correctly—I am sure I will be corrected if I am wrong—it was based on us basically being able to maintain a full capacity for a major event without having to draw on resources from interstate. I think the judgement the government and the ESA have made about that is that such an aim is not realistic. It is unreasonable to expect us to maintain a capacity for the largest scale of event. In a large-scale event, even going to that number of people will not allow us to sustain our own source activity without drawing on anyone else for any extended period of time.

If an event is going to get that big, it is going to be for an extended period of time. We will not be able to sustain it within our own resources even at those levels that were suggested, and we would still need to call on resources from interstate, including not just direct attack resources but also incident management, operational control, operations, logistic support and all of those things.

The judgement we have taken is that it is not reasonable to staff any of our services at a level where we are completely self-sufficient. It is more reasonable to ensure that our services are staffed at a level where they can sustain a wide variety of incidents from small incidents to medium and even some large-scale incidents of short duration. A longer, large-scale incident involves us working closely with resources from interstate, and so our planning and our training is premised on that.

MR PRATT: What is your readiness plan against that capability of 700-odd for a major event? Where would you target? What have you identified as the places from where you would get the balance of 300 required to bring the territory up to speed, including incident management teams?

Mr Corbell: We have detailed arrangements in place with the surrounding jurisdiction in particular—that is, New South Wales. We have arrangements in place to receive assistance. We are talking specifically about a fire here. We have arrangements in place with the New South Wales RFS and the New South Wales fire brigades to provide us with additional assistance as required, and that includes incident management capability as well as fire-fighting vehicles and resources.

MR PRATT: Can you break that contingency, for want of a better term, of 300 into sourcing? How many from Victoria and how many from New South Wales?

Mr Corbell: No, it would depend—

MR PRATT: How many from federal authorities?

Mr Corbell: No, I cannot.

MR PRATT: The Defence Force?

Mr Corbell: No, I cannot, because it does not work that way, Mr Pratt. The way it

works is—

MR PRATT: Why not?

Mr Corbell: Because it depends what else is going on, Mr Pratt.

MR PRATT: That is right.

Mr Corbell: The arrangements are quite clear with the New South Wales authorities and other interstate authorities that we have arrangements in place to draw on their assistance should we need it for a large-scale event. It is recognised that, in a small jurisdiction like the ACT, it is not practical from a budgetary perspective or, indeed, from a training perspective to maintain a capacity at that level given the relative rarity of large-scale, prolonged bushfire events. Campaign fires, as they are called, are not a common occurrence in the ACT. The general types of fires that we deal with are of short to medium duration, and we have strong capability to deal with that on our own terms. A large-scale campaign event will inevitably involve interstate assistance in the same way that it does in New South Wales and Victoria, I must say.

MR SMYTH: But you have—

Mr Corbell: In New South Wales and Victoria—

MR SMYTH: But—

THE CHAIR: Let him finish.

MR GENTLEMAN: That is what I was going to raise, minister.

Mr Corbell: New South Wales, Victoria, Queensland and South Australia do not have the capacity themselves, given their scale, to sustain crews and incident managers and all the other people needed for a large-scale campaign event. You rely on mutual aid from other jurisdictions. Our approach is the same as other jurisdictions in that regard.

MR PRATT: But why would you wait till the last—

MR SMYTH: So you have got expert advice—

THE CHAIR: Excuse me, one person at a time.

MR SMYTH: Sorry. You have got expert advice that said we needed the capability of 700 volunteers in the RFS to maintain our commitment to protecting the territory, and what you are saying now is that the ACT government—

Mr Corbell: It is not what that report said.

MR SMYTH: The ACT government is walking away from that and is quite happy to maintain 400 volunteers when 700 are required?

Mr Corbell: That is not what the report said, Mr Smyth.

MR SMYTH: That is what a previous estimates committee was told—that the target should be 700 volunteers.

Mr Corbell: That is not what the report said.

MRS DUNNE: We can solve that; we can table the report.

MR SMYTH: You can table the report.

Mr Corbell: I am happy to. I have provided the report already; indeed, another Assembly committee has a copy of that report already.

MRS DUNNE: Well, this committee does not.

Mr Corbell: I am happy to provide it again, and again I would simply state to members that the report did not say this is the minimum level required. The report indicated what the options were for the territory depending on what sort of capability it wanted and what it felt was appropriate. The advice I have from the commissioner is that it is not reasonable or necessary for the territory to staff at that level for what are relatively rare events—once every—

MR SMYTH: Yes, but in emergency management you are prepared for the rare events.

Mr Corbell: Yes, but you have to make a judgement. It is possible that someone is going to drop a nuclear bomb on the ACT, but do you do absolutely everything that you need to do just in case it happens and have absolutely every capacity in the ACT? No, you do not; you do a risk assessment and you make judgements about to what extent you can manage that risk with your own resources and to what extent you need to draw on resources from other jurisdictions.

Mr Pratt: Surely a macro fire threat is much higher than the improbable nuclear?

Mr Corbell: Indeed it is, but it is still not the type of event that we would anticipate happening in the territory every year.

THE CHAIR: Minister, could we just clarify—

Mr Corbell: And indeed the experience—

Mr Pratt: I do not think we said every year, minister, but every two or three years is too much; five years—

Mr Corbell: But this is the point I am making, Mr Pratt: it is about a reasonable assessment of risk and what is reasonable to mitigate that risk in the most cost-effective way for the territory, as is the case in New South Wales and Victoria. They do not plan their resources and train their services on the basis that they will be able to manage absolutely everything that is thrown at them. They make judgements

about what is reasonable in terms of their resourcing and then they plan for a larger scale of events beyond their own immediate resources that takes account of assistance from other jurisdictions, and we are no different in that regard.

We are no different at all. Victoria and New South Wales call resources from each other. The large fires that occurred in South Australia last year, earlier this year, drew on resources from Victoria in particular. Even large jurisdictions do not have the capability to deal with large-scale macro fire events on their own. They draw on other jurisdictions. Our planning is premised on exactly the same basis.

MR GENTLEMAN: Minister, my question was going to be in regard to those interstate events. How often do we supply services to the other states for their—

Mr Manson: Under the guidelines and arrangements across Australia, we regularly provide all sorts of resources from mapping and planning, incident control people, remote area firefighters. In particular, we have arrangements immediately across our border, neighbourly arrangements, which do not require any high-level approval; they are in place. When Victoria and New South Wales make requests of us, we assess our ability and capacity here and our threats and generally we have been able to be very generous both with SES and RFS volunteers and professional staff from agencies.

This year was a fairly quiet year, as you know, with bushfires—we did not make a number of forays across the border—and the year before, which was very busy, we sent task forces to Newcastle and Sydney in relation to SES, storm and fire and flood. In relation to fire we went to Narrabri, I think, Wollembi, Tumut—you may recall the fire in the pines at Tumut—a number of fires in Kosciuszko and southern Kosciuszko under joint arrangements, and certainly we sent a number of task forces to Victoria when they were having their large fires. So we cooperate particularly with New South Wales parks and rural fire service. We now have a very good relationship with them where we are swapping resources for hazard reduction burns so that we get opportunities to skill up and get experience for our volunteers.

Both Deputy Commissioner Parry and I have met a number of times with RFS senior officers and the department of the environment in New South Wales, and we have what I think is an increasingly strong relationship to transfer our resources back and forth, but more particularly ACT into our neighbouring areas, to gain that experience, and to maintain some activity in the volunteer group within the ACT which keeps them interested in being a volunteer.

THE CHAIR: That was going to be my question: minister, is it true that, unless the volunteers have an opportunity to engage with the activity that they are volunteering for, their motivation drops off considerably quite quickly and that it is necessary to pour a lot of resources into keeping the volunteers motivated through training events or whatever? My experience with the CFU that I belong to is that initially a very large number of volunteers were interested but, when there were no actual fires encroaching on their gardens, some of those volunteers dropped off.

We have found some new ways of motivating the volunteers with some new training weekends and things that have been done. But it is very hard work for those that are doing the training and encouragement, isn't it, if you have a large number of people

that are on standby more or less. Would that be true?

Mr Manson: Certainly, that experience is right around Australia in terms of volunteers where there is no activity, be it whale stranding, bushfires or flood. The ACT is fortunate that it does not have a great many incidents, so we need to look to training and other activities in support of our emergency services to maintain an activity level. For example, the SES maintain our lighting tower on the north side and south side of the city, which has responded very regularly to assist accident scenes, police—all sorts of events in the community where lighting is required for some sort of emergency or stress situation—and that has allowed the SES to expand its operations and be regularly exercised.

We are looking with the RFS at opportunities for them to be more involved in the audit of signposting, for example, on remote fire trails; that they get a genuine opportunity to become familiar with the landscape but also do something particularly useful for the community in updating signposting and replacing signs that might have been vandalised.

So we are actively looking with the Department of Territory and Municipal Services at improving the level of activity for our volunteers across the board, particularly with RFS volunteers, who already do a significant amount of work. I might just mention that, in relation to the farm firewise program, what is not often reported is that local captains and brigade members have been engaging very closely with rural leaseholders in the farm firewise program to familiarise themselves with rural leaseholders' lands, but also to swap ideas and get rid of hazards in the landscape, such as assisting in burning off with rural landowners. So there is quite a bit of engagement that we do not hear about that they do as a matter of course. However, it is an issue in maintaining a high level of activity to maintain people's interest.

THE CHAIR: If you had double the number of volunteers on standby, that would be double the amount of work that that would entail in order to try and maintain the motivation of all of those people?

Mr Manson: Possibly. Once we have got the basic infrastructure to assist our volunteers, we probably could take quite a few more volunteers without needing to increase our support infrastructure.

MRS DUNNE: I have a series of questions that relate to rollovers. I want to start with one about formatting. On page 122 of BP5 there are essentially two rollover items, but in BP4 on pages 245 and 246 there is essentially about a third of a page of rollovers. I am interested as to why there are not reasons for all the rollovers in the back of BP5, because there are a substantial number of rollovers, some of which concern me considerably.

Mr Corbell: I think the answer to that, Mrs Dunne, in what has been identified there, is that it is really a formatting issue, which is probably best taken up with Treasury; they prepare these documents. But what I would say is that the explanations there at the back of budget paper 5 seem to relate to some of the larger value projects and the smaller value projects are mentioned in more detail in BP4, so it is probably just a decision about identifying the larger value projects. But, of course, we have this

process to enable you to identify the reasons for all items that are listed in the budget papers.

MRS DUNNE: Yes, thank you.

Ms Leon: The other reason for the distinction, Mrs Dunne, is that BP5 is only dealing with the capital works issues—

MRS DUNNE: That is right.

Ms Leon: There are others, for example about IT projects, that are detailed in BP4, but they are not capital works and so they do not appear in BP5.

MRS DUNNE: Okay. A couple of specific questions about rollover: for additional ambulance operation response capability, \$18,000 is rolled over there. I am not quite sure of the extent to which there are new ambulances in the \$1.044 million in vehicle replacement programs. There were supposed to be new ambulances.

Ms Leon: Last year there were four new ambulance vehicles that were budgeted for: two intensive care ambulances, a patient transport vehicle and a specially designed bariatric ambulance for the morbidly obese. As I understand it, the only one that is not imminent in its arrival is the bariatric ambulance, and we are now expecting it to be delivered in August, so just into the next year.

MRS DUNNE: So what is that \$18,000, which is not an ambulance, in ambulance operational response capability, which has been rolled over, on page 245 of BP4?

Ms Leon: I will get some advice on that.

MRS DUNNE: Can Mr Foot answer that?

Ms Leon: That is just some residual fit-out of some of the ambulances.

MRS DUNNE: Okay. So what does residual fit-out consist of?

Ms Leon: Putting the specialist equipment in the ambulance.

MRS DUNNE: You said all those ambulances were imminent?

Ms Leon: The non-urgent patient transport vehicle is due to be delivered, I believe, any day now. The four new intensive-care ambulances are due over the coming weeks; that is two that were funded as new ones and two that are replacements. They should be here in a few weeks, and then the bariatric ambulance is expected to be delivered in August 2008.

MRS DUNNE: A question that relates to ambulance responsiveness is the accountability indicators on page 242, with the 2007-08 estimated outcome for those response times, which are substantially higher: 9.4 minutes rather than eight minutes and 18.32 minutes rather than 12.5 minutes for ambulance responses. They are considerably up on the targets, and the targets remain the same for next year. Will we

be able to meet those targets when we actually get all these extra ambulances on the road?

Ms Leon: The new ambulances will enable the ambulance service to run additional crews, and in particular to run them over peak demand times, so there is an expectation that that will considerably bring down the response times. In addition, there is additional ambulance response capacity in this coming year's budget that will continue to eat into those response times. Obviously, we have got an ageing population and increasing demand across the health system, including in the ambulance end of that process, and so the government is responding to that with increases in ambulance operational response capacity both in last year's budget and in this year's budget.

MRS DUNNE: What is the money in this year's budget for the ambulance response times? It is all over the place.

Mr Corbell: It is the fourth item from the bottom called "Emergency Services Agency—Maintenance of Operational Capacity", \$3.4 million, in budget paper 4, page 243, under the heading "2008-09 Budget Policy Adjustments".

MRS DUNNE: That is recurrent money and that is staff.

Mr Corbell: That is recurrent money and that is extra staff.

Ms Leon: That is 14 additional ambulance officers in that—

MRS DUNNE: Wonderful.

Mr Corbell: And 12 additional fire brigade officers.

MRS DUNNE: Are they paramedic officers?

Mr Corbell: Yes, they are paramedics and duty management functions.

MRS DUNNE: Dispatch type people?

Mr Corbell: Yes.

MRS DUNNE: Okay, and 12 new firefighters?

Mr Corbell: Yes.

MR PRATT: How many ambulance officers?

Mr Corbell: Fourteen.

MRS DUNNE: And what is the breakdown between paramedics and dispatch type people? Come on, Mr Foot, it is like old-home week.

Mr Foot: With respect to the breakdown, there are 14 positions fully funded by

government in the budget. Eight of those positions are front-line positions. That course is scheduled to commence in October this year. It will be an allied health professional course. Two of those positions are slotted in to specialist response capability—that is, in our CBR and specialist response areas—and another four positions involve the duty manager role or the shift supervisor, which is once again a front-line position in operations.

MRS DUNNE: So they are all qualified paramedics?

Mr Foot: Yes. The other two positions which may not be ICP qualified will be the operational support positions, because they are more about deploying our specialist response capability to a site for use by staff that are on site.

MRS DUNNE: Are they starting in October or starting training in October?

Mr Foot: The first course, which will be an allied health professional course, is due to start in October this year.

MR PRATT: Did you say some of those officers are going to be CBR trained?

Mr Foot: No, two of the positions against the strategy have been recruited to specifically enhance our CBR specialist response capability in the areas of our operational support unit, the bariatric ambulance for the morbidly obese transport capability and CBRN. So it is a mix across all three spheres.

MR PRATT: How many CBRN trained and qualified officers will you then have?

Mr Foot: As of next month, I will have 10 in the ACT Ambulance Service that are qualified to level 1 and level 2, and also commencing in CBR training as well, in partnership with the ACT Fire Brigade.

MR PRATT: Does this mean they will be qualified to respond to an incident where it may be suspected that a chemical, biological or radiation incident has occurred?

Mr Foot: There were a number of lessons learnt out of Exercise Capital Impact last year. We have a number of staff that have previously held CBRN qualifications to be able to work in the encapsulated section with members of the ACT Fire Brigade. We have taken the decision out of the lessons learnt from Capital Impact to enhance that capability, and a number of those positions coming into the department will further enhance our ability to provide that training to our staff.

MR PRATT: Minister, how many Fire Brigade officers will be fully CBRN qualified?

Mr Corbell: I do not have that information to hand, so unless someone can provide it to me, I will take it on notice.

Mr Manson: No, we might have to take that on notice. We have just run some new training programs which have increased the number of people at CAT 1 and 2 in relation to USAR and CBRN. I do not have the exact numbers to hand but I am happy

to provide them to you.

MR PRATT: But you have some, clearly?

Mr Manson: Yes.

MR PRATT: Is it your intention to deploy mixed teams of ambulance officers and fire brigade officers who are CBRN qualified?

Mr Foot: We do that now. If we have a white powder incident, intensive care paramedic teams are deployed. They are obviously under the control of the fire brigade incident control at the scene. They are there to provide first-line paramedical support to brigade members or members of the public that have been affected by the incident.

MR PRATT: Okay, thank you.

THE CHAIR: Some members of the committee would like the acronym explained, please.

Ms Leon: Urban search and rescue, and CBRN is chemical, biological, radiological and nuclear.

MR GENTLEMAN: Budget Paper 4, page 242 at line (h), which will discontinue—

MRS DUNNE: That was my question, Mick.

MR GENTLEMAN: Was it?

MRS DUNNE: On the same wavelength!

MR GENTLEMAN: It is in relation to the percentages shown there on the survival rate of cardiac arrest incidents out of hospital. I remember a presentation by paramedics to us last year when they talked about the difference between attending cardiac events, say, 20 years ago, when they were ambulance officers, and attending now as paramedics, and the survival rate is very high for cardiac arrests. Why do we have that figure there? I can understand why it is not going to be continued if it is going to be reported in a better way.

Mr Foot: Probably because of the difficulty in actually reporting. Survivability reports from cardiac arrests are only collated once every 12 months on a national basis. The ACT Ambulance Service is unable to provide the data that the committee may require in a timely fashion because it is done on a national basis with every other state and territory ambulance service across Australia.

MR GENTLEMAN: But they are well out, aren't they? From what I remember, it was a 90 per cent or 95 per cent survival rate from the event to hospital.

Mr Foot: I cannot answer that one.

MRS DUNNE: Yes, but you might not have survived much beyond that; it is just the point at which you measure it.

MR GENTLEMAN: At some point you will not survive, I guess, in the future.

MR PRATT: Minister returning to the question of RFS volunteers, the 2006-07 annual report looked at a total of 440 volunteers—RFS only. Can you tell me whether you have had a net gain since that particular report?

Mr Corbell: I think I have already said I am taking that—

MR PRATT: I think you said 400, didn't you?

Mr Corbell: I said 400-odd, but I have taken the question on notice and I will give you a detailed answer.

MR PRATT: Okay. Can you tell us what the loss rate of volunteers has been in the current financial year, as against the question of retention? Can you take that on notice as well?

Mr Corbell: I would have to take the question on notice.

MR SMYTH: Can I ask a supplementary on that? Minister, in the 2006-07 budget you had \$811,000 for additional recruitment, emergency services.

Mr Corbell: Yes.

MR SMYTH: The breakdown to the committee was given as \$691,000 for 16 new firefighters, \$50,000 to recruit 50 new RFS volunteers, and \$70,000 to recruit 80 new SES volunteers. At that time the committee was told that in 2006 we had 450 RFS volunteers. We were to get an extra 50 to take it to 500, and you are now telling us that, two years after you put in place your cuts in 2006, we have a 20 per cent reduction in the target of RFS volunteers, and you are happy with that?

Mr Corbell: No, I am not saying that at all, Mr Smyth.

MR SMYTH: Well, you are. If you have got 400, it does not equal 500.

THE CHAIR: Mr Smyth, will you let the minister answer the question.

MR SMYTH: He refuses to answer the questions. He fudges around and obfuscates.

THE CHAIR: Excuse me, he had only just started to answer the question and you interrupted him. So please be quiet.

Mr Corbell: I am not saying that at all, Mr Smyth. It was for recruiting, training and equipping that extra number of RFS volunteers that you referred to.

MR SMYTH: Correct.

Mr Corbell: Whether that led to a net gain depends on the level of attrition that occurred within the service. Without seeing those figures, I do not know. I am advised that, as of last week, there were 440 RFS volunteers.

MR SMYTH: Why couldn't we be told that earlier?

THE CHAIR: Excuse me!

Mr Corbell: You are wrong to say that if you train for additional positions there will not be any loss of other people from the organisation. In any organisation, particularly a volunteer organisation, there will always be a level of people who leave, and when people leave you have to fill those positions. This is not an entity where people are paid and you have a set establishment. The establishment moves around depending on people's willingness to remain as volunteers. We have provided funding to train and equip an additional 50 new volunteers, and, on that, I am happy to report that I think we probably did train that number.

I am advised that we did train and equip that number of additional volunteers. But in terms of whether or not that made a net gain to the organisation, I would have to give you a more detailed analysis. The government met its commitment in relation to providing additional training and additional recruitment activity, but with any volunteer organisation there is a level of attrition. I will have to provide you with the figures as to whether there has been a net gain so that you can see for yourself what has occurred.

MR SMYTH: How is it that you can now tell us how many volunteers we have, and yet when we asked an hour ago you said it was approximately 400 and you would have to check?

Ms Leon: We asked someone to go away and find out and bring the information back for you, Mr Smyth.

MR SMYTH: Thank you for that. I am still concerned that we have moved away from the aims. You had an expert report give you targets of 700 RFS volunteers and 350 SES volunteers—

Mr Corbell: Madam Chair, Mr Smyth is misrepresenting that report.

MR SMYTH: Well, that is what the committee was told.

Mr Corbell: He can misrepresent it as much as he likes but it is—

MR SMYTH: And you have abandoned your obligation to the people of the ACT.

THE CHAIR: Minister, we are not going to—

Mr Corbell: He is constructing a straw man in that regard. I have tried to answer the question in that regard.

MR SMYTH: Go back and check the Estimates *Hansard*, Mr Corbell.

THE CHAIR: Minister, we will not continue with that line of questioning.

MRS DUNNE: Can I go back to the questions that I had, Madam Chair, about the rollovers?

THE CHAIR: Yes, you can go back to the rollovers, and then we will go to Mr Pratt.

MRS DUNNE: In BP4, at page 246, under “rollover—Emergency Services Agency—vehicle replacement program”, there is \$1,044,000 for that. What aren't we purchasing in this financial year that we committed to, and when will we purchase it?

Mr Corbell: The rollover is due to delay in determining the most suitable types of vehicles. Primarily, that is because of the need to undertake further consultation with volunteer representatives, captains and other representatives of volunteer brigades.

MRS DUNNE: So these are all RFS vehicles?

Mr Corbell: These are largely RFS vehicles. There are a number of other vehicles also captured in this, but these are largely volunteer service vehicles for both the RFS and the SES. The SES has worked hard to develop a consultative arrangement with the volunteer members. That has led to a high level of feedback from volunteers about the types of vehicles they believe are most suitable for their operations. The fleet replacement program is for 31 vehicles. We have already replaced 15: five ambulance vehicles, seven RFS vehicles and three SES vehicles.

MRS DUNNE: Sorry, can you repeat that?

Mr Corbell: So far, 15 of the 31 due for replacement have been replaced. The 15 that have been replaced to date are five ambulance vehicles, seven RFS vehicles and three SES vehicles. We have ordered chassis that are due to arrive by 30 June for a further 11 vehicles: three fire brigade tankers and eight RFS tankers. They are then subject to fit-out. There are only three other vehicles to be rolled over into the coming financial year, and that is the bariatric ambulance that Ms Leon brought to your attention earlier, and two other fire brigade vehicles.

MRS DUNNE: So with the emergency chassis, essentially you are buying the shell and then you are doing the refit. Is that refit in that \$1 million?

Mr Manson: Part of the refit is in that \$1.04 million. We have made a contractual commitment to purchase the backs of the trucks for the tankers. There is almost a national waiting list with the manufacturer, and we have a slot in that manufacturing cycle. Hopefully, by Christmas we will start to have quite a number of those vehicles online.

MRS DUNNE: When were they scheduled to be online?

Mr Manson: This is according to the schedule. Last year, when the budget came out, we sought to go through the contractual process and use national contracts. The flow of vehicles' availability over a two-year period in Australia depends on the pre-orders.

With respect to South Australia, Victoria and New South Wales, if we all order in the same year then it is difficult for the international companies to provide enough trucks in Australia for all of us. And it is the same with ambulances.

MRS DUNNE: Essentially, you are buying the chassis from overseas and then you are getting the coachwork done?

Mr Manson: Yes, that is right. Australia does not make this sort of chassis, so we buy them. But all the backs and the internals of ambulances are made in Australia by Australian manufacturers. Obviously, we have a limited number of vehicles that we are purchasing, so we have to get in the queue, like everybody else. There is only a limited manufacturing base in the world for ambulances, and a significant proportion of that is based out of Sydney. They are doing major contracts in Saudi Arabia, and we need to fit in to their schedule.

I think we have done very well. We have brought forward a number of chassis so that we are in a good position for next year. Rather than being pushed to the end of the year for delivery, our deliveries will be much earlier in the financial year. One of the difficulties that we had this year was with the specification process and getting the agreement of everybody to the detail of the design. That needs to be agreed by volunteers in particular. The procurement processes are quite lengthy with complex contracts. The builders of this complex machinery to go on the back of these trucks need longer periods for replying to the tender so that they get it right.

MRS DUNNE: Thank you, Mr Manson.

MR SMYTH: Have we gone with the Victorian or the South Australian fire tankers?

Mr Manson: I only signed the contract the other day but I cannot remember which one it is because there has been so much controversy about it.

MR SMYTH: There is so much controversy that you cannot remember which one it is?

Mr Manson: That is right.

Ms Leon: One remembers the controversy rather than the outcome sometimes.

Mr Manson: I can certainly find out.

MR SMYTH: The volunteers will remember which one we bought if it is the wrong one.

Mr Manson: They were fully tested. There was a team of volunteers and professional staff who went to visit these manufacturers and tested them out. I got all the captains to sign off on the final design. Then we went to tender with that. I think the volunteers will be more than satisfied that they have had a significant input. They have been listened to and the final truck is a consensus from the captains. I waited until they signed off on it before I accepted it.

MR SMYTH: Will you take on notice which option you went with—Victoria or South Australia?

Mr Manson: I should know in a couple of minutes.

MRS DUNNE: The other thing is that, further down on page 246, there is the cessation of the Emergency Services Agency fire vehicle replacement program, which is a saving in 2011-12. How do we get a saving that far out? I know that is the adjustment but—

Mr Manson: I missed the first part of that.

MRS DUNNE: There is a saving of \$1 million in 2011-12 through the cessation of the fire vehicle replacement program.

Ms Leon: This is the adjustment. It tells you when things go up or down. This is telling you that it was a four-year program which would have had \$1 million in it in the preceding year but that will cease at the end of the four years—that accelerated vehicle replacement program. That \$1 million tells you that it is \$1 million less in 2011-12 than it is budgeted to be in 2010-11, because it was only a four-year program that ends in 2010-11.

MR PRATT: Minister, in the ES inquiry we have heard about capability and readiness. There was a question about a report into preparedness for the RFS presented by Mr McGuffog. I have had an FOI request seeking a copy of that report. It is well overdue. Let us not come back. Can you explain where that report is and why it is not being made public?

Mr Manson: Perhaps I can explain that the request did come to me and I have not prepared the response for the minister.

MR PRATT: Can you explain when this is going to be forthcoming?

Mr Manson: Imminently.

MRS DUNNE: Mr Manson, you received an FOI request?

Mr Manson: Sorry, I thought you were talking about—

Ms Leon: I think that is the Bushfire Council one?

Mr Manson: You were referring to a report which I understood you requested at the inquiry and we said we would provide.

MR PRATT: Yes. It was requested, I think, in the ESA inquiry, but it was also requested quite separately as an FOI request.

Mr Manson: The FOI—

MR PRATT: Which one are you dealing with?

MRS DUNNE: What has happened to Mr Pratt's FOI request?

MR PRATT: Can somebody please—

Mr Corbell: In relation to the FOI request, I am not advised of FOI requests until decisions are taken. Then, of course, I am advised of what is provided. I am not involved in that decision making.

MR PRATT: Given that it is overdue—

Mr Corbell: There is a request in relation to a letter that was written by a member of the ESA which related to a matter of interest to the fire and emergency services inquiry. I understand that the committee has made a formal request in relation to that documentation. I am currently seeking advice as to whether I should provide that documentation to the committee or whether I should provide an explanation as to why I cannot. I expect to finalise that matter in the next couple of weeks before I appear again before that inquiry. The committee will have the opportunity to ask me why that information has been provided or why not, and the inquiry can proceed. In relation to the FOI matter, I defer to Ms Leon to answer; they are responsible for that.

MR PRATT: Given that the FOI request has exceeded its normally expected return date, can anybody explain why that report, or at least a response to the request, has not got back in time?

THE CHAIR: I am getting advice that that is beyond the scope of estimates, Mr Pratt.

MR PRATT: I can tie it back to capability in terms of the emergency services readiness, which is an issue that has to be analysed in this estimates process, I would have thought.

MRS DUNNE: Surely a question about the timeliness of a freedom of information request is an appropriate issue to raise in estimates about the operation and the capability—

Mr Corbell: We are very happy to answer the question, so there is no—

Ms Leon: I understand that the FOI request is very close to finalisation. It is expected that the commission will be in a position to respond to that within about a week.

MRS DUNNE: But at the moment it is deemed to be refused if it is overdue. Has there been any holding pattern or anything directed to Mr Pratt under the normal practices under the Freedom of Information Act?

Mr Manson: Those procedural matters are normally dealt with by somebody outside my office. I will check to make sure that the appropriate holding patterns have been put in place, but I think the main issue is that Mr Pratt's response will be going through very shortly.

MR PRATT: Is there any particular reason why the McGuffog report could not be

submitted to this inquiry, given that the report goes to the heart of the capability?

Mr Corbell: There is no document on that. One of the difficulties I have with some of the questions you ask, Mr Pratt, is that you presume that reports exist that do not exist. This is one of those instances. You even give names when they do not exist.

MR PRATT: Shall we say a report written by Mr McGuffog? Does that create a better picture for you?

Mr Corbell: You create these documents and it creates some sort of legitimacy.

MR PRATT: Minister, given that—

Mr Corbell: I think you are referring to a letter written by a member of the ESA to my department.

MR PRATT: Reporting on the readiness of the RFS. What the hell is that? Is that not a McGuffog report? Let us not split hairs here.

MS MacDONALD: Settle down, Mr Pratt.

MR GENTLEMAN: He is excited.

MR PRATT: I am excited about the minister's answer. The question is: are you prepared to provide to this estimates committee the correspondence prepared by Mr McGuffog about the readiness of the RFS to face a bushfire threat?

Mr Corbell: In relation to the FOI request, that is not a matter that I have any control over. Mr Manson has answered your question in that regard. In relation to the request that has been made of me by the fire and emergency services inquiry, I have already answered that question: I will be providing advice to that inquiry before I next appear before that inquiry.

MR PRATT: The Auditor-General's report into the management of the FireLink project indicated that FireLink had failed in terms of—

MS MacDONALD: Chair, can I just make a point? We have been going on about this for quite a while now. I note that the legal affairs committee is conducting an inquiry into fire and emergency services—

MR SMYTH: If you let him finish his question—

MR PRATT: Ms MacDonald has not heard me finish the question which she—

MS MacDONALD: Can I finish my point?

THE CHAIR: Mr Pratt, let her finish her statement if she wants to.

MRS DUNNE: No. Mr Pratt is in the process of asking a question. If Ms MacDonald wants to take a point of order—she does not know what the question is yet. Why do

we not get the question out?

MR PRATT: The question is in relation to—

MS MacDONALD: No. The point is that there is an inquiry which is being conducted by the legal affairs committee; the issues of FireLink—all the issues that Mr Pratt has been raising for the last half-hour—would be better referred to that. Mr Pratt has been going along to those committee hearings and has actually been asking these questions anyway.

MR PRATT: Chair, on a point of order.

MS MacDONALD: So it is not appropriate for this budget estimates inquiry.

MR PRATT: Perhaps I could clarify. My question is in relation to the Fairbairn project management, which we have talked about in this place here today—relevant to this budget. The point is that the Auditor-General pointed out that the management of FireLink failed in terms of no business plan, no project management plan, no user requirement et cetera. Have we not learnt from the failures of that project? In terms of the incomplete answers here today about whether those sorts of documents and instruments exist in relation to the Fairbairn project, is the Fairbairn project any better advanced than FireLink was?

Mr Corbell: Without a doubt, yes. The reason for that is that, following the change in the status of the ESA from an independent authority to an agency within the Justice and Community Safety portfolio, we have been able to put in place detailed management of these projects—properly specified, overseen by an interdepartmental committee comprising representatives of Treasury, the planning authority, the justice portfolio, the ESA itself and the government's property services area. These have all been put in place subsequent to the revision of the government's arrangements for ESA.

The arrangements that were put in place prior to the 2006 budget—the arrangements that were put in place by the ESA when it was a statutory authority—have been clearly questioned by the Auditor-General, by me as the minister and by many other people in this place. We know what the difficulties were when the ESA operated as a statutory authority. I think I can answer unequivocally that yes, we have learnt the lessons from that, and the project management arrangements that are now in place for the headquarters demonstrate that.

MR PRATT: And every instrumentality required in the project management process for Fairbairn is complete, including what may have been missing from 2004?

Mr Corbell: All the things the government has required of the ESA in relation to delivery of the Fairbairn project are being delivered.

MR PRATT: Against the best practice of project management standards?

Mr Corbell: Yes, of course. Of course they have been conducted in accordance with best practice principles as outlined by the government in its requirements.

MRS DUNNE: Can I ask one question before we go to afternoon tea? I can see it is not 4 o'clock yet.

THE CHAIR: It is one minute to, Mrs Dunne.

MRS DUNNE: Yes, I know. I will be quick. Going back to the relocation of ambulance and fire stations, amongst other things, the feasibility study is not finished, but which of the fire stations is likely to be relocated, as opposed to refurbished, and which of the ambulance stations is likely to be relocated, as opposed to refurbished?

Mr Corbell: No decisions have been taken on that matter at this stage. I have not seen that report at this point. The government has not made any decisions in relation to that at this point. The commissioner has indicated that that study is still being finalised.

MRS DUNNE: And one supplementary question. What has happened, if anything, to the notion of a joint emergency services complex? For instance, at one stage Belconnen was scheduled to have a joint emergency services complex. Woden has sort of fallen off the radar because the police station has been built.

Mr Corbell: You might recall that in 2001 there was quite a level of controversy about these joint facilities and a significant level of opposition from the services themselves to joint location of stations. When the government was elected in 2001, we said quite clearly before our election that we did not support joint facilities as a rule and we certainly did not support forced co-location of services. On that basis, we did not proceed with co-location proposals at Woden or Belconnen.

At this stage I am not in a position to comment as to whether that is being recommended again. As I said, I have not seen a copy of the station relocation study. Obviously, if that is recommended it is a matter that I will give close consideration to, but I will not support proposals that force the co-location of services with each other. We saw the previous government try and do that with the SES and RFS and with the fire brigade, ambulance and police. Whilst it can have very significant benefits, many of those benefits are lost if there is not support from the stakeholder groups. That is the key issue. In any future consideration of that, there needs to be support from the services involved for it to work; otherwise many of the benefits are lost.

MR PRATT: For the record, may I state in relation to the FOI request I referred to earlier that I am now advised that the response was due on 1 May.

Meeting adjourned from 4.02 to 4.17 pm.

THE CHAIR: We are now on ACT Policing.

MR SMYTH: Chief Police Officer, what is the AFP's policy on officers moonlighting with second jobs?

Mr Phelan: We have a very robust policy that, essentially, for people in ACT Policing, I am the only one who can personally authorise someone taking a second job. I have to do that. That includes any form of employment, including company

directorships. Anything where there is any remuneration attached to it or even voluntary work, I have to approve.

The policy basically sets a list of prohibited employment opportunities, ones that are clearly a conflict of interest with what could be their policing duties, like the security industry, licensing, transport, anything like that, where someone could actually be called upon to use their police powers whilst engaged in this outside employment. They are clearly prohibited, as is anything else that is likely to bring either a conflict of interest or a perceived conflict of interest.

MR SMYTH: If an officer wanted to pursue a career at night, say, as a ballroom dancer, would that be acceptable?

Mr Phelan: Yes, most likely. It probably would.

MR SMYTH: Have you had that reported to you lately?

Mr Phelan: If you are talking about my commander, in terms of her performance lately, yes, and I was very pleased to be there myself.

MR SMYTH: I have to say congratulations to your commander, because I think she did a great job representing the AFP.

Mr Phelan: She did in fact.

MR SMYTH: But on a more serious note, the outcome statements in outcome 2 for policing in the federal Attorney-General's Department show a reduction for the ACT AFP for 2008-09. The appropriation is \$212 million, while the estimate for 2007-08 was \$224 million. This is the federal budget. Are any of the cuts to the AFP that appear in the federal budget likely to affect the ACT's policing?

Mr Phelan: As far as we are concerned, the ACT government of course pays, under the purchase agreement, for the policing of ACT services. They are fully funded for what we are moving forward next year on. In terms of the actual cuts to the AFP, in terms of its two per cent efficiency and so on in the federal sphere, there is no direct effect on ACT Policing. All the agreements that we have, for example, with AFP generally in terms of the provision of services, are outcome based. As long as that service gets provided for us, we are happy. Whether or not they are, for example, in terms of professional standards, forensic facilities, training—all those things, so long as they are delivered—it does not matter how much they deliver or at what cost, so long as it is delivered.

MR SMYTH: Is there an impact on what you can do with your staff if national office has less? Is our call on national office so significant that a cut in national office affects policing in the ACT?

Mr Phelan: Not directly, no. We have got sufficient resources here to do enough. A very good example of that is the torch relay a couple of weeks ago when we actually drew upon national. Whether or not AFP national has the ability to give us those resources will be on a priority basis as for themselves, I suppose.

MR GENTLEMAN: In the budget, minister, there was an announcement of \$17.65 million over four years for the establishment of a new police precinct at Belconnen. Can you go through for us what is going to be involved in that precinct?

Mr Corbell: Funding has been provided at \$16.99 million for the construction of the new Belconnen police station. That will provide us with a new facility to replace the police station that is currently located near the Belconnen town centre. That project is an important one because the existing police station is substantially run down and out of date.

Police officers currently work out of a series of demountables attached to the rear of the station. It is not a good or modern work environment, nor is it a particularly friendly environment for members of the public to access and have meetings with police. For those reasons, the government is committed to a new station.

It has been identified that the station will be located adjacent to the existing Winchester Centre on Benjamin Way. That site provides a street address to Benjamin Way and allows for some co-location with the Winchester Police Centre. Whilst it will be a separate building, there will be the benefits of ready access to the facilities and services provided at Winchester. We will also ensure that we retain a police operational presence in the heart of the Belconnen town centre.

Funding was provided in the 2007-08 financial year for forward design work. To date, \$350,000 of those design funds have been spent. The remaining \$850,000 has been rolled over and that will be expended this financial year. That will allow for detailed design to continue and then construction to commence in the 2009-10 financial year.

MR GENTLEMAN: Has any consideration been given to upgrading the city station? After this, it will be the oldest.

Mr Corbell: City station, whilst it is quite an old building, was significantly refurbished less than a decade ago and it is still of quite a high standard. Once we complete Belconnen, I think the government will need to give consideration to the capacity and the suitability of the Winchester Police Centre itself, which is an adapted, old TAFE building, if I recall correctly, and not built for purpose. It has been adapted very well by policing and meets a large number of their needs but, into the future, a significant refurbishment or replacement of that building will need to be contemplated. That is probably the next project after the completion of the Belconnen station.

MRS DUNNE: On the subject of the Belconnen station, you say that its address would be on Benjamin Way. What adjustments will need to be made so that there is appropriate access and egress? If squad cars, patrol cars, have to leave in a hurry, at the moment they can only turn left.

Mr Corbell: All that work will need to be done as part of detailed design. There has been no decision taken on that at this stage. As I indicated, funds are allocated for design, including site planning studies. All of the site advantages and constraints will be identified through that process and then a detailed design will be developed. I anticipate those will be factors that will be taken into account during the design stage.

MR SMYTH: According to the 2006-07 annual report, at 30 June 2007 there were 609 sworn officers available in the ACT, 220 unsworn, a total of 829. Either today or at 30 June this year, what is your expectation about police numbers?

Mr Corbell: As this is the inevitable question at any of these hearings, I do have advice on this matter. I am advised that, as of 1 May this year, there were 683.83 sworn police members in ACT Policing and another 236.01 unsworn police. That is a total of 919.84 full-time equivalent staff for the financial year to date. It is important to remember the purchase agreement figure for the financial year is 866 full-time equivalents.

MR GENTLEMAN: How does that compare with previous years?

Mr Corbell: I may need to take that question on notice. I do not have those figures immediately in front of me, but I am sure that can be provided shortly.

MR SMYTH: The Labor Party, in the lead-up to the 2001 election, gave a commitment to restore police numbers to the national average. Would you like to comment on the progress towards that objective?

Mr Corbell: Yes. The government has provided funding for an additional 122 police officers since being elected to government. This is the largest single increase in policing numbers since self-government and it has enabled ACT Policing to provide an additional third shift, move to a three-shift roster, for its operational needs. That means essentially we have got the capacity to put an additional 16 patrol cars, up to an extra 44 additional officers, on the road to meet peak times and busy times of the week.

That is a very important capacity which I believe is already paying significant dividends in terms of a much higher and a much more visible police presence at night, in nightspots in entertainment districts. It is allowing our police to also get out and do patrols during the day in a proactive manner, consistent with the suburban policing strategy.

I was talking to the officer in charge of Woden station a month or so ago. He indicated to me he now has the capacity to have foot patrols around the Woden town centre during the day. This additional resourcing is very much paying dividends in terms of a more visible police presence, which is one of the directions I have given the Chief Police Officer in my directions to improve the visibility of the police service. That is where we are.

As you will recall, the government commissioned a joint study into policing numbers, which recommended an additional 107 positions from, I think it was, the 2004-05 year and that has now been fully implemented consistent with the agreements reached between the government and ACT Policing. I think Mr Phelan has some more information on numbers which I might ask him to give you.

Mr Phelan: The first figures that I have before me of these funded staffing levels for the 2002-03 financial year show 766, and next year the funding level will be for 878

in ACT Policing. So that is a net increase of 122, of which the majority, if not all, are sworn police officers going to front-line positions in the ACT.

I will take this opportunity, if I may, to expand upon one of the things the minister said about our new rostering system. We have been able, for the first time, to actually put out a six-line roster amongst all of our stations, where we have a full complement on each particular team of 10 constables and one sergeant.

What it enables us to do during those peak times, particularly Thursday, Friday and Saturday nights, is add a whole extra shift in so that we can effectively overlap and at any one time, in those busy times, we actually have two sergeants out on the road with two full sets. So that is 20-odd constables in each of the districts.

You would have noticed, hopefully—and certainly the public will hopefully notice—that on Thursday, Friday and Saturday nights there are police cars everywhere. That does not include the traffic cars; it does not include the territory's investigation group. There are a fair few police out at those times.

It also enables us, during the week, during the Mondays to Fridays and the other times where there is less call on us to meet our responses, to actually have our patrols run an extra shift, where they can actually go out and talk to the public and catch up on those investigations and follow up on the things that they have committed to do. In the past, one of our biggest criticisms has been about getting back to the public in a timely manner and a timely fashion with the investigation. What happens is you have a crew in the station that have access to vehicles to go out and talk to the public whilst there is another whole shift that is responding to activities out there.

This is the first time that we are able to meet all of the response times as well on some of our tier 2 and tier 3 matters. I am quite pleased with all the work that the men and women are doing out there to get out to these investigations. Of course, it is important that we get to those priority 3 and priority 4 jobs. We have always been able to get to priority 1 and priority 2, but it is important that we get to those lower order matters in order to build public confidence in this police force.

MR SMYTH: Acknowledging the work done by the AFP now to be able to come up with the six-line roster, I understand there are difficulties with the delivery of motor vehicles and that you may have had actually a shortage of police cars. I had reports of officers from Tuggeranong having to catch a bus to Lanyon station to do the foot patrols that you are talking about because there were inadequate vehicles. Is that still a problem, or has it been resolved?

Mr Phelan: We have a problem at the moment because we have a number of cage vehicles that are on back order, so there are a couple of extra vehicles that are coming. At the moment, for every vehicle that is crashed, for example, that is one off the road that we do not have a replacement for. I do not want to be flippant with that. I do not want to have extra police cars that we do not have people driving around, because they are an expensive item. It is not a bad thing to get our people on the buses and out to do those things. Some of our patrols, particularly the ones in the city, are actually catching an ACTION bus, for example, to go to Dickson to do some patrols. This is in addition to when all the police cars are taken up. It is more police cars than we had

before in any case, and now we are having foot patrols. They are also walking out of their stations and through Woden Plaza and, if necessary, around Tuggeranong and particularly around Civic. You will notice that the shifts for the beats teams, for example, are being supplemented by general duties patrols.

MR SMYTH: So how many vehicles are you short, and when do you expect the backlog to be cleared?

Mr Phelan: I will take that on notice, if you do not mind. I would not actually say we were short at all. When we did the roster, part of the roster review was to actually work out how many vehicles would be required to do it. We made a commitment that we would not short-change any of the members about that. All the cars that were needed to fully implement the roster will be online at the moment. It is a matter of juggling our cars, too. Some of the plain clothes cars do not do anywhere near the miles of some of the general duties patrol cars, so it is about putting some of our people wearing uniforms in the plain clothes cars as well. That happens quite often. We are trying to utilise the whole fleet through a fleet management process as well.

THE CHAIR: Mr Mulcahy?

MR MULCAHY: A question, minister, probably more appropriate for the Chief Police Officer. A prevalent issue that is raised with me by members of the public and also quite often informally by members of your own police force is their frustration with offenders being brought before the courts and ultimately sentenced. I put a question on notice to the attorney this morning about the three points as to the numbers that are referred to the DPP, the ones that are then actually referred on by the DPP for prosecution and then the outcome of the sentencing.

Mr Phelan: Yes.

MR MULCAHY: I am just wondering if you have a view about your satisfaction with the way in which this process is working in terms of bringing offenders before the courts. I think, for example, of a question I recently put on notice where it was indicated that you had had to provide police for 43 call-outs in one public housing complex in the month of February in Griffith at the Stuart Flats. You may not know this from memory, I understand, but how many of the offenders are actually getting charged, brought before the courts and receiving a sentence that would be served as some sort of deterrent? It does not have to be the specifics of that incident—I am just using that to illustrate the scope of the problem. I am just wondering whether you are feeling you are being let down by the system, which therefore must serve to frustrate your officers.

Mr Phelan: I will answer the question in two parts. First of all, I will refer to responding to specific places in the territory, whether they be housing commission parts or not. I can assure you that any of the officers that go there, if they identify offenders, will treat those with due diligence, like anywhere else. If they do apprehend or get information or do that, we will follow it through. If we need to prosecute those people according to the same set of standards we have for everyone else then we will go ahead and do that. So, for us, that makes no difference.

In terms of sentencing, I have had a policy for the whole time I have been in the police force—23 years—that sentencing is not something I have ever commented on in any position I have ever been in, particularly in a command position. For me, the police force's job and the job of our members—although I acknowledge that some individual members may have frustration—is to put people before the courts using our discretion and putting together all the available evidence that there is to put before the courts. Then it is a matter for the prosecuting agencies of the courts to pass sentence. It is actually quite inappropriate for me to make any comments on sentencing.

MR MULCAHY: What about the point in between? You are getting this information to the public prosecutor?

Mr Phelan: Yes.

MR MULCAHY: Are you satisfied that they are acting on those matters pretty well most of the time, or are you getting frustrated by the fact—

Mr Phelan: I have a lot of confidence in the DPP in the territory. We have regular meetings with the DPP where we discuss individual cases. We also discuss trends; we also discuss working with the Magistrates Court and the Supreme Court to streamline processes. We work with the DPP to do that in conjunction with the courts. I am more than satisfied with our relationship with the DPP and the way in which they go about their business.

MR MULCAHY: Okay. Thanks for that.

Mr Corbell: I should flag, Mr Mulcahy, that there are a couple of things worth noting here. The first is obviously that, as Mr Phelan rightly points out, there are some different objectives that each element of our justice system and policing service have. For the police, it is to apprehend offenders and to provide the necessary evidence to the public prosecutor. The Director of Public Prosecutions then has the statutory responsibility to determine whether or not a matter should proceed to court. They are independent in the performance of those functions, and they make their best judgement as to whether or not matters should proceed to court. Then, obviously, it is within the jurisdiction of the court as to what a sentence should be if someone is found to be guilty of an offence. That is as it should be.

MR MULCAHY: I understand, but you would agree that it would be frustrating if you, as a police officer, are apprehending people who are committing offences and then, at the end of the day, nothing happens.

Mr Corbell: Of course, I accept that. Our justice system is a complex beast with a range of different players, and there are reasons for it being constructed in that way. The government is of the view that there are some areas of reform needed in terms of how certain matters are dealt with in court. We have already indicated changes, for example, in relation to sexual assault victims. We have already indicated changes in a range of other areas, and I have put on the record my view about the need for reform around jury trial. That is a matter which the government will be progressing over the coming months.

At the same time, the government has also indicated our intention to reform the committal process here in the ACT and the jurisdiction of the Magistrates Court itself and whether or not the Magistrates Court should have a wider jurisdiction than it currently does to deal summarily with a range of matters that currently may be being dealt with in superior courts. Those are issues which the government is very aware of. It is about striking an appropriate balance. Whilst I can accept that there will always be frustration from those who are simply doing their job in their duty to apprehend offenders, it is not their decision alone as to how those people are dealt with down the track.

MR SMYTH: As a supplementary, Chief Police Officer, are you aware of this frustration among officers, that they think they are doing the job and, in fact, they feel let down by the rest of the system?

Mr Phelan: I would not say let down. Anecdotally, I think nearly every police officer, and even myself sometimes when I was a constable or a sergeant, has some degree of frustration in some particular cases. But a lot of that is very subjective and, at the end of the day, some of our people put their heart and soul into investigations. Not everybody can be convicted and not everybody gets the result that someone might think they should. But, quite frankly, that is the beauty of our system here in Australia and one that I have no fundamental problems with.

MR SMYTH: Sure. I think we ought to appreciate the separation of powers and the steps in the process. Have you conveyed to the minister what you are hearing from your officers as to their sense of frustration?

Mr Phelan: I do not get enough of it to warrant it. I do not get enough individual constables or sergeants that would come to me with those frustrations that would warrant me bringing it up. On individual cases, for example, when things happen, we have robust discussions with the DPP where we talk about post-trial assessments and so on. Sometimes my views and the views of our officers when we are talking about potential pending appeals are brought forward. But that is a matter for the DPP then to make a decision, a decision which we respect.

MR SMYTH: On the advice of officers previously when I was the police minister in 2001, we put legislation into the Assembly to change the Bail Act, which was a source of constant irritation to officers. Mr Stefaniak recently proposed a suggestion the minister followed for putting in on-the-spot fines for offences. Are you currently aware of any area of the law that you or your officers believe let down the AFP or need tightening?

Mr Phelan: “Let down” is the term. Certainly there are a number of areas of legislative reform that we have flagged in the past with the government. We continue to work with the department and also the government on things that we think may be able to streamline some of the processes. So we have a continual dialogue about some of these types of matters, and there is no particular secret about a lot of those.

MR SMYTH: Is there a document outlining those areas that you can provide to the committee?

Mr Phelan: No, not particularly. A lot of that is informal discussion between me and the minister.

MR SMYTH: All right. Could you tell the committee of particular areas of concern at this time?

Mr Corbell: I do not think it is appropriate that you ask the Chief Police Officer to tell you what advice he is giving me on matters—

MR SMYTH: No, I am asking him to tell the community of his areas of concern.

Mr Corbell: No, you are asking him to tell you the advice he has given me on matters that are currently subject to government consideration. I think that is quite an unreasonable position for you to put him in.

THE CHAIR: Yes, and I do not believe you need to answer that question.

MR SMYTH: Okay, minister, are you aware of any areas of concern that your government need to address that they have not done to date?

Mr Corbell: I am aware of some longstanding deficits that I am very pleased to say the government is addressing and which I will be making further announcements on in due course.

THE CHAIR: Dr Foskey.

DR FOSKEY: Can I take us to a different area. I have a couple of different areas I would like to pursue, but I will start with the Cameron report. I was wondering when we can expect a government response to the Cameron report, minister.

Mr Corbell: The government has already received the report, and I have referred the report to the Chief Police Officer and asked him to indicate to me his position on the recommendations of the Cameron report. He has done so, and he has indicated to me which recommendations are agreed to by ACT Policing. I am pleased to say that the overwhelming majority of recommendations are agreed to. In fact, the only ones that are not agreed to are the recommendations relating to what is effectively a no-pursuit policy for stolen motor vehicles. That is not a policy that either I or ACT Policing agree with. With that exception, the overwhelming majority of recommendations have been agreed. I can give you a more detailed summary of those recommendations and the agreed approach between policing and government.

DR FOSKEY: To give to the community?

Mr Corbell: Yes.

DR FOSKEY: Great. And me, perhaps, too?

Mr Corbell: Well, to the committee.

DR FOSKEY: I am not on the committee.

Mr Corbell: I am sure they will give you a copy.

DR FOSKEY: Thank you. Just to follow that up, at the moment, do investigations of police pursuits also examine impacts on public safety?

Mr Phelan: Yes. Not necessarily every single pursuit that occurs, but certainly if it results in injury, all those things are investigated. There is an internal investigation in relation to the pursuit itself, and no stone is left unturned in those circumstances. Certainly, the ones that I have seen since I have been here have been very comprehensive investigations.

DR FOSKEY: Do the police have access to some of the new technologies that are apparently available which might avoid chases at times? There are things like the high-tech zapper that stops cars in their tracks and automatic fixed-camera software systems that scan licence plates. I am sure that you are aware of these things because they would be in the literature out there that you would be looking at, but I was just wondering if any of our cars are equipped with technology such as these.

Mr Phelan: You would not be surprised to see how many various companies around the world end up writing to police chiefs about stuff they could sell them that would help them do their job easier.

DR FOSKEY: It is like doctors and pharmaceutical companies, I suppose.

Mr Phelan: Most likely. I can be corrected if I am wrong, but I believe all of our team leaders' cars, for example, have the stop sticks that will stop a car in their tracks and blow all the tyres out when they go over the top of them, and the people are trained in how to deploy those sticks.

One of the things you mentioned was automatic numberplate recognition. We do trial automatic numberplate recognition, both in a fixed camera mode and in a mobile mode; we have the ability to do that. Interestingly enough, I went out last week when we did it in a fixed mode on a particular location and I was astounded to find that one in every 50 cars in this location was pulled over because it was either unregistered or the driver was unlicensed or had no insurance on the car. So it creates a rather daunting—

DR FOSKEY: So they were able to be accurately, through this—

Mr Phelan: Yes.

DR FOSKEY: Just to finish that, have there been any cases where those technologies have actually meant that a stolen car does not have to be pursued?

Mr Phelan: You have to pursue it, because someone has got to pull it over, and, if it does not stop, someone has got to chase it.

DR FOSKEY: But it can make it a shorter chase. You can see where I am heading—trying to avoid car chases where it is at all feasible.

Mr Phelan: The easiest way to avoid a car chase is if they stop when the lights and sirens are turned on. Anything that is going to detect them—if they want to take on the police, they will. But then, if they take on the police, we use our robust pursuit guidelines to determine when we will chase and when we will stop the pursuit, and there are a lot of guiding factors around that, around public safety. The individuals themselves can call the pursuit off or, of course, the pursuit controller within the comm centre can call the pursuit off if the traffic is too heavy et cetera. So all those things are taken into consideration when a pursuit commences.

Mr Corbell: The government has, and I as minister have, said quite clearly that there must be the capacity for police to enforce their authority. The authority of police to lawfully request someone to pull over and to abide by a lawful direction must be able to be enforced; otherwise, that authority has very little meaning. That is extremely important in terms of community safety generally in the ACT.

The government supports police exercising their discretion as to whether or not to pursue someone when they refuse a lawful direction to stop—and that is what it is: it is refusing a lawful direction to stop. So the issue is: is it appropriate and feasible and safe enough to pursue? That is where the urgent duty and pursuit guidelines come into play. I expect, and I know the Chief Police Officer expects, all of his members to be properly trained and aware of their obligations and responsibilities under those guidelines and to exercise their discretion appropriately.

I have to say that, in my experience, from what I have seen of how these issues are analysed after the event as well as the general duration and length of pursuits here in the ACT, that discretion is exercised well. Yes, we have had a tragic incident where one of our fellow citizens has died, an innocent bystander has died, and that must always be recognised and we must always feel sympathy and recognise the suffering of the family that has been through that experience. But at the same time it is not an argument in my mind, or, I think, in ACT Policing's mind, that pursuits should not occur. But discretion must always be exercised appropriately and I have every confidence that that is the case.

DR FOSKEY: Thank you. I look forward to seeing the Chief Police Officer's response to this.

MR MULCAHY: Supplementary to that—and my concern is not particularly the pursuits, because I agree with your view, minister—is the issue of numberplate recognition. It just seems amazing to me we do not have some permanent facility on the exit roads from Canberra, given there are so few, to recognise, particularly, stolen vehicles. Unless it has changed, there used to be significant numbers stolen from hotel car parks on Northbourne Avenue, and I am assuming they are going to Sydney and disappearing into the ether. Has thought been given to putting that within the budget—having some kind of permanent facility to pick up cars leaving the territory that are stolen?

Mr Corbell: This is a matter that is being considered at a national level and it is a matter of interest to me. I think it is something that does need to be considered in future budget development. There are no concrete plans at this stage, but certainly—

MR MULCAHY: It is a lot easier, obviously, out of the ACT because of—

Mr Corbell: There is an argument for progressing further consideration of that. I do not believe we are at a stage where we can fully determine yet how we would use such a capacity, and we really need to work out its total value and how it links in with other policing activities. But I think there is certainly scope for it, and I will certainly be taking account of some experiences in other jurisdictions where it is more widespread, to see whether it has practical application here.

MR SMYTH: Just on the same issue, I did not hear exactly but did you say we have acquired some of these cameras and this technology or you were trialling some of this technology?

Mr Phelan: No, we have had some for a while; we have had some in-house development of the software as well—AFP developed software that enables us to work with those. But at the moment it is all on an enforcement basis, so it picks something up then and there and our people down the road pull up the car accordingly. We have made a number of press releases about it over time and the system—

MR MULCAHY: But you do not have a permanent fixed camera anywhere which would relay images of stolen vehicles?

Mr Phelan: No.

MR SMYTH: Do any jurisdictions around Australia have permanent fixed cameras of this nature?

Mr Phelan: For automatic numberplate recognition for law enforcement purposes, not to my understanding, no.

Mr Corbell: It is present internationally.

Mr Phelan: Yes.

MR SMYTH: On a different tack, we heard this morning from the corrections minister, who is also the police minister, about arrangements for AFP support to the prison, at a certain point in an incident that the police might be called to respond to the Alexander Maconochie Centre. Have you done any calculations of what additional cost pressure this would put on the AFP ACT?

Mr Phelan: We have had a look at some other jurisdictions and some other prisons, particularly around country New South Wales and the level of response that the local police may have to incidents that occur in the prison. But we will be doing that within our normal patrol zones—for example, either out of the city or out of Woden—to look at those sort of things. We also have the response capacity for the tactical response areas to go in there, if needed, as a point of last resort. Liaison with corrections is working very well. So, yes, we have done some sort of analysis, but we will have to wait and see as to how the prison population goes in terms of what our level of responses will be to the prison. At this stage we are going to wait and see if we will

absorb it within our current resources in each of those stations. I have got to say that, given that we have got full rosters at each of those places at the moment, that will greatly assist us.

MS MacDONALD: I do not wish you to comment, but there is an article in the paper today relating to police dealing with somebody going through a psychotic episode. I do not want you to comment on the case at all, because it is before the courts, but what I did want to ask was what training police officers are put through to deal with people going through psychotic episodes.

Mr Phelan: It is my understanding that when they go through recruit training all of our people are trained particularly to be able to identify potential mental health issues. Certainly that happens during the recruit training phase and, when they get out, as part of their officer safety training. It is all about trying to de-escalate issues, so one of those is about identifying the particular individuals that are there. At this particular stage last year, there was enough OST training; we had 37 courses, so we were able to put all of our people through that and they have to re-evaluate every year, through that process. So it is certainly part of the de-escalation. Not only that; when we identify those issues, we have protocols with the department of health here to be able to hand people over, see what is appropriate—either to go into custody or to go into other custody.

THE CHAIR: Dr Foskey has a question before she needs to go somewhere, so we will go to her now.

DR FOSKEY: Thank you very much for that indulgence. I have some questions in relation to the torch relay. I was wondering, Mr Phelan, how many days before the event ACT Policing became aware that it may well be a situation that required vigilance. I am not sure which part of the event that would be to you—whether it was when you became aware that there were a number of busloads of people coming down to Canberra, or whether it was at another time.

Mr Phelan: From our perspective, the planning for the torch relay started many months ago, well into midway through last year, once we were aware that the ACT would be hosting the torch relay. Over the last eight weeks prior to the torch relay coming to the ACT, the planning ramped up in terms of what our resource commitment would be. That was based primarily on overseas events—first of all what we saw in London, followed by what we saw in Paris about three or four days later and then, subsequently, a week later in San Francisco. During that whole time we were ramping up our planning process.

We also relied upon the intelligence that was provided by AFP throughout Australia and public domain websites—all this sort of stuff about intelligence—of the number of people that would be coming, those that intended to disrupt the event and those that would come and have a peaceful protest. We worked very closely with the protest groups, particularly the Tibetan protesters. We reached out and we had many discussions with them. We also had many discussions with the pro-Chinese supporters.

I must say that the success of the relay was based a lot on the compliance of these groups and their interaction with us. They asked us, both the protestors and the

supporters of the Chinese, where to go, where to park their buses. We gave them advice and they followed it through. So they all protested and supported, whichever way you want to call it, in the places that they did, and were, I have got to say, by and large, largely compliant with police directions.

Certainly, it became apparent to us in the weeks leading up that use of the major events powers as an option would be required and, as it transpired, we advised the government, and the executive made that decision to grant us those extra powers for a limited period of time—and, I must say, they were extremely helpful in us maintaining security and leading to a successful event, in my opinion.

DR FOSKEY: I just want to follow that up because I have had enough feedback from constituents to feel that not everyone felt it was successful or felt safe.

Mr Phelan: I have had no complaints so far.

DR FOSKEY: No. I just wondered if you found that there were, for instance, more protesters from one side or the other than you expected. I want to read this little bit that I have been told, and you can comment on it:

On many occasions, both groups—

that is One China supporters, which, I believe, is the name they use—I have to say I was out of the country at the time, so not there—and the pro-Tibet people—

were left to mingle, with no police present, including the long walk from Parliament House to Commonwealth Bridge. Although the police did what they could, there was a lack of preparedness for the conditions on the day. At one stage a couple of hundred of us—

that is pro-Tibet—

were walking along a path in the midst of thousands of Chinese, which could have become dangerously out of control.

To your knowledge, was it true that there were no police on that walk from Parliament House to Commonwealth Bridge?

Mr Phelan: If I first may comment on whoever wrote that—I do not know, but about the—

DR FOSKEY: It was someone who was there.

Mr Phelan: Well, the lack of preparedness is a load of rubbish—absolute rubbish. I have never seen an event in my time that had been prepared as well as this was. Every particular contingency that could occur was catered for by our people, in my opinion, in a very first-class way. Individual groups did mingle—that is right—because we were not going to corral everybody; this is still a democracy and people can walk through places if they like.

There were more than enough police, in my view, doing it the Australian way, in that

we had enough police there, but without going over the top, to be able to protect all these people. I must say that I thought they did a sterling job and I reiterate what I said before—I apologise for interjecting—that I have received no complaints at all, from anybody, about the police's behaviour on that day. As a matter of fact, our police that walked out when the torch relay was over got a standing ovation from the public that were there.

DR FOSKEY: I do not think that there have been any complaints about the policing; I think that people who were involved were just shocked at the large, to them unexpected, number of people who they felt were there to make sure that it was not peaceful.

Mr Corbell: Again, this is a public event and there is no prohibition on people coming along to this event; it is occurring in public areas where anyone can go and, as long as they are behaving in an orderly, peaceful manner, they are entitled to go about their business—and I think, overwhelmingly, people did.

DR FOSKEY: I guess that is the question, isn't it?

Mr Corbell: But that does not mean you are not going to have instances where people are being pretty robust and strong in their views. Some people may find that intimidating. Some people find demonstrations generally intimidating. But that does not mean that people are not entitled to behave in that manner; they are, and the issue for the police—

DR FOSKEY: Behave in what manner?

Mr Corbell: In a manner where they express their views loudly or robustly.

DR FOSKEY: Which is verbally, of course, but not necessarily by intimidation.

Mr Corbell: What some people regard as intimidation, others might just regard as a robust expression of their position.

MR MULCAHY: I have a supplementary, chair.

THE CHAIR: Yes, that is fine. I am aware of that, Mr Mulcahy.

Mr Corbell: I know that there are some people in the community who were disturbed by the behaviour of one or other of the protesting groups and I am aware that there have been some complaints made through the media about people behaving in what others perceive to be an overtly aggressive manner. I am concerned about those reports and, again, I would simply encourage people, where it has occurred, to report the matter to police. But I think it is wrong to say that the police were not in a position to be able to deal with those circumstances. Where they became aware of them, they were able to deal with them in very significant numbers, very promptly.

DR FOSKEY: I think that is understood, yes.

Mr Corbell: So there was no lack of planning, preparation or capability on the part of

the police to be able to respond to those and I think overwhelmingly the effort that was made was first class, and I am very proud of the service and the operation that was provided on that day.

THE CHAIR: Mr Mulcahy?

MR MULCAHY: Can I ask Mr Phelan a supplementary question. I am one who thought it was an extraordinary success; in fact, I boasted somewhat in messages to friends overseas about how we did it. Could the Chief Police Officer tell us, in view of our success here, whether any other police forces overseas were seeking your advice on how to manage this. Did we get any inquiries from subsequent relay points about public management?

Mr Phelan: Of course, most of the Western democracies had finished by the time they got to us, but the Japanese did reach out, albeit briefly, and we provided some advice to them. The interesting thing was that the forward commander from the British police force was here at the time and he came down and observed ours, and he was full of praise as well for the way in which we carried it out.

If I may, I would just like to answer the last question, which I did not get a chance to do, which asked whether we were unprepared for the numbers that were there. The answer to that is no. The numbers that did arrive, that came to protest and support, were within the tolerance levels that our intelligence told us were going to be here.

MR SMYTH: What was the cost of the event to the AFP?

Mr Phelan: I will get the exact figures for you—as exact as they are at this point in time. I think some of these might also be on the record. So far, the costs are in the vicinity of \$700,000. That is a breakdown of ACT Policing and also AFP national resources that were required—a mixture of both—to go and do the torch relay. That is just what we have so far, for overtime and for the particular time of the individuals' travel costs, accommodation costs, some transport costs and a few thousand dollars for incidental costs.

MR MULCAHY: And it does not include the fencing, which I think was another quarter of a million, was it not?

Mr Phelan: No, that is a matter for TAMS.

MR SMYTH: So the national office component of that: is the ACT billed for that or is that covered by the agreement?

Mr Phelan: There are costs that ACT Policing are working with the government on at the moment, and I think the Chief Minister has made some comments on that before, and the commonwealth. We are working through those arrangements at the moment. It is a matter of working out what the costs are but there is a proportion of commonwealth costs, of course, that the commonwealth pays for, for ACT policing services. We normally do an assessment of that at the end of the year, activity surveys et cetera, to see what that cost is and we will see whether or not that could be absorbed.

MR SMYTH: When do you expect to be able to finalise the AFP component?

Mr Phelan: The AFP national component?

MR SMYTH: No, all of it. When will you tell the government the final cost—

Mr Phelan: We are just waiting for final invoices to come through, so I would imagine it would be in a matter of weeks—that is all—to get an exact figure

MR SMYTH: I notice, Chief Police Officer, that the latest 2007 Productivity Commission report shows an increase in satisfaction with ACT AFP between 2004-05 and 2005-06 but a decline between 2005-06 and 2006-07. Is there an explanation for this decline?

Mr Phelan: One of my key performance indicators is to determine the satisfaction with the policing service. I think you will find that generally the satisfaction levels are high. The issue with me is one about perception of crime as well, and satisfaction with policing levels also determines your interaction with the police. Canberra is by far one of the relatively safe communities in our country, so very few people have contact with the police, in a negative or positive sense. That is one of the things that we are certainly trying to ramp up at the moment with more community engagement. This is where the suburban policing strategy comes in—getting our people out, proactively patrolling, proactively talking to school principals, proactively talking to shop owners—and I am quite confident that you will see these figures rise in the years to come. A lot of this, of course, is something that is built up over time and I am more than confident. A lot of it is just getting out, having our people on the beat and talking to people.

MR SMYTH: And as a response to perhaps that decline is the suburban policing strategy?

Mr Phelan: No. Those figures are from 2005-06. The suburban policing strategy started in November the year before last, so we will only start to see the fruits of that labour as it becomes inculcated in people's culture and the shop owners, for example, know who their local sergeant is, know who their local police are, as this is part of the police job. Each team in our districts has a suburb or two that it is responsible for and it is its responsibility to get out and know the people and know the shop owners, the school teachers and the principals within its area. It will be in time that we actually bring those sort of things to fruition.

MR SMYTH: So can you comment on whether the strategy is being successful or not and how you are measuring that success?

Mr Phelan: At this stage, to measure the success, we will have to wait until some of those reports come through, for that qualitative analysis. The quantitative analysis is easy. We have done in excess of 80,000-odd proactive patrols since the suburban policing strategy has come through, of which a fair bit are foot patrols et cetera around a particular area. So it will not be until we get those Productivity Commission reports or the studies that are done by the Institute of Criminology that we will see the

fruits of that labour come through.

MR SMYTH: Have you asked the Institute of Criminology—

Mr Phelan: They do it as a matter of course, in annual figures—satisfaction levels with police, the fear of crime.

MR SMYTH: Sure, but that is done in the broad. How would you determine whether or not your suburban strategy is working?

Mr Phelan: One will correlate to the other because they do talk about the ACT. We are a municipal jurisdiction, we are the only police force that is here, so the natural consequence of that is that, if the territory is polled, the satisfaction with police et cetera will reflect what we do.

In terms of whether or not it is as a result of the suburban policing strategy, these are the sort of things that our overseas counterparts have difficulty grappling with as well. Some jurisdictions in England that are of a similar size to ours have found over time that there is pretty much a continuum; the more you focus on community engagement and move away from intelligence-led policing to community engagement et cetera, your crime rates go up. Then you flick back the other way and the community say you are not interacting with them because you are doing intelligence-led policing, and the crime rates go back down.

It is the idea of trying to find a happy medium amongst them both and at the end of the day this is where we need to take advantage of that in the ACT, given our geographic situation. We are a municipal police force and we are not far from south to north.

MR SMYTH: Have we got the balance right? In the agreement, crime and safety management picks up \$81 million, traffic law enforcement gets \$6.5 million, prosecution gets \$6 million, crime prevention gets \$4 million. Have we got that balance right, in your mind?

Mr Phelan: I think so. At the end of the day the crime prevention might be put into that particular arm under that particular superintendent, but it is also the responsibility of all the criminal investigations. The patrols and so on, picking up their hours and so on, that go towards the suburban policing strategy, also interact with that community engagement. I am quite confident from what I have seen so far that we will see those numbers go up.

Mr Corbell: I think, Mr Smyth, it is worth highlighting some of the quantitative assessment that has been done of the suburban policing strategy because this, for me, comes back to the objective I have set the police in my directions, which is to improve their profile and their visibility because that informs people's perceptions about safety, perceptions about crime and just how comfortable they feel in their own neighbourhood, in their own community.

For example, looking in your electorate area of Tuggeranong, suburban policing strategies between 2005-08—these are activities attended by ACT Policing on

patrol—there were over 10,440 proactive motor vehicle patrols during that time in Tuggeranong, 2,293 proactive beat patrol activities and then a smaller number of traffic targeting, around 1,000, and another 485 occasions of community relations, which is safety house, neighbourhood watch type of activity and so on. Those are very strong figures.

But, as Mr Phelan says, it is not just that numerical analysis; it is also the more qualitative things about people's perceptions of safety and perceptions of being able to get around their neighbourhood and feel safe. I am confident that this will flow into improvements in those perceptions as measured nationally and I think those are the best measures of our success.

MR SMYTH: The measure of the qualitative: how will that be carried out? Is that when you say you await the Bureau of Criminology?

Mr Phelan: Yes, we will rely on them, because then you can compare apples with apples across jurisdictions. The interesting thing about the national survey of community satisfaction with community policing is that in the ACT there are only two areas of crime that are less than the national average when it comes to concern about crime, and they are housebreaking and motor vehicle theft. Everywhere else, we are above the national average in terms of feeling safe. Ironically, they are the two crime types that are going down in the ACT. In the last nine months, so this whole financial year, housebreaking is down 10 per cent against the last year and over the last 12 months vehicle thefts are down by four per cent. Hopefully, that will correlate through to perceptions.

This was the media article that I did a couple of weeks ago when I said that my biggest challenge here in ACT Policing was changing those community perceptions and convincing people that the ACT is a safe place. I feel that one of the key ways to do that is to get the message out about what is happening—for example, letting them know what clear-up rates we have around the place and that they are improving. We can know what the burglary rates are on a more real-time basis through our website. I am looking at exploring some of those things that occur overseas so that I can deliver ACT community real-time information. Hopefully, that will dispel a couple of myths, even around pursuits, for example. We have 10 or 15 pursuits a week in the ACT—everybody wants to run from the police—but the majority of them are called off. It is a myth that we chase everybody until a car crashes or it stops.

MR MULCAHY: Is it joy-riders mainly?

Mr Phelan: The vast majority of them—that we know of. Some we do not stop because pursuits are called off, and they are called off either by the individuals that are there or by the pursuit controller. But this does not get out to the public, or it is not printed in the press, and this, for me, is one of my greatest challenges.

MRS DUNNE: Can I go back to the minister's figures? I think he used the term "proactive beat activities". What is a proactive beat activity?

Mr Corbell: That is where police are not responding to a specific request or incident but doing proactive patrolling activity.

MRS DUNNE: You gave a number, which was 10,000 instances. Is that—

MR MULCAHY: That was the car patrols, the 10,000-plus. The beat police were 2,000.

MRS DUNNE: Okay, 2,000. Is that the number of times people went out on shift? Is there a better way of measuring it in terms of hours put into beat patrol? Saying there are 2,000-odd instances of proactive beat activity does not actually tell me very much. That is another question of perception.

Mr Phelan: I can tell you exactly how it happens. For example, if our city beats team were not responding to a job or anything like that they might walk past the Assembly here with the sole aim of going and walking through the car park here, which they will do. What they will do is go on the radio, call their call sign and say: “Beats 1 and 2 doing a proactive. Please mark us down for a proactive patrol of the Legislative Assembly car park.” That gets logged onto our CAD system and there is a record of that. That is what they do. It is the same with patrol cars. If they are not responding to a job, for example, they do not sit in the stations; they might drive around a shopping centre, get out of the car and walk through or whatever. All those are recorded on the radio. That is where we get the stats from.

MRS DUNNE: So that is the constant logging on to say, “We’re off doing X, Y, Z.”

Mr Phelan: That is right, so we know—

MR GENTLEMAN: Those figures that the minister gave were only proactive events.

MRS DUNNE: Yes.

MR GENTLEMAN: You have still got all of the reactive—

Mr Corbell: That is right.

MRS DUNNE: Yes. I was just trying to get some sort of definitional rigour into what proactive beat activity was.

Mr Phelan: It is as simple as that.

MR SMYTH: If you have the numbers for proactive, do you have the numbers for the Tuggeranong region for reactive events in the same period?

Mr Corbell: Not with me, but we can give you total levels of police activity, which is obviously what that would be.

MR SMYTH: If we could, for each subregion across the territory.

Mr Phelan: We could do that by stations. We could take that on notice.

THE CHAIR: So we are taking on notice what part?

Mr Phelan: You want to know everything we do.

MR SMYTH: Reactive and proactive police activity by station in the ACT for the last financial year.

THE CHAIR: Levels of activity by district.

MR SMYTH: If you can do it by, say, two financial years so we can have some comparison.

Mr Phelan: Okay; I will see what we can do. I do not want to go too far over my ability to promise and not deliver, but I do not think that it will be too difficult to break it down—by incident type as well.

THE CHAIR: Going back to satisfaction with the police force and the perception of it, you have the volunteers in policing. That was established, wasn't it, to make another link between the community and the police service so that people would see that there was this human face, in a way, I suppose?

Mr Phelan: The volunteers in policing are a fantastic resource to us. They not only help by doing some basic front office duties—there are always police there supervising—but also they talk to the community at the front office. They also provide a valuable function at things like the show and, unfortunately, official funerals and things like that. They are always there to help our members as well—putting on barbecues et cetera when they have to do long jobs and things like that. Our volunteers in policing are fantastic. They are a fantastic resource to us. It is one of those things about engaging with the community too; it gives people in their retirement or short of retirement another opportunity to contribute to the community.

MR SMYTH: I have a follow-up, chair. In England they have taken the concept further: they now have community, volunteer or part-time police. Is that something the AFP has looked at?

Mr Phelan: I am aware of it. I have to tell you, quite frankly, that I am not in favour of it. At the end of the day, in my view, a police officer walking the beat needs to be fully trained, fully functional, able to do any particular job that they could be called upon at that particular time. You need to have fully trained police do those roles. For example, even my command staff and I do our use-of-force training every year as well and do all the things that I would expect a constable to do. Once you wear the uniform you should be fully trained to do the whole lot. That is a more proven approach.

THE CHAIR: Finished?

MR SMYTH: No; I have pages. I thought we were here till 6 o'clock.

THE CHAIR: I was just trying to be kind to the minister; he has been sitting here all day.

MR SMYTH: As have we. The joint study into ACT Policing had a number of

recommendations. How is the implementation of those recommendations going—in particular, the recommendations regarding e-crime, the sexual abuse and child assault team and the fraud team?

Mr Phelan: Sorry, what was that last one?

MR SMYTH: There are a number of recommendations that are currently being implemented. How is that going? There were particular recommendations concerning an e-crime team, a sexual abuse and child assault team and a fraud team.

Mr Phelan: I will take that on notice, if you do not mind.

MR SMYTH: That is okay.

Mr Phelan: I will get back to you very quickly on those—exactly where they are.

MR SMYTH: There have been a number of incidents in ACT schools recently, in the main concerning violence, particularly at Chisholm high school last year and Calwell high this year. What have the police done since these events to finetune their response to these incidents and how do they handle dealing with schools?

Mr Phelan: This is very much part of the suburban policing strategy. Each of those areas has a team that is responsible for them. In those particular cases, particularly at Calwell high, I know for a fact that the superintendent down south was in virtually daily contact with the school principal down there, and also our people were making proactive patrols of the schools during the day and they are making sure that they keep up the liaison with the school. I do not think we have had too many complaints since that flurry of activity a few months ago. A lot of that is because of building up that relationship with the schools. That is one of the key platforms of the suburban policing strategy. I know I mentioned shop owners before; it is also important that we get out to the schools. The schools play an important part in the fabric of ACT society, so it is important that not only the schools but also the students have trust in their police force.

MR SMYTH: Have the protocols that the AFP have in place in dealing with schools and school incidents been changed or tweaked as a consequence of recent—

Mr Phelan: Not as a consequence of that, no. We will do our job as normal—a crime is a crime is a crime—obviously being attuned to the fact that these involve young people. Our officers are also conscious of the fact that if you go there you do not want to disrupt the school environment. There are all these sorts of things to take into account when we send our people out to these places. This is where there is liaison between the principals and particularly the sergeants, the patrol sergeants and the station OICs. Each of the five station OICs also has a relationship with the school principals in the area.

MRS DUNNE: Have you finished on that?

MR SMYTH: I am finished on that.

MRS DUNNE: Mr Phelan, perhaps this is a question to be taken on notice, but you said that there are patrol groups who are essentially allotted particular areas. Can you give us a rundown on the suburb groupings in each of those areas?

Mr Phelan: I can take it on notice, but I would be quite happy to give you a listing of which teams have responsibility for which suburbs. We can do that; that is fine.

MRS DUNNE: Yes, that is what I want.

Mr Phelan: It depends on the size of the suburb. Some suburbs are bigger than others, and some of them are clustered; we put it through like that. But there is an equal distribution. I can supply that information.

MR SMYTH: I will ask one last one and put the rest on notice. The current agreement has been running now for two years. It is a three-year agreement?

Mr Phelan: It is a five-year agreement; it runs out in 2011. The policing arrangement goes for five years. And obviously we have a purchase agreement each year. The last one was negotiated last August. We will do that annually again.

MR SMYTH: The agreement is running well? Are there any problems that have been encountered that need tweaking?

Mr Phelan: Not from my end. I am hoping that the government is quite happy with our—

MR SMYTH: Are you happy with the agreement?

Mr Corbell: Yes, I am; I am very pleased with the arrangements. I probably should put on the record now that I am absolutely convinced that this arrangement is a very effective one for the territory. I know that there has been discussion from time to time—particularly from some of your colleagues, Mr Smyth—about the idea that we should have our own police service, separate from the AFP. Mr Pratt has advanced that argument on occasion; Mr Mulcahy has as well. But I am completely convinced of the very good value the territory gets from the arrangement and the process of annual agreements. The arrangement is a very good one. I maintain very good communication with both the Chief Police Officer and the AFP Commissioner, Mr Keelty. I believe that there is a high level of respect from AFP nationally about the important role that ACT Policing provides.

I think that respect is also achieved when ACT Policing deals with other police services. The annual purchase agreement that we have in place and the ability to exercise directions under those arrangements are proving to be very effective. I think I have been the first minister to use the directions power. That has been very valuable, not as a punitive “you must do this” type of approach but to say that we need together to agree that these scenarios are a priority and we are going to work on them to make them better. That is really delivering some very positive results.

I am very happy with the arrangement. The yearly purchase agreements and the accountability measures in terms of reporting against performance measures are very

good. We are now starting to see some tangible movement on a number of those—which have proved to be problematic for many years—primarily because of increased police resourcing and the ability to respond in a more timely way to a whole range of matters.

THE CHAIR: Thank you, minister. On that positive note, we will finish the hearing. Other questions can be put on notice. I thank all the witnesses that have appeared today. I remind members that questions on notice need to be given in two business days, electronically, on the form provided.

The committee adjourned at 5.30 pm.