



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

**STANDING COMMITTEE ON JUSTICE
AND COMMUNITY SAFETY**

(Reference: [Annual and financial reports 2012-2013](#))

Members:

**MR S DOSZPOT (Chair)
MR M GENTLEMAN (Deputy Chair)
MRS G JONES
MS Y BERRY**

TRANSCRIPT OF EVIDENCE

CANBERRA

THURSDAY, 14 NOVEMBER 2013

**Secretary to the committee:
Dr B Lloyd (Ph: 620 50137)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

APPEARANCES

ACT Emergency Services Agency	86
ACT Insurance Authority	86
ACT Long Service Leave Authority	86
ACT Policing	86
Chief Minister and Treasury Directorate.....	86

Privilege statement

The Assembly has authorised the recording, broadcasting and re-broadcasting of these proceedings.

All witnesses making submissions or giving evidence to committees of the Legislative Assembly for the ACT are protected by parliamentary privilege.

“Parliamentary privilege” means the special rights and immunities which belong to the Assembly, its committees and its members. These rights and immunities enable committees to operate effectively, and enable those involved in committee processes to do so without obstruction, or fear of prosecution.

Witnesses must tell the truth: giving false or misleading evidence will be treated as a serious matter, and may be considered a contempt of the Assembly.

While the Committee prefers to hear all evidence in public, it may take evidence in-camera if requested. Confidential evidence will be recorded and kept securely. It is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly; but any decision to publish or present in-camera evidence will not be taken without consulting with the person who gave the evidence.

Amended 20 May 2013

The committee met at 2.02 pm.

Appearances:

Corbell, Mr Simon, Attorney-General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development

Chief Minister and Treasury Directorate

Kefford, Mr Andrew, Deputy Director-General, Workforce Capability and Governance Division

Young, Mr Michael, Acting Director, Continuous Improvement and Workers Compensation, Workforce Capability Governance Division

ACT Insurance Authority

Fletcher, Mr John, General Manager

ACT Long Service Leave Authority

Barnes, Mr Robert, Chief Executive Officer and Registrar

ACT Emergency Services Agency

Lane, Mr Dominic, Commissioner

ACT Policing

Lammers, Mr Rudi, Chief Police Officer, ACT Policing

Hayward, Mr Chris, Director, Corporate Services, ACT Policing

THE CHAIR: Good afternoon, minister. I would like to extend a welcome on behalf of the committee to witnesses and those in the public gallery. This is the third of four public hearings of the justice and community safety committee's inquiry into the annual reports for 2012-13. Today we will hear from the minister for industrial relations and his officers, the default insurance fund, the Work Safety Council and the ACT Long Service Leave Authority. We will then hear from the Minister for Police and Emergency Services and his officers, ACT Policing and the Emergency Services Agency.

I presume that you are very familiar with the proceedings, so you do not need any further time to read any of the material before you. Minister, good afternoon to you, and thank you for coming.

Mr Corbell: Thank you, Mr Chairman.

THE CHAIR: I would just like to ask whether you would like to make an opening statement or would you like to proceed directly to questions?

Mr Corbell: Thanks, Mr Chairman. I do not propose to make an opening statement.

THE CHAIR: Minister, on page 35 of the CMTD annual report, there is a reference to the involvement of the Office of Industrial Relations in responding to sham contracting. Can you update the committee on the ACT's response to sham

contracting?

Mr Corbell: The government is engaged in an exercise to address issues around sham contracting. Sham contracting, of course, is an important issue in the context of broader issues around occupational health and safety. Companies that engage in sham contracting are often companies that are not ensuring that their workers are appropriately protected when it comes to issues such as workers compensation and also may be avoiding their obligations in relation to taxation. Certainly, the Australian Taxation Office has taken an equal interest in the issue of sham contracting.

The government, through the Office of Industrial Relations and through WorkSafe ACT, is cooperating with other agencies on issues around sham contracting both at a commonwealth level and in the ACT itself. I might ask Mr Kefford if he would like to elaborate in relation to that.

Mr Kefford: Thank you, minister. There are a range of measures in place in the public service. There is a test and tool applied by our colleagues in the Shared Services function which assesses a range of matters, including those which go to the proper structure and arrangements of companies that are tendering for work in the ACT or for the ACT government. It was also one of the recommendations in the *Getting home safely* report. We have taken steps with our interjurisdictional colleagues to continue discussions at that level about data sharing and cooperation between jurisdictions, including the commonwealth and the Australian Taxation Office, so that there are levels of comfort in our jurisdiction and in the territory more broadly about those firms with which we are entering into commercial arrangements.

There is work being done on a claims and data policy warehouse which will allow us to engage better and continue work already underway in terms of data matching across various elements of the ACT jurisdiction—again with a view to assuring ourselves of the structures and the arrangements of the firms with which we are contracting as we enter into those arrangements.

THE CHAIR: A supplementary, Ms Berry.

MS BERRY: Minister, what are your hopes for progress around managing sham contracting under the new federal government?

Mr Corbell: I trust that it is an issue the new federal government will take seriously. Sham contracting can be a form of tax avoidance as well as an attempt to avoid other obligations under territory law, such as workers compensation. It is certainly a matter that the ACT government hopes the federal government will take seriously. I think that will be demonstrated around whether or not they are willing to share data as appropriate, and subject to the necessary privacy considerations, to detect sham contracting behaviour.

The Australian Taxation Office has a particularly valuable role to play in this respect in terms of identifying pay as you go and superannuation withholding obligations of employers and what they are reporting compared to what they are actually doing on the ground. These are the types of issues that the ACT agencies continue to talk with their federal counterparts about.

It is worth highlighting that in 2009 the government did amend the Workers Compensation Act to strengthen the definition of “worker” to try and better ascertain who was genuinely an independent contractor and who was actually an employee. Those amendments have assisted, but we still need better cooperation across agencies and across different levels of government to identify sham contracting.

MS BERRY: Thank you.

THE CHAIR: A supplementary, Mr Gentleman.

MR GENTLEMAN: Thank you, chair. Mr Kefford raised during his discussion data sharing and also a testing tool, I think it was, on tendering. If the government finds that there is a sham contract in place, can you tell us what you do in regard to procurement for those contractors?

Mr Kefford: Mr Gentleman, while in the Chief Minister and Treasury Directorate we have a general understanding of the tool and have a system of cooperation with that, in terms of the actual decision-making process, it might be a matter best raised with our colleagues in Shared Services. However, in general terms, the tool that has been developed goes through a range of industrial matters and goes to the structure of the company. Clearly, it is the position of the territory that we would be seeking, before we engaged a particular firm to deliver a contract, that we were, in fact, dealing with a company that was properly established.

In terms of the details of how that decision-making process feeds into the tender assessment, as I say, that might be best directed to my colleagues in Shared Services. In general terms, it is applied as part of the assessment of qualification to tender. Given the government’s very clear position in relation to those firms with which the public service would contract, it forms part of the decision-making process that supports the award or not of particular contracts.

MR GENTLEMAN: Thank you.

MR SMYTH: A supplementary on that.

THE CHAIR: A supplementary, Mr Smyth.

MR SMYTH: The same dot point on page 35 goes on to talk about the national inquiry into workplace bullying. What interest does the office have in bullying? Has it provided the government with any advice, say, on the recent inquiry into CIT? How widespread is bullying in the service?

Mr Corbell: I think in relation to bullying issues in the ACT public sector, those are matters that are best raised with the Chief Minister as the responsible minister. She has responsibility for public sector matters. But in relation to the national inquiry into workplace bullying, clearly, these are issues that were advanced by the previous federal minister, the commonwealth minister for workplace relations, who has proposed amendments to the relevant commonwealth legislation to provide mechanisms for addressing workplace bullying through commonwealth industrial

relations law. That law clearly applies here in the territory.

The government has been engaged in discussions with the commonwealth about their proposed changes and the changes that they have put into effect to better ascertain how they will intersect with ACT law, how they will intersect in relation to both the public sector and the private sector and what outcomes the commonwealth are seeking there. Those are the reasons why we are engaged in this space—because of the proposed national workplace relations law around bullying and how bullying complaints are managed.

MR SMYTH: You are the minister responsible for the work safety act 2011?

Mr Corbell: Yes.

MR SMYTH: Can I refer you to page 143 of this annual report where it talks about managing stress, maintaining focus and building personal resilience. It talks about the management of workplace psychological risk. How are you not responsible for ensuring, as the minister for industrial relations and the minister responsible for the work safety act 2011, that bullying does not occur in the ACT public service?

Mr Corbell: Because I am not responsible for the management of the ACT public service as a whole; the Chief Minister is.

MR SMYTH: But you are responsible for their workplace health and safety, are you not?

Mr Corbell: No, I am responsible for the enforcement of workplace safety law. Different territory agencies have obligations under that law and the management of those agencies is—

MR SMYTH: So under workplace safety law—

Mr Corbell: If I can answer the question? The management of those agencies is the responsibility of the minister responsible for the ACT public service, which is the Chief Minister.

MR SMYTH: But under that workplace safety law, do you have a responsibility to stop bullying in the workplace?

Mr Corbell: My responsibilities are to ensure that the regulatory agencies have the necessary resources to address issues arising around enforcement of the work safety law.

MR SMYTH: Do the regulatory agencies have the resources, for instance, to assist in the dilemmas that confront the CIT?

Mr Corbell: I am pleased to say that the government has significantly increased its resources available to WorkSafe ACT to deal with occupational health and safety matters as a whole. In the most recent budget, the government set aside funding—if I recall correctly—of about \$5.7 million over the next four years for an increase in the

size of the WorkSafe ACT inspectorate. An additional 12 inspectors, as recommended by the *Getting home safely* report, have been funded. Those positions have been funded by the government in the most recent budget, and recruitment action is ongoing in relation to filling those vacancies.

This will be a significant boost for WorkSafe ACT. WorkSafe ACT wants to particularly address issues around high-risk industries where we have seen an unacceptable level of death and serious injury for people engaged in work in the civil and construction sector in particular. But the flow-on benefits of increasing the overall capacity of WorkSafe ACT mean that WorkSafe ACT will also be able to continue its focus in a range of other areas where it deals with complaints and where it takes proactive education and enforcement action—for example, strengthening the capacity of WorkSafe ACT to also refer matters for prosecution to the Director of Public Prosecution and have the appropriate briefs of evidence well prepared for the director. These are the types of benefits that will flow from the government's significant investment in additional resources for WorkSafe ACT.

MR SMYTH: So what enforcement action has been taken against any member of the ACT public service for bullying?

Mr Corbell: I would need to seek the advice of the Work Safety Commissioner on that matter, but I am aware that the Work Safety Commissioner has dealt with a range of matters in relation to bullying in the ACT public sector, as he does in the private sector.

THE CHAIR: Minister, I have a supplementary question to the first part of Mr Smyth's question. This relates to CIT, the department of education and other government agencies where bullying has taken place. There has been an inquiry. This committee asked questions of CIT and the education directorate. I am led to believe that there are 42 cases that have been investigated by Mr Kefford. I understand that education currently has about 10 cases under review. Do you feel that this is appropriate? Are you satisfied about the number of bullying cases? Using the CIT as one of the examples, there have been 42 cases investigated out of a workforce of roughly 800 while in education it is 10 cases out of a workforce of 3,000? Are you comfortable with those comparisons?

Mr Corbell: To be fair, Mr Chairman, you are asking those questions of Mr Kefford in his role as Commissioner for Public Administration.

THE CHAIR: I was not asking Mr Kefford; I was asking you. But if you want to refer the question—

Mr Corbell: What I am saying to you, Mr Chairman, is that Mr Kefford is not appearing today in his capacity as the Commissioner for Public Administration.

THE CHAIR: I understand that.

Mr Corbell: He will, if he has not done so already, with the Chief Minister. I would invite you to ask those questions of him when the Chief Minister appears as the minister responsible for the activities of the Commissioner for Public Administration.

THE CHAIR: My question was of more of a general nature which I believe does come under your control—as to the appropriateness or the number of bullying cases that are occurring department wide across the ACT government at the moment.

Mr Corbell: Again, I would simply say to you that whilst I am the minister for workplace safety, I am not responsible for the day-to-day management of the ACT public sector. The Chief Minister is the responsible minister. I suggest that questions about workplace culture, safety and the management of such in the ACT public sector are a matter for her portfolio, not for me.

THE CHAIR: Okay.

MR GENTLEMAN: Minister, through you, chair—

THE CHAIR: Mr Gentleman, a substantive.

MR GENTLEMAN: I bring you to page 35 of the report. The third para under “Business overview” says that you have had ongoing consultation with key stakeholders, including employer associations, unions, industry participants et cetera. Can you go through with us the level of those consultations and the results that you have had out of those discussions?

Mr Corbell: Thank you, Mr Gentleman. That element of the report makes reference to the ongoing dialogue that exists between the Office of Industrial Relations, and the government more broadly, and a range of stakeholders when it comes to changes to workplace health and safety law or other changes to relevant legislation in the workplace safety and industrial relations portfolio.

The government does engage proactively and consistently with a range of stakeholders when it comes to development of policy and proposed changes to legislation in this portfolio. First and foremost, of course, we engage very closely with the Work Safety Council as the tripartite consultative body on work safety matters established under the legislation. That includes representatives of the business sector, the private sector, and unions representing workers and employees. And, of course, the government is also represented on that body. It is an important consultative mechanism.

The government has engaged with that body on a range of issues. Certainly, we engaged with the Work Safety Council when it came to the implementation of agreed recommendations arising out of the *Getting home safely* report. I am pleased to say that the council gave its unanimous support to the response proposed by the government, and was also very helpful in facilitating a subgroup of the Work Safety Council which was comprised of unions and employer organisations who had a direct interest in the civil and construction sector to liaise with the Work Safety Commissioner on issues around implementation of agreed recommendations from *Getting home safely*.

The government has also engaged with the Work Safety Council, unions, employer associations and other bodies when it has come to other policy proposals that it is

developing. That is a very useful process in testing issues, making sure all of the detail that sits behind proposed policy changes is well understood and is achieving the desired outcome. That is a process we rely on very heavily when it comes to the development of our legislative program and our policy approaches.

MR GENTLEMAN: In regard to the consultation with the unions and employers as a separate group, what sorts of results have we seen come from those engagements?

Mr Corbell: Again, I think the best example is around workplace safety in the civil and construction sector. That is a great example to use. We have seen some really good engagement, particularly by employer organisations as well as unions. Obviously unions bring a fundamental philosophy around workplace safety, and their standing on those issues and their commitment to them are well known and well recognised. But what has been particularly important has been to see industry bodies also coming to the party on workplace safety issues.

For example, we have seen the HIA, the Housing Industry Association, be very supportive of the government's proposed responses to *Getting home safely*. They have worked closely with the Work Safety Commissioner on a range of materials that they make available to their members to help educate their members about workplace safety in the civil and construction sector. On the other side, we have seen the Master Builders Association really embrace these issues and recognise that there are challenges and issues that they need to address in their part of the industry. They have responded very proactively. We have seen them, for example, engage a dedicated health and safety adviser in recent months, to further develop their programs around work health and safety, better educate their members and provide advice to their members. That is a really welcome development—to see an industry body engaging an OH&S adviser, seeing it as part of their core business and making that investment.

Those are the types of outcomes we have seen from engagement with those different stakeholders.

MR GENTLEMAN: Thank you.

THE CHAIR: Ms Berry, a substantive question.

MS BERRY: Thank you, yes. Minister, I was interested in learning more about the portable long service leave scheme for waste workers. Could you tell us where that is up to—what sort of meetings you have had with the sector, and unions and the workers, and can you give us a bit of history behind the scheme.

Mr Corbell: The Long Service Leave (Portable Schemes) Act was first established in 2009 as a consolidated scheme. It brought together a range of existing portable schemes, particularly for the construction sector and a range of other industries. The government made an election commitment in the last election to extend the community sector scheme to include aged care workers and to extend the contract cleaning scheme to include waste workers. That work is now underway.

The Office of Industrial Relations has commenced work on the extension of these schemes. Consultation is currently being undertaken with relevant unions in relation

to waste workers and with the commonwealth Department of Health and Ageing in relation to aged care workers. It is necessary for the government to determine the size and nature of both industries to determine precisely who will be covered by each scheme and therefore be in a position to calculate an appropriate levy.

There are real benefits to the extension of portable long service leave to these industries. Certainly in relation to aged care workers, we know it is a highly mobile workforce. Aged care workers move between different service providers, and often lose their entitlements as they transfer from one employer to another. The same occurs with the waste industry. We want to make sure that people who are putting a significant period of service in—they are often doing the same job for an extended period of time, but because of the nature of the contractual obligations of employers, the actual employer changes over that time—are covered. It is important that we make sure that those workers are covered.

At this point in time, it is expected that the expansion of the schemes will occur in the coming year, and at this point we expect it to be extended to waste workers in the first instance.

MS BERRY: I have a supplementary to that. Are waste workers just garbage collectors? Have you managed to find out if there are more people that would be covered by that scheme?

Mr Kefford: Ms Berry, I think this is one of the issues that the minister has already made reference to—examining the scope of the intended scheme. The classifications as they describe the sectors are reasonably generic. If you look at security, for example, it does not cover people who could in one sense be said to be part of the security industry, those people who install security systems. It really is constrained to a particular portion of the workforce—in the way that the building scheme is: people who work in the office of a building firm are not subject to the scheme. This is the discussion around scope, which is continuing in the consultation which we are continuing to undertake.

THE CHAIR: Mr Smyth, a substantive question.

MR SMYTH: Yes.

THE CHAIR: It is the last question under this category.

MR SMYTH: Thank you, chair. Minister, you talked about the workers compensation amendment bill that was just passed. What is the cost of that, in total, to the industry?

Mr Corbell: The increase in the levy? I will just find the information for you, Mr Smyth.

Mr Kefford: Mr Smyth, just over \$1.2 million was collected under the bill in the first instance.

MR SMYTH: How many workers compensation insurance policies are there?

Mr Kefford: I will ask Mr Young to join us at the table.

MR SMYTH: Fantastic. I am sure he is delighted.

Mr Young: The answer to your question is: approximately 16,000.

MR SMYTH: So the average cost per policy is about \$75—the average increase would be about \$75?

Mr Young: I would need to get a pocket calculator.

MR SMYTH: Sure.

Mr Corbell: The government has previously released some figures on this matter, Mr Smyth, which indicate that it will obviously depend on the size of the workforce. The majority of companies that have policies under the scheme employ, I think, five or less people. So there are a very large number of companies that employ a small workforce, and the cost imposed for them are very low. I might ask my officials if they can provide, perhaps later in the hearing, the figures that the government released earlier this year in relation to that, which indicated what the cost imposed was based on the size of the workforce of the company. Obviously, the larger your workforce, the larger your insurance bill is. The majority, over 50 per cent, of the companies have a small workforce; therefore, the pass-through cost is very modest.

MR SMYTH: Why don't we just take it on notice?

Mr Corbell: I am happy to provide that. I think we are going to get that later.

MR SMYTH: You made a statement that it would be about \$22.50 per policy, but—

Mr Corbell: That was for the small—

MR SMYTH: \$1.2 million divided by 16,000 is \$75.

Mr Corbell: We did not average it that way. We did an assessment based on the size of the workforce. The majority of the policies—I think it is between 55 and 60 per cent of the policies—are for firms with less than 10 employees. The numbers were provided on that basis.

Mr Kefford: Minister, Can I add that we will provide an answer to that. But the other element that we need to be clear on here too is that while the bill imposed a levy in one place, there are other adjustments to the DIF levy; so the total impact of the levy on insurers was not the direct answer to your question, which I gave just now.

MR SMYTH: If you can provide the—

Mr Kefford: We can provide the breakdown on notice.

MR SMYTH: That would be good.

THE CHAIR: We will draw an end to discussions on industrial relations. Our time has expired. If you could provide the information on notice, that would be great. Mr Kefford, thank you very much for joining us. Minister Corbell, I presume you are staying on with us.

Mr Corbell: I think that is a reasonable assumption.

THE CHAIR: I call on Mr Fletcher to join us. Mr Fletcher, welcome. I presume that you are familiar with the proceedings and that you do not need any further information.

Mr Fletcher: I am.

THE CHAIR: Thank you. Minister, do you want to make an opening statement in this category?

Mr Corbell: No, thank you.

THE CHAIR: You are happy to go to questions?

Mr Corbell: Yes.

THE CHAIR: Okay. Mr Fletcher, the committee is less familiar with the work of the default insurance fund. Can you tell the committee about the work of the fund and what you see are the challenges?

Mr Fletcher: Sure. I am the appointed DIF manager under the act. The default insurance fund is set up under the act. As the name implies, it is a fund set up to capture claims from employees who do not have a workers compensation policy to call on because their employer either does not hold a policy or the workers comp insurer who existed has collapsed. So there are two arms to the fund. The collapsed insurer fund is, as I have suggested, for insurance companies that have collapsed. HIH Insurance is the most notable example of that. The uninsured employer fund takes care of workers in the other category who do not have a workers comp policy to call on because their employer did not have a policy in place.

It is a small fund. There are approximately—there were four claims in the collapsed insurer fund as at the end of the financial year and there were 28 in the uninsured employer fund. The funds operate as a trust. There is an advisory committee in place that has an employer representative, an insurance representative and a union representative. That committee meets on a quarterly basis. It oversees the operation of the fund and reports to the minister as it sees fit.

MS BERRY: Supplementary?

THE CHAIR: A supplementary, yes, Ms Berry.

MS BERRY: Thank you, chair. You were talking about employees that might end up in a situation where they are not covered by workers compensation. So it is not always

the case that employers might not choose to have their employees covered by a fund or is that the sort of thing that you are finding out through your—

Mr Fletcher: There are a whole host of reasons why employers do not have workers compensation policies in place. I cannot really comment on that given, I suppose, the number of claims that we deal with. But what I can say is that in respect of the claims in the uninsured component of the fund, the businesses that they are attached to are typically very small. They are small business organisations.

For example, they might run a very small earth moving company and own a couple of different bits of equipment. They might have two employees. Or it might be an owner-operator who goes on holiday and gets his mate Harry to come and run the business for a while. The person is injured and either there is not a policy in place because they choose not to have a policy because it is a cost to the business or there is some problem with the policy and the number of employees that are included in that policy. So the individual is left without a policy to meet their claim. That is when they call on the fund.

MS BERRY: Is there a penalty for employers who do not—

Mr Fletcher: There are penalties. But the default fund's scope is very narrow. Our role is to deal with the management of the injured worker. We report those breaches or the claims that we receive to WorkSafe in a standard format. They pursue those employers on behalf of the fund. There are penalties that translate to a multiple of the avoided premium. Someone from WorkSafe might be able to comment more about that process.

MS BERRY: Are there ever prosecutions for not insuring? Is there underinsuring?

Mr Fletcher: That is probably a question for WorkSafe, I think.

MS BERRY: Okay.

Mr Fletcher: We certainly do receive revenue as a result of WorkSafe pursuing those employers.

MS BERRY: One final supplementary: is the full cost of the compensation recovered by the employee?

Mr Fletcher: We treat employees as though they are entitled to all the entitlements under the act, as though we were their insurer. We are basically their insurer; so we manage them through the claim.

MS BERRY: Thank you.

THE CHAIR: Mr Gentleman, a substantive question.

MR GENTLEMAN: Thank you, chair. Minister, on page 209 under this area there is discussion on the agreement to implement a regulatory levy, which is supposed to commence on 1 July this year. Then there are new targets set for the DIF fund to

reach its full funding.

Mr Fletcher: Yes.

MR GENTLEMAN: Can you tell us first what the impact will be on the fund and then on businesses in the ACT?

Mr Fletcher: Yes. For financial year 2012-13 the fund levy was two per cent. With the implementation of the regulatory levy, a policy decision was made in an effort, I suppose, to reduce the impact on employers. The uninsured fund was aiming to reach a break-even point, because it is underfunded at the moment, by 2015. So the decision of government is that that break-even target has now moved to 2020 and the fund from 1 July 2013 reduces to 1.4 per cent. Basically, the DIF levy has reduced to make room for the regulatory levy.

MR GENTLEMAN: And is less of a burden, therefore, on the industry?

Mr Fletcher: That is the objective, yes, and I am comfortable with that. There are sufficient funds. Although the fund is underfunded, there are sufficient funds in there to meet the cost, the immediate cost, of claims. So we will not run into a cash flow problem.

Mr Corbell: The purpose of the regulatory levy, Mr Gentleman, is to ensure that the costs associated with enforcement of workers compensation obligations are borne by the industry itself rather than being borne by the taxpayer. So the government, consistent again with some of the approaches arising out of the getting home safely inquiry, has moved to require cost recovery for enforcement of the workers compensation scheme. Consistent with changes debated by the Assembly in just the last month or so, there is a regulatory levy also in relation to workers' occupational health and safety to allow the government to impose a levy to recover costs associated with the enforcement of occupational health and safety rather than the taxpayer bearing all of that cost.

This is consistent with the approach adopted in most other jurisdictions around the country where industry itself, insurers, meets the costs associated with enforcement. Obviously, those costs are passed on to policyholders. So the government has sought to make adjustments, as Mr Fletcher has indicated, in relation to the DIF levy to reflect overall that the cost burden is manageable as we move to cost recovery for enforcement around workers compensation policies.

THE CHAIR: Ms Berry, a substantive question.

MS BERRY: Thank you, chair. I was noting on page 208 of the report that there are 16 claims that have been opened in the past year. Are they all separate employers?

Mr Fletcher: Yes, they are.

MS BERRY: Are there sectors that are—

Mr Fletcher: Overrepresented?

MS BERRY: Yes.

Mr Fletcher: Not really. There is a system of coding for claims. As I said earlier, they are mostly small business-type employers. There is a mixture. Probably the construction industry is a bit more represented within that claim profile than others, but we have retail outlets, hairdressers, car hire organisations, takeaway food retailing. Like I said, the construction industry—bricklaying, roofing, air-conditioning contractors, carpentry, form workers—is probably, broadly speaking, the industry of note within the uninsured employer fund.

MS BERRY: Thank you.

THE CHAIR: Mr Smyth, do you have any substantive questions?

MR SMYTH: I will put mine on notice.

THE CHAIR: Mr Gentleman?

MR GENTLEMAN: No further questions.

THE CHAIR: Ms Berry?

MS BERRY: No.

THE CHAIR: That draws to a close our examination of the default insurance fund. Could I ask Mr McCabe to join us?

MR GENTLEMAN: Is this in relation to long service leave?

THE CHAIR: It is the Work Safety Council.

Mr Kefford: The Work Safety Council sits under the directorate, Mr Doszpot. It does not appear separately.

THE CHAIR: I have got Mr McCabe listed under Work Safety Council here on my listing.

Mr Kefford: The commissioner is a member, as am I, but the secretariat support comes from us as the policy department.

THE CHAIR: Okay. So will you be answering—

Mr Kefford: I am happy to take questions on the Work Safety Council.

THE CHAIR: All I am saying is that my information is that Mr McCabe would be here.

Mr Corbell: That is an error.

THE CHAIR: Thank you. In that case, we will move into the Work Safety Council questions. Any substantive questions, Mr Gentleman?

MR GENTLEMAN: Can we ask questions directly in relation to WorkSafe ACT?

Mr Corbell: No.

MR GENTLEMAN: Okay.

MR SMYTH: When does WorkSafe appear?

Mr Corbell: That will appear when I appear as Attorney-General relating to the Office of Regulatory Services.

MR GENTLEMAN: Minister, I will ask, then, you if you could inform the committee about the make-up of the council.

Mr Corbell: The council is composed of representatives of employer and employee organisations and an independent chair as well as the Work Safety Commissioner.

MR GENTLEMAN: How often does the council meet, and what are some of the outcomes out of the recent meeting?

Mr Kefford: The council meets quarterly. We are meeting next week. Essentially it exists under the act as a source of advice to the minister on a range of matters. It comprises representatives of employers, and it is in that capacity that I am a member of that council representing the public service, which is the second biggest employer in town. There are four members representing employers, four representing employees and then a number of other individual appointments to the council.

Much of its work has been taken up this year with the implementation of the *Getting home safely* report response. In fact, the council has formed a particular subcommittee drawing in those members of the council with particular expertise within the construction industry to support that work. Indeed, the council had done so before Ms Briggs and Mr McCabe conducted their inquiry. Indeed, the work that had been done by that reference group established under the Work Safety Council is referenced in and adopted with approval by *Getting home safely*, in the main.

There is also established under amendments to the act during the last Assembly a separate jurisdiction in relation to workplace bullying and psychosocial injuries. So there is a formal subcommittee of council which engages with those issues and provides advice to the minister across the whole of the ACT workforce, not just the public sector, in relation to those matters. In preparation for the submission to the House of Representatives inquiry, that was a matter to which the council and those on that subcommittee turned their mind particularly.

It has also been used in the past as a mechanism for consulting around other matters with broader industrial implications. For example, the ongoing reform in relation to the private sector workers compensation scheme, one of the ministerial appointments on there is a representative of the insurance industry. So we use that as a forum for

discussing workers compensation performance and reform and matters perhaps as germane as public holidays and so on. So there is a range of industrial matters as well as those going more specifically to work safety that have occupied the council's time.

MR GENTLEMAN: Minister, Mr Kefford mentioned the *Getting home safely* report and the recommendations through that. Are you able to advise the committee where you are up to with actions from those recommendations?

Mr Corbell: There were quite a large number of recommendations, Mr Gentleman, and the government has committed to providing a regular report to the Legislative Assembly on progress. I think I provided a report in September on progress, and I would refer you to that in terms of each of the specific recommendations.

MR SMYTH: Page 127 of the annual report talks about supporting the Work Safety Council. What is the FTE support to the council? How much does it cost to support? You talked about it assisting the preparation of the submissions to the inquiry. Has the council made any comment about bullying in the ACT public service?

Mr Kefford: Mr Smyth, the answer to your question around cost is that this is one of the functions the Office of Industrial Relations perform; it is not something we separately identify. It is not a single person's job to do, nor is it an ongoing function. It is part of the ongoing funding to this function from the appropriation of the Chief Minister and Treasury Directorate. This forms part of what we do. But because of the cyclical nature of the meetings, there are times when we do lots in relation to the Work Safety Council, like when we are meeting next week, but there are other times when there are other areas of focus, including supporting those working groups and subcommittees in relation to *Getting home safely*, in particular.

The subcommittee on workplace bullying and psychosocial issues has discussed bullying in ACT workplaces generally, not specifically around the ACT public service, although we certainly have touched on that matter. It is an issue of ongoing discussion inside the service, as you would know. We consulted with the subcommittee as we were preparing and providing advice to the government on the government's submission to the House of Representatives. We have subsequently considered—I say “we” because I am on that subcommittee—the report and the commonwealth government's response. We have talked about the implementation of that response, including in relation to the establishment of the new jurisdiction of the Fair Work Commission to hear bullying orders, which commences shortly. I would describe it more as an ongoing conversation rather than something on which the council has provided a formal report to the minister.

THE CHAIR: That concludes the questions we have on Work Safety Council issues. We will now move to the ACT Long Service Leave Authority. Mr Barnes, I presume you are familiar with the privilege statement? You have appeared before the committee before?

Mr Barnes: Yes, that is correct.

THE CHAIR: So you are comfortable with the statement you have before you?

Mr Barnes: Yes, thank you.

THE CHAIR: Minister, the question to you again: do you wish to make an opening statement? No? Okay, we will go to questions. Mr Barnes, the CMTD annual report 2012-13 at page 38 notes that consideration has been given to extending the portable long service leave scheme to waste workers in the ACT. Are you able to tell the committee what other parts of the workforce may be considered for inclusion in the scheme?

Mr Corbell: Those are matters of policy for the government to determine, Mr Doszpot. At this point in time the government has been clear about where it wishes to extend the application of portable long service leave—that is, to certain workers in the aged care sector and to waste workers.

THE CHAIR: Mr Gentleman, a substantive question.

MR GENTLEMAN: Minister, there was a change in the numbers of employees and apprentices from the building and construction industry involved in the scheme in the last reporting period compared to the previous period. It is a rise. How does this reflect on the work of the authority and the increase in the construction industry in the ACT?

Mr Barnes: Mr Gentleman, the number of employees varies according to the work being undertaken at any given time. The very purpose of the scheme was to allow for the ebbs and flows of employment in the industry and the fact that employees are taken on and released in accordance with the work available to their employers at the time. There has been a little bit of a slowdown in recent times in the building and construction industry, and that has been reflected slightly in the number of employees as against predicted growth.

THE CHAIR: Ms Berry, a substantive question.

MS BERRY: Do you think the number of registered employees in any given sector reflects the true number of workers registered in their sector, or is there more work to do in getting employers to register their employees?

Mr Barnes: We think we have a very high compliance level. We conduct a variety of compliance-checking regimes to ensure people are properly registered. I think it is broadly recognised that the level of compliance in the long service leave portable scheme is very high. I am not going to say we have got 100 per cent, because that is probably highly unlikely, but I think we are pretty close.

MS BERRY: Do you think there are sectors that are more problematic than others in regard to registration for the small number that you think might not be registered?

Mr Barnes: No, I do not believe so. There are issues of awareness sometimes, particularly with the introduction of new schemes or broadening of schemes, but that has not been a big issue. We introduced a new scheme on 1 January with the security industry. We believe compliance level there is pretty good. We have good cooperation from the peak bodies, and they have provided the advice to their people. I do not

foresee any real problem areas.

MS BERRY: If you identify an employer who might not have been compliant, are penalties involved, or do you work through more of an educational thing with them?

Mr Barnes: A bit of both. Primarily it is an educational approach. We go to great lengths to facilitate that process, recognising that it is a burden on the employers. So we go out of our way to help them fulfil their obligations and make them aware of them as best we are able.

THE CHAIR: Mr Smyth, substantive question.

MR SMYTH: At page 13 of the report, minister, the second dot point under risk management talks of a review of the investment strategy. Where is that review at, who is it being conducted by and what is it looking at?

Mr Barnes: We have reviewed the investment strategy for the authority. That was facilitated through independent investment advice combined with advice from our actuaries. The proposed investment plan as a whole was put to Treasury for their examination, and it was later agreed by the Treasurer. So that plan has been finalised for the time being for this year and is being implemented.

MR SMYTH: Who did the review?

Mr Barnes: PwC provided advice on our investment strategy and strategic asset allocation. Our actuaries are our ongoing actuaries that provide our annual reports.

MR SMYTH: How much did the PwC report cost?

Mr Barnes: Approximately \$30,000.

MR SMYTH: As a consequence of the review, what will change?

Mr Barnes: As a consequence of the review, we have increased the aggressiveness of the investment strategy, marginally. We had been on a very conservative basis, that being 70 per cent conservative and 30 per cent growth-oriented investment. Under the new strategy, that ratio will be revised to about 55 per cent conservative and 45 per cent growth.

THE CHAIR: Mr Barnes, thank you very much for joining us. The secretary will be in touch regarding transcripts and any corrections that apply. We will take a short break.

Short suspension.

THE CHAIR: We will get started again. Good afternoon, minister and Commissioner Lane. I would like to extend a good afternoon to guests and witnesses in the gallery. This is the third of four public hearings for the justice and community safety committee. This afternoon we have got a slight change of schedule. We will be looking at emergency services first and then policing. Commissioner Lane, you are

aware of the privilege statement before you?

Commissioner Lane: I am.

THE CHAIR: Minister, do you wish to start with a statement at all or straight into questions?

Mr Corbell: Again, no, thank you.

THE CHAIR: Why change now?

Mr Corbell: Indeed.

THE CHAIR: Minister, the JACS annual report entry for emergency services notes that this year was the 10th anniversary of the 2003 ACT bushfires. It also references the review of fire management arrangements by the ACT Bushfire Council and the Auditor-General's performance audit report on bushfire preparedness. How do you rate the ACT's preparedness now in relation to natural disasters and bushfires in particular? Could a 2003 scenario occur again?

Mr Corbell: There is no doubt that the ACT will always face the risk of serious bushfire. You cannot fireproof the landscape. You cannot fireproof the territory. The territory, due to its geographic location and its climate, is inherently vulnerable to a serious bushfire incident. The challenge for the territory and for our emergency services is to be as well prepared as possible to mitigate the risk of fire, to be prepared to respond to such an event should it occur as well as to assist the community with recovery from such an event. I am very confident that the investments and the strategic decisions that the government has made over the past 10 years place the territory in a very strong and capable position to mitigate the threat, to be capable of an assertive and aggressive response and to provide the community with the information and support they need in relation to any recovery.

This is confirmed by the conclusions of the ACT Bushfire Council in their report to me last year, in the lead-up to the 10th anniversary of the fires, on our level of preparedness. They conclude that we are a light year away from where we were back in 2003. We now have a comprehensive bushfire management plan in place. The government, through the Emergency Services Agency, has commenced the development of the third version of that plan, and that is due to be completed next year. That plan guides all of our efforts in mitigating the risk of fire.

We have a comprehensive fire-fuel management regime implemented through the relevant operational plans for land managers and which is comprehensively implemented. The work done, in particular by Territory and Municipal Services as the key government land manager, is ongoing, and it is a very comprehensive program.

The government, of course, has also made significant investments and improvements in capability, for example, upgrades to our communications network, which was one of the key failings in 2003. It now sees us with a modern, comprehensive and, importantly, interoperable radio communications network that allows all of our emergency services to talk with each other as well as the ability to maintain discrete

channels or groups for their own use and also the ability to communicate with New South Wales and other interstate agencies. So it is a very important investment.

Of course, we have made significant upgrades to the vehicle fleet of our firefighting agencies, both fire and rescue, in terms of their bushfire tanker fleet. As well as the bushfire tanker fleet, the Rural Fire Service has seen a very comprehensive vehicle replacement program. We have seen significant upgrades to our facilities to accommodate personnel and their equipment, for example, the new volunteer facility for the Tidbinbilla brigade, upgrades to a range of other volunteer brigades, at Rivers and Jerrabomberra, in particular. We have seen important investments in training.

We now are in a position where we have a very well-developed capability, for example, in relation to remote area firefighting, something which in 2003 did not exist in any substantive way and which was absolutely essential in the fires that were started by lightning in the Namadgi national park last summer and also the fire that occurred earlier this year where the ability to rapidly deploy remote-area firefighting teams by helicopter made a real difference to our ability to deal with those fires quickly.

So I think on all of those levels, as well as around public messaging and information, we have a very well-developed capability to address issues of fire, but I do not think any minister can guarantee that there will not be another fire. It would be foolish to do so. There will be fires at some point. There will be large fires at some point. It is the nature of our landscape. It is the nature of our climate. The challenge is to make sure that we mitigate to the greatest extent that we reasonably can and that we have the response capability and recovery plans in place to address those incidents when they arise, and I am very confident that we have those frameworks well in place.

THE CHAIR: Thank you, minister. Before we go to the next question, I would also like to extend a welcome to Ms Leigh and Ms Playford. My apologies for not doing that at the beginning. Mr Gentleman.

MR GENTLEMAN: Minister, you mentioned the completion of the RFS shed at Tidbinbilla. Can you tell us what is available to the RFS at that site?

Mr Corbell: Yes. The provision of a new building for that brigade has, I know, been very warmly welcomed by the Tidbinbilla brigade. I was actually talking to one of their key volunteer leaders earlier today at another event. He indicated to me that they now have room to take more volunteers, and they are taking more volunteers as a result, at Tidbinbilla brigade. Indeed, we are seeing record numbers of volunteers right across the Rural Fire Service at the moment, to the extent that a number of rural brigades, I know, are closing their books to new members because they have this wonderful level of interest coming through right now.

But in terms of the Tidbinbilla brigade, clearly this provides that brigade with proper garaging for their vehicles, which is very important, safe and modern amenities in terms of a kitchen and training room that will allow volunteers to meet and assemble in comfortable quarters for their training, briefing and staging should they be asked to stand up for the brigade and be ready to respond. And those are things that were not available previously. The previous shed was an antiquated building. It had been

developed as part of an arrangement, I understand, entered into with the Tidbinbilla deep space tracking facility and had been positioned on private land. That made it very difficult. It was also positioned on a part of the road that made it very unsafe to enter and exit the property. All those issues have been addressed in the new facility, and I know it has been very warmly welcomed by the Tidbinbilla brigade.

MR GENTLEMAN: And has there been new equipment added to the brigade as well in relation to the shed?

Mr Corbell: Certainly Tidbinbilla brigade's vehicles are part of the overall vehicle upgrade arrangements. In term of the exact vehicles, I could not cite those directly.

THE CHAIR: Ms Berry, supplementary.

MS BERRY: You mentioned the regional area firefighting—

Mr Corbell: Remote area.

MS BERRY: Remote area, sorry. I want to know a little more about what they do. Did you mention that they are a newish addition to the firefighting team, or is this—

Mr Corbell: This is a capability which the government has developed over the last 10 years, and it is composed of both volunteer and paid Rural Fire Service personnel—personnel from Parks Brigade, which are our TAMS brigade, who, of course, are paid, albeit seasonal personnel, and also volunteer personnel from the volunteer brigades. They are trained. They have to meet a certain level of fitness, the highest level of fitness to be eligible to participate in remote area firefighting, and are trained in a range of skills, such as working from aircraft and being able to deploy from aircraft in often difficult and remote conditions and are also trained in the necessary skills around remote area firefighting, which is largely firefighting with hand tools only and not involving the ability to pump or use water. Those are important skills.

What it gives us as a community is the ability to quickly get to a fire which may be remote from vehicle access. And that is very important in the context of Namadgi national park. The fire that occurred earlier this year in a very remote area of Namadgi national park was not accessible by vehicles and could only be accessed by helicopter, and those crews were able to go in and build a containment line around that fire using hand tools—it is hard, physical work—to contain that fire.

This capability, I know, is now well respected and is frequently called on to assist in New South Wales when they have fires in similar circumstances. That, I think, is an indicator of the standing that this capability is now held in by other fire services.

THE CHAIR: Mr Gentleman, your substantive question.

MR GENTLEMAN: I just come back to one of the statements that you gave us in your opening there, minister, in regard to the improvements since the 2003 fires. You said that there had been a great improvement in the communications network, and you talked about the interoperable comms network. Can you give us some more detail on

how that operates? I remember that at an earlier time there was some concern about the way radio communications were occurring in locations. Could you update the committee on that?

Mr Corbell: Sure. I think all I can add is that it is a digital radio network and a trunked radio network. So this gives us the ability to operate with a high volume of users and still maintain system stability. And that is really critical for large-scale incidents. Obviously we know that in 2003 the old analog radio network failed and it failed simply because it became overloaded and could not handle the volume of messages and the volume of users that gradually grew as a result of the increasing scale of the 2003 fires. So the new digital radio network is a very important investment. It requires constant upgrade and maintenance, but it is a very important element of our overall response capability and has been performing very well now for a number of years.

MR GENTLEMAN: Are there dual band facilities, and where are the repeaters?

Commissioner Lane: If I may, Mr Chair, there are certainly multiple repeaters throughout the ACT to allow coverage across the vast majority of the geographic area. Like all radio network systems, it is not possible to get complete coverage, as is the same on your mobile phone. That capacity certainly does allow each of the operational services and other elements of government—for example, ACTION buses—to have their own discrete radio channels within the system. However, what it does allow, for example, in, say, a bushfire, where appropriate, is for the services to come together onto one operational channel so that all of the operational units can talk to each other. So the digital network that the minister referred to and the trunk radio network give you a much greater capacity in relation to flexibility between day-to-day operations and then going into a major emergency.

MR GENTLEMAN: Thank you.

THE CHAIR: A substantive question, Ms Berry.

MS BERRY: Thank you, chair. I wanted to ask a bit about the new Charnwood ESA station. I know that there has been a real sense of community ownership by that part of town in the building of the new station. I know that sort of involvement does not happen by accident. How did you engage with the community in the development of the new ESA?

Mr Corbell: Thanks, Ms Berry. The government, through the ESA and the Justice and Community Safety Directorate overall, has put together a team to deliver the station upgrade and relocation program. The first project as part of that program is the new Charnwood fire and ambulance facility. That facility was the subject of detailed planning and community consultation, including letterboxing in the west Belconnen area and also direct engagement with retailers and property owners at the Charnwood group centre, which is immediately adjacent.

That feedback was able to address issues of concern that may have otherwise arisen about the design and presentation of the facility. The facility, from day one, I am pleased to say, from the time the project was formally commenced, received a very

strong level of community support. It also enabled us to engage some additional works as part of the project to deal with traffic management around where the new facility is located. The upgrade, for example, of the intersection of Charnwood Place and Lhotsky Street, and the development of a roundabout there as part of the station relocation project for the new facility, addressed a longstanding traffic concern for residents and traders and also helped to demonstrate a win-win for the community and the ESA.

I am pleased to say that the new station has been delivered both on time and within budget and is a very important facility for west Belconnen. Obviously it is an upgrade of facilities for Fire & Rescue personnel, who have relocated from the old west Belconnen fire station just down the road, but for the first time it is a dedicated intensive care ambulance presence in the west Belconnen area for west Belconnen residents. That, I know, is a service that has been welcomed by people living in west Belconnen.

MS BERRY: I note that the emergency services are a high stress career and that, with the shiftwork, that stress is a large factor in poor diet and health choices. What adjustments have been made to the new facility to provide for a healthier workplace?

Mr Corbell: There has been a lot of consultation with end users in the specifications for the final design and construction of the new fire and ambulance facility. There are a whole range of relatively minor things that make a big difference in terms of the quality of the space that our fire and ambulance personnel will use at Charnwood. For example, good soundproofing in the sleeping quarters for both fire and ambulance mean that, while they are on station but able to rest, they have good blockout of light from the outside during the day and at night as well as protection for sound so that they are able to get good sleep—because they are on a main road, and that needs to be addressed.

Also, there are some really great investments there in recreational facilities—a fully equipped gymnasium, which is a shared facility for both ambulance and fire personnel, as well as some excellent recreational spaces in terms of kitchen and cooking facilities so that crews can prepare their own meals, with healthy food choices, and have places to gather and congregate while they are waiting on station. So there are some really great investments, and I know it is a pretty popular place to be stationed at the moment because of the quality of the facilities available.

MS BERRY: I have just one more question, chair, about involving all of these parties. I understand there was involvement from the ambulance and fire personnel in the development of the emergency service station. Did that involvement cause any extra cost or time delays in the building of the station?

Mr Corbell: No extra cost other than those already anticipated as part of the budget for the project, and certainly no time delays. In fact, what we have endeavoured to achieve through this program is a template for design for new stations that will be rolled out across the territory. Charnwood has really been the template station. The specifications around end user needs have been informed by discussions and the direct engagement of relevant unions and employee representatives so that we understand what is needed by fire and ambulance personnel on the ground. That has been built

into the template of these stations. The overall design of Charnwood will now be used as the basis for similar facilities that will be built in this financial year, or commence this financial year, for the new fire station in Calwell-Condor in south Tuggeranong, and also for future stations such as those proposed for Aranda and other stations that will follow after that as part of the station relocation program.

THE CHAIR: Thank you, minister. Mr Smyth, a substantive question.

MR SMYTH: Thank you, Mr Chair. Minister, in February this year it was announced that ACT residents could check online whether their homes were in probable flood zones. Has that occurred?

Mr Corbell: No; that information has not yet been released. It is the subject of final checking by our relevant technical officials to make sure of its accuracy.

MR SMYTH: Why would you announce in February that it was going online when in November it still not there?

Mr Corbell: I did not announce it as such. I think I was asked about it and I gave an indicative time frame at that time.

MR SMYTH: It was noted there by Mr Forbes that the results of the 2011 study of areas below the one-in-100 flood line will be the first to be published. Have they not been published yet?

Mr Corbell: I beg your pardon; I missed that, Mr Smyth.

MR SMYTH: The one-in-100-year flood line—the first maps to be published were those below that line. Has that happened?

Mr Corbell: I do not believe any information has been made public at this point.

MR SMYTH: Why not?

Mr Corbell: The government is concerned to ensure that, whilst information about the one-in-100-year flood areas is made available, people understand that just because they are not in those areas does not mean they are not potentially subject to flood. The flood data that we are talking about is riverine flooding as a result of a major flood event that leads to the breaking of banks of a river or other similar large tributary. The most obvious one, obviously, is the Molonglo River, should there be a one-in-100-year flood event with the Molonglo River.

We know that there are only a very small number of properties that are potentially affected by a one-in-100-year flood, but the government is concerned that, in releasing that information, people do not therefore assume that they are not subject to any flood risk at all, because, whilst they may not be subject to riverine flooding, they could still potentially be subject to flash flooding. Flash flooding as a result of blockages of drains or other infrastructure in a suburb as a result of a severe downpour event that could be highly localised could nevertheless see flash flooding occur in a suburban environment. Therefore, the government has asked officials to ensure that

when the riverine flooding information is made available, there is also clear guidance available to members of the public about what their risks are in relation to flash flooding or other flooding events that are not negotiated with riverine inundation. Those are the issues which I understand are being finalised at the moment.

MR SMYTH: When will that information be online, given that it was said in February that it would be released soon? Nine months later, one would have thought it might have occurred in that time frame.

Commissioner Lane: Mr Chair, if I may, ESA has been working closely with ESDD in relation to making sure the appropriate public information does go out, as the minister has clarified, in relation to getting it right in relation not only to the data but to the message and what that means. We are continuing to work with that, and we will be delivering it to the minister as soon as we possibly can.

MR SMYTH: “Soon” in February has not resulted in it being available in November. When will it be available? And why would it be said in February that it would be out soon?

Mr Corbell: I think I have explained the circumstances of that. In relation to time frames, I am happy to seek further advice from my officials on when they expect that work to be completed, and I will take that on notice. But in relation to why this is important, there are two points to make.

The first point is that, as a planned city, almost all homes in the ACT are built above the one-in-100-year flood level. As a planned city, the level of risk for flood from a riverine flooding event such as the Molonglo or another stream or tributary breaking its banks is very low. The risk is very low, even in a one-in-100-year event. We are talking about a small number of properties in the area around Oaks Estate and other parts of the city that were developed before comprehensive planning took place. So that is the risk; it is a very modest risk.

The second point to make is that the issue that is of concern to me as the minister and to the government as a whole is that if we put out information that says, “Look, 99.5 per cent of homes in the ACT are above the one-in-100-year flood level,” and people go, “Oh, well, there’s no problem with flood,” that would be misleading, because, whilst there would be no problem for most homes in terms of riverine flooding, there could be a problem, nevertheless, with flash flooding. Flash flooding is very difficult to predict; it is not subject to the same types of modelling that you are able to do for riverine flooding. It is important that the messaging is clear and unambiguous to members of the public that flash flooding can occur anywhere given the right conditions, and it is important to take that into account when you think about your insurance policies and you think about your preparedness for an emergency. That is the type of issue that I have asked for further work to be done on, to ensure those issues are addressed.

MR SMYTH: The majority of your officials are here. Cannot one of them tell us when this information will be available?

Mr Corbell: As I said, Mr Smyth, I will take the question on notice.

MR SMYTH: Have there been any recent studies to update the flood maps that lie close to the creek systems?

Mr Corbell: The process of updating flood data is ongoing.

MR SMYTH: Sure.

Mr Corbell: It is an ongoing process.

MR SMYTH: The commissioner seemed to think there was a recent study.

Commissioner Lane: Minister, if I may, just to clarify: there is some ongoing work being undertaken in relation to studies of other creeks outside the Molonglo River valley. That work is quite difficult because, as the minister has already stated, for most of our other drainage systems they are not river systems as such and are more subject to flash flooding. Therefore, there is some ongoing research work being undertaken to attempt to better understand what that means for those people that live adjacent to those drainage lines. I have not been briefed on any results of that work, but I do know there has been some work undertaken on that.

MR SMYTH: When is that due?

THE CHAIR: Mr Smyth, we have allowed for supplementaries. Could I ask you to put further matters on this on notice?

MR SMYTH: I will be quick, Mr Chairman. Has any federal grant money been received? Have those studies been conducted and are the findings available?

Commissioner Lane: My understanding—and I will have to take this on notice—is that there has been some federal funding made available to assist with some of that work.

MR SMYTH: How much?

THE CHAIR: Mr Smyth, we will have to hold it there. Mr Hanson.

MR HANSON: Thanks. I would like to address the issue of complaints that have been made by staff about various matters that might currently be before the Fair Work Commission, the Fair Work Ombudsman and so on. Can you give me an idea of how many complaints have been made by staff and what the status of those complaints is in terms of how they are being dealt with? What is the nature of the complaints and is there any consistent pattern?

Mr Corbell: What sorts of complaints are you asking about?

MR HANSON: Just things about bullying, any safety issues that might have arisen, mismanagement, discipline issues—that sort of stuff.

Mr Corbell: I am aware, I think, of—

MR HANSON: Are there any disciplinary hearings occurring—ACAT or WorkSafe?

Mr Corbell: Mr Hanson, I have previously been advised that there are approximately six matters which have resulted in a referral to either the Fair Work Ombudsman or WorkSafe ACT and that is over a period of approximately three years.

MR HANSON: And the nature of those complaints? Are they all different or are they related to similar matters?

Mr Corbell: They are all different.

MR SMYTH: Just as a supplementary, minister, you said in the Assembly a fortnight ago that the Justice and Community Safety Directorate has advised that it has not been notified of any details of any complaints made to WorkSafe. Has it updated that advice to you?

Mr Corbell: I am sorry; I cannot quite hear you, Mr Smyth. Could you speak a bit louder, please?

MR SMYTH: You said in response to a motion in the Assembly that the Justice and Community Safety Directorate can advise that it has not been notified of any details of any complaints made to WorkSafe ACT. Is that still current, that advice to you?

Mr Corbell: That remains the case, Mr Smyth—for the last three years the directorate has not been notified by WorkSafe.

MR SMYTH: Does WorkSafe always notify you when there is a complaint?

Mr Corbell: It would appear not.

MR SMYTH: Has anybody asked WorkSafe?

Mr Corbell: WorkSafe would make a decision as to whether or not an investigation was warranted. If they did decide an investigation was warranted, obviously the directorate would become involved.

MR SMYTH: I have asked whether there have been complaints. Perhaps you might like to ask WorkSafe.

Mr Corbell: If a complaint is made to WorkSafe and WorkSafe do not take any further action then obviously we are not aware of the complaint.

MR SMYTH: I am saying: have you asked WorkSafe have there been any complaints?

Mr Corbell: No, because the directorate's approach would be that if there was a matter of concern WorkSafe ACT would raise it with the directorate as part of their investigation.

MR SMYTH: The TWU made a submission to the Fair Work Ombudsman about the ACTAS review of leave entitlements. Has that been resolved?

Mr Corbell: We are still awaiting the final decision of Fair Work Australia in relation to that investigation.

MR SMYTH: When is that due?

Mr Corbell: That is a matter for Fair Work Australia. I anticipate it is possible we will receive a decision this year.

MR SMYTH: Has the government asked that the report—

THE CHAIR: Mr Smyth, I will have to ask you to put further questions on notice. We have really got to move on.

MR SMYTH: All right. Has the government, through ESA or through JACS, asked that that report not be made public or be suppressed?

Mr Corbell: No.

MR SMYTH: No?

MR GENTLEMAN: I have a substantive, if I may.

THE CHAIR: I am next, Mr Gentleman.

MR GENTLEMAN: I thought you ceded your questions to your colleagues, but anyway, go on.

THE CHAIR: I defer my question to Mr Smyth. Mr Smyth, could you make it quick so Mr Gentleman can get his question in as well, please?

MR SMYTH: Sure. How many disciplinary proceedings are underway inside ESA at the moment and could you break that number down by each of the four services?

Mr Corbell: Disciplinary proceedings under the Public Sector Management Act?

MR SMYTH: Under any act or under any complaint mechanism open to staff members.

Mr Corbell: I will need to take the question on notice, Mr Smyth.

MR SMYTH: How long does it take to resolve a complaint by a staff member?

Mr Corbell: It would depend on the complexity of the matter.

MR SMYTH: So, 10 weeks, 20 weeks, 30 weeks?

Mr Corbell: Each matter is different. It would be simplistic to give a general answer.

It depends on the complexity of the matter.

MR SMYTH: What is the longest running complaint that has not been resolved?

THE CHAIR: Mr Smyth—

Mr Corbell: I would have to take that on notice.

THE CHAIR: Further questions on notice, please. We will have to move on. Last question to Mr Gentleman.

MR GENTLEMAN: Thank you, chair. Minister, I understand there have been some recent awards provided to ESA officers. Can you tell us what these awards recognise and how we compare with other jurisdictions?

Mr Corbell: Thanks, Mr Gentleman. Today I was very pleased to have the opportunity to present 47 national medals, which are awards for diligent and lengthy service to personnel from all four ACT emergency services. The national medal is awarded under the Australian system of honours. It is a national honours medal, and it is an award that is approved by the Governor-General. The medal is awarded to people who have served at least 15 years in the emergency services, and clasps are awarded for every 10 subsequent years.

There were 47 award recipients today. We saw a range of medal recipients, including one volunteer from the SES who had 35 years of service as a volunteer, which is a remarkable achievement. He and 46 other people received their medals today. It was a great ceremony. This is a ceremony the ESA organises every year to bring together all of our personnel from fire, ambulance, RFS and SES who have become eligible for the medal and have been awarded one to recognise their significant contribution.

MR GENTLEMAN: How important is that recognition and what sort of effect do you think it has on the morale of the officers?

Mr Corbell: I think it is really important. Volunteers and people who are paid emergency service personnel do the jobs they do because they love their job. But it is, nevertheless, important to remind them and to remind ourselves of the contribution they make and why it is so important. That is what the medal does. I know it was certainly very well received by all the people who received it today.

MR GENTLEMAN: I am sure, on behalf of the committee, we would like to provide our congratulations to all of those officers.

Mr Corbell: I will certainly pass that on.

THE CHAIR: Thank you, minister. The time has come to a close. We will move on to the next issue—Policing. Commissioner Lane, thank you for joining us. The secretary will be in touch regarding the transcript and corrections.

Commissioner Lane: Thank you, chair.

THE CHAIR: Welcome, Chief Police Officer Lammers. Good to have you here.

Assistant Commissioner Lammers: Thank you.

THE CHAIR: You are familiar with the privilege statement that is provided? You have read that before?

Assistant Commissioner Lammers: Yes, I have.

THE CHAIR: No questions on that? Okay. I welcome all other witnesses in the gallery. Minister, do you have any opening statement you would like to make?

Mr Corbell: No, thank you.

THE CHAIR: I will defer my first question to Mr Hanson.

MR HANSON: Thanks. I turn to the issue of Civic—the alcohol crime targeting team and the WorkSafe report which has been reported in the media. Initially, the actual substance of the WorkSafe report and some of the quotes from it were quite disturbing. The staffing numbers of the ACT city beat team has been universally acknowledged by the ACT operations committee as being inadequate to allow effective safe deployment of personnel for those duties during the hours of darkness. The lack of staffing levels has allowed a culture to develop where it is apparently accepted that police can be confronted and face abusive and aggressive behaviour elevating to the likelihood of members being subject to unnecessary violence. No doubt you have read that report. Did you agree with the substance of that report or not? Other than the amalgamation of the crime targeting team with the city beat, what substantive action has been taken with regard to the report?

Mr Corbell: Thanks, Mr Hanson. The first comment I would make in relation to that is that it was not a report from WorkSafe ACT. WorkSafe ACT were not involved in the matter. The occupational health and safety report was a report from the relevant delegate within ACT Policing responsible for OH&S matters. It was an internally initiated occupational health and safety matter, not a matter that engaged WorkSafe ACT. So just to correct that—

MR HANSON: This is one of the staff on the city beats team or in the crime targeting team?

Mr Corbell: It is a member of ACT Policing with responsibility for OH&S matters and the ability to issue notices internally about OH&S issues. In terms of the decision taken around the amalgamation of the city beats team and the alcohol crime targeting team, there are two points I would make on that: the first is that these are matters appropriately within the remit of the Chief Police Officer. I will ask him in a moment to expand on these issues.

The second point to make is that the consolidation of these two functions has led to an overall improvement in the number of policing personnel engaged in functions around enforcement of the law in our entertainment districts and addressing the issues that have arisen as a result of those occupational health and safety concerns. I think it is a

win-win in terms of a dedicated focus and enhancement of capability through reorganisation and structural changes. But I will ask—

MR HANSON: Could I just follow that up?

Mr Corbell: Yes.

MR HANSON: Were the concerns legitimate? Have you investigated this? Were the concerns being raised legitimate?

Mr Corbell: These are operational matters for ACT Policing; so the Chief Police Officer can address this.

Assistant Commissioner Lammers: Thank you, minister. Mr Hanson, yes, the concerns were investigated, and there was some substance to the fact that the city beats team needed some support. Over a number of years the number of people within the city beats team had reduced slightly to the extent that the work health safety representative who, as the minister points out, was a member of ACT Policing drew some issues to attention, including a perceived safety issues with the beats team.

As a result of that we discussed a number of options: how could we keep the benefits of the city beats team and provide a response to alcohol-fuelled violence in the city and how could we also use the benefits of the alcohol crime targeting team to support that function generally? So I took a decision to merge the alcohol crime targeting team with the city beats team and, at the same time, expand the capability of that team. In doing so, we renamed it the regional targeting team.

The effect of that was that we would have a greater presence at licensed premises throughout Canberra, particularly in and around the hot spots—the hospitality areas in Canberra. To give that more emphasis, we included an intelligence officer in that team who could properly and strategically target and be aware of the hot spots in Canberra—those areas such as night clubs, pubs and bars—where we had most of the problems. The new regional targeting team responded in a very practical and a very fast way to those sorts of incidents in Canberra.

To give you a practical example of that, two or three days after the regional targeting team was formed, there was an incident in Civic where a person was assaulted and he was on the side of the street. My regional targeting team was 100 metres away and took control of the scene. Within three hours we arrested three offenders using CCTV cameras in and around Civic and with the assistance of licensees in a night club where the three offenders were. So straight away we saw the enhanced results of the formation of that team.

MR HANSON: When the crime targeting team was announced, it was a ministerial announcement. It was done through the budget with some fanfare, I recall.

Mr Corbell: The alcohol crime targeting team?

MR HANSON: Yes, the alcohol crime targeting team. I am curious to know at what point is it an operational decision and at what point is it a ministerial decision? It was

a government decision in the budget that had some media attached to it through the minister and so on to establish this. I find it intriguing that the minister is not even consulted when something that has been established with such fanfare by the government is then essentially just dissolved. What was the process there in communication between yourself and the CPO? The CPO might want to answer. How does that work? What is operational and what is not?

Mr Corbell: The characterisation is not an accurate one. I am happy to disabuse you of your assumptions there. The first point to make is that my involvement, of course, related to the fact that the funding for an enhanced policing capability to deal with alcohol-related crime came from a policy decision on the part of the government to reform the liquor laws and to levy licensees effectively through a risk-based licensing fee structure to help meet the costs of additional police.

So it was quite reasonable for me to be involved in that announcement, because it is associated with that policy decision. But once that funding has been made available, its ongoing use is a matter ultimately for the Chief Police Officer to determine, albeit with advice to me as appropriate. That is what occurred in this case.

MR HANSON: Finally, are you comfortable now that the safety of your officers has been addressed as far as it can be? Are there adequate numbers of police after this amalgamation for those officers to do their jobs safely in Civic?

Assistant Commissioner Lammers: Mr Hanson, under the old arrangements, our city beats team had 12 people and our alcohol crime targeting team had 10; so 22. Under this arrangement, we have 24, so we have actually swelled the numbers by two, which does not seem like very much, but when you take into account all the activity throughout Canberra, the extra two resources give me a greater comfort that not only are our people safer than they have ever been, but that licensed premises throughout Canberra get more attention than they ever had.

Could I go back to one point that you made? We did not dissolve the alcohol crime targeting team; we amalgamated the two teams. All the benefits that existed with the alcohol crime targeting team are there, but in an enhanced capacity.

MR HANSON: And you are comfortable with that 24 number now to do that job in Civic?

Assistant Commissioner Lammers: We are. We have already done some comparative work between the month of September when it was first introduced compared to the last year. The amount of contact we have had with licensed premises this year compared to last year has more than doubled, so licensed premises are getting more attention now than they ever have.

MR HANSON: All right.

MR GENTLEMAN: A supplementary question.

THE CHAIR: Supplementary, Mr Gentleman.

MR GENTLEMAN: Mr Lammers, how have you been able to appropriately provide the rostering needed for this program for the regional targeting team?

Assistant Commissioner Lammers: Mr Gentleman, the rostering was done on a needs basis. As I said earlier, the addition of an intelligence officer within the team and the identification of all the likely trouble spots, hot spots, throughout Canberra are built into a roster that allows the regional targeting team to operate at full capacity Thursday, Friday, Saturday nights and then other nights on a needs basis.

MR GENTLEMAN: Thank you.

THE CHAIR: Substantive question, Mr Gentleman.

MR GENTLEMAN: Thank you, yes. Minister, I take you to page 25 of the report. It shows a reduction in property offences. Can you just go through that reporting period for us and advise us how that has occurred?

Mr Corbell: Sorry, Mr Gentleman, I am trying to find the relevant figures for you. Are you referring to performance against the relevant performance measures?

MR GENTLEMAN: It talks about a reduction in property crime on page 25.

Mr Corbell: Yes. I will ask the Chief Police Officer if he has the figures in front of him. Unfortunately, I do not.

Assistant Commissioner Lammers: Yes, thank you, minister. With our property crime strategy the amount of property offences throughout Canberra has declined steadily over the last few years. We are on a downward trend there. Our emphasis on some of the more likely targets for property crime, once again, has been identified through our intelligence operatives in ACT Policing. We are confident that the amount of offences cleared against property will continue to increase. Our target this year was 15 per cent or more. Although we are only just slightly under our target at 14.3 per cent, we feel that we have had some good successes in reducing property crime. Our property crime reduction strategies over the next 12 months will see that reduced even further.

MR GENTLEMAN: Thank you very much.

THE CHAIR: Ms Berry, substantive question.

MS BERRY: Thank you, chair. I wanted to ask about work flexibility in the police. It is not often viewed as a particularly family-friendly work environment. On page 145 of the report there has been some significant work undertaken on rostering to make it possible for staff in sworn roles to have a better work-life balance. Can you take us through some of the detail of the work that you have been doing with work flexibility?

Assistant Commissioner Lammers: Thank you, Ms Berry. The work that we have been doing throughout all of ACT Policing has an emphasis on being a family-friendly organisation. That applies equally to males and females. We did a roster review recently where we caucused all of ACT Policing on their views about what

would make a very strong policing service coupled with a service that allowed equal balance between their police work and their time at home with their family and their friends.

We have come up with what I think is a very balanced roster for our members that allows a good mix between the amount of work that they do when they are with police and the amount of time that they spend at home. That is just one of the initiatives that we had. As I said, we asked ACT police what they thought. We engaged very, very broadly. I have come up with what I think is a very, very good model.

We also looked at other flexibilities. We are very conscious throughout all of our teams in ACT Policing that those who have young families can come forward, particularly to their supervisors, and come to some sort of workplace arrangement so that there is sufficient time particularly with young children. It usually particularly affects young police women who have young families. We are very conscious of that.

We have come a long way over the past few years to make sure that we identify their needs and that we actually do cater for them. That includes part-time employment for those who need it, staggered shifts for those who need it. No longer is it the case that we only identify non-operational areas where we can find flexibility. We now find flexibility in the front-line policing operational areas as well.

THE CHAIR: Mr Hanson, substantive question.

MR HANSON: Thanks. I am interested in the increase in the number of established complaints against police, which is dealt with on page 95. As I read it, there are 109 established complaints in year 2012-13, which is a pretty significant increase from previous years. Can you explain why there is that increase and what the bulk of those complaints are? I assume “established” means “legitimate”, does it?

Assistant Commissioner Lammers: I am sorry, Mr Hanson, could you point me to the page again, please?

MR HANSON: If you go to the top of page 95, it refers to “Submitted complaints”. It talks about complaints and then it makes reference to “finalised complaints”. The report states:

There were 288 complaints with 600 compliant codings finalised during the 2012-13 financial year. Of these 600 codings, 109 were found to be established.

That is against ACT Policing. Then there is an increase from previous years.

Assistant Commissioner Lammers: Could I ask Mr Hayward to answer that, please.

MR HANSON: Sure.

Assistant Commissioner Lammers: He has the specific figures.

Mr Hayward: Mr Hanson, this primarily reflects a decision on the part of the professional standards division of the AFP last year to attempt to actually clear

backlogs. Last year's results reflect a spike, which is essentially picking up a lot of complaints that had yet to be settled. So there were a number more complaints that were found to be established last year than normal. That backlog has essentially been cleared now. We would expect that this year it will come back to a more normal level.

MR HANSON: What is the range of complaints? Is there a pattern that you can identify, perhaps a gap in training or procedures where you can say, "Well, we need to address this particular issue"?

Mr Hayward: One of the things we have established as a result of this is that we have actually created a brand new position, a quality assurance officer, to deal with complaints and actually look into the nature of complaints and how they come about and what sorts of things might, in fact, be leading to a higher preponderance of complaints in certain areas. As a result of that, we identify training opportunities we need to explore as well as internal messaging so that staff have a clearer understanding of the sorts of things that can lead to complaints from members of the public in their interactions with the police.

Many of the complaints we have are in category 1 and category 2 levels, often reflecting just a lack of understanding between the members of the public and the police officers in the conduct of their duties and why they go about certain things in a particular way. So we are looking to ensure that we are informing and training our staff effectively and appropriately so they are able to conduct themselves in a way with the public to allay the public of any concerns that things are being done inappropriately.

MR HANSON: I know it is an extremely difficult job, particularly in areas where alcohol and large gatherings of the public are involved. Is the nature of the complaints coming forward causing any trepidation for officers in the conduct of their duties? I imagine there is a fine line between a police officer arresting someone or dealing with an individual and what is perceived as an assault by a police officer and so on. Having spoken to a couple of police officers, I imagine it is a difficult job for them to find that balance. Is that an increasing problem, and how are you dealing with that?

Assistant Commissioner Lammers: Thank you, Mr Hanson. As you pointed out, front-line policing is difficult. When you have such regular contact with the community, sometimes in circumstances where the community do not appreciate the contact, it generates complaints. I can say, though, that, notwithstanding that the complaints seem quite high—as Mr Hayward has said, it is about back-capturing previous years and we are now over a hump—for us it is very satisfying to know that not only police can come forward and make complaints but that the public can come forward and make complaints about police behaviour that are taken very seriously and investigated very fully.

A lot of these complaints, particularly the minor category complaints, are things about conduct and behaviour, the way in which police might speak to members of the public, particularly under very tense circumstances, very emotional circumstances. The public are quite often not aware, sometimes, of police practices and, therefore, they might complain about those. All of those are handled internally, and we have a very good, strong mechanism and good checks and balances to make sure they are handled well

and that any learnings that come out of that are translated back into good, solid customer service, which is reflected throughout all of the police organisation.

As you get up through the higher categories of misconduct, you will see that only one falls into category 4 of more serious misconduct that is referred on outside the AFP. So for me, these figures are very, very encouraging.

MR HANSON: One trend I saw was a concern with a lack of respect shown to police. Are you addressing that at all, or how do you address that? Police officers going about their business and members of the public not treating the police necessarily with respect for the difficult job they have to do. I guess some complaints might be vexatious or taunting police and so on. Is that a continuing issue?

Assistant Commissioner Lammers: Thank you, Mr Hanson. It is often said that police see the best people in the community on the worst day of their life, and I think that is quite true. We have a very professional organisation in ACT Policing that is very well trained to de-escalate matters very, very early. Although sometimes we are less successful than other times and it attracts complaints, I think the level of education in the Australian Capital Territory lends itself to a community that is respectful of police more generally. But, as I said, sometimes we get mixed up with incidents—usually they are alcohol fuelled—where it might seem to some people that the community has less respect for police than otherwise ought to be the case. But generally we have a very good relationship with the community. We have a very good relationship with businesses. We spend a lot of time enhancing our stakeholder relationship programs, making sure we contact all groups within the community and send messages across the entire community to make sure there is cooperation between people in all different areas of the community and police. And we are very successful at doing that.

MS BERRY: A supplementary question: how do your community programs like Kenny Koala reinforce and build that respect for police from a very early age?

Assistant Commissioner Lammers: Thank you, Ms Berry. That is a very good point because Kenny Koala is aimed at getting the very young children before they have a propensity to change the way they might behave. We have just rebranded Kenny Koala—reinvigorated him, if you like—reuniformed him and rebadged him. Kenny Koala connects very, very well with children right up to young adults. What is important about that is we are always capturing young parents who have young children. When they see Kenny Koala they know they are in a safe place and parents know their children are in a safe place. I was at a function here in Narrabundah last week where Kenny Koala was there, and the number of adults who come over and engage with Kenny Koala is quite interesting, not just the children. It is a brand that we are very, very conscious about, and we are very, very grateful that Kenny Koala has existed in Canberra for so long.

It is just one of the things that we do to get the community's attention, and we have a lot of other programs, not just Kenny Koala, that help us engage with particularly young children, and we have a heavy focus on young children from disadvantaged backgrounds as well. We have quite some Indigenous programs that we focus on, and all that is about capturing kids when they are very young, having them very

comfortable around police, knowing that they can come to us at any time with any problem. We hope that will cause a change in the way they might behave and at that cusp where they consider a life of criminality, they do not and they go the other way. Our programs are very successful.

MS BERRY: Have you ever thought of introducing a Kelly Koala?

Assistant Commissioner Lammers: Thank you, I will consider it.

THE CHAIR: Before I get to my substantive question, I would like to ask: was any thought given to promoting Kenny?

Assistant Commissioner Lammers: In fact, Kenny Koala has been promoted over the years.

THE CHAIR: Has he?

Assistant Commissioner Lammers: Yes, I think he is now a Senior Constable.

THE CHAIR: Okay. You ought to let the community know. We are keen for that to happen.

Assistant Commissioner Lammers: Thank you, Mr Doszpot. We are very conscious that we do not overpromote Kenny and that he can identify with the rank within our organisation as well as the rank and file in the community.

THE CHAIR: My substantive question, minister, is: last year there were 924 staff positions, including 157 sergeants and 745 constables. This is on page 104 of the Policing report. The government announced \$15 million in budget cuts to ACT Policing this year. What impact will the budget cuts have on the number of sergeants and constables in the current year?

Mr Corbell: Current financial year or the reporting year of this report?

THE CHAIR: Both.

Mr Corbell: Right.

Assistant Commissioner Lammers: I can answer that, if you like. Thanks, Mr Doszpot. The current headcount—so the number of people in ACT Policing—is 924. The number of FTE in ACT Policing is 872. We buy 101 full-time equivalent employees from AFP under our enabling arrangement, which gives us a total of 973.6 full-time equivalents in ACT Policing, which translates to 924 people.

THE CHAIR: So there has been no loss of police numbers?

Assistant Commissioner Lammers: No. In fact, this financial year alone we are recruiting 57 extra people into ACT Policing before December this year. We anticipate recruiting another 44 people, around about, into ACT Policing early next year. The numbers will not go down as a result of the efficiency dividend.

THE CHAIR: So where will the \$15 million in budget cuts come from?

Assistant Commissioner Lammers: In the first year we do not anticipate the budget cuts will have a dramatic effect on ACT Policing. In the outyears, my executive team and I are working very hard to make sure that front-line policing is not affected at all, and I am confident that front-line policing will not be affected over the next three or four years. We are looking very carefully at back-office processes, those types of support functions that support front-line policing, to make sure we can drive as many efficiencies as we can. We want them to be more functional, more efficient and more effective but do it with less dollars and perhaps in some areas less people. That will mean I will look at support functions and perhaps amalgamating different support functions to form larger teams perhaps with less costly supervision. We will look at a raft of different measures to make sure the numbers of front-line police within ACT do not dwindle over the next four years.

Mr Corbell: It is worth making the point, too, Mr Chairman, that each year, of course, the government signs a purchase agreement with the Australian Federal Police for the provision of ACT Policing services. So there is a check every year on the complement of staffing that is specified for purchase in the purchase agreement. So that is a mechanism by which the government and, indeed, ACT Policing and the AFP as a whole can be confident that staffing numbers are being appropriately maintained.

These decisions are not taken unilaterally. The purchase agreement specifies the number of full-time equivalent personnel that is the minimum number to be provided as a result of the government's contract. That is obviously subject to revision or review each year when each new purchase agreement is signed for the coming financial year.

THE CHAIR: Mr Gentleman, substantive question.

MR GENTLEMAN: I want to come back to our discussion earlier about the interactions with younger persons. I see on page 72 that the youth liaison team has been working very hard. Can you tell us how their presentations have been received at the schools and what are the benefits of educating youth at this earlier age for prevention in substance abuse?

Mr Corbell: ACT Policing has undertaken quite a lot of work in this area. Diversion of young people away from crime, diversion of them away from ongoing involvement in the criminal justice system is very important in terms of their future life prospects and reducing recidivist behaviour. It is a really important area of emphasis for Policing. The CPO can probably give a bit more detail on that.

Assistant Commissioner Lammers: Yes, thank you. It is significant to note that our diversionary schemes and our diversionary processes have been enhanced over the last few years. The number of young people who, as the minister says, have been diverted away from courts is significant. Our youth liaison team focuses very heavily on making sure young children and, just as importantly, young Aboriginal children, do not find their way into the court system. We have had a lot of success over the last couple of years in diversionary schemes with Indigenous youth. With one program we

have, 100 per cent of the youth we have put into a diversionary scheme have agreed to that diversionary mechanism, so we have had some great success there.

We have plans for the immediate future to make sure we focus even more heavily on restorative justice and that we divert fewer and fewer children through the Magistrates Court. For us, it has a multi-pronged effect: firstly, we are not likely to see the children again if we do this properly; secondly, it unclogs the mechanisms of the Children's Court; and thirdly, we are working very heavily with the parents of children to make sure they take an active role in the future behaviour of their children. The youth liaison team does all of this, and I really am understating the work they do, because we have a very high impact in this area.

MR GENTLEMAN: Congratulations.

THE CHAIR: Ms Berry, substantive question.

MS BERRY: I want to ask about your suburban policing policy. I was reading in your report that you celebrated the role of the AFP in the ACT over the last hundred years, and I was reminiscing on growing up in Belconnen at the peak of the ACT police suburban policing policy. I can see it has been reinvigorated. Could you tell us how that is going. Page 18.

Assistant Commissioner Lammers: Thank you. As I flick to page 18 I can tell you that the suburban policing initiatives have changed probably over the last 15 or 20 years. They have got stronger and stronger. The interaction we now have with the community under our suburban strategies are better now than they have ever been. There is a very bright future for the suburban policing strategy, but it links into a whole heap of other things. It links into our property reduction campaigns. It links into the contact our youth liaison team has with children. It works closely with our Indigenous programs. It works closely with those programs that divert all sorts of people at all ages away from courts. It makes sure the community takes an active interest in protecting themselves. You will note we have a number of rolling campaigns with different businesses in and around Canberra—some of the larger hardware stores, some of the larger shopping centres—all of which is part of that strategy to make sure we reach as far across Canberra as we possibly can, engage the community very well with us and make sure they take an active interest and participate in looking after themselves with police.

MS BERRY: In measuring the visibility, do you measure it through direct face-to-face contact as well as just a police vehicle being visible?

Assistant Commissioner Lammers: We measure it by its success and we tweak it, if necessary. We have found that, largely, the suburban strategy works. It relies on reasonably high visibility of policing of different areas. As I said, simply labelling it simply as the suburban policing strategy is a little bit of a misnomer because so many things are plugged into that strategy, all of which work together to make us safer.

THE CHAIR: The last question of the afternoon goes to Mr Hanson.

MR HANSON: I note that it is 4.15, and I do not like asking questions after the time

has expired. It does not help my popularity at all, so I will leave it there, thanks, Mr Chair.

THE CHAIR: Thank you. On behalf of the committee I thank all the witnesses who appeared today. Your efforts are appreciated. The committee looks forward to responses to any questions you may have taken on notice. The evidence provided to the committee will be reflected in the report which will be available after it is tabled in the Legislative Assembly. I now adjourn the hearing.

The committee adjourned at 4.15 pm.