



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

**STANDING COMMITTEE ON PUBLIC ACCOUNTS**

**(Reference: Annual and financial reports 2003-2004)**

**Members:**

**MR R MULCAHY (The Chair)**  
**DR D FOSKEY (The Deputy Chair)**  
**MS K MACDONALD**

**CANBERRA**

**WEDNESDAY, 23 FEBRUARY 2005**

**Secretary to the committee:**  
**Ms S Mikac (Ph: 6205 0136)**

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

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

## **The committee met at 2.02 pm.**

Appearances:

Mr John Hargreaves, MLA, Minister for Disability, Housing and Community Services,  
Minister for Urban Services and Minister for Police and Emergency Services

Department of Disability, Housing and Community Services

Ms Sandra Lambert, Chief Executive

Dr Colin Adrian, Executive Coordinator

Mr Ian Hubbard, Director, Finance and Budget

Ms Bronwen Overton-Clarke, Executive Director, Policy and Organisational  
Services

Mr Nic Manikis, Executive Director, Multicultural and Community Affairs

Ms Kathryn Maxwell, Director, Community Engagement Unit

**THE CHAIR:** Minister, ladies and gentlemen, welcome. We will now commence proceedings in relation to the area of multicultural affairs and community engagement. For the record, a copy of the transcript will be emailed to those who give verbal evidence to the committee today as soon as it is available, for correction and also so that they might identify questions that are taken on notice. Please return responses to questions on notice to the committee secretary within five working days, or no later than 2 March 2005. To assist in the preparation of the transcript, witnesses need to state their full names and the capacities in which they are appearing, on the first occasion that they give evidence.

You should understand that these hearings are legal proceedings of the Legislative Assembly, protected by parliamentary privilege. That gives you certain protections but also certain responsibilities. It means that you are protected from certain legal actions, such as being sued for defamation for what you say at this public hearing. It also means that you have a responsibility to tell the committee the truth. Giving false or misleading evidence will be treated by the Assembly as a serious matter. Minister, would you like to make an opening statement before we commence with some questions?

**Mr Hargreaves:** You may be aware that, following the ACT election last year, the Office of Multicultural Affairs and the community engagement functions were given a new home in the Department of Disability, Housing and Community Services. I am delighted with this outcome because I have a long-term interest in multicultural affairs.

Between 1998 and 2001 I was shadow minister for multicultural affairs, sharing it with the Chief Minister. In the last Assembly I served as Chair of the Standing Committee on Community Services and Social Equity and worked hard to advance the principles of access and equity in the ACT community. As the new minister responsible for multicultural affairs and community engagement, I welcome the opportunity to strengthen links between the ACT government and Canberra's multicultural and community sectors. I have a warm working relationship with 25 or so of Canberra's multicultural community groups. I hope to get round to visiting the remaining 60 groups over the next 10 months.

This afternoon, I wish to state at the outset that this hearing is for the multicultural and

community engagement functions in the annual report for the reporting period 2003-04. As such, officials from my department and I will only be answering questions relating to those activities and issues for that financial year, or flowing from the activities in that year.

I am pleased to note that significant progress was made during the reporting period on issues relating to the multicultural and community engagement functions; for example, the National Multicultural Festival. The multicultural festival is an investment between the ACT government over many years and the community and business in showcasing what the ACT's true multicultural community is all about.

I have said a number of times in speeches that the ACT is a truly integrated multicultural community—not like other cities, particularly the capitals of this country, where enclaves exist. We have a multicultural community that is really dispersed across the ACT, and it is just brilliant. This festival brought to town quite a number of international events and showcased an enormous number of local ones. From reports so far it was a raging success, albeit a wet one on one of the nights.

I am pleased to report that the multicultural centre is well on the way to being fully implemented. The 2003-04 annual report states that the ACT government will undertake a process of community consultation to seek community members' views about what features should be included in the floor space of the centre and that this feedback would inform the final design of the centre. The work progressed to date reflects that community consultation.

In February 2004 the government announced the community sector funding policy. This policy reflects a move away from the philosophy of the purchaser/provider model to a more consistent partnership approach with the community sector. It included the introduction of three-year funding agreements, a consistent whole-of-government approach to community sector funding, joint professional development and training programs, and a focus on improving quality.

The ACT government, in collaboration with peak community sector organisations represented on the joint community-government reference group, developed a new three-year service funding agreement. Key changes included: intellectual property and material created by the community sector organisation with funding belongs to the organisation, unless specifically agreed otherwise; defining assets as items of equipment, furniture, vehicles, buildings, real property and leasehold improvements over a value of \$3,000; the need for a written request from the territory when seeking the provision of additional information, which takes away the big brother attitude; greater emphasis on resolution of issues before considering termination of the funding agreement; and provision of feedback by the territory on reports provided by community sector organisations, something which 10 years ago was unheard of.

In June 2004 the ACT government ran a pilot program. This pilot, to renew community infrastructure and facilities, provided \$220,000 to seven community organisations to fund minor capital works on their premises to enhance their ability to provide services to the ACT community. In February 2004 the ACT government announced the Canberra social plan, which included the flagship “building a stronger community”.

It involves a range of measures: to build a stronger, more cohesive, relationship between the ACT government and the Canberra community; to renew community infrastructure and facilities; to reform community sector funding; and to help community network building at the grassroots level.

In conclusion, the period 2003-04 saw a significant number of achievements for the multicultural and community sectors. Many gains have been made and a greater sense of partnership has been forged. Indeed, I had a conversation with the Ukrainian ambassador today, who complimented the ACT community on the way in which its government, its community and its multicultural groups are now working in partnership with each other. Notwithstanding this, however, I recognise the need to remain vigilant about providing opportunities and resources for Canberrans to gain access to services and programs to contribute to the social harmony of our community.

Mr Chair, I welcome any question you may have on the 2003-04 annual report and any actions which may have ensued from undertakings contained in that report. However, if questions come on items within the supplementary appropriation, they are more appropriately dealt with in the estimates forum for the particular appropriations. The same will apply for the 2005-06 estimates process.

**THE CHAIR:** Thank you, minister. I will lead off. This one drifts a bit across the barrier, but I suspect you can deal with it. I think the 2004 National Multicultural Festival recorded 120,000 attendees, which was about 20 per cent up on the previous year. Do you have any figures at this stage as to how this year's event has gone?

**Mr Hargreaves:** It is a bit early to tell. We are in the final wrap-up of exactly what happened at the multicultural festival. I can say, though, that two events in the festival attracted crowds of 30,000 and 8,000—that is just two events. Remember that the festival was over two weeks. That does not include the very significantly attended newly-developed fringe festival. That was not totally new, but it put us on the map in terms of capital city celebrations and these types of festivals.

I am fairly confident that those figures will be exceeded. We need to understand two things, though. The first is that on one of the significant nights it poured a bucket and, although scheduled to go on until about 11.00, the evening's festivities concluded around half past nine. Those events would have attracted a very significant night-time crowd in the Garema Place-City Walk area.

The other thing is that we need to understand that having a simple crowd number is not necessarily a measure of the success of the festival. Remembering that we showcase to ourselves, I have to say that the multicultural community in Canberra really know how to put a party on—and we had a great party. But it is more than that. Not only is it about showcasing the individuality of all of these communities in the context of a diverse Canberra but also it is about showing the rest of the nation that the ACT is the best integrated multicultural city we have. As I mentioned, we do not have enclaves like there are in Sydney and Melbourne, for example, all across town.

There was also the significance of the involvement of the embassies. I stand corrected, but I think an amount of in the order of \$180,000 was put in, in kind, by the embassies in providing air fares, et cetera, for their people coming in. So when we test the efficacy of

the festival we need to work out whether we had a good party, whether we have progressed a bit in terms of our relationship with the diplomatic community and whether it will have an effect on our tourism numbers interstate.

**THE CHAIR:** I take it from that that you and I, and hopefully other members of the committee, share the value we have had already out of the rather modestly funded fringe festival. It seems to be off to a very good start.

**Mr Hargreaves:** Yes, absolutely. I think the fringe festival can sometimes be underrated or underscored in terms of its achievement. We were able to provide opportunities for people to showcase their talents in a range of artistic endeavour—people who would not normally get the chance to in the ACT—and I think that was a big success. We must remember that the multicultural festival was all about multicultural and artistic expression, but we need to recognise the amount of work that went into it, certainly by the artists in the groups that took part and also by the Office of Multicultural Affairs, in stitching it together whilst still providing services to people out there in the community. I would like the record to show that the success of the festival had a lot to do with the professionalism of the Office of Multicultural Affairs; in particular, that of my colleague here, Nic Manikis, and Domenic Mico.

**THE CHAIR:** Is the fringe festival likely to receive extra support, would you guess, based on the performance to date?

**Mr Hargreaves:** I am hoping the community will come out and support the fringe festival in twice the numbers next year. I would like to think that, with the way in which the product was delivered, we can look forward optimistically to far more support from the artistic community, the community at large and, of course, from all of us who patronise the festival.

**THE CHAIR:** I was thinking of government particularly, though.

**Mr Hargreaves:** We will just have to wait and see, won't we?

**THE CHAIR:** I take you to page 122 in relation to community affairs, if I may, and invite my colleagues to ask questions.

**MS MacDONALD:** Mr Chair, I have a question on the multicultural festival.

**DR FOSKEY:** I have some questions as well. Many community organisations are involved in the multicultural festival, presenting food, dance and activities from their community. It is great that shows and events come from all around the country and the world. I am interested to know if the office makes any investment in the development of work or activities for the festival—in between festivals that is—such as funding to allow different cultural groups to work with each other in the year leading up to a festival, and funding to engage artists, from here or elsewhere, to work with local ethnic community groups.

**Mr Hargreaves:** I thank Dr Foskey for the question. I will answer it in two ways. Firstly, the cultural groups were the only people who provided an input to the festival, quite apart from some of the artistic groups that came forward, who were not necessarily

connected with a multicultural group but added to the whole flavour of an integrated festival. We did something else newly this time, and that was the contact Canberra day. That allowed a lot of the community groups to showcase what they were doing, particularly in their support for culturally diverse groups—everybody from the Citizens Advice Bureau to entertainment, artistic expression and social sports. That was a particularly successful event on the Sunday. We need to make sure that we do not narrow our thinking and our focus just to multicultural events.

Going to the substantive question you asked, the Office of Multicultural Affairs is all about holistic treatment for these cultural groups, and it has a particularly strong ongoing relationship with all of them—clearly some greater than others, because they knock on your door a little bit more frequently. We are all about facilitating the preservation and cultivation of those groups.

When those groups apply for support from the Office of Multicultural Affairs, it can be in a variety of ways. It can be for such things as support for the preservation of their language. We have given out money to people to make sure that their language is preserved. It depends on whether you talk about preservation of language as being an educational exercise or a literary one. So that gives you one.

We have some plans to talk about other culturally artistic-type activities from a specific multicultural group which I will announce later in the year—I do not propose to do it now. It shows the link between a particular cultural group, a disability sector and a community sector at large. To answer your question briefly, having come a long way around to do it, they do that as a normal part of their job.

**MS MacDONALD:** Mr Manikis might be able to answer my question in relation to the festival. I know that it is early days since the festival, but has there been any gauging done of the reaction of people to the festival this year in comparison with previous years or how well it was received? I know you talked a bit about that before.

**Mr Hargreaves:** The short answer to your question is yes. I attended quite a number of events, as we all did. Firstly, I express my appreciation to our fellow members of the Assembly for the regularity with which they came out and supported the festival. There have been enormous numbers of comments from the cultural groups themselves and from the stallholders whose profits went gang busters because of the variety of stalls. In fact, I can recall trying to get something to eat on the Friday night and every single stall was 20 people deep. It was just impossible, so I went without.

From a commercial perspective, yes, the feedback has been positive. The people who attended the Greek Glendi, for example, were blown away—and the South Pacific Island showcase. I mingled with the crowd and people were saying things like, “The mix of showing off the things that we do ourselves in our multicultural groups is better this year. There is a better complementarity between the overseas groups, the interstate groups and ourselves”—so that it was a more complete product. I heard that expressed in different ways almost everywhere I went. I would say that we have increased the satisfaction level, if you like, the pleasure level and the involvement level.

**MR PRATT:** Whilst we are on the subject of the multicultural festival, for the record I also want to express congratulations to the IMA and various agencies within the

government, particularly to Dominic Mico, for what I thought was a pretty good festival of which Canberra can be proud. Minister, in addition to the opening concert, the food and dance spectacular and some of the other major activities, where do you consider the importance of the multicultural ball to be in the spectrum as to the festival program?

**Mr Hargreaves:** I do not think it would be appropriate for anybody to single out one particular activity and say that it was more or less important in the expression of multiculturalism in this town. I think it is important to understand that, in almost all of those activities, our cultural groups came together and had a party to entertain themselves, took the opportunity to showcase their particular culture through dance, song, music, costume or language, or merely showed how they can have entertainment as a natural part of their culture—for example, the Fijians and Samoans.

In fact, one gentlemen—the Israeli Ambassador—said to me that there is a saying in Israel that if you can talk, you can sing, and if you can walk, you can dance. That shows the type of approach they have. I am not about to be singling out any activity as of greater or lesser importance. Can I also say at this point that the festival that we have just been speaking about is something which happened a couple of weeks ago. It will be the subject of the 2004-05 annual report, not the 2003-04 report.

**MS MacDONALD:** Can I say for the record that that explains a lot about Israeli dancing.

**Mr Hargreaves:** I bow to your superior knowledge, Ms MacDonald—or your abilities, can I say.

**MR PRATT:** I was pleased to receive a pretty comprehensive briefing from Mr Manikis recently about how things are going across the multicultural portfolio. I recall that the multicultural balls in 2003-04 were not the best that we had ever had. I know that there were some concerns expressed then. I think most people would consider the ball as a pretty major activity. Do you think the ball improved this time round—that is, 2004-05?

**Mr Hargreaves:** Mr Chair, with your leave, this is the last question I am going to answer on the 2005 festival. I ask members to consult the annual report of 2004-05 on it. Let me say this, Mr Pratt: this festival has been a better festival in every single event.

**Dr FOSKEY:** I have a couple of questions regarding multicultural affairs, but not regarding the festival. The policy paper about facing up to racism was mentioned a couple of times in the report, and it has been developed and distributed. I would like to know if there has been any follow-up on that paper, and any feedback or consequent development of programs.

**MS MacDONALD:** Is that the paper that Mr Cornwell complained about?

**Mr Hargreaves:** I think you might be right. Fortunately, we do not have Mr Cornwell here today asking questions about that, but we do have Dr Foskey and I am grateful for the question. In a second, I will ask officers of the department to answer the specifics of your question. Can I say, however, that racism has been an insidious disease in our society, and the whole world, for many thousands of years. It takes an enormous amount

of commitment to kill it off. I would not expect to see an instant result, but I would like to see a gradual cultural and attitudinal change appear—firstly, with people’s dedication to eradicating it, and then a move forward.

We all know that it is very difficult for the human being, being the animal that it is, to change overnight. I am confident that we have started the process well, that the intention is there, and that we will be moving ahead very slowly but surely. So, please—I put on the record—don’t expect an instant result, but do expect to see some movement. I will ask Ms Lambert or Mr Manikis to do that.

**Mr Manikis:** In relation to reporting back, this document is a high level document at one level, I suppose, but it is also an action document. I am not sure; you have obviously had a look through it. In the reporting section of the document, what we are planning to do—and it was launched in 2004—is to have a report card every two years. We would expect agencies to come back with feedback on the actions that they have nominated they would be undertaking, and the activities that are listed in this report, so that we can bring together a consolidated report.

Every two years, that would provide us with an indication of how we are travelling against what agencies have said they would be doing. On an annual basis, we are also expecting agencies to report on their achievements against the multicultural action plans that come out of the implementation of the framework for a multicultural ACT for 2001-05, which the facing up to racism paper first came out of. So 2006 is when the report card will be first issued.

**DR FOSKEY:** Given that, I was just wondering whether, rather than expecting things to develop, any programs are being set up to ensure, for instance, that the next report card from the agencies will indicate progress on this one.

**Ms Lambert:** As the minister said earlier, we have recently taken over responsibility for this. One of the first things we have done as the agency which now has this as its responsibility is look at it in terms of our own agency and what we need to change. The next step for me will be—and I expect to do this in the next week or so—to sign off letters to my chief executive colleagues reminding them of the commitments under it and asking them what assistance they require in terms of our support for just what you are saying: how can we make sure that this happens? We take our responsibility as lead agency in this seriously, and we will be acting on it.

**DR FOSKEY:** I have only one more question on this section of the report. Have you done any work through the public service—in a sense, you have slightly covered this—or more widely on the concept of productive diversity, covering the social and economic benefits of multiculturalism and the ways in which people’s cultural inheritance can be harnessed for better outputs?

**Mr Manikis:** With this type of work we were very active in this area in terms of our responsibilities with business migration in particular some time ago, when we had that role and function. It now rests with the Department of Economic Development. We will continue to provide advice in relation to the benefits of ethno-specific skills in our community and in our public service.



I should also mention the multicultural staff network that we have in the ACT. It is a very successful forum—yet another initiative out of the framework. It was implemented about a year or two ago; I cannot recall specifically. About 142 ACT public servants from culturally and linguistically diverse backgrounds attend that network. I think there are about 36 language groups represented. It makes the ACT public service a very talented and skilled organisation. Through that group, we have been doing some work as well.

**Mr Hargreaves:** Mr Chair, before you go on, could I ask, where a specific passage of the annual report is the basis of the question, that you please give the page number, because then we can probably save ourselves a little bit of time.

**THE CHAIR:** Yes. We were doing that yesterday.

**DR FOSKEY:** Yes, sorry. It was just a tiny little note in the outputs section here.

**Mr Hargreaves:** That is fine but, if you can direct us to that, we might be able to save a bit of time.

**THE CHAIR:** Yes. I accept that, minister.

**MS MacDONALD:** I have a question about page 17. It says that the occupation of the multicultural centre is targeted for June of this year. Mr Manikis, can you give us an update on how that is going, if things are progressing and whether that will actually come about?

**Mr Hargreaves:** The answer to your question is that work is progressing at pace with the centre. As I indicated earlier, there has been significant community organisation and individual input to the floor plan. Members would understand that it is not an easy matter to try to fit a facility like that into a heritage-type building. So there has been a little bit of change from time to time to the plan to make sure that the heritage integrity is not being compromised at all. That is progressing well. However, we also need to understand that there is a domino effect about this. The department of health is actually occupying the premises at the moment and the centre cannot proceed until it vacates and goes elsewhere. What we are doing is progressing the design phase, getting everything ready to roll until we have an absolutely firm date for when it is actually going to leave and go, I think, into Moore Street somewhere. Given the domino effect of that, you might do better to ask about when it will be moving, because when it moves is when we move.

**THE CHAIR:** The date is projected as June 2005.

**Mr Hargreaves:** It was projected as June 2005 in the annual report of 2003-04. That was a realistic projection at the time, but, again, there was no great influence on the part of the then element of the Chief Minister's Department on the health move issue. As I say, it is a domino effect. There is no doubt that there will be a delay. Predominantly, though, we are totally dependent on health moving. But, contracts being as they are, I expect we would be able to see something around the end of September or October—somewhere around there. I would not want to be specific about it because, not being the minister for health, I would not know.

**MS MacDONALD:** I will be sure to ask the minister when he appears before the health and disability committee in April.

**MR PRATT:** On the multicultural centre again: can't you get an undertaking from the health department?

**Mr Hargreaves:** It is not a question of getting an undertaking; it is a sense of being real about it. We have to understand that, before health can move, the receiving facility has to be ready to take them. We have to make sure that the building works for it to be received are completed. We can have as many undertakings as we like, as you well know. All you need, for example, is a shortage of skilled tradesmen and the whole thing falls on its ear. We are talking specifically and regularly with health and trying to say to it, "Look, we have a very strong need. Please factor it into your thinking". But, as I say, we are progressing to the point where as soon as we get access to the building we will move like greased lightning. I cannot give you any other undertaking than that.

**MR PRATT:** So that is all you can tell the multicultural community—that it is a moving feast?

**Mr Hargreaves:** We can play silly buggers with wording, if you like—I am quite happy to do that—but the short answer is, and I have said it twice so far and I will say it a third time, we are in constant consultation with the multicultural community. We are in constant consultation with the multicultural council and elements of it, with specific people like the Migrant Resource Centre, who want to go in there, and with the arts community connected with the cultural groups. Everybody is online about this sort of thing. There is nothing hidden under a rock about this. It is all, as I said before, dependent upon the exit of health to its new premises. If you want a detailed briefing on exactly where we are in terms of the floor plan layout at the moment, I am happy to oblige you.

**MR PRATT:** Thank you. What groups, if any, located at the Griffin Centre now may not be relocated to the centre? Is everybody coming out of that centre? Is everybody accommodated?

**Mr Manikis:** At this stage we have an undertaking that the Migrant Resource Centre, the Multicultural Council and, I think, the Croatian Welfare Centre will be accommodated in that centre.

**Dr Adrian:** I take it you are referring to the groups that are currently in the older Griffin Centre. There has been extensive discussion with those groups and the initial discussions obviously focused around the move into the new Griffin Centre. There is a commitment from the government that all groups would have the opportunity to move into the new centre. Since then, with the establishment of the multicultural centre, there has been further discussions where groups have been given the opportunity to in a sense make a choice. Some of them are appropriately going into the Griffin Centre. Every one of them has got the opportunity to do that. Others have had discussions with the Office of Multicultural Affairs and, given appropriate location, they are making a choice to go into that new centre. So that has been the process, but the short answer to the question is that all groups have been given the opportunity and are taking up the opportunity to locate in either the Griffin Centre or the multicultural centre.

**MR PRATT:** Okay. What concerns have been raised, minister, with you or with the authority about the new centre in terms of what their needs are? What are they? Can you give a rundown of what those representations have been?

**Mr Hargreaves:** The conversations I have had with the significant leaders of a number of multicultural groups and umbrella groups to date on the multicultural centre have revealed no concerns.

**MS MacDONALD:** Chair, can I—

**THE CHAIR:** The minister is speaking.

**Mr Hargreaves:** I am happy to field this one, Ms MacDonald, because I understand this flows on from the 2003-04 stuff. Can I say this: as Dr Adrian said, the people are given the opportunity to go into the centre or not. We are constantly talking to them about that sort of stuff. As you will see when we give you the detailed briefing, if that is what you so desire, there are shared facilities within the multicultural centre aimed at providing facilities for people to get on and support their communities. I have not received any expression of concern. If somebody out there in the community that you know of has a concern about this thing, I would be delighted to hear from them.

**DR FOSKEY:** I was not prepared to talk about the Griffin Centre. Obviously, we would have questions as well.

**Mr Hargreaves:** It is not the Griffith Centre we are talking about; we are talking about the multicultural centre and the application of that.

**DR FOSKEY:** Are you talking about some of the tenants who will be housed in the multicultural centre?

**Mr Hargreaves:** The multicultural tenants.

**Ms Lambert:** The responsibility for the Griffin Centre sits with the community services side of the full department.

**Mr Hargreaves:** That is right. That is another part of our delightful engagement a little later down the track.

**DR FOSKEY:** Okay. I look forward to that.

**MR PRATT:** Are you saying, minister, that you have not received any formal comments from the various communities about the suitability or otherwise of the proposed centre? We certainly have received a hell of a lot of information about the needs not being met by your current plan.

**Mr Hargreaves:** Firstly, I refer you to *Hansard* for the comment I have just made. I am not going to make it again. I will repeat this one undertaking, though, and that is the last I am going to say: if you have received representations or concerns from the community, tell me about them. Do not keep them to yourself and save them up so you can belt me

later with them. Give them to me and we will address them. This has been an open process. Remember, if you will, that I was not there at the beginning, at its inception, but I have taken over responsibility for it and it is being delivered by officers whose integrity is without doubt and we will provide dialogue with those people readily, openly and honestly. If you have some information that I have not, you have us at a distinct disadvantage—and I quake in my boots.

**MR PRATT:** I am sure that when we have our briefing, which I look forward to, I will be able to talk to you about those. During the conception phases those issues have been raised and I am sure they have been raised with the authorities. Minister, I am surprised that you do not know.

**Mr Hargreaves:** Mr Pratt, it is not the first time that I have surprised you, and I do not think it will be the last time.

**THE CHAIR:** I would like to move now to the community affairs area, minister. I draw your attention to page 122, volume 2, of the Chief Minister's Department's annual report. The issue there that I want to draw your attention to, and I am not sure if you can answer this, relates to satisfaction with the timeliness of advice and support in the first quarter. There is a notice there of a drop of some 30 per cent—

**Mr Hargreaves:** To me as minister or minister for community affairs.

**THE CHAIR:** As the minister. Notwithstanding the change of responsibilities—I recognise you may not be in a position to provide this advice, but I will ask you nevertheless—in terms of this fall, is this an area that has been of concern? Have these delays or falls in timeliness matters impeded matters in terms of this area of government responsibility? I would invite you to make some comment if you are in a position to.

**Mr Hargreaves:** Thank you very much, Mr Chair. Clearly, we are talking about the period 2003-04. I have no comment to make about my predecessor's satisfaction or otherwise, but I can give you comment on my current level of satisfaction with the department's, if you like, timeliness. I am not concerned particularly. We have to remember that these are quarterly surveys. There is also a note there with an explanation of material variances. It says: "Quarter 2 result was 70% with no comment offered".

If I can express a concern to the committee: I am more concerned about the use of this particular indicator. I just do not think it actually has a great deal of relevance. I am not terribly concerned about it, no. When we talk about 60 per cent versus 90 per cent, it is a 30 per cent variance. As far as I am concerned, it is not a big deal.

**THE CHAIR:** So the timeliness of briefs or ministerial correspondence, which this, I understand, measures, is not an issue that troubles you?

**Mr Hargreaves:** Not at all. In fact, since I have taken over responsibility for this portfolio and indeed since Ms Lambert has taken over stewardship of this particular part of the support network of the government, the service has been brilliant. It has been exemplary. If I have a difficulty with the response from the departments, it is that sometimes it comes in a little bit too quickly for me to actually assimilate.

**THE CHAIR:** So you would expect the figures that are here not to be reflected in the current year, based on improvements.

**Mr Hargreaves:** I just question their need to be there at all. I think it does not indicate anything of any particular worth. We really should be measuring whether the responses of the department are having any sort of effect out there in the community sector. Whether they are providing me with a service or not is, in my view, not worthy of the committee's consideration. I am happy for you to examine and be very critical about whether the activities of the department have an effect out there in the community, whether they are being positive or negative, whether they are being delivered on time—those sorts of things I think are fine. As to whether a department is providing a service to its minister, I have to question the validity of the indicator.

**THE CHAIR:** With respect, minister, I think it strikes at the timeliness of ministerial correspondence, which, of course, does go outside the department. The reason I flag it is that the Chief Minister had a contrary view yesterday in that he did express concern about some of the figures in the same report and shared the concerns that were raised by the committee about this factor, and I think he did attribute a good deal of importance to it.

**Mr Hargreaves:** Okay. But, since I have been the minister, the correspondence that I have had generated to go to my department has come back to me for signature a heck of a lot more quickly than when I was in opposition, when in fact I would have to wait for six, eight and 10 weeks for a response from the government as an opposition backbencher having responsibility for this activity. I am glad you raised this, because I looked at this actually last night as I was signing off some stuff, thinking to myself: why is this taking three weeks? Three weeks, I think, is an absolutely brilliant response time. So I would be quite happy to have a chat to whoever's decision it is to include those things within my portfolios, because I think they are a waste of your time and mine.

**THE CHAIR:** Right. We will note that view, minister.

**Mr Hargreaves:** Thank you very much.

**THE CHAIR:** Dr Foskey, do you have questions in this area?

**DR FOSKEY:** I have a number of questions related to the community engagement activities over the year and I am hoping that I can get some answers today. We are still on page 122, the list of outputs. Line “e” refers to the “Development of Community Engagement policy/strategy/programs” and states:

Draft Community Engagement Code of Practice has been developed, however Community Engagement Strategy yet to be finalised.

There are two documents there and I just want clarification about the difference between them. I also note that on page 104 of volume 1 there is mention of the development of a community engagement manual. So we have three documents here—code, strategy, manual. When will each of these be finalised? Would you like me to go through one at a time? I want to know the difference between the three documents and when each will

be finalised.

**Mr Hargreaves:** I will ask the officer to respond to them one at a time and then that may lead you to other questions. Can I just say, Mr Chair, that this is a very good example of how statistics, because you have to comply with an auditor-general's perspective of putting things in this report, can be particularly misleading. For example, it says in here that the target was one, the result was zero, so we have a 100 per cent failure rate. But you have to consider it in the context that it is—

**THE CHAIR:** A 100 per cent variation rate, minister.

**Mr Hargreaves:** Variation rate, yes, but if it is minus 100 per cent it is not too big a leap to say that we really blew it this time, but it is only one activity. I point that out to you because it is so stark. Also, what is not possible in here, because we do not have the ability to split it for the committee's consideration, is that that one target there, the development of community engagement policy, strategy and programs, is in fact made up of a series of elements. I am not sure of the exact number, but let us say it was 10 and we have achieved seven. We are still going to get a zero but we have not been able to tell you, because of the way in which we are obliged to report to you, that, instead of zero, that should be 0.75. Then, of course, we could say, "Why have you not achieved that 0.25?"

**THE CHAIR:** With respect, minister, I think you do have that opportunity and have availed yourself of it. If you look at the explanation of measures, footnote "e" addresses the point you raise. It deals with those achievements that have been accomplished. The statistics are a matter of fact, so I think that your qualification is—

**Mr Hargreaves:** The point is taken, Mr Chair. Remember again that I am looking at somebody else's report. Were I actually to be running this number, I would have said to the committee, "What we have is a target of one and an achievement of 0.75" and then, of course, it would be most appropriate for the committee to say, "Thanks for that. We are happy you have done that bit. What about the 0.25?" I will ask the officers to explain those three elements of Dr Foskey's question.

**Mr Manikis:** The difference between the community engagement code of practice and the community engagement strategy: the community engagement manual, as it is now known—not the code of practice—

**DR FOSKEY:** So the code has become the manual.

**Mr Manikis:** It has become the manual and is one element of four in what is now the community engagement initiative.

**DR FOSKEY:** Which was strategy.

**Mr Manikis:** Which was strategy. So the initiative is the overarching concept and we have the manual, service charter, community engagement service charter, a web site and a training package, which make up now the community engagement initiative.

**DR FOSKEY:** Thanks for that clarification. What about the time line for their

finalisation?

**Mr Manikis:** We are looking at towards the end of May—certainly by the end of this financial year—that it will be all completed, launched. That is the expectation.

**DR FOSKEY:** That is our hope, too.

**Mr Hargreaves:** We are in agreement then, aren't we?

**DR FOSKEY:** Yes, this is one on which I am definitely going to barrack with you, John. I was not able to find any of these on the web, but has the draft community engagement code, now manual—manual nee code—been publicly released for consideration? Do you know?

**Mr Manikis:** It has been through a pretty rigorous process in the community consultation process in its development to this time.

**DR FOSKEY:** Yes. I looked at it when it was at that stage. Has a sort of revised version of it, after that consultation—

**Mr Manikis:** Yes, it is really an evolving piece of work and at each stage the comments that we have received from either the workshops or, say, the Community Inclusion Board or the joint community-government reference group. A great deal of effort is made to ensure that we meet and address the comments that are made because, after all, what we are trying to do at the end of the day is to have a robust document that everyone can work with.

**Ms Lambert:** You will appreciate that I have only just taken over this area, but I did write out recently, with what I would consider the penultimate draft of this process, the manual, et cetera, to all members of the joint community-government reference group and to all ministerial councils, as well as others, which involves many community members as well.

**DR FOSKEY:** Great. So, when that is finalised, hopefully at the end of the financial year, is it the kind of document that will go to all government departments and to relevant employees engaged with the community?

**Ms Lambert:** Yes, absolutely.

**DR FOSKEY:** That is really important. And how does the initiative—it will be good when we have all the same language—and the manual relate to the consultation protocol and consultation manual that were prepared by the previous government? Will they replace them?

**Mr Hargreaves:** Are you talking about the previous Stanhope government, Dr Foskey?

**Ms Lambert:** Yes, they will replace them.

**DR FOSKEY:** I think we might be going further back than that.

**Mr Hargreaves:** Are you asking us to read the minds of a previous Liberal government, Dr Foskey? Please, I ask you: do not do it to me.

**DR FOSKEY:** Those documents are out there and they are actually quite good documents, John. The problem was that they were underused perhaps.

**Mr Hargreaves:** I still cannot read their minds.

**DR FOSKEY:** I think you have answered it, really. Now we are clear that we have a service charter, a web site and a training package—presumably that is across government and community groups.

**Mr Manikis:** Yes.

**DR FOSKEY:** So they we will all be related. Will they be released together so that everybody understands their relationship to each other?

**Ms Lambert:** The guiding group for this is the joint community-government reference group; that is, government and community sector organisations. They have the responsibility, if you like, for managing this forward and, yes, they do replace the previous documents.

**Mr Hargreaves:** Should I ask Dr Adrian to address some of your concerns there, Dr Foskey?

**Dr Adrian:** I might elaborate on some of the discussion. Certainly, since the community engagement area has joined the department, I have been involved in a number of the public fora that have been held that have involved ACT government agencies and officers at all different levels involved in the agencies that, for example, are engaged in community consultation processes or survey processes across government on particular areas of their work. The feature of some of the consultation that has taken place in coming up with further development of these documents and identifying the need for, say, the web site and the availability of that information has been the exchange between the officers in the government agencies and the community organisations.

Those fora have really involved officers within those two spheres of influence discussing their respective needs in terms of, say, a web site or the manual—from both sides of the coin, if you like—in one case looking at agencies engaging with non-government organisations or engaging with the community and consultative processes and in the other cases a better understanding from those community organisations and community peak bodies and representatives of what some of the work of the department is and a better way of engaging them in some of their decision making.

I think what has emerged, certainly since we have been able to more closely monitor it within our agency, is just a recognition of these documents emerging through a collaborative process, if you like. What we are hoping is that, through the discussions that have taken place, when we do release them they will be documents that will be embraced by both sides, by government agencies and the community organisations, and, most importantly, will be actually useful for them, so that the web site is something that can be used on an ongoing basis by both parties and contributed to by both parties. There



has been a little bit of a sense in the past that some of these documents have just sat on people's bookshelves and have not had an influence in the practice within government agencies or within the NGOs or the community. So that is what we are hoping for. Certainly, my observations of the process over the past few months have been very positive and that is shared by, certainly, the exchanges we have had with the community organisations.

**DR FOSKEY:** I have a couple more questions. With the social compact, do you think that, if this works, it will be a way of operationalising it?

**Dr Adrian:** Absolutely.

**DR FOSKEY:** Will there be electronic versions and hard copies? For instance, will one need to go to the web to get hold of all this stuff, or will it be possible to get hard copies?

**Mr Manikis:** There will be hard copies.

**DR FOSKEY:** Good, but you are hoping people will get it from the web?

**Mr Manikis:** There is an effort to ensure that technology is enhanced as well as part of this initiative in the community groups.

**DR FOSKEY:** And will the web be interactive? Will there be the ability to put inquiries there?

**Mr Manikis:** It has not evolved to that stage.

**DR FOSKEY:** But hopefully it will.

**Mr Manikis:** Hopefully it will, yes.

**Ms Lambert:** The other thing I would say is that, because we are the department for disability as well, we focus on our communication in terms of those groups as well, so we will be talking with the Disability Advisory Council about the best ways for that to be disseminated to their constituency and so on as well. We do work at different versions of things for our different communities.

**DR FOSKEY:** Great. My last question is: does the community consultation register still operate? I was not able to find it on the web. If it does not, I would like to know why.

**Mr Hargreaves:** Mr Chair, with the committee's indulgence I will ask Ms Maxwell from the department, who has first-hand carriage of this information, to come up to the table.

**Ms Maxwell:** Consultation online still operates. It actually was supposed to be a trial product. We are looking as part of this initiative to do a major upgrade and to integrate it with the rest of the web site but, certainly, one of our aims is to get it to a point where there will be a single point of entry for the community to find out on a whole-of-government basis what engagement exercises are taking place, but it may be a combination of information on that site and hot links to the areas of other agencies'

web sites to find out exactly what is happening and when. But, yes, a major upgrade will occur to that site.

**THE CHAIR:** I just want to put on the record that I delivered an address recently to the parliamentary public accounts conference, putting on record also questions about whether the outputs based system is delivering the outcomes intended. So to that extent I share your sentiment. It is probably a matter we can discuss on another occasion, but I agree there are issues, although obviously timeliness with some of these matters also is pretty critical.

**MR PRATT:** I would like to go to the subject of the Multicultural Council. In this annual report—

**Mr Hargreaves:** Have you got a page number there, Mr Pratt?

**MR PRATT:** Yes, pages 116 and 120. You may not wish to turn there because there is not much to read.

**Mr Hargreaves:** Which volume are you talking about?

**MR PRATT:** The point I am making is that there is very scant reference to the Multicultural Council on those two pages only. On pages 17 and 23, there is no mention at all—

**Mr Hargreaves:** Are we talking about volume 1?

**MR PRATT:** Yes. On pages 17 and 23 there is no mention at all of the Multicultural Council. There is plenty of mention of the OMA, MACMA and other major organs and agencies within the multicultural arena. Why is there no mention at all of the council on those two quite important pages in terms of your department's strategic and overview statements and statements of objectives? What are we saying about the council and its current status?

**Mr Hargreaves:** Mr Pratt, firstly, you need to consider that council is not an arm of government. I understand people would like to know how it is going. It has its own annual reporting mechanisms to its annual general meetings. If you want to know about achievements and things like that with respect to its expenditure, you can have a look at its annual report at its AGM. You are asking me and the department to say why there is not enough information in this annual report to satisfy your curiosity about the council. At this stage of the game, I can only say to you that we did not have carriage of it for that period. I would have to give some thought to the extent to which we can report in the context of the annual report for the Department of Disability, Housing and Community Services for 2004-05, which reports on the interaction between the department and the council, without compromising its independence and without encroaching upon the annual reporting obligations of the council itself.

I know that is not going to satisfy you particularly, but I have not had an opportunity at this point to consider the extent to which the relationship that we have with the council ought to be or ought not to be properly part of the annual report. That is not to suggest for a moment that there are elements that should not be or should be; I just say to you

that I have not had the portfolio long enough to think about it. But I take and appreciate the point that you raise and it is something that I will have discussions with the department on between now and the compilation of the 2004-05 annual report.

**MR PRATT:** In terms of the 2003-04 performance, surely we would expect the Multicultural Council to be a very important component and the ACT's multicultural community is fundamental to the wellness of the community.

**Mr Hargreaves:** Yes.

**MR PRATT:** I think we all know—I certainly do know, and I think I have had these discussions with your officers, too—that there is a fair amount of concern around about the wellbeing of the community council. Are you not concerned with this performance, the way it performed over 2003-04, the disharmony that occurred—certainly the breakdown in the relationship between the council and the OMA.?

**MS MacDONALD:** Could I interrupt at this point? The Multicultural Council is a separate organisation from the department and from the Office of Multicultural Affairs. I do not know that it is appropriate to be asking questions about the Multicultural Council at this point because it does not relate to what is in the annual report, Mr Pratt.

**MR PRATT:** Chair, I would dispute that.

**THE CHAIR:** Just one moment. I hear what you are saying, Ms MacDonald. In the manner in which we conducted proceedings yesterday, we got into a range of issues. If the minister would care to comment, I would invite him to. If he feels it is outside of his brief, then please inform the committee.

**Mr Hargreaves:** Thank you very much, Mr Chair. In answer to Mr Pratt: firstly, the funding is not something of the council for which I have responsibility. That is something the committee will need to take up elsewhere.

**MR PRATT:** I accept that.

**Mr Hargreaves:** Secondly, there is no breakdown, in my view, between the OMA and the council. There are issues, as Mr Pratt has alluded to, with the council, as there will be with any large council. There are personality conflicts, there are personality dynamics, all of which need to be worked through. That is the sort of liaison that the OMA actually has with the council. I am aware of them. Systemically, I dispute that there is a dysfunction. I believe that we may very well be witnessing personality conflicts, which need to be resolved and need to be assisted in resolution. If we are talking about the efficacy of the council due to systemic dysfunction, I reject it. If we are talking about it being personal dysfunction, yes, fine, and that is something I have as a personal challenge to attempt. What I am not going to do, however, is to discuss the personalities involved. I think that would be most inappropriate.

**Ms MacDONALD:** In the Canberra plan, there was a commitment specifically for the social plan, the flagship of building a stronger community. Can you or your officials talk about any funding being allocated to this flagship?

**Mr Hargreaves:** Yes, \$8.67 million was actually allocated in 2003-04 to fund initiatives. It was over the four years to 2007-08. The funding was made available to implement the Canberra community grants program and the renew community and infrastructure facilities program, the community engagement initiative and of course the community sector funding reform. In the reporting period, 49 projects worth \$500,000 were funded under the final round of the Canberra community foundation. A further 25 projects valued at \$211,000 were announced last year under the Canberra community grants program.

A further \$288,969 is available to fund worthy projects under this program in round two of this financial year. Seven projects worth \$220,000 were funded under the renew community facilities pilot in the reporting year and a further \$1.5 million will be spent this year in two rounds. The successful applicants in round one will be announced shortly. So I guess the short answer is, yes, significant funds have been put into that. The number of projects that have come forward indicates the validity of that particular initiative and the successful projects over time will show the way in which the communities have engaged with the government to progress this.

**MS MacDONALD:** Can you tell me how successful the renew infrastructure grants program was? Was it a success?

**Mr Hargreaves:** I think it was. The community out there received the program very well. We got 73 applications—I think that is pretty significant—and they were worth over \$2.5 million. The sum of half a million dollars was available for that round and a further just under \$1 million will be made available in round two of this year. There are community organisations out there providing services and we often forget that the infrastructure that they are working from deteriorates over time. For example, if you take services for women—Toora, Beryl and those sorts of places—our thinking concentrates on their field work staff and whether they are being effective. We forget whether the infrastructure they are actually working with is able to be up to date, is in good fabric. This program of \$2.5million is a significant amount, and I think the community has engaged well with it.

**MR PRATT:** Returning to the Multicultural Council, minister: I agree with you entirely that this is not about personalities., and in terms of discussions—

**Mr Hargreaves:** Actually, that is where we disagree.

**MR PRATT:** No, in terms of discussions about personalities, that is not to be tabled here. But, minister, if we look beyond the personality conflicts, there are other systemic failures in the council that we really are concerned about here. I might add that these failures do not reflect on the general wellbeing of the multicultural community and its activities. We see some fantastic performances. We are talking here about a major activity within this departmental portfolio—successive failures of the council to get its act together in terms of committee meetings, annual meetings, selection of office holders, and that surely has impacted. But also, minister, we have seen—

**THE CHAIR:** Mr Pratt, I do not want be too confining; but, if you could move to a question on that, that would be desirable.

**MR PRATT:** Okay. Are you not concerned that various communities have decided to walk away from the Multicultural Council? Does that not reflect a systemic failure of a major element of the multicultural community arena?

**Mr Hargreaves:** I will answer it on two levels. Firstly, as a concept it does not reflect a systemic failure. We have instances of concern. We have some concerns about specific practices, if you wish, which have gone on within the council. But I make this point, and I have to make this as strongly as I can, Mr Pratt, so I do not want to say it in the wrong way: this is not something over which ministerial discretion has been exercised. With the concern that the department has had over certain practices, it has done the only thing available to it, and the responsible thing, and we have referred some of those practices to the Auditor-General.

Under that particular perspective I cannot go into certain detail until such time as the Auditor-General has responded. When that has occurred, I would be only too pleased to field questions, and in fact it would be probably very appropriate to brief you at the time they come in. I have to give you this undertaking: I have not seen it; the issue has not concluded yet. I do not know absolutely, because the Auditor-General has got to tell us, but I am more concerned, I suppose, about personality dysfunction in that area.

Anybody who has travelled around the communities in this town for any length of time would know that the communities are led by individuals who have a certain amount of dynamic about them, a certain amount of charisma about them and a certain amount of personal projection. Sometimes you get clashes. Sometimes those clashes are productive; sometimes they are definitely unproductive. The challenge, I suppose, for me in my new capacity as minister for this is to see where I can actually bring any influence of my office to bear on those issues. I am aware of individuals and individuals' approaches, but with some of the matters to which you referred slightly it is a matter at this stage of the game being well and truly out of my hands until such time as the Auditor-General comes forward.

I give you and the committee the undertaking that, the minute that happens, we will be moving reasonably quickly. Given the sensitivity of the multicultural community and, I suppose in some senses, often the fragility of that community, I will be looking forward to a bipartisan approach to this issue. Once we receive the Auditor-General's report, I think it would be appropriate for the shadow minister to be briefed on what has been revealed and what the recommendations are, and I would hope sincerely that we can take any measure of politics out of this for the benefit of that community.

**THE CHAIR:** Minister, just refresh my memory: that report you guess would be reasonably imminent.

**Mr Hargreaves:** I have to say, Mr Chair, that I have been particularly at arm's length from this because, firstly, it commenced before my time and, secondly, once a referral has been made it is absolutely inappropriate for me to be involved, as I am sure you will appreciate. Because it does sound a bit mysterious for those people of the fourth estate who are listening in—and I say “good day” to the fourth estate—I will ask Dr Adrian to outline to you the process and the imperatives that drove it.

**THE CHAIR:** I think I am aware.

**Mr Hargreaves:** I am happy to have that. We will not go into any detail.

**THE CHAIR:** Other members of the committee may need it.

**Mr Hargreaves:** If you would like that for the record, I am happy to do it.

**THE CHAIR:** I have a fair bit of background. I do not know if other members require that background, but I was just wondering about the timing of it.

**DR FOSKEY:** I am interested in being involved in the briefing that you give when the Auditor-General reports; that would make me quite happy, Dr Adrian and Mr Hargreaves.

**Mr Hargreaves:** I think it would be useful if Dr Adrian outlined to you, not the detail, not the substance, not the parties, but the process that we are bound by law to observe, and then of course it clarifies the issue.

**THE CHAIR:** I do not require that, but, if other members of the committee wish to, I am happy to have it included. Do you require that information today, Mr Pratt?

**MR PRATT:** No.

**THE CHAIR:** Thank you for the offer, minister, but I do not think it is necessary.

**Mr Hargreaves:** Thank you. The message then for any members of the fourth estate listening in is that they have heard what they are going to hear; I am not going to say any more on it.

**THE CHAIR:** I understand.

**MR PRATT:** I agree entirely and I do not seek to break the firewall around the A-G matter. The concern is more broader than that in terms of harmony. Minister, don't you believe that this report should have reflected on the fact that there has been disharmony in the council and it has been breaking down over a couple of years? Why doesn't the report also spell out the weaknesses and concerns? Why is the report only skipping around these issues? Surely we could have seen leadership on the part of the Chief Minister, when he was wearing the hat, to get these parties together. Why have we had to see a decline over such a long period?

**Mr Hargreaves:** I do not think you have seen a decline over a long period, quite frankly. I have been associated with the Multicultural Council for the best part of 20-odd years now and in its previous guises and I think what we are seeing is something fairly recent. I also think that the answer to your question about whether the Chief Minister should have done X, Y and Z is: no, he should not have. The Multicultural Council is an independent body elected by the community groups. It has its own articles of incorporation, it reports to its community through its annual general meeting and the role of OMA in this sort of thing is one of facilitation.

The item in the annual reports is not one of judgment on its activities at all or its

organisational structure. It is mostly inappropriate for me to make comment in the annual report about whether an organisation that receives support from the government is in a functional or dysfunctional state. That would be the same as us saying, for example, that we will report to the Assembly in the context of the annual report on every single organisation that gets a dollar out of us whether or not it is functional or dysfunctional in terms of its own internal governance. The short answer is: no, I do not, and I do not think that we are assisting the process much by your inviting the government to air an independent council's laundry in public. I do not think you are helping the matter at all.

**MR PRATT:** Minister, aren't you missing the point that the Multicultural Council is not—

**MS MacDONALD:** Chair, can I ask that Mr Pratt be—

**MR PRATT:** On a point of order: can I finish the question?

**MS MacDONALD:** No. Chair, can I ask that Mr Pratt be—

**THE CHAIR:** Do you have a point of order?

**MS MacDONALD:** Yes, I do have a point of order.

**MR PRATT:** Let's hear it.

**MS MacDONALD:** We have been going on about this. The committee has decided to move on. Mr Pratt has tried to take over proceedings—

**MR PRATT:** The chair will decide.

**THE CHAIR:** I have asked each member if they have any further questions and I understand they have been exhausted. Maybe we can move towards the end of this discussion, Mr Pratt, if you have a further comment and then we can see if there is anything else to be covered.

**MR PRATT:** Minister, you do not see the difference between the Multicultural Council and all of the other bodies that the government clearly does support? The council is a major activity. It is at the heart and throb of the system. Surely its performance, its relationships, must be reflected in the report.

**MS MacDONALD:** How many times does the minister need to answer the question? It is the same question over and over and over again.

**MR PRATT:** Ms MacDonald, would you put a sock in it?

**THE CHAIR:** Order, please! The minister is trying to speak and respond. I invite the minister to speak.

**Mr Hargreaves:** Thank you very much, Mr Chair, and I thank Ms MacDonald for trying to have some reason in this. The answer to your question, Mr Pratt, is no. The Multicultural Council receives support from the government with significant funds. So

too, Mr Pratt, does Calvary Hospital. So too does the Red Cross blood bank. So too do the Australian Federal Police. You do not see me saying in any forum within the Assembly that the management structures and the corporate ethics of those organisations are in a dreadful state. We talk about outcomes, Mr Pratt. We talk about deliveries, Mr Pratt. We talk about whether the community out there is receiving the service. That is what we talk about in the context of the annual report. I am not going to talk about the organisational health of a recipient organisation in this forum.

**MR PRATT:** So you do not give a stuff?

**MS MacDONALD:** Excuse me. Chair, on a point of order: I would ask that Mr Pratt withdraw both the thing that he said about me and also what he just said, because it is unparliamentary. If he is going to be like that, I am going to make a complaint and ask that he not be allowed in future—

**THE CHAIR:** I think you have made your point of order.

**MS MacDONALD:** No, no.

**THE CHAIR:** I have heard your point of order. You have raised a point of order and then you have threatened future action. I am responding to the point of order. I would ask Mr Pratt if he would withdraw the terminology.

**MR PRATT:** I will withdraw both of those terms but I will point out that the minister clearly does not care—

**THE CHAIR:** I do not think we should qualify it, if you would not mind.

**MR PRATT:** Okay.

**Mr Hargreaves:** Mr Chair, it is not usually my practice to respond to those sorts of things, as you well know. I try to have a little bit more personal discipline.

**THE CHAIR:** I do not think it is necessary, either, minister.

**Mr Hargreaves:** However, I cannot allow that sort of slight, which will go on the *Hansard*, to go unchallenged, but I will be very brief.

**THE CHAIR:** I have ruled, minister, and the remark has been withdrawn.

**Mr Hargreaves:** I know, Mr Chair, but the withdrawal was with qualification.

**THE CHAIR:** I have instructed that that qualification be withdrawn and Mr Pratt, respecting the chair—

**MR PRATT:** And I will happily comprehensively withdraw.

**THE CHAIR:** I accept that and I consider that particular issue closed. Are there any other questions, Mr Pratt, on any other aspect, or have we cleared those matters up?



**MR PRATT:** No, we are done, thanks, chair.

**THE CHAIR:** Then we will conclude this section of hearings and resume at four o'clock with the session with the Speaker.

**DR FOSKEY:** Thank you very much for coming in.

**Mr Hargreaves:** Thank you.

**Meeting adjourned from 3.22 to 4.00 pm.**

Appearances:

Mr Wayne Berry, MLA, Speaker

ACT Legislative Assembly Secretariat

Mr Tom Duncan, Clerk,

Mr Max Kiermaier, Deputy Clerk

Ms Robina Jaffray, Manager, Committee Office

Mr Russell Lutton, Manager, Hansard and Communications

Mr David Skinner, Senior Project Officer, Chamber Support

Mr Ian Duckworth, Manager, Corporate Services

Ms Val Szychowska, IT, Hansard and Communications

**THE CHAIR:** We will recommence proceedings. Mr Speaker, members of the committee, ladies and gentlemen, welcome to this hearing in relation to the ACT Legislative Assembly Secretariat's annual report for 2003-04.

For those who give verbal evidence to the committee today, a copy of the transcript will be emailed to them as soon as it is available, for correction and so that they might identify questions that are taken on notice. Please return responses to questions on notice to the committee secretary within five working days or no later than 2 March 2005. To assist in the preparation of the transcript, witnesses need to state their full name and the capacity in which they are appearing on the first occasion that they give evidence.

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

Mr Speaker, thank you for joining us today. If I might lead off the questions: I would draw your attention to the Auditor-General's report No 10.

**MS MacDONALD:** Excuse me, Chair. Are we going to invite Mr Speaker to make an opening statement?

**THE CHAIR:** Sorry, my omission. Mr Speaker, do you wish to make an opening statement before we move to questions?

**Mr Berry:** Thank you, Mr Chair. It is our pleasure to subject ourselves to the scrutiny of the committee on this occasion. One of the important features of the Assembly, of course, is the scrutiny committees and the way they deal with all aspects of public expenditure in the ACT, not the least of which is the Legislative Assembly, especially in relation to the functions it performs in the context of our democracy here. So, once again, thank you for having us, and we will cooperate to the fullest extent possible.

**THE CHAIR:** Thanks, Mr Speaker. If I might lead off by just drawing your attention to the Auditor-General's report No 10 of 2003-04, relating to financial audits. I am making

references to items on, primarily, pages 60 and 61. Has the review referred to at paragraph 5.64—and that is the one on page 61—taken place? If not, is there a schedule for that? Have we had an indication of when it will happen?

**Mr Berry:** Mr Chair, I will refer that question to the Manager of Corporate Services, Mr Duckworth.

**Mr Duckworth:** The review that is referred to at page 61 of the Auditor-General's report has in fact occurred. The Clerk engaged an external consultant during the latter part of last year to address a range of issues concerning the structure and the operations of the corporate office. Certainly, one of the issues that, I think, drove that review was the criticism in the audit report. So that review has in fact taken place.

I think it is important to identify that the review was looking at issues beyond this audit report. There were issues associated with progressive increases in workloads associated with Legislative Assembly members' staff employment. There were issues related to the work that the corporate office was required to do as an employer in relation to government-wide frameworks on learning and development, equity and diversity, OH&S. These issues were all identified by the consultant and, as a result, recommendations were made that increased resources be made available.

We have managed to budget for some of those resources. The Speaker, in his approach to the Treasurer this year, has repeated a request for funding to enable some additional positions to be created to address that.

**THE CHAIR:** What specifically is being done to address the problems highlighted by the Auditor-General?

**Mr Duckworth:** The Auditor-General, as indicated in the report, was concerned that there was not adequate segregation of duties, that there were some criticisms of the financial processing arrangements. It has been acknowledged by the secretariat that in fact this is not the first time the Auditor-General has made these observations.

Our response in years gone by has been to point out that we are a very small unit. There are currently only two staff who have financial processing responsibilities and there are genuine challenges confronted by those staff and by the organisation in trying to separate out the process of procuring goods and services, approving payments, approving transactions to bank and so on.

I indicated, in response to the earlier question, that we had budgeted for some additional resources, and the position that we feel we can fund now will be put into that finance and administration stream to provide a third person. We do believe that that will enable us to address issues of segregation of duties so that one person does not have capacity to effectively create and approve payments in the one step.

**THE CHAIR:** So that is pretty pivotal. I can't speak for Dr Foskey, but I suspect she shares my view that, even in our early days, it is evident that there are very limited resources for the secretariat of the Assembly. It obviously is a concern when the Auditor-General reports that "significant weaknesses in controls"—and I am quoting—"mostly in relation to payments were found". Do you believe that the resources you are

going to be provided and the systems changes will avoid those sorts of criticisms being levelled in future?

**Mr Duckworth:** Mr Chair, I do not think we will ever get away from being a very small unit. I think we will always have to confront the challenges that not having a team of eight or 10 financial management—

**MS MacDONALD:** Aren't you thinking big, about taking over the earth?

**Mr Duckworth:** There might be some issues there about a larger Assembly. We won't go there. I think that the new position that we are planning to staff will go a long way to addressing issues about segregation. It will also address issues in terms of workload. I think that, once we do get ourselves in a position of being able to fill that position, we will be able to avoid, to a far greater degree, any of the criticisms that relate to that issue.

**THE CHAIR:** Dr Foskey, did you want to raise any matters at this stage?

**DR FOSKEY:** Is it okay if we go into it more generally?

**THE CHAIR:** Yes, I think so. I have some questions all over the place. Feel free to pursue whatever you wish and let the speakers have their fill.

**DR FOSKEY:** Especially if I get the opportunity to come back if there is enough time, Mr Chair. I suppose it is hardly unpredictable that a Green would make this comment. First of all, I want to register my very strong thanks to the staff of the Assembly because I think you fulfil very well your mission of providing service of excellence and it has made my coming into the Assembly really pleasant and smooth. It is not often that people get thanked. So I am making sure that I thank you.

As one of your clients, I would like to take this opportunity to thank you for the report but also to mention what I think must have been an oversight in the preparation of it. I believe that my colleague Kerrie Tucker, at the hearings last year, mentioned the absence of ESD reporting in the secretariat's report. I cannot find mention of it in this year's annual report. I know, from reading the annual report directions, that it is a mandatory reporting requirement. So, first of all, if you could just let me know why ESD isn't mentioned in the annual report.

**Mr Berry:** Mr Duncan will respond to that position, if you do not mind, Dr Foskey.

**Mr Duncan:** Yes, Dr Foskey, you have quite correctly identified the fact that there is an omission in the annual report. We have omitted to do that. I can inform you that we have a range of information here, which I can give you now if you wish, in relation to that issue.

**DR FOSKEY:** That would be helpful because I do know that some thought and action into the sustainability of the building are going on; so I would be very pleased to hear it.

**Mr Berry:** It is continuous and has been since the building was opened in 1994.

**DR FOSKEY:** Sometimes out of necessity.

**THE CHAIR:** Mr Duncan, do you have a document which you want to include here and which we could incorporate?

**Mr Duncan:** I could speak to the document. It depends on the time of the committee, but I am happy to lodge it at the end, if you like. I will just briefly, quickly, go through it if you like, for the benefit of the committee.

Over the last year we have introduced electronic lodgement of a range of pro formas, such as leave forms, flex forms, which has been facilitated by the introduction of the Legislative Assembly intranet, which resulted in a downward pressure on paper-based lodgement. One of the major initiatives is the replacement of the vast majority of the computer monitors, the CRT monitors—“CRT” standing for cathode-ray tube—with the more energy-efficient TFT monitors. I am not sure, but the maximum power rating for a CRT monitor is 100 watts, whereas the maximum power rating for the TFT monitor is 50 watts; so we certainly save energy there.

**MS MacDONALD:** Sorry, are the TFT monitors the flat-screen ones?

**Mr Duncan:** That is correct, yes. We have been progressively changing those over in the secretariat and in members’ offices. During the financial year—Mr Duckworth might like to add to this—we conducted a waste audit of the building to ascertain both the volume and the composition of the Assembly’s waste stream and we hope to be using the data from that audit to develop enhanced waste-handling procedures, with an emphasis on improving recycling rates. I think they are probably the major initiatives over the year.

I just point out that we are, as I think Ms MacDonald alluded to, continuing to enjoy the benefits of having a fairly energy efficient building, with lighting that goes on only when occupants are there. Those sorts of things were built into the design feature of the building right at the very start and we have tried to maximise that right from the very beginning in terms of features such as, in this room, airconditioning that only goes on when the button is pressed. There is various after-hours airconditioning. Again, only those areas of the building that need to be airconditioned are in fact airconditioned; so we have been refining those procedures over the years to ensure that we maximise the use of energy in the most efficient manner.

**THE CHAIR:** Notwithstanding those efficiencies, there seem to be significant maintenance issues with this building that, even as a new member, one cannot help but observe. Is that being addressed? Is there a solution in the long term?

**Mr Duncan:** I might hand over to Mr Duckworth to talk about that.

**DR FOSKEY:** As long as I can come back to my point, Mr Chair, after we have had this aside.

**Mr Duckworth:** Mr Chair, I was just going to add to the Clerk’s comments that, whilst we have a number of measures that I think largely do control after-hours lighting, airconditioning and so on, we are still grappling with a 40 or 50-year-old building that was not designed and constructed with the benefit of some of the understanding that

some of our designers have today. This building does have large, vast areas of glass, a copper roof and some dated infrastructure; so there are some difficulties encountered by us in trying to tackle and confront the extremes of temperature. We recently all experienced in this building the situation during a particularly hot spell where the main chiller in our basement failed and we had to rely on the supplementary chiller, which was never designed to provide cooling to an entire building. Despite the fact that, particularly on the upper floors, things were quite unbearable at times, I think that the infrastructure that we did have did its best to cope.

**THE CHAIR:** You are suggesting that there are real issues in terms of the building's state of upkeep or the capital that may be required to get it to a standard. I noticed, as an aside, on my first day in parliament that there was water coming into the Assembly chamber, which I found quite extraordinary.

**Mr Duckworth:** Yes, the issue of the impact of heavy downfalls of rain on this building has challenged some of the finest engineer types. We simply cannot track where it comes from—we know it comes from the sky! It enters somewhere on our vast roof area, and we have attempted to track it but we cannot.

**THE CHAIR:** It does land on my chair, so I was happy to provide that information.

**DR FOSKEY:** Yes, we have heard it lands on your desk.

**Mr Berry:** It may be one of the only times you would be described as a wet!

**THE CHAIR:** Indeed, Mr Speaker.

**MS MacDONALD:** You have stolen that from me, Mr Speaker. I want it on the record: that that was a direct steal from me.

**Mr Berry:** It was a good one.

**Mr Duckworth:** Just to address the comment that you made, Mr Chair. The Assembly has in the last three years commissioned expert advice on the life cycle and the condition of the elements of this building and, even in this current budget round, we have been keen to draw attention to the fact that this is a significant territory asset in which we live. Whilst there may have been speculation about the possibility of the Assembly living somewhere else in the future, we have been very eager to point out that, should the Assembly move from these premises, it is almost unquestionable that anyone but an ACT government agency or client would occupy this building. We think it is important to maintain the building through things like chillers and cooling towers, and internal cabling and carpets and painting, so that the building is maintained to a reasonable standard. There will be some major costs in the years to come. When we get to needing to replace a copper roof, and there have been considerable estimates given, we will be trying very hard to maintain the focus on the cost of maintaining this building.

**THE CHAIR:** A challenge, by the sound of it. Dr Foskey, do you want to continue?

**DR FOSKEY:** Yes, thank you. I will continue with my environmental theme and, of course, I have some suggestions as well. I note the mammoth use of paper in the

building. We have a double-sided printer, which is a good thing, but I notice that there is an inconsistency when we are handed papers in the Assembly—sometimes they are double-sided and sometimes they are not. I am not sure where that printing occurs, but it seems to me that where they can be double-sided that would be a saving. I also heard a rumour that we were getting new photocopiers installed some time this year. I am interested in whether those have the ability to turn themselves off and move into an energy saving mode when not in use.

**MS MacDONALD:** The one around the corner from me turns itself off all the time. It goes to power save mode.

**Mr Berry:** It has always been the practice here to purchase the most energy efficient office equipment that is available from time to time. Is there somebody here who can talk about the specifications?

**Mr Duncan:** I can answer the first part of Dr Foskey's question. In relation to the daily program, the notice paper and the minutes, they are produced in-house and we always try to do them back-to-back. There is a range of documents tabled in the Assembly by external agencies, by government departments, over which we have no control. The government departments themselves produce those documents and—

**DR FOSKEY:** So they photocopy them as well.

**Mr Duncan:** I do not know how they produce their documents, Dr Foskey. You would have to ask them.

**DR FOSKEY:** So a whole-of-government approach is required on this one.

**Mr Duncan:** Yes. It is certainly out of our control, put it that way. Just in relation to the second part of your question, I will call upon Val Szychowska to answer the bit about the photocopiers and the order.

**Ms Szychowska:** We are in the process of reviewing a number of models. All have the capacity to be customised in the way the upstairs photocopiers that members currently share are. They have added features for increased security, for duplexing and for timesharing. It is a matter of configuration.

**THE CHAIR:** Are they being supplied in all of the common stations or to members' offices?

**Ms Szychowska:** We have three common share photocopiers in the members' wings. We have dedicated copiers in the Leader of the Opposition's office and Mr Speaker's office, and they are all considered for replacement as we speak.

**MS MacDONALD:** While we are talking about photocopiers, I wish to raise something. I had thought it would be better to bring it up in the budget estimates process but, as you are doing a review of the photocopying needs of the Assembly, I will make the point now. During public hearings, photocopying is very difficult for the secretary of the committee. When a witness hands over a piece of information, the secretary has to walk around to the committee office or get somebody to come here and get it and photocopy it

so that it can be distributed to each of the committee members. Could consideration be given to putting a photocopier in the public area? As a code would be required, there would not be an issue with people going and utilising it without authorisation. Could some thought be given to that? It is an issue, and it has been an issue in my time in this place over the last three years.

**Mr Berry:** We will have to look at it in the context of utilisation and all of those sorts of things, but I am sure that we can look at that.

**THE CHAIR:** Mr Speaker, could I take you back to the financial audit and, again, just highlight a couple of concerns. The report says that the secretariat's operating results have deteriorated significantly in recent years, that it did not fully manage its departmental obligations to budget because its net cost of services and material exceeded budget. I am referring to page 60 of the audit report.

It also says that for the first time in recent years the secretariat did not have sufficient current assets to meet current liabilities at 30 June 2004. It gives the impression that you are trying to stretch our resources fairly thin. That would be my take on it. Is that the case or are there extenuating circumstances that led to those comments?

**Mr Duckworth:** The issue identified in the Auditor-General's report related, in our clear view, to some one-off pressures that existed during the year in question. In the opening part of your question you correctly referred to the Auditor-General's report observing a continual decline, and I think it could give the impression that we have ongoing commitments that are exceeding our capacity to pay. The reality, however, is that in the year prior to this audit, the secretariat had a number of cash expenses associated with a number of senior staff who left with large leave liabilities. They were paid out and that led to a lower operating result than the previous year.

Then, in the year of this audit, we had a significant number of issues that put pressure on our budget. We looked at those in terms of the fact that we had an annual budget plus some cash reserves in investment. We were always aware that we were going to be over budget but that there were strategies in place to address those cost issues, and they have now been addressed. At the end of January, we were back in a positive current asset position. I think our current assets exceed our current liabilities by about \$200,000. We are quite confident that, in our budgeting and our projections, we are going to be back in a positive situation.

**THE CHAIR:** That is encouraging. You referred to people leaving with lots of entitlements. I am a bit curious as to why, if we were engaged in accrual accounting, we would not have made provision for those within our accountancy.

**Mr Duckworth:** We were, but it did put pressure on the cash, which was really, I think, the reason for the operating result having declined. There was no question that in 2003-04, the year of this audit, the secretariat had a number of issues it had difficulty bringing under control, and they led to some costs that could not be avoided.

**THE CHAIR:** I am not being critical but, if there is a problem, it would be useful to say that there is a problem and that it is something we have to look at. But it sounds like you believe things will come back on track.



**Mr Duckworth:** I think they are back on track. I think there would have been genuine concerns if our recurrent costs were going to exceed our recurrent budget. They weren't the instances: the instances that led to that deterioration in that year were brought under control. They were isolated cases dealing with non-discretionary absences where we have had to bring in backup staff and so on.

**DR FOSKEY:** Just to conclude the line of questioning I was pursuing before: I am interested in knowing if there is any planning for providing accessible, safe and weatherproof cycle parking in the next year. A number of people do ride regularly, including a number of members and one minister, I believe.

**Mr Berry:** I do not know of any plans and it is certainly not something that is on the agenda.

**DR FOSKEY:** I was just thinking that, if we are spending a fair bit of money on the car park, it might be something to include in those design notes.

**THE CHAIR:** It might be something you will want to pursue in estimates, Dr Foskey, when they are planning their costs.

**MS MacDONALD:** Is it still the practice to have bicycles in the fire escape?

**Mr Duckworth:** Yes.

**MS MacDONALD:** Should I not put that on the record?

**Mr Duckworth:** No.

**DR FOSKEY:** There is not room for very many there.

**Mr Duckworth:** The minute people started parking their bikes in fire stairs we immediately were concerned about breaches of fire safety, particularly given Mr Speaker's background. We have spoken to the fire brigade and they are quite satisfied that the bikes are not interrupting people's access or egress on that particular cavity or area in the fire stairs. It is coincidental by design; it is not part of the fire stair and so there are no health and safety issues from the fire brigade's point of view. We have been made aware of some suggestions that we create a bicycle parking facility somewhere. We do have a bicycle area underneath in the car park. The difficulty in the rear laneway, of course, is that it is a public street. It is currently converted into a construction zone and I think there are some issues about whether or not bikes outside would be any safer or would be exposed to damage and all of that.

**DR FOSKEY:** Anyway, it is part of the government's sustainable transport strategy, no doubt. I have some questions about the education area.

**MS MacDONALD:** I have some questions as well.

**THE CHAIR:** Ms MacDonald, would you like to take the call next?

**MS MacDONALD:** There is reference on page 32 to a new format for University of the Third Age participants, and that the old course was changed. Is that being developed by the education officer? By the way, who is the new education officer? I have not been introduced to the new education officer—I believe there is a new one. I am just curious to know if the U3A course is being developed by the education office and what will be involved with that. I am also curious to know who is the new education officer.

**Mr Berry:** I will pass that question to the Deputy Clerk.

**Mr Kiermaier:** I will take the last question first. Barbara Locke is our education officer while Margaret is on secondment. As for the university of the third age, the reference to the format of that course there is really a reference to a course that was developed by the university of the third age. It was a program that involved eight weeks, and the Assembly was but one component of that. They visited places like the Supreme Court, the Magistrates Court, Parliament House and Elections ACT. They were just getting an appreciation of government—that is how that fits in.

Unfortunately, enrolment numbers were dropping off. So last year, when it became apparent that there were only a few people interested in continuing with the course, the eight-week course was dropped. The Assembly's usual position is that we are quite keen to enhance educational opportunities, so we continued with our component of that. That involves a day in the Assembly, talking about committees and procedures, and we are continuing that. The same thing is happening this year. I understand there are about four people enrolled so far, so it is just not viable to have an eight-week course. But we are still going ahead with the program in the Assembly. That is set down for 9 March. I am sure you will all be involved.

**THE CHAIR:** I was advised this morning that numbers have significantly increased, and enrolments too, so that is encouraging.

**MS MacDONALD:** I would like to pay my compliments to both Mr Speaker and the secretariat, including the education office, for the amount of work they do in promoting the Assembly to the community. I believe that has increased in the three years since the current Speaker took over the role. I think you are all doing a really good job in promoting the Assembly. I think that is important. I know that you have made up a little film that I am not in—shame—that gives information out for people. I think that is a great thing. It educates the community about the Assembly and is an indication of the community's acceptance of our existence, which was not always easy at the beginning of self-government, I understand.

**DR FOSKEY:** With regard to learning about the Assembly, obviously we would all like the ACT public to have more knowledge of what goes on in here. I am wondering if ACT public servants themselves are aware of the way the Assembly works—for instance, the role of committees. Unless they have had to appear before one, they may not know that that is such an important area of functioning—as well as legislation and our oversight function.

The private and community sectors might also be interested because so much of our work affects them. I was wondering if there is any capacity to expand the work of Assembly education—more broadly, not just by the education officer—to reach the

wider community and to target the ACT public service, perhaps as part of their induction or how ever, to have a look to see how things work.

**Mr Berry:** We have been trying to enhance our connection with the community over recent years. To some degree, that has been successful, but it takes an innovative mind to find ways and means of encouraging people to come here. That has been fairly successful in our approach to teachers. We have had some teachers here from the public and private education systems. Because they are decision makers in their schools, that would be helpful for us in exposing school and college students to the Assembly throughout the years at school.

**Mr Duncan:** If I can just add to what Mr Speaker said: we certainly did run a whole series of public service seminars about four years ago. We stopped them because, like the University of the Third Age—we thought we had got through everyone—we were only getting two or three for each one and it just was not viable. But we are considering, in fact this year I think, reintroducing those seminars. We used to run four—one on the committee system, one on the legislation process, one on the budget process, and a general seminar. In days gone by they were certainly very well attended and very well appreciated.

We sought the active involvement of the members. For the budget process we used to get either the public accounts committee or the estimates committee involved, and we would try to get the Treasurer's department involved. For the committee ones we would try to get some committee chairs along to explain their roles. We would always approach this on a bipartisan basis. I can tell you that, last October, we ran a series of seminars on the caretaker provision. That was very well attended. Mr Kiermaier might want to talk about that.

**Mr Kiermaier:** Yes. There was Phil Green from ACT Elections, myself and two others. I am sorry, I cannot remember their names. It was a briefing session for ACT public servants on conventions that would apply over the election period. It was so popular, we had to repeat it a week later.

**DR FOSKEY:** That's great.

**THE CHAIR:** Just in that vein of interaction with the public service, Mr Speaker, one of my early observations here has been a possible shortfall in the fact that the committees in this Assembly have very limited capability for research. I know that from conferring with chairs of other committees around Australia. Even Tasmania has taken the step of seconding Treasury officials to the public accounts committee to help with some of the work of the committee.

To take up the theme Dr Foskey raised of bringing about greater interaction with the public sector, I am wondering whether thought might be given to periodically seconding people out of departments for a period of time to work with committees. Likewise, indeed, it would probably benefit the secretariat staff to spend some time in those larger departments to understand, from the other side of the equation, the work of the committees, the matters they have to consider when dealing with the inquiries and maybe even the magnitude of some of those inquiries. Has that been given thought, or do you see merit in that?

**Mr Berry:** From time to time secretariat staff are involved in secondments to other departments. Mr Duncan might like to touch on that.

**Mr Duncan:** I have just come back from a meeting with Australian clerks at which this very issue was talked about and I have been alerted to the scheme. I was not alerted to the Tasmanian scheme but I was alerted to the Senate scheme whereby there were a number of interactions between commonwealth government departments. In fact, there is actually a waiting list of government department employees wanting to work in the Senate for a full year and the commonwealth departments pay their salary for the full year. I do not know what capacity there is for ACT government departments to undertake that scheme, but it is certainly something that the senior committee secretary, Robina Jaffray, and I are looking into. We might try to pursue that.

Can I also let you know about the graduate administrative scheme, which is the intake scheme offered by the ACT government for all graduates entering the public service. I recently made inquiries. They are called GAAs colloquially. We used to be a recipient every year, but through changes to the structure of the program we have missed out. I have heard that there is a possibility that we will be getting back into that, and we would certainly benefit from that. Your current secretary is in fact a GAA who was with the program and she came back—and also our senior project officer.

**MS MacDONALD:** She is a fine secretary, too.

**Mr Duncan:** We certainly have benefited from that scheme in the past, where they can come for a three-month period. Admittedly, it is a limited period, but they have certainly been of great assistance to the committees in the past. If we can get that sort of scheme back and running, that will be of great assistance, I hope, to them.

**THE CHAIR:** This would be in their early years, not coming straight in as raw recruits.

**Mr Duncan:** This is in their first year. In the first year they come in, and they do three different rotations. They start off in their home department and then they can go off to other agencies.

**THE CHAIR:** I think that is to be encouraged. I suppose, in terms of a committee, it would be desirable if you were seconding somebody, though, who had maybe a greater degree of experience and understanding of fiscal matters. That is what I had in mind for the question.

Related to research, if I could, Mr Speaker: obviously, one of the other areas where it would be desirable to see a greater research function is within the parliamentary library. Obviously, some of us have had the opportunity to see what is offered up on the hill—it is massively resourced, I understand. Is regard being given to possibly giving the library greater resources in providing research for Assembly members?

**Mr Berry:** As an Assembly that stemmed from fairly meagre beginnings, this has been a gradual process. It is something that members have raised from time to time throughout my period in the Assembly. As with most facilities available to members, it is slowly improving. So far as an Assembly library is concerned, even though it carries that name,

it is not within our budget.

**MS MacDONALD:** I take this opportunity to put a comment on the record yet again, which I am sure the Clerk, Mr Speaker and Mr Duckworth will not be surprised about. I believe that this Assembly should have a research officer located within the committee office. I have raised this within the Administration and Procedure Committee. I put it on the record again because we are probably the only parliament in the country whose committee office is limited to having the secretary of each committee doing pretty much all the administrative work, looking after the committee and also doing the research for inquiries. The chair and the deputy chair of this committee are new to the Assembly, so they have not heard me go on about this before. It is something that I am keen to see happen, and I do not require Mr Duckworth and Mr Duncan to tell me that it is something down the track. I am going to keep harping about it until finally it happens.

**THE CHAIR:** I think there would be strong support for that.

**DR FOSKEY:** To expand on that, I would think that a way of dealing with it—I have made the comment myself—would be to have a pool of funds that gives us access to a pool of expertise where appropriate. It is often a bit of an ask to expect a person to be around all the different functions of all the different committees. We live in a town with quite a number of universities which have that sitting there. I will be interested in finding ways in which we can milk some of that expertise over the next few years.

**THE CHAIR:** Perhaps I can raise the matter of InTACT. I am aware that there was an inquiry a couple of years ago which came up with various options. I am wondering, without us going down the road of a full inquiry, if there is a view possibly from your own people on the performance of that service—whether it might be something that ought to be revisited—as to whether you think it provides the level of service that is desirable for Assembly members and staff.

**Mr Berry:** You are right to refer to the inquiry that we had some time ago—and it was an in-depth inquiry where we struggled with all of the issues—and in the end, of course, we came back to InTACT. Mr Lutton will be able to talk about some of those details and some of the issues that we covered in the course of that inquiry. They still exist and, on balance, I think we get pretty good service from InTACT so far as these things can be made available to us.

**MS MacDONALD:** Just before Mr Lutton goes on to elaborate or answer the question: can I just put on the record that I believe that the service has actually improved significantly since that inquiry and having Nat Jones in the Assembly has really helped.

**Mr Berry:** That was one of the recommendations of the inquiry.

**Mr Lutton:** I think the Speaker hit the nail on the head when he said it had to be an on-balance decision. We are a small organisation. We had to try to balance a number of almost competing requirements—security of your data; independence for the Assembly, which we have moved a long way to try to establish better following that inquiry; the costs involved in running and supporting IT.

That inquiry was not the only one that we had done in recent years. The secretariat

commissioned Acumen Alliance to look at options for us as well. To put it bluntly, I do not think there is any Holy Grail out there in terms of IT service provision. I do not think that is to suggest that over time, as the Assembly's requirements change, using InTACT will continue to be the model that we will follow. It may well be—and you can think of a number of scenarios where this could arise—that we would seek to exercise more control over IT. We may still, of sheer necessity, have to work to some sort of outsourced arrangement. We do get an awful lot from using the InTACT systems—network, backup and security for our data. So, yes, I think that it was very much an on-balance decision.

**THE CHAIR:** Thank you, Mr Lutton. Notwithstanding where it may have come from, because I have not seen the baseline two years ago, I know that a number of members have raised this issue with me and have concerns about the performance and the speed. It is not a criticism of the employees; it extends system wide.

I might also say that a number of us find it unusual that members of parliament have got to pay a fee to be able to access our own sites away from the parliament. I have never encountered that in industry in Australia anywhere I have been involved. You need to acquire equipment that has got to be approved, rather than being able to use computers you may have at home. I think it impacts significantly on the capacity of members of parliament to do their job as efficiently as the public would expect. I find I am often back here late at night as a way of accessing things.

So I would put it on the record that I have concerns that have been raised by other members of the Assembly, notwithstanding what Ms MacDonald said that it possibly was significantly less satisfactory two years ago. So it is good that there has been improvement.

**Mr Berry:** Can I just add on the issue of the IT system: one of the members of the Administration and Procedure Committee has placed that on the agenda for the next meeting of the committee. This is an ongoing issue that we continually watch and now, as technology moves, I am sure that it will be raised with us. The resources available to members are routinely raised in that committee and we do our very best to ensure that members have up-to-date access to IT throughout the Assembly because it is an important part of a modern parliament.

**THE CHAIR:** I think there is an assumption out there that we would be working hopefully at optimum efficiency levels, and I certainly do not believe that is possible under the current arrangements. Obviously, if the admin committee is looking at it, that would be wonderful.

Just a last question, Mr Speaker, and then I am pretty well clear. I understand there was an incident near the Assembly in the last couple of weeks which necessitated the calling of police. It may have involved an assault in relation to one or more employees. These things happen in life. I understand that in this environment, where we want as much access to the Assembly as is possible—and I am not one who favours shutting down the gates too promptly—we also need to be mindful of the fact that in the current climate occupational health and safety is a major issue. It has been given a lot of priority by this government. Duty of care is a major issue.

Are you keeping in mind the welfare and safety of our employees to deal with

individuals who may resort to violence and have them prohibited from entering the parliamentary area, given this sort of incident that apparently occurred?

**Mr Berry:** This always weighs heavily with me because, whenever there is an incident involving a member of the public who is upset with one of the members here or with the way the system operates here, some pressure is put on members or individual staff; and the immediate cry is for them to be banned from the premises. I have a strong commitment to maintaining access to the maximum extent possible, at the same time observing all the requirements in accordance with my duty of care for everybody that is in the building, not only paid staff but of course members as well.

In fact, in the past, somebody from the community refused to abide by the standing orders of the Assembly and was banned from the building and remains banned to this day until she signs an undertaking that she will comply with the standing orders and the norms of the house. But the place does oscillate between a parliament and an electorate office; so there are two different groups of people: there are spectators who come to watch parliament but there are people out there who might be concerned about services which are provided by government and they want access to their Assembly members. So I am very cautious about banning people from the building.

At the same time I am not going to trade off, against that caution, the safety of members or their staff. I know the Deputy Clerk has dealt with the issue that you raise, so I will let him talk about that in more detail—and how he dealt with the issue—just so that we can clarify where we have come from.

**THE CHAIR:** If I can say, Mr Speaker, I do not necessarily want the Serjeant-at-Arms to go into the finer detail, but I guess the message I would respectfully like to ask to be considered is this: I am less concerned about the members—we can look after ourselves—than the staff of the Assembly that have to deal with this sort of thing. I think, when it resorts to violence, then there may be a case for sterner action.

**Mr Berry:** There is no hesitation, when it comes to the issue of violence, to deal with it immediately.

**Mr Kiermaier:** I would just like to point out that we are also conscious of due process having to be followed and, as the Speaker has pointed out, he certainly does not want to arbitrarily ban somebody. In the particular instance that I am sure you are referring to, we took a letter approach, if you like, in the first instance, pointing out the misdemeanours that this person was transgressing upon and asking him to refrain from doing so.

He behaved himself for a brief while, but he transgressed. I wrote him another letter, a bit more serious this time, pointing out that he could be banned if he continued with this behaviour. We had an incident when the police were called and, as a result, I wrote to him saying that he would be banned—not so much banned, but we were asking him to give a written undertaking to abide by norms of behaviour and, until he gave us that undertaking, he would not be admitted to the building. He has not reappeared since.

**THE CHAIR:** You are very patient.

**MS MacDONALD:** On the subject of security, because this comes under security, I know that the annual report of 2003-04 refers to the security review which has since been completed. It might be good to put on the record what has actually happened to that security review.

**Mr Berry:** Yes. We commenced a security review some time ago. It troubled me a little bit that it took so long to get through it, but we were tangled up in all of those horrific events which occurred throughout the world. The agencies that we engaged to deal with the review, of course, were being sidetracked on national issues from time to time, which slowed the process down.

The Clerk would be happy to go into some of the details of the results of that review and where we are at in relation to securing funds and so on. Members of the Administration and Procedure Committee would know that I have written to the executive in relation to the matter. But the Clerk will go into some of the detail for you.

**Mr Duncan:** Ms MacDonald, yes, we did receive that report. We have briefed, as you would be aware, the Administration and Procedure Committee on that.

**MS MacDONALD:** Yes. I know that I have been briefed. Dr Foskey was present as well.

**Mr Duncan:** I think you are right to mention this. It is quite clear that there are a number of things that I can do as Clerk. We have already started training of attendants and looking at replacement of security equipment in the building in terms of enhancing our security access control systems, in terms of pass issue and things like that.

There are a number of other issues that will require the consideration of members and the Speaker in terms of the car park and other sorts of issues in relation to access to the chamber, which I do not want to go into detail on, for obvious reasons. Needless to say, we are certainly addressing all the issues. I think there were about 74 recommendations; obviously, the Deputy Clerk and Serjeant-at-Arms will be spending quite a bit of time in the forthcoming year addressing most of those recommendations, as will other officers of the secretariat.

We are looking at redesigning the public entrance to try to create a security barrier through that entrance, a more secure entrance than currently prevails. Yes, it will certainly be on the agenda for the Assembly over the next few years.

**THE CHAIR:** Just as we move towards conclusion: one last matter occurred to me, the new agreement involving staff. Mr Speaker, I know it is early days. I think it was only certified in November. One of my observations is in relation to the provision of timesheets by staff. I am not sure how much input the Speaker or the secretariat had in the development of that agreement—and I know it was a long process—but it does occur to me that it generates a great deal of work for Mr Duckworth's people in terms of tabulating data on all of the 90 or so staff in the building. I was just wondering whether any regard was given to possibly the federal scenario whereby an overtime allowance is determined rather than having this process that is in train at the moment that involves a lot of checking and tabulating.



**Mr Berry:** My understanding was that it was discussed during the negotiations on the enterprise bargaining agreement but, in the end, what has come out of the enterprise bargaining arrangements is an agreement endorsed by staff that incorporated overtime provisions. Even though there had been some disagreement during the bargaining process, staff eventually agreed to the enterprise bargain which contained those elements.

**THE CHAIR:** Did your officers have much input to that process?

**Mr Berry:** Staff members were. I did not make a submission to the process but I knew what was going on. I know that staff and their union representatives press different points, as they do in these negotiations, and it is not always, as we know, a 100 per cent agreed outcome when the particular agreement is given the tick. I think that was the case here. I think staff probably weighed up on balance what was worth signing up to, and they signed up to the agreement as it stands.

**THE CHAIR:** As I say, the administrative burden may not have been contemplated in terms of this set of officers.

**Mr Duckworth:** I might take the opportunity, if I may, to elaborate on some aspects of that process. In recent times, going back just a few years, members' staff were not covered by awards or certified agreements. The certified agreement that they are covered by is in fact the second, the first having had a very short duration. It was virtually negotiated and then there was another round under way. That was just a timing issue.

The process that was used to develop that agreement and to involve consultations with staff and with unions was subject to a fair bit of dialogue and discussion. There has always been, and I think there will continue to be, some uncertainty about who is the employer. We know that MLAs engage staff but there are other people, organisations and structures in place to deal—

**THE CHAIR:** All care, no responsibility, Mr Duckworth!

**Mr Duckworth:** A consultative committee was developed for the LA(MS) Act staff. There were staff representatives, there were union representatives, and there were representatives from the executive, including the Chief Minister's Department as the ultimate employer. I did participate in that committee, provided the secretariat's two-bob's worth, if you like. I make that point because the secretariat does not see itself as being able to insist on particular outcomes and yet, as you have pointed out in your question, we do have to deal with the administrative side of that.

I think it is fair to say, though, that there was some diversity of view amongst the various parties about attendance recording, but the prevailing view was that attendance recording is a critical element of accountability in the public sector, that it happens everywhere else and that Assembly staff should not be treated any differently. I make those comments simply to highlight the fact that that was a very deliberate view.

We make no secret of the fact that that is a new requirement. The requirement of the agreement is that attendance records be maintained and submitted to the relevant corporate area, which means that we are now supposed to be in receipt of attendance records for all staff. The agreement was certified just prior to Christmas. We had

Christmas, we had a January break. I think we are really just getting back now into a routine and I think there will be some expectation on the corporate area to monitor that and maintain it.

**THE CHAIR:** I think no-one would have an issue with accountability. The issue, I suppose, that is flagged by many is that the culture of working in a political office often isn't governed by strict timelines because one's expectation often extends above and beyond the formal hours of duty.

We have reached the expiration of the hearing. If there are further questions by members, they can be put on notice. I would like to thank you, Mr Speaker, the Clerk and the Deputy Clerk for your cooperation with the committee. I now declare the proceedings closed.

**The committee adjourned at 5.02 pm.**