



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Reference Annual and financial reports 2004-2005)

Members:

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

TRANSCRIPT OF EVIDENCE

CANBERRA

TUESDAY, 8 NOVEMBER 2005

Secretary to the committee:
Ms A Cullen (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 2.31 pm.

Appearances:

Ms Katy Gallagher, Minister for Education and Training, Minister for Children, Youth and Family Support, Minister for Women and Minister for Industrial Relations

Chief Minister's Department:

Mr Mike Harris, Chief Executive

Mr Glen Gaskill, Executive Director, Public Sector Management and Industrial Relations

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

Ms Margaret Cotton, Acting Director, Office of Industrial Relations:

Mr Mark McCabe, Manager, ACT Safety First Project

Ms Kate Nesar, Acting Director, Corporate Management

Mr Karl Phillips, Acting Chief Finance Officer, Corporate Finance

Ms Pam Davoren, Executive Director, Cabinet and Policy

Ms Sue Hall, Director, Community Affairs Branch

Commissioner for Occupational Health and Safety:

Mr Phil Ulrich, Acting Commissioner

Mr Steven Hart, Manager, Workplace Safety

Mr Bill Brodie, Acting Manager, Dangerous Substances and Gas Plant Inspectorate

Asbestos Assessment Task Force

Mr Lincoln Hawkins, Chief Executive

THE CHAIR: Good afternoon. I declare these proceedings commenced. For the benefit of witnesses, I need to read the following statement for your information: 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.

This is public hearing No 2 into annual and financial reports 2004-2005. This afternoon we are considering the portfolio area of industrial relations. Minister, before we commence with questions, do you wish to make a statement to the committee in relation to the annual report?

Ms Gallagher: No. In the interests of time—we only have an hour set aside—I am happy to proceed straight to questions.

THE CHAIR: I will commence questioning. I refer you to page 45 of budget paper 4. You do not necessarily need to have that in front of you to understand where I am coming from. The estimated cost of output 1.4 in 2004-05 was \$2.189 million. Could you advise the committee of the cost of that output? If you want to take that on notice,

I understand.

Mr Harris: I might take that on notice. I don't happen to have that particular piece of information with me, but we are happy to find it for you.

THE CHAIR: I refer now to page 44 of the CMD annual report. It lists a number of performance measures and targets. Can you assist the committee in understanding why you select these performance indicators and why you think they are useful measures of performance? So that you can understand my question, minister, the so-called performance indicators simply describe activities, which are elaborated on at page 46. I can't see where we report on the purpose of those performance measures and how the results are of much use to the community.

Ms Gallagher: If I could start and Glen could extend on it: this area of CMD is, essentially, a policy area. We can have discussion around what you think an inappropriate performance measure is, but the performance measures that are listed there are measures of their performance and the key policy areas that they work on throughout the year. All of those measures comprise the key areas of activity for this area of the department.

THE CHAIR: I can understand the statement that four meetings were held; you tick the box and say that four were held. It may be too hard to do in the framework of a policy group, but I wonder whether there is any serious indication of performance, as people might reasonably anticipate.

Mr Harris: To follow up the minister's point: the conundrum we have is finding hard performance measures in policy areas, because it really does come down to how many pieces of paper you produce, in many respects. The relevance of the policy comes in the implementation, which is where you can have hard measures. The conundrum, I suppose, is that, in the current budget reporting frameworks—those that have been in vogue and in place for the better part of 10 years or more, I suppose—you can't avoid having performance measures; you have to have them. The relevance of them in policy areas, as opposed to hard delivery areas, is a matter of debate and some question.

THE CHAIR: Is there something better you could put in place to reflect the nature of the activity?

Mr Harris: We are always trying to find more relevant performance measures—some times unsuccessfully, I have to say. We have had conversations before about my frustrations in some of these performance measure areas. We continue to try to find more relevant measures but, at the end of the day, policy people generate policy at the request of ministers and governments or as a response to public consultation or a variety of other measures. We are in the business of producing pieces of paper.

THE CHAIR: I will move to another area because I am conscious of time. On page 45, you list, as one of your achievements, "Developed the Fair Work Contracts Bill 2004". What has happened to that bill? Will it be revisited, amended or withdrawn, in light of the federal Workplace Relations Amendment Workchoices Bill?

Ms Gallagher: The legislation is currently in the Assembly. It hasn't moved since the

introduction. There were some further consultations that we undertook once it was introduced. Based on those consultations, they were going to require some amendments to that bill.

Yes, we have been waiting to see how the federal legislation would impact in this area. I took the view that, instead of proceeding to establish a new system which, in the legislation, wasn't due to come into effect until June next year anyway—the way the bill was written—we would take a bit of a wait-and-see approach. Early advice to me is that this legislation does look like it would be overridden by the federal legislation, in which case—and I will wait to have that advice confirmed—we wouldn't be in a position to proceed with it.

THE CHAIR: Is the position that, on Thursday, you were going to legislate a new regime; and, on Saturday, you were not going to because it could be unconstitutional? Is the current state of play that you feel it would be unconstitutional? Would it be reasonable for the committee to assume that the work that has gone into it this year is now going to be shelved?

Ms Gallagher: No. In relation to the Fair Work Contracts Bill, the way that bill is written now, it appears that it would be overridden by the federal legislation, but there is a lot of work listed there that wouldn't be and is specifically exempt from the federal Workchoices legislation. I still say that my position hasn't changed from Thursday to Saturday. There is opportunity in areas where Workchoices has exempted certain pieces of legislation for us to have a look at how we can amend legislation.

THE CHAIR: You have given up the fight?

Ms Gallagher: No, not at all. There are areas around leave which are impacted on, but there are areas such as long service leave, occupational health and safety, workers compensation, child labour laws and a few others listed that are specifically exempt from the Workchoices legislation. That gives us some room to move if we want to. Again, that is the advice in the early stages to me about what we can do. We won't be doing anything that is not going to be workable in the end.

Mr Harris: I can answer your question for you on output 1.4, in the interests of saving paper at the end, if you wish. The cost of output 1.4 was \$2.145 million. It is reported at page 126 of volume 2.

THE CHAIR: Thank you for that. Minister, have you finished on that point?

Ms Gallagher: Yes.

THE CHAIR: You report, at page 48, that the Office of Industrial Relations prepared a submission for the 2005 national wage case. How did you reach the figure of a \$20 per week increase in the minimum wage? Was the increase seen as some kind of a social support payment, or was it a case of going with the flow with the other states and territory?

Ms Gallagher: We usually put that submission on the website. I don't know that this year was any different. I presume it is still there. You can see from that piece of work

that there is extensive economic data that underpins that submission. Yes, it was part of a joint case between the states and territories. We took part in those discussions and formed that joint submission at the end of the day. But it wasn't necessarily just accepting what the other states were saying; we had our own data there. That submission is public.

THE CHAIR: It wasn't tailored to the needs of the ACT particularly; it was a one-size-fits-all approach?

Ms Gallagher: Agreement was reached in those negotiations that a \$20 a week increase was affordable and was reasonable. It was slightly less than what we had sought the year before. For the second year in a row, we were the closest to what the commission handed down, compared to the business and federal government's case—and the unions, on the other side. The states and territories, based on the outcomes from the commission, were the closest and seemed to get it right in relation to how close we were to the judgment that came down.

It wasn't about setting the lowest outcome possible, which is what we are going to see in the future. We were setting what is a reasonable outcome, based on a number of factors. Here in the territory, it was delivering a wage outcome that wasn't more than what has been achieved in private sector and public sector employment in the territory. We were keeping pace with that just under 4 per cent wage increase that we were seeing across the board.

DR FOSKEY: I am looking at WorkCover.

Ms Gallagher: We are not at WorkCover yet; we are dealing with CMD. I have WorkCover officials present. We usually go to them next.

DR FOSKEY: I won't ask any questions just yet.

THE CHAIR: Ms MacDonald has a number. She is not present at the moment. You might want to take this question on notice. In terms of the number of employees, you report that there are three teams—industrial relations and workers comp policy; work safety policy; and workplace injury performance. This is at page 44 of the annual report. Can you indicate for the committee how many employees there are in each team and how many employees in total?

Ms Gallagher: I am sure we can. I don't think we need to take that on notice. We can get back to you in a moment.

DR FOSKEY: I found working through the Chief Minister's Department's report quite difficult. I could not find things and was often not sure of the relevance of which section to which minister. I don't know whether there is any way that the report could be presented differently so that it might be a little more durable. For one that is read so often, it tends to fall to pieces. I have a question about asbestos. Is this the appropriate time?

Ms Gallagher: I am sure we can deal with asbestos under CMD.

DR FOSKEY: I had some concern expressed to me by people near the Griffin centre that is being pulled down as to the presence of asbestos in that building, given that there is a lot of stuff flying in the air at the moment. I did ask your office for a response to that. I thought I would take this opportunity to see whether you now have the information.

Ms Gallagher: I thought you were talking about work relating to the asbestos task force. I don't know whether anyone can add anything in relation to the situation at the Griffin centre. Again, that is a question for WorkCover. WorkCover are the people who do the workplace inspections and workplace safety. Questions relating to the asbestos task force and the work that they did now fall within CMD. They always did, because that is where the task force is located.

MS MacDONALD: Before Mr Hawking goes, I might ask a question about the task force specifically, as opposed to the supervision of demolition which is a WorkCover responsibility. Page 30 of the report, under "Future Directions", identifies that the task force will "complete the preparation of its report on asbestos management in the ACT, and submit the report to government by 1 August 2005". I know that is outside the time frame of this annual report and goes into next year's annual report, but it would be timely to ask about it now, rather than wait until next year. Firstly, did it get submitted at that point?

Ms Gallagher: It has been tabled in the Assembly, along with the government's response.

MS MacDONALD: Did you want to give a bit of a rundown on the results of the report?

Ms Gallagher: I presume all members have got the report. We have since passed legislation as well, following on from this, around the requirements under the asbestos legislation that was passed in the previous Assembly. Essentially, what we have here is: the task force has a unanimous report about the focus for asbestos management in the ACT. That was a great achievement, considering the different interest groups on that task force—going from victims, to employee associations, to businesses, to government interests.

Perhaps I could ask Lincoln to add to this. I can't remember the exact number of recommendations, but I think we agreed with 25 recommendations. There was one that we didn't agree with, from memory.

THE CHAIR: It related to legislative changes.

Ms Gallagher: It related to the changes that we have passed. That was around the requirements for assessments that were due to come into effect on 16 January. We are at the next stage now of pushing forward with some further drafting of legislation which we are currently considering and taking advice on about how to progress the longer term recommendations. Did you want to add to that?

Mr Hawkins: In respect of future directions, there is probably not enough room in this report to explain everything that will happen in the next 12 months. But with a successful report there comes a great deal of work. Of interest, I think, to Assembly members, because this is something that, by its nature, required the support of the Assembly and

received it, is that every state is grappling with a similar issue. We are holding national forums to try and see if other states can adjust towards a compatible framework of legislation. That meeting will be held later in November.

Awareness can drop off, even though we have run successful major campaigns over the TV. The ACT will, over the next 12 months, have training programs for industry and will introduce the next stage of the legislation. We as a community, the Assembly and everyone involved in this issue need to maintain a level of good faith and support in the community and industry groups as we roll out probably three to five years of work with industry to get everyone on board with asbestos management plans in non-residential premises. There is still a good body of work in front of us but a clear path and a lot of support for it.

MS MacDONALD: I would like to apologise for asking such a broad question. This is stuff that has been addressed but, as you were at the table, I felt I should give you a question, Mr Hawkins.

THE CHAIR: Ms MacDonald, does that cover you on IR?

MS MacDONALD: On the Asbestos Assessment Task Force, yes. I have questions on work safety and labour policy.

THE CHAIR: Mr Smyth, you indicated you had a question

MR SMYTH: Mine would be under WorkCover as well.

MS MacDONALD: Mine is not in WorkCover. Minister, on page 48 of the report—and I am sure it is a matter you have a great interest in—it is noted that last year, in conjunction with the office for women, the Office of Industrial Relations released guidelines for expectant and new mothers in the workplace. Are you happy for me to talk about that here or do you want me to wait until we get to women?

Ms Gallagher: No, it is fine if it is done in this area.

MS MacDONALD: These guidelines provided information on work safety during pregnancy, leave entitlements of parents, return to work entitlements and so on.

Ms Gallagher: Unfortunately the guidelines do not apply to politicians. I wish they did.

MS MacDONALD: Could you inform the committee of the distribution of these guidelines and how the guidelines have been received in workplaces and departments within the ACT?

Ms Gallagher: My understanding is that they were distributed fairly widely. I was at their launch. There was a fairly wide invitation list. The only feedback I have got from them is that they have been very useful. I do not know if we have a copy we can provide the committee with or whether it is on-line and you can have a look at the guidelines. It is on-line. There is a link there. All we have had is good feedback about them. Here they are if the committee wants them.

MS MacDONALD: Thank you.

Ms Gallagher: I think it is a good publication in the sense that it compiles a lot of information about rights and obligations and entitlements. As I said, unfortunately it does not extend to politicians.

MS MacDONALD: I have actually seen them before. I remember receiving a copy.

Ms Gallagher: I think you were there when they were launched, actually. You might have been.

MS MacDONALD: I do not know. I recognise one of the babies.

Ms Gallagher: If we can just go back to the numbers in the areas?

THE CHAIR: You have the staffing numbers, do you?

Ms Gallagher: Yes.

Mr Gaskill: In terms of the list, just to keep it simple, there is the director and her assistant. In terms of industrial relations workers policy there is five staff; in work safety policy there is four; and in workplace injury performance there is four. I must say it is difficult to get staff, too, in those areas.

THE CHAIR: In those areas?

Mr Gaskill: Yes.

THE CHAIR: We will now move to the ACT Construction Industry Long Service Leave Board. I have a couple of questions, Minister, on pages 21 to 24. It says there that the board budgeted a \$0.874 million surplus but that the board reported an operating deficit of \$1.29 million due to the actuarial liability for long service leave being recalculated from \$2.5 million to \$5 million. I wonder if you could advise the committee what the reasons were for the doubling of the long service leave actuarial liability?

Ms Gallagher: I do not think we have anyone here from the board to assist with that level of detail. I do not know why that is the case. I do not whether they can get over here.

MS MacDONALD: I do not think anybody has ever asked a question about the ACT Construction Industry Long Service Leave Board.

Ms Gallagher: I do not think so either. But they were actually listed to appear, so they should be here. That level of technical detail I cannot answer for you.

THE CHAIR: I will add a further question, Minister, which will obviously have to be taken on notice. What is the basis for the assumption that the actuarial liability will stabilise at the new level? It think it is important, Minister, as I am sure you would agree, that the agencies treat the annual report hearings with sufficient regard to ensure that there is somebody here for this.

Ms Gallagher: Yes, I agree.

THE CHAIR: It is not satisfactory that they find other matters to attend to when the committee is expecting to see witnesses.

Ms Gallagher: I agree with you. I am surprised that they are not here.

THE CHAIR: We will move to the ACT Cleaning Industry Long Service Leave Board. I do not have any questions on this particular board. Do any members of the committee have any? Are they represented here today, Minister, or not? It is the same person?

Ms Gallagher: Yes.

THE CHAIR: We will move to the Office of the Commissioner for Occupational Health and Safety.

Ms Gallagher: Chair, the occupational health and safety commissioner is away at the moment. We have Mr Ulrich sitting in as the acting commissioner.

THE CHAIR: I will hand to Dr Foskey.

DR FOSKEY: So this next half hour can be dedicated to WorkCover?

THE CHAIR: It may be.

DR FOSKEY: On page 3 you have a list of key achievements. One that I would like to ask about is the implementation of the infringement notice scheme. Was this all part of the new compliance measures introduced last year?

Mr Ulrich: Yes, it was.

DR FOSKEY: Could you give a brief report on how well the system is going and whether the new infringement notices, agreed and enforceable undertakings and so on are delivering good results?

Mr Ulrich: The system has been implemented within ACT WorkCover. We have done a significant amount of training with our inspectorial staff in relation to the issuing of those notices obviously as an alternative to prosecution activity, which is very resource intensive. Obviously each instance is looked at on its merits in relation to the particular type of offence, but it provides a useful compliance mechanism for inspectors as an alternative to prosecution.

DR FOSKEY: I could not find an evaluation anywhere in the report. Could you please guide me to it, if there is such a thing?

Mr Ulrich: On page 6 we outline some of the statistics in relation to the activity that has been undertaken by WorkCover. We outline that 56 infringement notices were issued for offences under both workers compensation and occupational health and safety legislation. It also talks about the number of notices, compliance agreements and

prohibition notices that were issued throughout the course of the year. It also indicates that there were seven enforceable undertakings entered into.

DR FOSKEY: It would be interesting to have some more details. We might ask questions; I am not sure. But thank you for that. Going back to page 3, dot point 5, dealing with substantial changes to the occupational health and safety and dangerous substances legislation and regulations, have you had any feedback on the union occupational health and safety officer right of entry?

Mr Ulrich: We had enquiries from a number of people that followed the process under the legislation to become authorised representatives. A number of people took that up. From memory, we have had a few occasions where those provisions have been exercised, but to say that we have been heavily inundated I do not think would be an accurate picture.

DR FOSKEY: Have you a need to provide special occupational health and safety training for those people, those union reps?

Mr Ulrich: I think there is a requirement under the legislation that those people already meet a certain mandatory level of occupational health and safety training to become an authorised representative.

DR FOSKEY: So you have not, so far as you know, had to provide any?

Mr Ulrich: I have just been advised that the training has been provided by OHS trainers and we, in turn, will then assist the trainers. So we have had people attend training courses in that respect.

THE CHAIR: The question Dr Foskey asked you was about feedback. She may not have meant this, but I was curious to know whether you have had any reaction from work places as a consequence of the new brigade.

Mr Ulrich: No, I am not aware of any complaints that have been issued as a result of those provisions being entered into the act.

DR FOSKEY: Has the introduction of safety duty for dangerous substances been successful and seamless?

Mr Ulrich: I might ask Bill Brodie to answer that question. He is the manager of dangerous substances at ACT WorkCover.

Mr Brodie: The introduction of the safety duty based legislation is a major change from dangerous goods legislation. We have run a number of educational processes and we are now running a number of compliance campaigns that indicate that the majority of our clients are keeping up with the requirement to introduce safety management systems and move to a safety-based process. It will be an involved process to get all clients to that standard.

DR FOSKEY: In relation to dangerous substances, I notice on page 6, in the third dot point from the bottom, that there have been 15 prosecution briefs, one in relation to

dangerous substances legislation. Is that the whistleblower that was described and I think actually photographed for the *Canberra Times*? Is that the one prosecution?

Mr Brodie: There are two prosecutions. One occurred just prior to this annual report period. The event occurred in May 2004. There was a bit of cross—

DR FOSKEY: That was the last annual reporting period?

Mr Brodie: There were actually two prosecutions in relation to that one incident, a prosecution against a purchaser and a prosecution against a supplier.

DR FOSKEY: Why are you following up with prosecution of someone who appears to have been acting to draw attention to the irresponsible behaviour of the suppliers?

Mr Brodie: It was done after careful consideration. We gathered the evidence and discussed it with the Director of Public Prosecutions. The person who purchased the fireworks did so knowing that there were laws about fireworks sales and did that knowing that he was committing an offence. We supplied the brief to the Director of Public Prosecutions, who made the decision to forward the prosecution to the courts.

DR FOSKEY: Was not that incident a way of actually assisting you in getting the retailers to comply with those regulations, which is presumably what the regulations are actually aimed at?

Mr Brodie: We have certainly taken action against the supplier as well. The circumstances in which the situation occurred will be made available to the court for it to be taken into consideration by the judicial officer.

DR FOSKEY: So basically it is up to the court now to decide on that?

Ms Gallagher: It is up to the DPP whether they prosecute, too. That is not a decision by WorkCover, but WorkCover were given responsibility under the act for this area and it would be difficult for WorkCover to make exemptions on those grounds. They merely provide the brief to the DPP, who takes that the next step.

DR FOSKEY: We will be asking questions of the—

MR SMYTH: Doesn't that break faith with the public? Somebody finds a law breaking activity being undertaken in the ACT. They gather some evidence for you, which in this case necessitates their buying the fireworks. They come and give it to you guys and say, "Look, I can buy this stuff. It's illegal. I want you to do something about it." So you actually take legal action against that person. It is a bit odd where a citizen has done the right thing in bringing to your attention that the law is being broken and you prosecute him. Why would anybody come forward and assist this government in that regard?

Mr Ulrich: I think in terms of this particular circumstance, the person knew what the law was and made a conscious decision to break that law. All the factors in that particular case were taken into consideration in terms of presenting the brief of evidence to the DPP.

MR SMYTH: So he breaks the law by purchasing something that is illegal? Because he knew that, even though he then brought it to your attention, he ‘fesses up effectively—

Ms Gallagher: He brought it to the attention of the *Canberra Times*. He did not bring it to WorkCover’s attention. We can sit here and have a discussion about it, but there is a law in place. The brief was compiled and the prosecution was commenced. If we want to sit here and make exemptions for people’s behaviour that is another subject. Aside from the details of this case, the group that was involved here fundamentally disagreed with the law that we had introduced as well. I am not saying that was a consideration in this case, but there was a point to be made. It was not about providing information to the authorities. It was about providing information to the *Canberra Times*. Aside from all that, special treatment was not offered to anyone involved in that case. It was followed to the letter of the law and a decision has been taken in regard to that.

THE CHAIR: Do you have any more questions on that area?

DR FOSKEY: Yes.

Mr Ulrich: Do you want to ask that asbestos question while we have Mr Brodie here?

DR FOSKEY: Yes. Thank you, Mr Ulrich. Mr Brodie, the question I asked previously was in response to concerns of constituents who work near the old Griffin Centre. They would like to know for sure that there is no asbestos in that building because various floating particles are assailing them. People are concerned because there has been so much publicity about asbestos.

Mr Brodie: Sure, and we certainly got a lot of complaints at ACT WorkCover. As part of a development application process, there is a requirement to do an asbestos survey, and that did occur. An amount of asbestos was identified by asbestos-containing product. There was no friable asbestos. Asbestos-containing product was identified as part of a survey. That asbestos product was removed by specialist removalist in accordance with the NOSH code of practice at the very beginning of the strip-out phase. So it was properly contained and taken away without any unnecessary damage to the asbestos product.

MS MacDONALD: Mr Brodie, you are saying that the particles that are blowing in the air are not asbestos? There should not be asbestos in there?

Mr Brodie: That is right. It is a very old building. There is a lot of dust in that building. We have just come through a period of drought and there is a lot of dust around. There is a requirement on the builder, under both OHS and environment law, to suppress dust. They did everything they could to do that and we attended and checked that. I understand that Environment ACT was also involved in the dust suppression. But in work of that type there is—

DR FOSKEY: Days like this.

Mr Brodie: That is exactly right, an amount of dust. We are in the middle of spring and there are a lot of other airborne contaminants.

MS MacDONALD: I should imagine that any time you knock down a building, irrespective of its age, there will be dust.

Mr Brodie: That's correct. The builder has to have dust suppression processes in place, and they did have, spraying down the areas and that sort of thing, but they can only do so much.

THE CHAIR: Minister, I just want to raise the issue of payouts and caps there, too. I have been informed, but I haven't made personal inquiries in New South Wales, that there are limitations on payouts under workers compensation there that don't exist in the territory. If that is correct, that obviously would impact significantly on premiums for workers compensation. Have you or the agency undertaken any modelling to see what impact it would have on premiums if we were to embrace what I understand are the limitations that exist in New South Wales?

Ms Gallagher: This is an area where we are looking to make some amendments, as you know, through the exposure draft and in legislation soon to be tabled. I have met with the Insurance Council of Australia, who believe that the fact that we don't have caps here does impact on our premiums. It is probably fair to say that they are lobbying for caps to be introduced here. It is a matter that crosses into the Chief Minister's portfolio and something that, as I told the insurance council, I would need to discuss with him as part of this whole looking at workers compensation. It is fair to say that the premiums here are high compared with New South Wales. We do have different schemes operating, and ours is a fully-funded, privately-underwritten scheme, which is different from New South Wales's, and no doubt that has an impact on premiums. So there are a couple of other reasons.

Mr Ulrich: That is probably one of a number of cost drivers incurred within the particular scheme, as the minister just said: the artificial holding of premium rates in other jurisdictions like New South Wales and things like that that accumulate debt obviously make it a little bit hard for people who work in Queanbeyan and are paying one rate and the people in the ACT who are paying a different rate. But it is only one of a number of factors that drive the cost of the overall scheme design.

THE CHAIR: Mr Ulrich, I guess my question was: has there been any modelling or assessment done of what the impact would be of replicating New South Wales? If that is the case, what sort of reduction in premiums has your work suggested we would see?

Mr Ulrich: I would say in recent times, in terms of modelling that has been done, not in the last four years. I understand that about five years ago the workers compensation monitoring committee did look at a number of those issues and items, but I don't have details of what was explored at that time.

THE CHAIR: Is it likely to be looked at?

Ms Gallagher: We've committed to do a review of the workers compensation scheme, which we haven't started yet. We need to find some money to do it and it is expensive to do an actuarial assessment of the scheme. In the context of my discussions with the insurance council, that was one of the areas that they certainly wanted looked at. We do have to undertake a review of the scheme, because there are some performance issues.

Some people say it is still early days, but there are some indications from how the scheme is operating that all the changes that were brought in in 2001 haven't necessarily delivered the changes we would have liked to have seen. I don't know how long you leave that to keep going to see whether it changes, or you have a look at it now. My feeling is that we should have a look at it fairly soon.

THE CHAIR: You said those words, minister, on 30 May, I think, before estimates; you said the details were about to be finalised fairly soon. When would you be looking at this being reviewed? It's now November; is this imminent?

Ms Gallagher: As I said, it comes down to a matter of money. I have to find some money to have a review of the scheme. It is not just a matter of WorkCover or the office for IR having a look at it.

THE CHAIR: It was within the budget presented for this year, though, of course.

Ms Gallagher: It was as a performance indicator in the budget, yes; it wasn't a funded initiative, which I think is a bit of a problem in the sense that—

THE CHAIR: So performance indicators might happen and might not; there's no guarantee the money's there?

Ms Gallagher: No. I want to do it, but, as I said, I don't have the funding to do it at the moment on the advice to me on the cost of a review of the scheme. Some figures given to me are of about half a million dollars. I have to find that money and, because of some of the cutbacks—

THE CHAIR: Will it happen this fiscal year or not likely?

Ms Gallagher: I want to do a proper review. We could do a quick and dirty look at the scheme.

THE CHAIR: I think we would all like a proper review; I don't think that's an issue.

Ms Gallagher: Yes, so, based on the advice to me on the cost, I'm not certain that it can be delivered this financial year.

THE CHAIR: Thanks, minister.

DR FOSKEY: In relation to the 169 consumer fireworks that were registered, does that mean different items? Does that mean that many fireworks or that many cases—

Ms Gallagher: Types of fireworks—classifications of fireworks.

DR FOSKEY: Okay, so we've got the screaming frogs, the blaring fountains, the—

Ms Gallagher: Nothing is meant to blare or scream any more, under the definition of consumer fireworks.

DR FOSKEY: That's a lot, isn't it, 169? Under key achievements, KRA 1—

THE CHAIR: Let's press on. Can we have some more order, because we have only 12 minutes left.

DR FOSKEY: It says there were 258 occurrences, 1,478 certificates of competency issued and 11 competency assessors accredited. But, without something to compare this year's figures against, like last year or the year before, it is really not a useful piece of information. That is something that also relates to other areas such as page 43, the audit opinion of ACT WorkCover, where the auditor says that it's not really useful to compare. I think I'm going to stop there as I know I have a habit of making my questions way too complicated. I am just wondering whether next year you could give us a bit of a comparative analysis—a table or something like that—so that we can see how the office is faring in relation to past—

Ms Gallagher: Yes, sure. That's something we can have a look at. It wasn't too hard for me, Dr Foskey.

MS MacDONALD: I have a question that relates to part B.1 on page 6 and the Workers Compensation Inspectorate undertaking a compliance education campaign in the retail sector. I know this has been an issue in past annual reports and estimates hearings. The retail sector is probably the largest employer in the ACT. Could you give us some information on how compliant with the standards the retail outlets that were visited were and what were the major issues that emerged?

Mr Ulrich: Yes, the workers compensation audit of the retail industry concentrated on the four major shopping centres in Canberra. As part of that audit, we worked with the key stakeholder organisation, the chamber of commerce, to better inform their membership of the type of activity we were about to undertake in that particular area. We ran an education campaign prior to going out and auditing in that industry. We attended each of the centres and did presentations to each of the store holders that were supported by the centre managements. In addition to that, we wrote individually to each of the businesses, identifying what the requirements were and some of the things we were going to go and check. We did that over a four-month lead-in period. They had plenty of time to be aware of the requirements. As for compliance, out of our 636 visits we issued a number of infringement notices on a number of businesses that failed to have a register of injuries in place, and there were a number of—

THE CHAIR: Do they have to have that if there are no injuries, or—

Mr Ulrich: Yes, they do. It's a requirement. It's a register that is kept and is readily accessible to each of the workers in the workplace. Should they have an injury, they can go there, write it down and inform their employer of it. So we concentrated on four key aspects. The majority, across the board in those larger retail centres, were compliant. What we did find out of the audit was that the larger employers seemed to be more compliant than some of the smaller employers; hence this year we're embarking on an audit of the retail industry again, but focusing on smaller to medium sized retail centres as opposed to the large shopping centres.

MS MacDONALD: Were those 636 visits or were they individual outlets? Are we talking about 636 retail outlets or 636 visits?

Mr Ulrich: Both, actually, visits to retail outlets—

MS MacDONALD: I suppose my point is that you weren't actually having repeat visits to an outlet in order to—

Mr Ulrich: For the majority, no. There were occasions when we were asked by retailers in terms of a busy period if we could come back, you know, in an hour or so, or things like that, but, no, that didn't count as two in the 636.

MS MacDONALD: Yes. That was what my question was.

Mr Ulrich: We did try and conduct them over two or three days in each of the major shopping centres and we picked one each week over the month of February.

THE CHAIR: Yes, that's comprehensive.

MS MacDONALD: This is not meant as an insult to the chamber, but I know from the past when I used to work in the area that a lot of these places are very small businesses that have absolutely no affiliation with any employer organisation, any retail traders or the chamber of commerce or any of those organisations. So the organisations you were visiting, I'm assuming, weren't all associated with the chamber—

Mr Ulrich: Absolutely. We wrote to every single business in each of those premises. The centre management worked with us in terms of trying to identify every single shop that was on their premises, and we dealt with them. It was pleasing to note that the chamber of commerce were eager to embrace the initiative and we got their support in making sure that their membership were compliant with the workers comp legislation.

THE CHAIR: I think Mr Peters was quite visible in the media in working with your agency on that.

Ms Gallagher: Yes, he was.

Mr Ulrich: Absolutely.

MR SMYTH: Minister, I was looking through the index to find a reference to the regulators forum or its successor. I understand the regulators forum, which was set up after the coronial inquiry into the hospital implosion for how we govern public events, was shut down some time in 2004. Can you explain why it was shut down and why there's no successor in place?

Mr Ulrich: I think we might have to take on notice the one in relation to the regulators forum.

THE CHAIR: You don't recall it or—

Mr Ulrich: I'm stepping in for Erich; my comprehensive answers are in workers comp; I'm sorry.

MR SMYTH: Okay. It's just that on page 98 of the *Occupational Health and Safety Act 1989: Scope and structure review*, the final report that was tabled in September 2005, it does say that it was abolished in early 2004 as it had ceased to function effectively, and then it makes some suggestions as to what should happen. Minister, has there been any follow-up to the loss of the regulators forum and what's happening to replace its function and ensure the safety of Canberrans who attend public events?

Ms Gallagher: Sure. We're just formulating the government's response to that report. I haven't been specifically briefed on the regulators forum. We'll take that on notice but we will cover it off in the government's response as well, and I'll take some advice on it.

MR SMYTH: If I can just switch to a different issue, on page 65 in the financials it says last year that you spent \$316,000 on legal expenses and this year it dropped to \$165,000. The notes say the majority of legal expenses are now undertaken by the government solicitor's office. Does WorkCover have enough money to carry out prosecutions and that sort of activity?

Mr Ulrich: We conduct a range of prosecution activity within our existing budget, yes.

THE CHAIR: But it has fallen dramatically by that figure.

Mr Ulrich: That's in relation to the use of those providers, so that was money that we were paying to external providers. Another major reason why there has been a drop in that expenditure is that we had a number of large prosecutions in relation to the hangar collapse, which is an expense which we didn't have—

MR SMYTH: But you are living within your budget in that regard? You're meeting and keeping your budget in regard to legal expenses for prosecutions?

Ms Gallagher: Yes, certainly my advice is that. Also I should say that I think in this reporting period—I'll correct the record if I'm wrong—WorkCover has employed a legal manager for the first time so that more work can be done within WorkCover before handing over.

THE CHAIR: In-house—and that's to reduce the legal costs?

Ms Gallagher: That person, I understand, was headhunted from Queensland.

MR SMYTH: Again, on page 76 of the OH&S review it says the OH&S commissioner has raised a number of concerns in relation to the management of the cost of prosecutions. Indeed, it actually suggests on page 77 that costs not be borne by ACT WorkCover; that you'd like to see Treasury or Attorney-General's cover those costs. Is this asking for a blank cheque?

Ms Gallagher: No. I will just cover that off. I have written to the Treasurer around this issue. It was raised with me by WorkCover—I guess from the commissioner's point of view, managing an organisation and large costs being awarded against WorkCover—that the revenue raised by WorkCover in terms of successful prosecutions and infringements does not remain with WorkCover—that goes to Treasury—yet, if there are costs awarded against, should WorkCover have to meet those costs. Considering that the decision to

prosecute rests outside of WorkCover, and the uncertainty that gives WorkCover as a relatively small organisation, should costs be awarded, which would, you know, put them in—

THE CHAIR: Mr Quinlan wouldn't be real thrilled on hypothecated tax arrangements, would he?

Ms Gallagher: Well I'm just trying to think of the response he gave at the time.

MR SMYTH: We'd love to know the response.

Ms Gallagher: I'm just trying to reflect back on the letters. But I think the view was that that would be considered on a case by case basis.

MR SMYTH: Are prosecutions not being undertaken for fear of not being able to cover the costs?

Ms Gallagher: No. That wasn't the context in which it was raised. It was more about looking into the future and protecting the organisation. The discussion I had with the commissioner was about increased prosecutions and increased money being raised by WorkCover and the fact that that money disappears, and yet when something is found against WorkCover WorkCover's meant to find that money. That was the context of the discussion. It wasn't about any particular case currently; it was about the future.

MR SMYTH: Is it a fear in the future that this might—

Ms Gallagher: I think it was a concern of the commissioner that he wanted to have raised with me and he wanted me to raise with the Treasurer. The Treasurer's response was not to agree to a blank cheque, as you say, but to consideration on a case by case basis. I think in the past when there have been big payments that has been met through Treasurer's advance—such as the hangar.

DR FOSKEY: On page 15, there's a table relating to EEO staff representation. I'm just asking various departments about people from culturally or linguistically diverse backgrounds. I see you have 13.7 per cent. The table doesn't say at what level these people are employed. Could you inform me whether there are procedures in place to ensure that culturally and linguistically diverse staff have a fair opportunity to act in higher positions and have access to professional development opportunities et cetera? Perhaps you could fill me in on the level that most of these people are working at.

Mr Ulrich: As far as the exact level goes, we can come back to you on that one. But we do have internal policies. We have a diversity policy within ACT WorkCover, and all recruitment processes within WorkCover in terms of opportunities for higher duties and things like that are on a merit selection basis. As far as training and development goes within the organisation, we treat that equally across the entire organisation. We have a central area that looks at training and we look at the organisation as a whole to see where the training priorities for the organisation lie.

THE CHAIR: Thank you. We will now move on and, for the benefit of witnesses appearing to assist the minister in her capacity as Minister for Women, you should

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

Minister, just before we take some questions from the committee, is there anything you wish to put on the record?

Ms Gallagher: I'm happy to go straight to questions.

THE CHAIR: I might just ask a couple of questions. In the CMD annual report, volume 2, page 123 lists the total costs for the community affairs section as \$3.269 million. How much of this amount was spent by the office for women? I note that the revised budget for community affairs was \$2.981 million. I'm wondering, since the actual expenditure exceeded budget by 10 per cent, did the office for women also exceed its target, and, if so, why?

Mr Harris: The amended target is a consequence of part of the department, under the administrative arrangements orders, moving to disability, housing and community services.

THE CHAIR: It's a result of reassignment?

Mr Harris: Yes. A section of that part of CMD was moved under the AAOs.

THE CHAIR: So it's not overruns or anything of that nature?

Mr Harris: No.

THE CHAIR: Thanks, Mr Harris. Just jumping back to volume 1, on page 89, under ACT women's future planned actions, the report mentions development of gender analysis tools to guide policy makers. I'm wondering if you can describe, for the benefit of the committee, some of those gender analysis tools and how they're used to the results that are achieved?

Ms Hall: There is a range of gender analysis tools. The ones that we are looking to develop in the ACT are primarily tools for someone developing policy. There is a set of questions that are fairly generic that someone developing a policy on bus use and someone developing a policy on housing construction could apply to their situations as far as possible to ensure that the policy that they are developing takes into consideration the needs of different groups of women and that the outcomes of that policy are not going to adversely impact on people because of their gender. That is a planned action for the future. There is a range of policies used nationally and internationally, different tools, and we are just trying to put together something that will fit into the ACT context and be part of our processes and maybe fit into the capital plan.

THE CHAIR: So they are not settled yet, Ms Hall.

Ms Hall: No, it says that they are planned.

THE CHAIR: Might you be able to illustrate from your knowledge of the possible options that are available a case study of where you might see that applied and how it would work?

Ms Hall: One place to put it, where we do provide resource materials and support for policy development, is the part of the cabinet handbook which talks about consultation and gives some guidance. That may be one place.

THE CHAIR: I suppose I am looking for something a little less broad and a bit more specific to help the committee become aware of what you have in mind.

Ms Hall: I suppose if someone was going to develop a football field in a particular area, it is just those sensible questions about who is going to use it? Will it be something the whole community can access? What do we need to do to ensure that we can increase participation by the community? Often, the case is that the needs of women may not be considered as part of that process. It is about questions in there so that in the initial stages people are thinking, “Are we considering the needs of women? Will we develop something that down the track is going to meet the needs of some of the community but not other members?”

THE CHAIR: What might those things be with, say, a sporting ground facility?

Ms Hall: Safety, toilets, things like that.

Ms Gallagher: Change rooms, privacy.

Ms Hall: Childminding facilities, breastfeeding facilities, things like that.

Mr Harris: I think that the essence of the issue is to make sure that those questions are asked right at the beginning rather than halfway through or right at the end when you have actually built the thing and somebody turns round and says, “But where are the childminding facilities?” It is trying to embed those questions in the processes right at the very beginning.

THE CHAIR: Okay. Page 33 of volume 1 of the annual report refers to the launching of the ACT women’s director scholarships program. Could you advise us what conditions had to be met in order to receive such a scholarship? How many women have received these scholarships? Also, I am interested in knowing the cost of each one.

Ms Gallagher: It is \$10,000 per annum for the four. I know that we have four women who are currently doing so now. There were 15 applications. There was a recommendation to me, from memory, about who actually got them from the minister’s women’s council and from the Office for Women, who went through the applications and put forward some recommendations to me which we supported. My understanding is that it is a very good program and I think we would like to do more of it.

THE CHAIR: What were the conditions to be met to qualify?

Ms Gallagher: In terms of the application?

THE CHAIR: Yes.

Ms Gallagher: I am trying to remember the application form.

THE CHAIR: In broad terms.

Ms Gallagher: It was pretty broad, wasn't it?

Ms Hall: It was pretty broad. We can provide an application package for the committee which sets out specifically what was required in the application, but it was primarily asking women to describe what their interest was, what benefits they saw for themselves in undertaking a directorship course, whether they were currently involved in a community organisation capacity or in a professional capacity where this would assist them in broadening their experiences to that capacity, or whether in the future they had plans for specific leadership positions.

THE CHAIR: Have you identified achievements out of the program? Has it been successful, or is it too early?

Ms Hall: It has only just started, so the women are still completing the courses. They did sign a deed of grant and as part of that that they will be giving us a report on how they found it and how useful it was for them in their aims and specific objectives.

DR FOSKEY: During the estimates process we were told that the Office for Women had 4.6 staff. Is that still the case?

Ms Hall: No, at the moment there are four staff. As director of community affairs, I oversight the Office for Women, and there are three full-time officers.

DR FOSKEY: Only part of your work involves the Office for Women.

Ms Hall: Yes.

DR FOSKEY: Page 89 of volume 1, which we have already been to, lists achievements made against the ACT women's plan. I am just interested in why achievements are listed against a number of the objectives, namely, 1, 4, 5, and 6, and not against objectives 2 and 3. Objective 2 is about health and wellbeing and objective 3 is about responsive housing. I note that the 2004 ACT women's statistics showed—of course, this is not in the report but it is related to that objective about women's health and wellbeing—that 3.5 per cent of ACT women reported high levels of psychological stress, more than twice the national average of 1.6. I just wondered whether that means that objective 2 might perhaps be raised in importance in future years.

Ms Hall: Just to explain: with the ACT women's plan, there is a requirement across the relevant government agencies that they all report on what they have done in relation to the women's plan. As you say, there are six objectives. This report is only talking about the Chief Minister's Department, not just the Office for Women; so objective 2, which is about health, and objective 4, which is about housing, are going to be found in other

departments' reports.

DR FOSKEY: Okay. Just one more question, because we have only a quarter of an hour left. I have to tell you that I will be putting a number of questions on notice, Ms Hall. I refer to the pregnant pause report. It says in here that the ministerial advisory council, which, I guess, comes under the auspices of your office, did contribute comments to the pregnant pause report, along with other documents and strategies. I was wondering whether the council's advice was different to the response of the government to the report.

Ms Gallagher: Just from my reading of it, it was different. I think it was a recommendation of the report that the ministerial council be involved or provide advice to the government in formulating the government response.

DR FOSKEY: Is there a person on the ministerial advisory council who has expertise and experience around women's health?

Ms Gallagher: Yes. This was the previous council on women. It has changed since that time and there is a new council in place, but I think we have someone.

Ms Hall: We have a number of people with a health background on the new council. They weren't involved when the submission was made.

Ms Gallagher: I do not know if we have a group specifically represented from women's health.

DR FOSKEY: The Women's Centre for Health Matters.

Ms Hall: No, there is not representation from them.

DR FOSKEY: With the ministerial council, does the government, decide what kinds of areas of expertise it would like and then go seeking people with those areas, or is it just how it pans out?

Ms Gallagher: We advertise for those positions. Historically, there has been a number of organisations represented on there, such as the Older Women's Network, Women with Disabilities and Multicultural Women's Advocacy. There is usually someone from Women's Lawyers represented, and the YWCA. That takes up five positions of a 12-position council. They are outside appointments. We ask those organisations to nominate, and then we get nominations from wherever.

DR FOSKEY: Community members.

Ms Gallagher: Community members and interested people, who are all community members, of course. That usually is condensed in a list to me and I try to find a balance. I try to have women with expertise in private enterprise, younger women, indigenous women. It is only a 12-person council and we usually try to pick across that so that the council is as diverse as it can be and that those women are representing those backgrounds and other areas of expertise that they have. At the moment, it is chaired by Hilary Russell, who is the head of Canberra Imaging Group. We have on it people such

as Gwen Gray and Susan Tucker, who is from South Australia.

DR FOSKEY: Was Gwen Gray on it then?

Ms Gallagher: No. She is new. She was on it before, though. She was on it under the previous government's council, I think. Susan Tucker is a new appointment, too, but she has been on the South Australian equivalent of the ministerial council. It is a good range.

MS MACDONALD: We talked a bit before about the director scholarships program. I would like to ask a few questions about the ACT women's grants program, if that is okay?

Ms Gallagher: Yes.

MS MacDONALD: I note it was developed and implemented in the last financial year. I believe it is happening again. In fact, you put out a press release last week announcing that it is happening again. Last year, \$100,000 was given towards 21 projects. I note that, this year, once again there is another \$100,000. They can come in two categories—one, special projects of up to \$15,000 per project; or, two, capacity building up to \$3,000 per project. My memory is that this was how it was done last year. Is that correct? Can you remind me again of what the 21 projects were and how many people applied? I understand there was a great deal of interest. Picking them, I seem to recall, was difficult.

Ms Gallagher: From memory, there were in excess of 60 applications for funding, heading up towards \$600,000. So it was six times oversubscribed in interest. It was only a \$100,000 grants program. I was keen to start it off because there was no money, like in the sports area or in the youth area where we have small amounts for grants for organisations. That allows some flexibility. Should something arise, there was no money within this area to provide that capacity. A number of women's organisations, as you know, were doing various things.

I am also conscious of not starting something that I can't sustain. I don't want to create organisations, which, at the end of the financial year, because it is one-off money, go. "I'm sorry, my organisation is going die unless I get this ongoing funding," which is a problem around grants funding. The way we have structured it provides us with the capacity to fund specific projects or to increase the capacity of organisations for a short period of time and, hopefully, if they want to grow from that, they certainly do in the knowledge that this isn't ongoing funding. Funding ranged from pretty small amounts, from about just over \$1,000, to over \$11,000 for other groups.

MS MacDONALD: While it was oversubscribed by six times the amount that was available, when you consider 21 organisations received grants out of the potential 60, that is not such a bad figure really.

Ms Gallagher: Yes. They didn't all get the money they wanted, though.

MS MacDONALD: No, we never do.

Ms Gallagher: This is the first year. We will do some looking at how it has gone and see

whether that needs to be streamlined. But the grants program is ongoing in the budget. We have started off the second year and we will see how it goes. I am conscious of the fact that we are trying to make that \$100,000 go as far as it can, but we want to deliver something as well. You don't want it in such small bits that nothing is achieved, but you don't want organisations dependent on receiving this money in order to keep going as well. And that is the problem. It is a big problem with grants funding.

MS MacDONALD: Yes, seed funding, and the way to get them going.

Ms Gallagher: Yes, or just to do a specific program or project.

MS MacDONALD: Under "Community Affairs"—it is all under "Community Affairs", of course—on page 37, the report notes that the office utilises "the ACT Women's Register, a database of women interested in participating in boards and committees" in the government and non-government statutory authority context. I seem to recall that this was something that the Labor Party set up upon coming to government. Can you elaborate on how successful this database has been in providing women with the opportunity to get themselves onto boards?

Ms Gallagher: Yes. To be fair, the register was in operation before this government came to office.

MS MacDONALD: That is all right; I am happy to be corrected.

THE CHAIR: You asked it last annual reports hearing.

Ms Gallagher: We have expanded it, though. Instead of just being on government boards, there is an opting now for people, businesses and communities to register as well. Women who are registered there give their permission for a broader range, I guess, because there are a number of businesses and community groups that are always looking for people on their boards, as we all know.

There are over 100 women registered there. I know that, certainly within government, that register is used for appointments to boards, in conjunction with taking advice from the Office for Women. Again, from all accounts, it does a good job in terms of having somewhere where people can register interest. And now that it is broader so that business and community can use it, women can register not just for government boards and committees.

We are doing quite well in terms of representation. It is around 48 per cent on government boards, where ministers have discretion, that are women, and it is about 43 per cent for those appointments where we don't have discretion but organisations do. Our goal is to get to 50 per cent, so we have got a little bit of further work to do there. But it works pretty well.

MS MacDONALD: I apologise if I ask questions that I have asked in previous hearings. I seems like I have been in one very lengthy hearing through 2005.

THE CHAIR: I can understand that.

Ms Gallagher: All year.

MRS BURKE: I have got a couple questions, with the minister's and the committee's indulgence. I have got many that I will put on notice, minister. On page 89 of the report, I am interested in the quarterly meetings that the public service agencies continue to have for 2004-05. It is the last dot point under "Actions undertaken". How effective have these quarterly meetings been to discuss the issues of particular interest to me, workplace bullying, training of harassment officers and structures to improve gender diversity when recruiting women to non-traditional occupations? As a sup to that, what improvements has the government made in these areas that specifically target equity and diversity? If it is too lengthy, I am happy for you to take it on notice.

Ms Gallagher: We might take it on notice because Ms Hall just advised me that the public sector management group are overseeing that part. This is the whole-of-CMD reporting against the Women's plan. I think they have left the building.

MRS BURKE: I am happy for you to take that on notice.

Ms Gallagher: We can do that.

MRS BURKE: The second question I had relates to page 90, the forum on indigenous family violence. I want to know how the government is progressing with the formulation of the indigenous family violence policy framework and when it would be available.

Ms Hall: The forum that was conducted at the end of June was, I suppose, the very first step in looking at canvassing what are the issues in the ACT that might need to be encapsulated into a framework. Given that it was more of a discussion forum with the community and stakeholders—and that has been fed into a very draft report, which will get developed up into a policy framework—because it is at those early stages, we haven't formulated an end date for it. There is a lot of work yet to be done.

In terms of some other things that have come out of that day, one of the issues that have come out and that were the focus of a lot of the discussion was restorative justice. There was a lot of interest in getting more information on that. We have been in discussions with the Department of Justice and Community Safety and the Domestic Violence Prevention Council. The Domestic Violence Prevention Council are looking at having a follow-up forum early in the new year.

THE CHAIR: Dr Foskey has got a sup on that.

DR FOSKEY: How does the ACT government application for funding under the Australian government family violence partnership program fit into this framework?

Ms Hall: At the moment, because there isn't a framework, it doesn't fall in.

DR FOSKEY: But, even so?

Ms Hall: Even so, I suppose if you have a policy framework in place and you are putting in applications for particular programs, you can align them with the policy priorities across government that have been identified and link them to that.

DR FOSKEY: So which area of the ACT government public service would have applied for that funding? Would your office be in that category?

Ms Gallagher: That is the question you asked me in the Assembly, isn't it?

DR FOSKEY: Yes. I want to know whether the office did.

Ms Gallagher: The Office for Children, Youth and Family Support made the submission.

DR FOSKEY: So it wasn't informed by the—

Ms Gallagher: The work that Sue has just talked about isn't finished. But the submission to FACS, I think it is, was done by the Office for Children, Youth and Family Support.

THE CHAIR: Mrs Burke, you have a few questions. You might have to put some on notice. The minister has given us a few minutes to run over.

MRS BURKE: The chair may have already alluded to this; tell me if that is correct. I refer to page 89 of volume 1. What forms of data are intended to be collected by government in relation to gender that will assist government agencies to better target the needs of women, and when will the draft information development plan be available?

THE CHAIR: I haven't asked that one.

Ms Gallagher: We haven't done that one. You haven't asked that?

THE CHAIR: No, I don't think so.

Ms Gallagher: It is relating to that last dot point.

Ms Hall: It is about the gender analysis tools, which have been developed.

MRS BURKE: What forms of data are intended to be collected? Again, given the time of day, I am happy if you want me to put that on notice.

Ms Hall: It is the development of tools for policy makers. In terms of data, it is not collection of data. But one thing that could be part of that would be encouraging and supporting agencies to collect gender disaggregated data and, within that data, other aggregations such as older women, indigenous women, et cetera. Yes, they are tools for policy makers rather than data collection.

MRS BURKE: That draft information development plan is not a public document; you are not going to be releasing that?

Ms Hall: The information development plan?

MRS BURKE: Yes.

Ms Hall: Sorry, I misinterpreted it. I thought you were talking about the gender analysis tools. I am sorry. The draft information development plan is part of social policy in the Chief Minister's Department, in the Office for Women. Yes, part of that is supporting agencies across government in the sorts of information they should collect, and part of that is the collection of gender disaggregated data.

MRS BURKE: Will it be released publicly or is it just internal policy?

Ms Hall: I can't answer that. It is not coming from our area; it is from elsewhere in the Chief Minister's Department.

THE CHAIR: Unless there is anything critically pressing, we might conclude the hearing. If members have any other questions, they may put them on notice and simply advise the secretary by tomorrow. Thank you, minister, and your officers for their attendance here.

Ms Gallagher: Thank you.

THE CHAIR: We will now adjourn. Thank you for your attendance.

The committee adjourned at 4.01 pm.