



# Debates

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Legislative Assembly for the ACT

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**Wednesday, 23 March 2022**

**MADAM SPEAKER** (Ms Burch) (10.00): Members:

Dhawura nguna, dhawura Ngunnawal.  
Yanggu ngalawiri, dhunimanyin Ngunnawalwari dhawurawari.  
Nginggada Dindi dhawura Gunnaawalbun yindjumaralidjinyin.

The words I have just spoken are in the language of the traditional custodians and translate to:

This is Ngunnawal country.  
Today we are gathering on Ngunnawal country.  
We always pay respect to Elders, female and male, and Ngunnawal country.

Members, I ask you to stand in silence and pray or reflect on our responsibilities to the people of the Australian Capital Territory.

## **Domestic and family violence—Family Violence Safety Action Pilot**

### **Ministerial statement**

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.01): Today I would like to talk about the importance of understanding, preventing and intervening in the behaviour of perpetrators of domestic and family violence, and a new approach that the ACT government is taking to meeting this challenge and critical need.

Around Australia and around the world, governments and communities continue to confront the urgent social issue of domestic and family violence. During the past two years, as restrictions have been in place to stop the spread of COVID-19, domestic and family violence has been a shadow pandemic. Domestic and family violence rates, serious physical threats, assaults and coercive and controlling behaviours have increased. The service sector has reported that COVID-19 restrictions have been used as an excuse to control and confine women. Sadly, many women have experienced domestic and family violence for the first time over the past two years.

Canberra's domestic and family violence services have risen to the challenges presented by COVID-19, and I thank them for their tireless work supporting victim survivors. We cannot forget that it is those who perpetrate domestic and family violence who are responsible for that violence. Perpetrators of domestic and family violence must be held accountable, and our service system has a critical role to play in making sure this happens.

Evidence shows that the best system response to domestic and family violence is integrated, with services working together, and not only provides supports to victim survivors but also actively monitors and engages with perpetrators. Evidence also

shows that a skilled and appropriate intervention from a service provider, or someone the perpetrator respects in their immediate community, can result in a turning point in their behaviour. As a community, as a service sector and as a government, we must make perpetrator behaviour visible. This means never allowing excuses for violence and never holding a victim survivor responsible for addressing the violence.

The ACT government is committed to testing new approaches that can address domestic and family violence in our community. For 18 months the ACT government has been trialling a new service to support our highest risk cases of domestic and family violence—the Family Violence Safety Action Pilot. The safety action pilot is focused on ensuring the safety of victim survivors and putting in place actions that will help to achieve this. It is the only service of its type in the ACT.

The safety action pilot brings together government and non-government agencies to participate in safety planning for victim survivors and responding to perpetrators. It is led by the Victims of Crime Commission, with the Domestic Violence Crisis Service and the Office of the Coordinator-General for Family Safety. Other partner agencies are eight other government and non-government agencies, which all have an important role to play in activating the safety plan. It is this collaboration that contributes to an integrated response, where multiple agencies and services work together to prioritise the safety of victim survivors and the accountability of perpetrators.

The safety action pilot was established in July 2020 and began taking referrals in November 2020. In the 15 months to January this year, the service has already supported 189 cases. These are the highest risk, the most likely to result in serious injury or even death. The safety action pilot team are highly skilled domestic and family violence experts. Together with partner agencies, they put in place strategies to manage the risk to victim survivors from the person using violence. Each case is unique, and each response is different. The safety action pilot is a complex service response and a best practice example of how to manage the highest risk cases of domestic and family violence.

While the safety action pilot provides extensive support to women and children victim survivors, it is unique in the ACT in how it responds to those who are perpetrating the violence. Within the team is a perpetrator response adviser, who works specifically to coordinate perpetrator-focused agencies and services, to increase information sharing and to support and improve how services interact with perpetrators of family and domestic violence.

I would like to share the experience of just one of the clients that the safety action pilot has supported in the last 18 months. Cases are generally supported for 12 weeks, until the risk is assessed as being reduced. One such case is the story of Alice. Alice's ex-partner was in custody on charges unrelated to his abuse of her. She was referred to the safety action pilot by a service provider because he was about to be released. When he was released, he began to leave Alice voicemails threatening her with violence. He came to Alice's home and threatened to break her door and damage her car. He called her up to 20 times a day and left serious threatening voicemails every day.

To assess the level of risk for Alice and her children, the safety action pilot coordinated with all of the agencies who had contact with the perpetrator to ensure that information about his behaviour and the breaches of his bail conditions were visible to all of those involved in responding to him. The perpetrator response adviser also collated information about parole breaches that did not specifically relate to the abuse of Alice and shared it with ACT Corrective Services.

With all information held by different agencies shared and coordinated by the safety action pilot, it was clear that the perpetrator's pattern of behaviour presented an escalated risk to Alice and her children. This resulted in a warrant being issued, rather than a breach action, and the perpetrator was remanded in custody. The work done by the perpetrator response adviser to coordinate with the agencies meant that the risk to Alice's safety could be more accurately assessed and ACT Corrective Services was able to act on the relevant information, which included escalated risk to the safety of Alice and her children.

Alice was kept fully informed of the options available for agencies to intervene with her ex-partner. No interventions were initiated without her understanding and consent. The safety action pilot listened to Alice to understand what she had experienced in her relationship. Her knowledge of the perpetrator's past behaviour was key to helping the agency understand what actions would be safe and what actions would be unsafe.

The safety action pilot worked with the Domestic Violence Crisis Service to provide Alice with crisis accommodation and support. This helped to build a strong relationship between Alice and DVCS, who continue to support her. The safety action pilot was able to map the behaviour of the perpetrator, identify the level of risk that this behaviour indicated and put in place actions to keep Alice and her children safe.

Through the safety action pilot's coordinated response, Alice was able to access appropriate supports at appropriate times, guide the interventions impacting her and return home safely with her children. She felt heard, and saw that her needs and the needs of her children were prioritised. Alice's story is one of many. The proactive monitoring of her ex-partner is just one example of the actions put in place through the safety action pilot and its partner agencies.

The safety action pilot has coordinated security upgrades for victim survivors' homes, increased engagement with perpetrators by a range of agencies, provided critical insights into perpetrator behaviour for ACT police, ACT corrections and others and, most importantly, kept victim survivors informed and empowered about decisions and actions being taken to improve their safety.

The ACT government will continue to support new and innovative approaches to responding to domestic and family violence, including the Family Violence Safety Action Pilot—an example of a world's best practice response operating right here in the ACT.

Madam Speaker, names were changed in this statement to protect privacy. I present the following paper:

Family Violence Safety Action Pilot—Holding perpetrators of domestic and family violence to account—Ministerial statement, 23 March 2022.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Transport—active travel Ministerial statement**

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (10.10): I am pleased to take the opportunity to make this active travel statement to the Assembly, outlining the ACT government’s active travel priorities for this year. In 2020 the ACT government released the ACT Transport Strategy, where the Chief Minister recognised that “the ACT government supports active travel as a key way that we will make Canberra a better place to live”.

Active travel like walking and cycling is an important part of enhancing quality of life for people in our city. Active travel is great for people’s health and wellbeing. Streets that are good for walking and cycling mean better quality of life for people. They are more likely to be vibrant, safe and interesting streets that are built at a human scale and are prioritised for people, not cars. We also support and promote active travel because it helps to reduce congestion and creates zero emissions. This benefits all Canberrans, no matter how they get around.

It is for these reasons that the promotion of active travel has been recognised in the principles of our new planning system, and it is also an important part of our climate strategy. Active travel is particularly important because our city, and how we move around, is changing. We have a growing population, with more people trying to get to and from the city and town centres, and active travel is one of the most efficient ways to move large numbers of people around.

The pandemic has also accelerated changes in how we work and study. Climate events have heightened the need for resilience and sustainability of our transport system. Fuel prices have also increased significantly due to the war in Ukraine, and those fuel prices may last for some time. Emerging technology provides both new travel options and policy challenges. We recognise that, in the midst of change, this moment presents an opportunity to support new transport habits that will last into the future.

Our key objective is to encourage more people to take up active travel by offering real alternatives for Canberrans to using a private vehicle. There are major historic challenges to doing this in Canberra. The legacy of the “beautiful, garden, radiant” city planning of the 20th century has brought many benefits of having large open spaces to walk and ride for recreation, but it has also meant a low-density, spread-out city, with a poor street layout for active travel and public transport, that means many

people are reliant on the private motor vehicle, even for short trips, but particularly those commuting to the city and other town centres for work.

It means that because of distance alone, it is unrealistic to expect everyone in places like Tuggeranong or Nicholls to cycle the whole way to the city for work every day. Despite these challenges, there are things we can do to make active travel a much more attractive choice for many trips and in all regions of Canberra, whether it is walking to the local shops along a great community path to get some midweek groceries, riding your bike to your local bus or light rail stop and then catching public transport to work to avoid traffic congestion, using an e-scooter to get from the office to your lunch meeting on the other side of the CBD, or riding your e-bike to your local town centre along one of our new shared paths for a coffee on the weekend. It is different for everyone, and there are so many opportunities for people to make walking and cycling part of how they get around our city. This year we will be encouraging Canberrans to do more of it.

As foreshadowed in the transport strategy, the ACT government is currently developing a new active travel plan. Through the plan the government will set a new policy direction for active travel, which I can announce we will be consulting on with the community around the middle of the year. This plan will replace the current active travel framework and establish an updated direction for walking, cycling and micro-mobility, and how we integrate and prioritise active travel modes within the transport system and encourage active travel.

The plan will include principles that guide decision-making for active travel, a framework for prioritising network improvements and supporting initiatives and, importantly, a new active travel network plan. The new network plan will also map out the current future of our walking and cycling routes and outline proposed improvements to it, including future new shared and dedicated walking and cyclepath infrastructure. We will be asking the community to provide feedback on the active travel plan, missing links and their priorities for improvements to the network, and how we make walking and cycling a more attractive choice, particularly for trips within their region of Canberra.

The plan will establish a new framework for active travel infrastructure that is suitable and safe for all ages and abilities and that is complemented by initiatives such as education, behavioural and enabling actions such as bicycle parking, wayfinding, shade and amenities. The plan will ensure that the ACT government are getting the most value for our investment in active travel, in terms of more people walking and riding, as well as reduced emissions and congestion as a result, and will outline the ways we intend to measure and track this over time.

I can foreshadow that the heart of the plan to encourage people to walk and cycle will be to build safe infrastructure. The research tells us that it starts with safety. As an example, whilst many cyclists will always ride on the road with vehicles, most people will not cycle unless there are paths that are safely separated from cars. Similarly, when there are highly frequented cyclepaths that are shared with pedestrians, people may not feel safe walking with cyclists and may also feel safer on their own dedicated part of the street.

As we build safe infrastructure, it is important that it reflects best practice to support active travel. I am pleased to say that the ACT government is reviewing the design guidance for active travel infrastructure this year. This is a critical part of ensuring that, as we invest in improvements to our transport system, we encourage active travel by design in a way that makes it safer and more convenient.

The new design guide will challenge, or go beyond, Australian standards. New best practice standards will be developed to make Canberra streets and intersections safer for people who are not travelling by car and make streets more vibrant in key parts of the city. The design guide will also consider how “quick-build” protected cycling lanes could be designed in Canberra’s context and put into use.

The design guide will adapt Australasian and global best practice to improve safety for all road users at intersections and mid-blocks, provide priority for people walking and people cycling, and provide guidance on how existing road lanes in Canberra could be converted to protected cycle lanes in Canberra, based on changing needs such as the COVID-19 pandemic. This piece of work is exciting, and we look forward to engaging with interested stakeholders on how improved design can contribute to a city with living streets, safer for all road users, with less delay for people walking and cycling.

We are fortunate in Canberra that the NCDC built a large network of off-road shared paths prior to self-government. This is a good foundation on which to deliver a city-wide active travel plan, including the network plan. However, the NCDC often built shared path routes that were not intuitive, were often circuitous and were more suited to recreational walkers and cyclists. The network was not comprehensive and was often disconnected, with many missing links that make walking and cycling to some destinations difficult.

One prominent example is that there is no separated shared path directly down Adelaide Avenue, the major southern gateway to the city. Instead, a circuitous path, known as the C4 route on our network, winds from Woden through Yarralumla and the contours of Lake Burley Griffin. This sees many commuter cyclists riding unseparated on the street verge as an alternative, crossing dangerous exits, in order to take the most direct route into the parliamentary triangle and the city.

While the legacy of Canberra’s urban planning has developed an extensive off-road path network, that network is not always visible to people in their cars or does not reach the places they want to go. To fix the gaps in our current off-road path network and extend them to more locations, we have commenced a large number of projects this year which, of course, build on previous investments as well.

As we outlined in the budget, we are making a significant additional investment in active travel that exceeds \$45 million over four years. That investment, along with previously committed funding, means that the current pipeline of active travel projects is approximately \$77 million over this period. This year, it is exciting that many of these projects will reach construction stage, with others entering feasibility and design.

Already, the Tuggeranong cyclepath works have been completed in the town centre, separating cyclists and pedestrians, reclaiming street space for people, to improve safety, and providing connections through to the path network on places like Soward Way. Later this month consultation will begin on the Tuggeranong foreshore project, including improvements to active travel connections around the lake.

In Belconnen, we are extending the bikeway as part of stage 2 of the project from the University of Canberra to the AIS and in to the city, with construction work expected to kick off before the middle of the year. This will provide safe, separated infrastructure along the key C3 link from Belconnen to the city, as well as on Haydon Drive, as part of the road safety fund initiative jointly funded with the Australian government.

I am pleased to say that the ACT government has now received the feasibility study on path improvements around Lake Ginninderra, delivering on ACT Labor's election commitment. This provides the early design on improvements to minimise potential conflicts between people walking and cycling around Belconnen's lake foreshore. In the second half of the year we look forward to consulting on the priority improvements with the Belconnen community, ahead of any construction.

Later this year, construction will begin on a new shared path along Sulwood Drive in Kambah, the missing east-west connection between Drakeford Drive and Athllon Drive. New traffic lights at Mannheim Street will significantly improve access for Kambah residents and other people in the Tuggeranong region, both to the Mount Taylor Nature Reserve and to the new off-road shared path which will separate riders from the road, linking the C4 and C5 principal cycle routes. Work is also progressing on a new bridge over Weston Creek, connecting the Molonglo River path to Coombs, to provide direct access to the C5 principal route.

The government is also supporting the fastest growing parts of Canberra, like Molonglo and west Belconnen, by constructing a new seven-kilometre off-road shared path from Drake Brockman Drive to Bindubi Street, creating new path connections to the city. In Canberra's north, we are undertaking a route planning study to improve cycling connectivity in the Gungahlin town centre.

We are also creating better connections in and out of the city by undertaking a route planning study for a new garden city cycle route, providing key connections through the eastern side of the inner north. The government is currently in procurement for a feasibility study which will inform the route options to be discussed with the community.

Work will also commence on raising London Circuit this year. This major city-shaping project will deliver protected bike lanes and an enhanced streetscape as a key objective of the project to make it easier to move around the southern part of the CBD, to access future light rail and to make better connections with Lake Burley Griffin and the Acton waterfront. These improvements will make it safer and more attractive to walk and ride along one of our key strategic transport gateways to the city from the south on Commonwealth Avenue.

As work progresses on the next stage of light rail from the city to Woden, the ACT government has included the feasibility of an off-road shared path on Adelaide Avenue to inform the design of a cyclist highway to the city and the parliamentary triangle, which could utilise the future station access to the large median. Construction work is underway on the new Woden public transport interchange, which prioritises safe access for pedestrians and cyclists through the town centre and will provide secure bike parking in three locations, including two secure bike cages.

As we invest in new infrastructure, new connections and fill missing links, it is also important that we invest in regular maintenance of our existing active travel paths. A key priority for the year ahead includes a step-up in work on renewing and maintaining existing paths proactively right across the ACT. We understand that local communities want their paths to be safe and in good condition. That is why we are delivering on ACT Labor's \$4 million election commitment for more path maintenance and responding to community requests for upkeep. We have started this work through the Jobs for Canberrans program. Since 2020, workers have completed a condition assessment of the entire community path network to assist in proactively identifying locations for renewal. The funding we have invested each year through our election commitment will be used to undertake these renewal works and keep our community paths in great condition.

Safety for cyclists and pedestrians is, of course, not just about the infrastructure. The ACT government is committed to Vision Zero—zero deaths and zero serious injuries on our roads, including vulnerable road users like pedestrians and cyclists. To achieve this, we will continue to apply our safe systems approach, including a focus on safe speeds and safe behaviour, as well as the infrastructure through safe roads and cycleways.

This year significant changes to the law will be implemented through various road transport legislation, which will strengthen penalties for a range of driving offences, focused on vulnerable road users and to deal with drink-riding behaviour. Vulnerable road users are those road users that have little or no protection in the event of a collision. The term includes pedestrians, cyclists and motorcyclists but also extends to other road users who have a specific characteristic that makes them vulnerable—for example, older drivers and children.

To ensure that Canberrans are aware of their obligations to be safe and to protect all road users, the ACT government will be rolling out a significant community education and awareness campaign this year. The Share the Road campaign will be highly visible in public spaces, including on buses, at petrol stations and in shopping centres.

Whilst safety and safe infrastructure are important in encouraging active travel uptake, the government will also be focusing on other measures which involve behaviour change. This is important because this year construction of major infrastructure projects in and around Canberra's city centre will be disruptive for the community. To mitigate the disruption, the government has established the disruption task force, and active travel is an important part of their response.

To minimise the disruption, the government is focused on how we can minimise peak hour congestion by encouraging Canberrans to rethink their route and rethink their

routine when it comes to the daily commute. We will be encouraging the uptake of walking, cycling, scooting and public transport, and we are working on ways to engage with community partners to amplify the message.

In particular, we will be building on the work that has been done by the Conservation Council and the Canberra Environment Centre in the Make Your Move program, funded by the ACT government. This program has been working with Canberra businesses and organisations to support their employees to discover the benefits of active travel, overcome barriers and encourage new, more sustainable transport habits. By harnessing the opportunities of active travel, linked with other transport modes, this has the potential to reduce peak hour congestion during the disruption period, as well as creating lasting change to reduce emissions and create a more sustainable transport network.

This year the framework of where and why we make our transport investments will be strengthened in the development of a multimodal network plan. The MNP will provide a strong linkage between transport projects, investment priorities and the ACT Transport Strategy 2020, and clearly articulate the role of proposed active travel network upgrades in achieving the future transport vision set out by the strategy.

The MNP is an integrated transport plan that provides a balanced and coordinated prioritisation of projects across all transport modes, avoiding the traditional method of planning for individual modes that may favour transport investments being heavily skewed towards road network upgrades. Proposed upgrades for the active travel network will be assessed and prioritised in coordination with the road and public transport network upgrade proposals.

Importantly, the MNP will consider movement and place principles in planning for the entire transport network, not just strategic transport corridors, clearly identifying which modes need to be prioritised in any specific part of the network, depending on its place or movement value.

This approach recognises that planning policy must be closely integrated with transport policy. The new draft planning act, which has now been released for public consultation, includes new activation and liveability principles which mean urban areas should be designed to promote active travel and convenient and efficient use of public transport.

This year the ACT government are changing the way we think about and plan for people's movement around the city. We have traditionally relied on a "predict and provide" model of planning, where travel demand is predicted based on economic growth and then capacity—usually in the form of more roads—is provided to match. Instead, we intend to transition to a "vision and validate" or "place-based" model that involves a collaborative, people-centric and place-specific approach to creating environments that people will actually want to walk and cycle in.

To make this transition, one of our priorities for the coming year is to finalise a movement and place tool for Canberra which will support our network planning. This tool will ensure that new transport projects deliver benefits for all modes of travel and

that transport investment and new urban development complement each other. As we have done with our city-shaping investment in light rail, we want to plan future transport links in a way that allows for the efficient and safe movement of people and goods whilst also creating a city that is people-friendly, sustainable and enhances Canberra's character.

One example of how the ACT government has already recognised the importance of planning for active travel is the work around end-of-trip facilities, which will be finalised this year. High-quality end-of-trip facilities can contribute to the perception that active travel is valued and encouraged in the workplace and adds to the marketability of commercial premises. The lack of facilities is regularly identified as a barrier to active travel and engaging in healthy physical activity in the workplace.

Following a statutory process under the Planning and Development Act, it is intended that the End-of-Trip Facilities General Code—DV357—will be finalised in 2022 and will become an appendix to the Territory Plan. The code supports the provision of secure bicycle parking, showers, change rooms, lockers, charging facilities and drying areas in developments.

A complementary end-of-trip facilities guide is being developed that will provide guidance about the minimum requirements of the code, to illustrate best practice and perhaps provide encouragement to developments where the code does not apply. The guide has a wider application and may be helpful to building users to advocate for better facilities with their building managers.

The purpose of the code and guide is to ensure that adequate facilities are provided for people who ride a bike or use other active means at workplaces and other applicable destinations. The code applies to all new buildings and major alterations to existing buildings—impacting more than 50 per cent of total floor space—and stipulates minimum planning requirements according to size and use. The end-of-trip facilities guide will also inform ACT government projects, such as secure bike parking provided as part of the Woden public transport interchange project.

In conclusion, our government is making sure Canberrans have more choices than ever before about how they get around our city—to make walking, cycling or scooting a safe, accessible and convenient choice for everyone. I look forward to consulting with the community on a new active travel plan, including a new active travel network plan and best practice design guide for active travel, as well as continuing to deliver on one of the largest investments in active travel that we have seen, as we transition towards a more people-friendly, compact, efficient and sustainable city. I present the following paper:

Active travel statement—Ministerial statement, 23 March 2022.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Health—eating disorder support services**

### **Ministerial statement**

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (10.33): I rise to present the government response to the petition “Starving for Services, Lack of Eating Disorder Services in the ACT”. First, I would like to thank and congratulate the lead petitioner, Kate Steen, on her efforts in raising the important issue of eating disorder services in the ACT. Ms Steen’s petition comprised 741 petitioners and, together with other advocates, she has firmly cemented the importance of lived experience in developing our services.

I am also grateful to Dr Marisa Paterson MLA for sponsoring the petition and ensuring that support for people with eating disorders remains front and centre for both the ACT government and the Canberra community. Finally, I recognise the previous petitioner from 2018 who shone a light on this important need for our community. Thank you for kickstarting this conversation.

The ACT government is committed to improving eating disorder services in the ACT across the full spectrum of care so that we can provide the best treatment and care for people with eating disorders when they need it and where they need it.

Eating disorders are serious illnesses that can have significant impacts on the physical, psychological and social wellbeing of the individuals and families affected. A person with an eating disorder has increased risks of developing long-term mental and physical illnesses, an increased risk of premature death due to medical complications and an increased risk of suicide. Although the incidence peaks nationally between the ages of 12 and 25, eating disorders can occur at any stage of life.

A report by the Butterfly Foundation estimated that in Australia in 2012 around four per cent of the Australian population was affected by eating disorders at a clinical level. The report summarised the personal costs of eating disorders to individuals, their families and support networks. In addition to the large personal costs, the report also highlighted significant lost productivity incurred through premature death and an impaired ability to work.

The 2018 ACT eating disorders position statement presented the ACT government’s commitment to strengthening the eating disorders services system and communicated the guiding principles that outline the government’s approach to the development of eating disorders services in the ACT. It is grounded on the premise that the most effective eating disorder service system enables seamless treatment and transitions across the continuum of health services. This is supported by evidence from eating disorders research and clinical guidelines.

The position statement proposed the development of a broader range of system-wide eating disorders services that could focus more on health promotion, early intervention and outpatient services, rather than emphasising a solution focused solely on acute services.

People with eating disorders often present with symptoms that can vary in severity, acuity, complexity and risk. As a result, managing eating disorders can be extremely complex. There is a need for a system-wide, integrated eating disorder service spectrum that is developmentally appropriate and flexible across the entire continuum of care, from early engagement to ongoing treatment, and addressing fluctuations in risk and condition. This approach is presented in the 2018 position statement as a stepped care model, which emphasises four key pillars that should work together to allow for patients to flexibly step up and step down into appropriate services according to their needs.

These are: generalist mental health services, including primary care and community programs; specialist eating disorders interventions, including day programs and outpatient clinics; local hospital interventions, including management of cases in general medicine and paediatric wards; and intensive tertiary supports, including multidisciplinary teams and models of care to support evidence-based treatment in emergency departments and hospital wards.

The current petition requests a progress update, including actions taken to improve access, resourcing and support for people accessing the eating disorders program. The update to the ACT eating disorders position statement, which I am tabling in the Assembly today, responds to the petition and provides a comprehensive summary of the work currently underway. I am very pleased to highlight some of the important work that has progressed since the 2018 position statement was tabled.

The territory-wide model of care for eating disorders will outline the guiding principles for the ACT government's commitment to strengthening eating disorders services systems and provide an overview of the integrated, stepped model of care for all public eating disorder services in the ACT. This will enable seamless treatment and transition between and across primary care, community care and hospital settings.

This is supported by the development of system-wide options, rather than focusing on acute service delivery, and includes increased health promotion, early intervention and enhanced outpatient services. This will include appropriate referral pathways across services, with clear roles and mechanisms for consultation, collaboration and review. The territory-wide model of care for eating disorders is currently under development, with each clinical service's model of care being individually reviewed, redeveloped, consulted on and endorsed prior to forming part of this overarching model of care.

The clinical hub was launched in January 2022. It is the central referral point for public eating disorder services in the ACT. Prior to this service launch, the clinical hub was established in stages and undertook considerable work to reduce the demand and waiting list experienced by the outpatient eating disorders program.

In July 2021 the clinical hub implemented two new service initiatives, called the Short Term Recovery Intervention for Disordered Eating—STRIDE—Program and parenting group. As at 4 March 2022, 19 families have been supported through the parenting group and 26 individuals have accessed the STRIDE Program.

The implementation of these initiatives provides clients with access to a more timely intervention, in addition to enabling the eating disorders program to increase their capacity to see clients and provide ongoing therapy for clients who require longer term therapy or present with more complex needs. As well as the STRIDE Program and parenting group, the clinical hub dietician offers nutritional assessments to eligible clients.

As was committed to in the 2019-20 budget, another new service offering to be implemented in the ACT is the Early Intervention Service for Eating Disorders. This new service will focus on promoting help-seeking behaviour and early intervention treatment for people in the early stages of developing an eating disorder and those with an eating disorder of low to moderate severity.

Improving access to early intervention services is intended to improve patient outcomes and promote recovery whilst reducing demand on the specialist tertiary and acute inpatient services. In 2021 work progressed on the development of the early intervention service model of care, and the service is on track to be operational in the 2022-23 financial year.

As committed to by the commonwealth in 2020, the residential treatment centre is expected to fill the critical gap between inpatient hospitalisation and outpatient programs to provide an opportunity for a more intensive psychological recovery and improved integration of services. In 2021 work progressed on developing the model of care and identifying a preferred location, and in November 2021 an open tender was released for the initial architectural concept designs. The successful tenderer started on this design work earlier this year.

The complexity of eating disorders requires multiple services, settings and agencies to coordinate their efforts and work together. This level of change will take time and requires a staged approach. This update to the ACT eating disorders position statement represents a significant milestone in reporting on the numerous initiatives undertaken and the future work planned. It demonstrates that the ACT government is continuing to take strides in the development and coordination of a high-quality eating disorders services system that provides the right care at the right time.

The ACT government is committed to providing the best eating disorders services possible and recognises the importance of this work for all people with eating disorders in the ACT.

In closing, I am grateful to the petitioners for raising the profile of eating disorders and all of those who have contributed to the work to date. I present the following papers:

ACT Eating Disorders Position Statement—Update—

Response to Dr Marisa Paterson's e-petition, dated February 2022.

Ministerial statement, 23 March 2022.

I move:

That the Assembly take note of the ministerial statement.

**DR PATERSON** (Murrumbidgee) (10.41): I want to start my speech today by acknowledging all of the 741-plus people that signed the petition to see an improvement in eating disorder services in the ACT. I want to particularly acknowledge Kate Steen, who was the original petitioner, for her bravery in approaching me with her experience and for her will to see change.

I have met with so many people as a result of the petition who I have developed relationships with and who have a very strong vested interest in seeing change. I acknowledge their commitment and bravery in sharing their stories. I would also like to acknowledge those who are here today, particularly Bernadette, for her steadfast commitment to seeing change. I would like to thank my staff in my office for sharing this commitment with me to improvements in services and for all the work that has gone into and around the petition.

I welcome the government's response on my e-petition calling for improved support services for people experiencing an eating disorder in the ACT. I thank Minister Davidson for taking this opportunity to incorporate an update to the 2019 position statement on eating disorders. In the update are activities related to the government's commitment to a range of initiatives to be completed by 30 June 2024.

Underpinning those activities is the territory-wide model of care. The model outlines a stepped approach to eating disorder support services, providing flexibility across the continuum of support from early engagement to ongoing treatment. It recognises the complexity of eating disorders and that they are both a medical and a mental illness. The position statement identifies that all future services are to be considered within this context. The eating disorders clinical hub, launched by the ACT government in January this year, is the central referral point and pathway for the range of services available across each of these steps.

I am very pleased to see a key focus, through the updated position statement, on early intervention services. An eating disorder is a treatable condition. Evidence shows that the sooner treatment commences, the shorter the recovery process is. Early intervention and prompt action is the best remedy and must remain a priority for this government.

I look forward to the development of an eating disorder residential care facility in the ACT, a really important initiative within the position statement. The facility will provide specialised support for recovery processes, including nutritional and psychological care to enable people to develop healthy relationships with food and exercise. The contract for the design of the facility was awarded in February this year.

The exact location is yet to be confirmed; however, I welcome this facility being built in my electorate of Murrumbidgee, in the Molonglo Valley. I understand that, following a period of consultation on the facility's design, incorporating input from

those with lived experience, construction will commence later this year, for completion in 2023.

I welcome other updates provided in the position statement, including those related to the ACT's eating disorder program, providing evidence-based therapy, recovery and participation and additional ACT government investment in eating disorder support programs.

As I have said in this Assembly before, we have too many people in our community suffering from the effects of eating disorders, those who are experiencing it firsthand, as well as loved ones, family and friends who are devastated by its impacts. I intend to keep pressure on this issue to ensure that people in our community have appropriate and timely access to support and services. I know how devastating eating disorders are for everyone involved.

Madam Speaker and colleagues, I look forward to being part of the solution, to supporting those in my community on this matter. I will keep advocating on this issue for long-term, positive impacts across our entire community.

Question resolved in the affirmative.

## **Mental health—workforce strategy**

### **Ministerial statement**

**MS DAVIDSON** (Murrumbidgee-Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (10.46): Madam Speaker, on 8 October 2021 a resolution was passed by the Legislative Assembly for an ACT mental health workforce strategy to be developed within six months. I am pleased to be able to update the Assembly today on the progress that has been made in developing the ACT mental health workforce strategy. Before I make my substantive remarks, it is important to remember that the workforce pressures being felt in the ACT are replicated in every Australian jurisdiction and in most comparable health systems around the world.

When we think of a mental health workforce, many people think of psychologists, psychiatrists and nurses. That is entirely understandable. However, a modern mental health workforce should have a much broader range of opportunities and should include social workers, counsellors and peer mental health workers.

We have already had some success in attracting additional mental health clinicians to the ACT to work on the recently opened ward 12B. Early career psychiatrists that I have met tell me that one of the reasons that they have moved to Canberra is to work with the great mentors and senior psychiatrists in Canberra Health Services. But we clearly need to do more, and we are intent on doing so.

Since the passing of the resolution, significant work has been undertaken, through co-design with the ACT mental health sector. I am working with the Office for Mental Health and Wellbeing to finalise the strategy, which will be released as soon as possible. The strategy will act as an overarching framework and will provide

high-level direction to the ACT government and the broader mental health sector on future workforce initiatives.

The strategy will outline the shared objectives of the sector, the values and principles that should underpin workforce initiatives and the desired outcomes. The strategy will also identify priority areas for reform, including data-driven planning, monitoring and evaluation; attraction, recruitment and retention; education, training, research and innovation; and developing and embedding the lived experience workforce.

The release of this strategy will be the first of a series of steps towards driving change and addressing some of the persistent challenges facing the ACT mental health workforce. What this framework will provide is the strategic direction to coordinate efforts across the ACT government and to bring us together under a shared purpose and direction.

The approach will allow us to identify the current strengths of the system, the pressure points and where there are existing gaps to inform where our future efforts and investments should be. It is important that we recognise the valuable contributions made by workers across the full spectrum of care, from the acute end through to the community-managed sector.

We also need to recognise that the workforce needs to be supported to continue to deliver a high standard of mental health care. This will be achieved through enabling opportunities for education, training and research and innovation to facilitate best practice. These will be considered with the intention of improving the quality of care and outcomes for the community.

The strategy will also recognise the need to promote mental health as an attractive sector to work in and to further develop and build on our strategies for attraction, recruitment and retention. I acknowledge that addressing issues that negatively impact on retention of the mental health workforce will require a focused effort in the areas of mental health worker wellbeing, mental health worker conditions and work satisfaction.

Our workforce has continued to support our community through many challenges over the past two years and it is important that we continue to ensure that their needs are understood and addressed, to maintain our workforce. The strategy will make an explicit commitment towards developing and embedding the lived experience workforce across the ACT mental health system. Research tells us that the inclusion of peer workers can reduce the use of emergency services and hospitalisations. It can decrease the admission to inpatient units, lower the length of visits and reduce the rate of readmission.

People who have been supported by a peer support worker reported a greater sense of empowerment and increased sense of independence and normalisation of emotional responses, reduced stigma and a sense of hope for recovery. We have already started to see the benefits of peer workers across a range of sectors, including at the Safe Haven in Belconnen, which we opened at the end of last year.

All of these efforts need to be underpinned by evidence-based planning, through quality data and monitoring and evaluation activities that can help us to work towards clear outcomes. Importantly, we need to recognise the contributions of the community-managed workforce and the workforce challenges faced by this subsector. The community-managed workforce will be considered across each priority area, alongside the clinical workforce.

Following the release of the strategy, an implementation plan will be developed, in collaboration with the sector, that will explore each priority area in more depth and provide sub-plans across each priority area. Each priority area will be explored across the clinical and community-managed workforce to ensure that future initiatives support the whole continuum of care, from the acute to the community response.

The mental health workforce is a key driver in facilitating the delivery of mental health services and therefore mental health and wellbeing outcomes across the community. The workforce is the pillar of our mental health system and we must explore the challenges that we face here in the ACT and work towards solutions collaboratively.

We will continue to work on a detailed plan for our mental health workforce. As this work develops, the office will engage with crucial partners such as universities, employers, unions, professional associations and royal colleges. I look forward to releasing the strategy as soon as possible and providing you with periodic updates as this work continues.

I present the following paper:

ACT Mental Health Workforce Strategy—Update on Assembly resolution 8 October 2021—Ministerial statement, 23 March 2022.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## Ukraine

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (10.52): I move:

That this Assembly:

- (1) voices support for the democratically elected Ukrainian Government, the Ukrainian people and Canberra's Ukrainian community; and
- (2) requests the Speaker convey to the Ukrainian Government, via the Embassy in Canberra, the support of this Assembly expressed in this motion.

Russia's invasion of Ukraine has been shocking and horrific. We have all witnessed devastating scenes every day on the TV news and through social media feeds, and

there are many in our community who have heard directly from their friends and relatives. We have also witnessed unparalleled bravery and defiance on the part of Ukrainian citizens, amongst those who stayed to defend their homes and amongst those who have had to leave their communities to seek safety in other countries.

This invasion comes after months of escalating rhetoric and deployment of massive military forces at the Ukrainian border. In moving this resolution this morning, I do so because this jurisdiction has a strong history of supporting and strengthening human rights, multiculturalism and diplomacy, and it is appropriate that we join with other nations and subnational jurisdictions across the globe in strongly condemning Russia's actions.

Earlier this month, on 2 March, in an emergency session, the United Nations General Assembly adopted a resolution that it “deplores in the strongest terms the aggression by the Russian Federation against Ukraine” and demanded that Russia “immediately, completely and unconditionally withdraw all military forces from Ukraine”. Australia was one of the 141 United Nations member states voting in favour of this resolution and, like many other countries, has introduced a range of sanctions against Russia, as well as providing material support to Ukraine.

Madam Speaker, the Russian invasion has created a significant humanitarian crisis. Every night on the TV news we are seeing heartbreaking images of Ukrainians attempting to flee towns and cities across the country or having to shelter in basements from air strikes. We have seen cities and buildings destroyed and the very devastating impact of military conflict on the individuals and families who are caught in the crossfire.

The United Nations Office of the High Commissioner for Human Rights has confirmed that there have been more than 2,000 civilian casualties, including nearly 800 deaths, as of 17 March. However, it is expected that the actual numbers are significantly higher than this. The distress that we are all feeling is undoubtedly heightened amongst Canberra's Ukrainian community and amongst Canberrans with ties to the region, including those who have family and friends caught up in the conflict.

This motion today is a small but important opportunity for this place to voice our support not only for Canberra's Ukrainian community, Australia's Ukrainian community, but, importantly, the people of Ukraine and their democratically elected government.

I want to acknowledge this morning the many Canberrans with historical and family ties to Russia who join with us in condemning the invasion, many of whom are extremely concerned for their loved ones. I want to particularly highlight the courage of those many Russians who are resisting the war in many ways, who have protested against the war in their own country, on the streets and, on one incredible occasion, behind a TV newsreader. They have paid for their courage through detention and worse. But they remind us that this is Vladimir Putin's war. This is not a war of country against country. It is to fire one man's vanity and delusions of grandeur, and it comes at a massive cost to his own people, the Ukrainian people and the many thousands of lives that will be lost.

According to the UNHCR, more than three million people have already fled Ukraine, with the number of internally displaced people approaching more than two million. The ACT has always been a proud refugee welcome zone and part of the Welcoming Cities Network. We will of course support any Ukrainian refugees who come to Australia and who would want to call Canberra home, either temporarily or permanently. The ACT government provides a range of services for refugees and temporary visa holders, as well as other supports and mental health services for anyone in our community experiencing distress or trauma due to the events unfolding in the Ukraine.

This conflict should also remind us all of how lucky we are in this city and in this country. It reinforces that anyone can be compelled, forced, to leave their home with nothing and have to travel a perilous journey to seek safety in another country. That is why we must welcome refugees, wherever they come from. This is not something that people choose. It is something that is forced upon them, and our shared humanity must surely take precedence.

Madam Speaker, in moving this motion I hope that this Assembly will stand united with Ukraine, its democratically elected government and its people. I commend the motion to the Assembly.

**MS LEE** (Kurrajong—Leader of the Opposition) (10.59): I thank the Chief Minister for bringing forward this motion today. The Canberra Liberals support the motion. I think we can all agree that Russia's invasion of Ukraine goes against everything we stand for as Australians.

It is in Australia's interest to support the rules-based international system, where sovereignty and territorial integrity are paramount. Russia's invasion of Ukraine is of deep concern not only to the Ukrainian Australians but to all Canberrans, and indeed all populations around the world.

The scale of this military aggression in Eastern Europe is of significant concern around the globe. We have already seen the tragic loss of life that comes with war, and a developing humanitarian catastrophe that will devastate the region for decades. We are witnessing it all in real time. Only this morning we saw horrific scenes of Ukrainian citizens, including women and children, tied to poles. It is a scene that will not be forgotten.

I cannot even imagine the anger, the heartache and desperation of the Ukrainian people. Russia's attacks on democracy and on sovereignty will not be tolerated. Prime Minister Scott Morrison has made it very clear that Australia condemns in the strongest possible terms Russia's unprovoked, unjust and illegal invasion of Ukraine. The invasion is a gross violation of international law, including the Charter of the United Nations.

The Morrison government has moved quickly to institute a range of financial sanctions and travel bans against over 350 Russian officials. This move underlines Australia's commitment to sanctions, sanctioning those who have amassed vast

personal wealth and are of economic and strategic significance to Russia, including as a result of their connections to the Russian President.

The federal government has also provided \$70 million in defensive military assistance, non-lethal military equipment and medical supplies in support of Ukraine's defence, as well as \$35 million in humanitarian funding. Earlier this week the Morrison government developed an additional \$21 million support package of defensive military assistance for Ukrainian armed forces, which will bring Australia's total military assistance so far to \$91 million.

On Sunday the Morrison government committed to an additional \$30 million in emergency humanitarian assistance. This contribution will focus on protecting women, children, the elderly and those with a disability, and brings Australia's total humanitarian contribution to \$65 million. To help address education and critical protection needs for children, people living with a disability and those facing risks of gender-based violence, Australia will also provide \$10 million through non-government organisations under the Australian Humanitarian Partnership.

Australia stands ready to respond generously to any resettlement needs stemming from this conflict. Ukrainian applications for visas are being fast-tracked, and all Ukrainian nationals in Australia will be provided an automatic extension to any expiring visas. Since the conflict began, the Morrison government has issued almost 4,500 visas to Ukrainians. Over 600 Ukrainians with these visas have arrived and more are coming every day.

All of the action that the federal government has taken, and is taking, is focused on supporting the Ukrainian people through this conflict. The Canberra Liberals offer our absolute support to the federal government, its sanctions on Russia and its ongoing support for Ukraine. We also acknowledge, and our thoughts go out to, the Canberrans with connections to Russia who are devastated by what they are seeing. Most importantly, to all Ukrainian Canberrans: know that we, as a whole in this chamber, are with you.

**MS DAVIDSON** (Murrumbidgee) (11.04): The Greens support this motion brought forward by the Chief Minister today. Seeing acts of brutality that we hoped had been consigned to history has left many of us feeling horrified. This act of aggression by Putin has created a nightmare for the people of Ukraine.

We are deeply angered by the needless deaths that we see by the hour in Ukraine, by the shelling of Ukrainian cities and towns, the shelling of hospitals and medical facilities, the shelling of people's homes. We are distressed and saddened by the lifeless bodies lying in the streets, the injuries to innocent civilians, the families torn apart and the destruction of the Ukrainian people's hopes and dreams.

We are in despair that, after everything that so many generations have experienced around the world, there has not been a true commitment by Putin to peace and to finding ways to resolve differences without violence and destruction, and that we once again live in a world where we see the fear of nuclear war in our children's faces.

We are committed to peace. This ACT government is committed to peace. I am committed to peace.

As a Green, peace and non-violence are at the core of what I believe. Today we share our grief and our anger but, much more importantly, our solidarity with the people of Ukraine to demonstrate to them that, half a world away, we support them and we demand an immediate end to this war of aggression. We demand respect for international law. We demand respect for the sovereignty of Ukraine and we utterly reject Putin's excuses in seeking to justify this violent invasion. We condemn Putin's utterly inhumane and horrific threats to use nuclear weapons. We call, first and foremost, for peace and support for the democratically elected Ukrainian government.

It is also important for Australia to impose further economic and political sanctions on Russia. As the Attorney-General said a few days ago, we need to throw the kitchen sink at this to maximise the pressure as fast as possible, because every delay further imperils the people of Ukraine. They need our support immediately and we must apply even more pressure without delay. One of the immediate actions Australia must add to the steps it has already taken is to ban the import of Russian oil, joining the US and the UK. Over the last decade Russia has exported over \$4.3 billion worth of crude oil to Australia, with \$86 million last financial year, approximately one per cent of Australia's crude oil imports.

Putin's Russia is a petrostate, with 40 per cent of its revenue coming from oil and gas. Australia should stop buying Russian oil. For the humanitarian catastrophe unfolding before our eyes, the last thing Australia should be doing is fuelling Putin's war machine. Boycotting Russian oil is a small but practical way that Australia can help and it ensures that Australia is not doing business with a dictator who invades his neighbours.

Most of all, though, I want the people of Ukraine, and their family and friends here in Canberra, to know that I still have hope—hope that peace can prevail, hope that this war will not escalate further, hope that the killing will soon end and hope that humanity prevails over carnage.

I have hope because I still have love. At the heart of peace is love, not just for friends and family who we know but for everyone, for all of us. We are all in this world together and we can only survive and care for this beautiful world in which we live if we can find a way to do that together, with peace and non-violence.

On Sunday I attended the ringing of the peace bell and heard the words “may peace prevail upon the earth” spoken in both Ukrainian and Russian. Those words, spoken by Canberrans who share our commitment to peace, have given me hope. May peace prevail upon the earth.

**MR PETTERSSON (Yerrabi) (11.07):** I rise today to share my anger and frustration at what is occurring in Ukraine. The invasion of Ukraine, a proud and independent nation, by the Russian Federation, acting on the whim of President Putin, has shattered the notion of peace on continental Europe. While Europe has not been

immune from war since the conclusion of World War II, it has largely avoided major conflict that has threatened the stability of the continental order.

Today I want to add my voice to the chorus of voices around the world calling for peace and the withdrawal of Russian forces. It would be remiss of me not to mention why I feel compelled to speak today. I have close family friends of Ukrainian heritage. I was at a Ukrainian wedding just last weekend. I grew up attending celebrations and ceremonies at Ukrainian churches right here in Canberra. I have been fortunate enough to experience the vibrant and strong Ukrainian culture, and it breaks my heart to see it threatened. It is important that Ukraine and Ukrainian culture around the world is protected. I am confident that Canberra will remain a welcoming city that celebrates this diversity, even as the future of Ukraine hangs in the balance.

It would be remiss of me not to mention the spread of disinformation throughout online spaces and the radicalisation of pro-Putin elements here in Australia. It is very real and it is already having an effect. I have seen pro-Putin language adopted in the anti-vaccine movement, as well as other far-right movements. This needs to be called out. This is a wake-up call that elements of our community remain disenfranchised, distrustful of institutions and susceptible to propaganda. If we wish to fight back against authoritarian forces around the world, it is important that we confront the murmurs of authoritarian thought at home first.

In closing, I stand in solidarity with the Ukrainian people, and I hope that they remain resolute in the face of tremendous firepower. Each day that they stand strong is a good day. I look forward to the day that Ukraine is free, free of conflict, and Ukrainians are free to live their lives in their own democracy. May it come soon.

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (11.10): The Chief Minister's motion affirms once again that the ACT is a jurisdiction in which human rights, multiculturalism, peace and diplomacy are non-negotiable.

The situation in Ukraine has justifiably received significant global attention, with omnipresent media coverage showing the devastating impact that Russia's invasion is having on the Ukrainian people. I echo the Chief Minister that the local Ukrainian community can be assured of our understanding the seriousness of this situation and the anxiety being felt by those who have connections to the Ukraine and its people, and also that we do recognise that those with Russian heritage or ties are stunned and appalled by the violence overseas.

We must also not forget that there are ongoing conflicts in Africa and the Middle East which are affecting the lives of millions in those parts of the world and have a local impact too. Ultimately, conflict results in real human cost, directly and indirectly, and I acknowledge just how deeply that is felt across the world, including in Canberra.

I want to take this time to acknowledge all who are affected, including the many people across Australia witnessing these terrible events, those who are concerned for family and loved ones, and those for whom the images of war and conflict bring trauma and painful memories from their own lived experiences.

It is evident that this distress is also compounded by the evolving global pandemic and its wide-ranging impacts, which continue to stretch health services and impact communities in all nations. Living in Canberra, it is hard to fathom the crippling devastation experienced by displaced individuals and families during war and conflict. We are a community built on a firm foundation of empathy, of inclusion and of supporting each other, and it is imperative to join in solidarity with those affected abroad and their loved ones here in the ACT.

The ACT recommenced receiving humanitarian arrivals in August 2021, with the arrival of people evacuated from Afghanistan and special humanitarian visa holders from a range of countries. We have welcomed over 120 individuals evacuated from Afghanistan since then. The Department of Home Affairs has advised that more people on humanitarian visas will be settling in the ACT, in addition to recently arrived Afghan evacuees. We stand ready to welcome any Ukrainians as part of this arrival, and into the future.

This week it was important for us to join with the UNHCR Cities #WithRefugees campaign. By signing the statement of solidarity, we will join more than 250 cities worldwide who are committed to embracing refugees and supporting their settlement in their new home. This is a statement of our local commitment, but cities standing together reflects our global solidarity. This is further reflected in our commitment as a refugee welcome zone from 2015 and our work in being accredited as a welcoming city.

Many Canberrans will know how distressing it is to lose contact with family and friends who live a long way away. In crises, organisations such as the Red Cross help people to connect with affected family members overseas. I encourage all Canberrans to help promote and share links to the Red Cross family tracing service to support those who have been caught up in conflict and disaster. It is a free service and it is a confidential service which can help to find family members missing as a result of war, disaster or migration. It provides assistance to send a message to a relative where there is no formal means of communication and it also checks on the welfare of a relative overseas who cannot be reached due to illness or other circumstances.

There are also a range of supports available to affected communities in Canberra, including tailored providers for advice and support on ACT government services and where to access counselling services. The Community Services Directorate in the ACT government provides a range of services and programs to support people, including financial and counselling support. That is through our multicultural community partners including the Multicultural Hub, Migrant and Refugee Settlement Services and the Australian Red Cross.

To all Canberrans affected by the impacts of war and conflict, please know that the broader Canberra community is standing with you and your loved ones. For anyone impacted and needing immediate help to talk through their thoughts and feelings, we encourage you to connect with organisations such as Lifeline on 13 11 14. The Safe Haven at Belconnen Community Health Centre provides a safe, welcoming and supportive environment for people experiencing emotional distress to access support

from peer workers in a non-clinical environment. No appointment is needed and services are free.

While we cannot stop what is happening abroad, we can, as a community, continue to stand united in support of each other, our fellow culturally and linguistically diverse communities and the organisations supporting those impacted by war and conflict. I unequivocally affirm my own support for the democratically elected government of Ukraine, the Ukrainian people and Canberra's Ukrainian people.

Question resolved in the affirmative.

## **Crimes (Policing) Legislation Amendment Bill 2021**

Debate resumed from 1 December 2021, on motion by **Mr Gentleman**:

That this bill be agreed to in principle.

**MR HANSON** (Murrumbidgee) (11.16): I am quite excited to be talking to this bill because it has been bumped, I think, three or four times. So the tension has been building but I can reveal that the Canberra Liberals will be supporting this legislation. It makes a range of changes which cover the following main areas. It consolidates failure to report offences for child sex offenders into a single offence; it creates a permanent firearms amnesty; it introduces new safe storage requirements for security companies licensed to possess and use guns; and it makes a series of consequential amendments.

The two main changes in this bill cover areas that the Canberra Liberals have previously supported. In relation to child sex offender reforms, the Canberra Liberals have supported every bill that has followed from the royal commission and any related or consequential changes. The firearm provisions broadly cover areas that have also been previously supported, including a permanent amnesty for handing in unlicensed firearms and safer storage for licensed firearms.

Turning to the specific provisions, we note that at present the child sex offender act sets out 18 different offences for failing to adhere to reporting obligations. In this bill, these offences will be replaced by a single offence provision. This is in line with other jurisdictions such as Victoria, where there is only one offence provision. The reporting requirements cover circumstances such as when offenders are sentenced when entering the ACT and when leaving the ACT, when there are changes to travel plans while outside the ACT, when an offender returns to the ACT and when other details change.

Reporting details include the household in which the offender generally lives, the premises where the offender is generally employed, the motor vehicle that the offender generally drives and other relevant details. These requirements, as has been noted, existed in various forms and in various acts up until now, and the bill consolidates the requirements and penalties into a single statute.

These provisions and the provisions in the previous legislation do have human rights and liberty considerations. However, these are addressed in the explanatory statement and are, in the view of the opposition and as detailed in the explanatory statement, justifiable, due to the nature of the offences. The fact is that it only applies to those who are convicted, and there are positive obligations to protect children under the Convention on the Rights of the Child. Article 3 of that convention states:

In all actions concerning children ... the best interests of the child shall be a primary consideration.

Article 34 states that the parties shall “undertake to protect children from all forms of sexual exploitation and sexual abuse”. As the ES to the bill puts it, the scheme and the amendments proposed in the bill are directly linked to the purpose of reducing the likelihood that registrable offenders will reoffend. It seeks to support the capacity of ACT Policing to protect the lives and sexual safety of children.

It is worth noting that the proposed bill also contains protections that a person can argue—a reasonable excuse defence, for example; that they are ill; and that they were not reckless. It thus argues that this places the right emphasis on tracking and prevention of serious crimes while balancing that with safeguards for appropriate circumstances. In light of all of this, as I have said, the Canberra Liberals will support these changes.

With regard to the firearms provisions, the bill introduces a permanent amnesty on the surrender of unlicensed firearms, and that is a move that the Canberra Liberals strongly support. The ACT has had temporary amnesties in the past, which have removed substantial numbers of unregistered firearms from the community. According to the government report, 699 firearms and 60 firearm parts were surrendered in the 2017 amnesty; while 443 firearms, 55 firearm parts and 146 kilos of ammo were surrendered in the 2021 amnesty.

For registered firearm owners, the bill also introduces new, stricter safe storage requirements, and this applies to licensed security companies and their employees who may lawfully possess firearms, including handguns, in the course of their work. The minister, in stating the motivation for this change, said:

Security companies are highly visible in the community, and their firearms could potentially be more susceptible to attempted theft than other guns possessed by private citizens.

He went on:

Applying stricter storage standards for handguns held by security companies will minimise risks of these firearms falling into the hands of unlicensed people with criminal intent.

We should all be aware of the issues of firearm safety and support those in this place.

In conclusion, the major changes are those we agree with: to support the intent and improved safety that the national firearms amnesty has brought about, and for all of us

to do whatever we can to deal with the scourge of child sexual abuse. The Canberra Liberals will be supporting this legislation.

**MR DAVIS** (Brindabella) (11.22): As you may be aware, my colleague Mr Andrew Braddock, who serves as the ACT Greens spokesperson on police and emergency services, is absent from the chamber today. So I rise to assure the chamber that the ACT Greens support the proposed legislation, the Crimes (Policing) Legislation Amendment Bill 2021. In particular, I would like to place on record our thanks to the justice and community safety legislative scrutiny committee that did an awful lot of work to analyse the bill.

Obviously, we trust that this has gone through the appropriate cabinet processes, led by the minister. Three of my colleagues have taken part in those conversations, so we are pleased to support the legislation.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (11.23), in reply: I am pleased to close debate on this important bill, and I thank members for their contribution to the debate. I am always very happy to bring some more excitement to Mr Hanson's parliamentary time! The Crimes (Policing) Amendment Bill 2021 continues the government's work to improve the efficient functioning of the ACT justice system and to enhance community safety. The bill supports effective law enforcement by making amendments to the Crimes (Child Sex Offenders) Act; the Crimes (Child Sex Offenders) Regulation; the Firearms Act and the Firearms Regulation.

The amendments under the Crimes (Child Sex Offenders) Act seek to promote higher levels of compliance with reporting obligations which apply to child sex offenders. The amendments strengthen the enforcement measures by ensuring that offenders are held to account when they fail to comply with those obligations. Amendments to the Firearms Act will improve community safety by permanently enshrining an amnesty for voluntarily surrendered firearms. The amendments will also empower the firearms registrar to destroy or dispose of those firearms without needing a court order. Amendments to firearms legislation will also make the security storage requirements stricter for security companies licensed to hold category H firearms.

Amendments to the Crimes (Child Sex Offenders) Act to strengthen enforcement mechanisms will support the capacity of ACT Policing to protect the lives and safety of children. A risk to community safety, particularly the safety of children, is posed by registrable offenders who, despite being aware of their obligations, fail to report to ACT Policing as required. The amendments to the reporting provisions will have the effect that child sex offenders will no longer be able to avoid being found guilty of failing to report merely based on the excuse of forgetting to report.

The offence has been reframed in a human rights consistent manner, including by providing that child sex offenders who fail to comply with their reporting obligations may be acquitted if they can demonstrate that there was a reasonable excuse for their failure to report. The bill provides criteria the court must consider in determining

whether the registrable offender had a reasonable excuse in failing to report. Factors which may be weighed in determining a reasonable excuse include age, disability and sufficiency of notice of reporting obligations.

The bill will also consolidate 18 offences into a single strict liability offence for failure to report. This will simplify the application of the offence provision for both registered offenders and police. When the strict liability offence engages, it may limit an individual's rights under the Human Rights Act, particularly the right to be presumed innocent in a criminal proceeding. The bill contains safeguards which ensure that the limitation is proportionate and demonstrably justifiable under the ACT human rights framework.

The bill makes another significant amendment to support community safety. The bill aligns the ACT with other jurisdictions in adopting the permanent national firearms amnesty. A firearms amnesty encourages people to surrender firearms which they are not lawfully authorised to possess to police without fear of prosecution. People may be in possession of firearms without a valid licence or permit for a variety of reasons, including through inheritance or where a relevant licence or permit has lapsed. Unregistered firearms, also known as grey market guns, pose a high level of risk to public safety as they cannot be traced.

Temporary amnesties implemented by the ACT government in the past have had the proven effect of removing a large number of unregistered firearms from the community. Between July and November 2021, following the declaration of the most recent temporary amnesty, 443 firearms, 55 firearms parts and 146 kilos of ammunition were surrendered. By explicitly legislating that a person will not face a penalty if they surrender their unregistered firearms to a police officer, it is hoped that more grey guns will be handed in. Complementary to the permanent amnesty amendments, the bill enables voluntarily surrendered firearms to be disposed of or destroyed without the need for a court order. This will assist with minimising the administrative burden on our courts and law enforcement agencies.

Finally, this bill introduces stricter storage obligations for category H firearms in the possession of security companies, in amendments to the Firearms Act 1996 and Firearms Regulation 2008. Appropriately licensed security companies and their employees may possess firearms, including handguns, in the course of their work. Due to their high public visibility, they may be more likely to be targeted for theft than private citizens who possess firearms. Requiring security companies to implement stricter storage conditions will help to minimise the risk of individuals with criminal intent gaining unlawful access to these firearms.

The nature and extent of the additional storage requirements vary in proportion to the number of firearms security organisations are licensed to hold. These stricter standards mirror section 81 of the New South Wales Firearms Regulation, which will help to achieve cross-jurisdictional consistency to aid both police services and security organisations that conduct business across the ACT and New South Wales.

The regulatory framework for gun control in the ACT is strong and will continue to be improved by this government wherever opportunities arise to do so. By taking an

approach which mitigates future risk, we can continue to ensure the safety of the Canberra community and reduce everyone's risk of becoming a victim of gun-related incidents. I commend the bill to the Assembly.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## Road Transport Legislation Amendment Bill 2021

Debate resumed from 5 August 2021, on motion by **Mr Steel**:

That this bill be agreed to in principle.

**MR PARTON** (Brindabella) (11.30): The Canberra Liberals, along with all other parties in this chamber, support this bill. I think it is safe to say that we are all committed to making our roads safer for all road users. Regardless of whether the amendments proposed to this bill pass, we support the bill because road safety is one of those things that are much more important than politics. That is something that I certainly made clear to Mr Steel in our discussions about this bill at the time that it was tabled.

All of us in this place are road users. All of us are, sometimes, vulnerable road users. Everyone in the ACT is a road user. It does not matter if we are only on a footpath for one minute of a day or if we work all day on the roads; safer roads make life better for all of us. While updating offences for negligent driving and introducing new offences involving the use of personal mobility devices, this bill, at the end of the day, is not a major bill. Nor is it a bill seeking to punish those who use scooters whilst intoxicated. It is, quite simply, a bill to keep us all safe.

The changes updating the offences of negligent driving and negligent driving occasioning harm will protect road users in a measured and considered way. The changes to driving disqualification time frames and other driving offences will ensure that those who should not be on the roads are not on the roads. The changes around personal mobility devices, most commonly e-scooters, will ensure that our community is kept safe and that when someone should walk or get a taxi home at the end of the night, they will; they will not try to take a scooter home. Much of the benefit of this bill is not derived from the new offences that it creates, nor those updates; it comes from the opportunity that it presents for the government and the opposition—for all of us—to highlight the importance of road safety and of protecting our vulnerable road users. It is an opportunity to promote a safer environment.

I note that my Greens colleague Ms Clay had a very good crack at a similar bill, at least in some areas, which was looked into by the PTCS committee. At the end of the day, the committee recommended that we not proceed with that bill; nevertheless, its very existence has led to a deeper discussion in this space, I think. It has led to a lot more information coming forward, and I believe that it has certainly led to the

amendments that we will soon discuss. This bill has the full support of the Canberra Liberals.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.33), in reply: I am happy to close debate on the in-principle stage of the Road Transport Legislation Amendment Bill in the Assembly today. The bill being debated today is part of our ongoing work towards Vision Zero—zero deaths and zero serious injuries on our roads. The government has laid out the guiding objective that we have under the ACT Road Safety Strategy 2020-2025. We work towards it in a range of ways, including through the initiatives in the Road Safety Action Plan 2020-2023, and by delivering useful reforms like those contained in this bill.

With this bill, we are establishing a new offence for negligent driving that injures another road user, as well as improving and clarifying the penalties for negligent and culpable driving in a range of other cases. We want everyone to be safe on Canberra's roads, and this bill will help to close a current gap in the protections that are available. We recognise that as there are more people walking, cycling and scooting on and around Canberra's roads, it is important that our road transport penalties are appropriately calibrated to address the spectrum of dangerous behaviours that can put people at risk.

From the outset, I would like to advise of my intention to move government amendments today. These amendments seek to further refine and clarify the hierarchy of offences for unsafe and dangerous driving, building on the substantive reforms in the original bill. Taken together, this bill and the additional government amendments I will move in the detail stage significantly strengthen and clarify the hierarchy of offences and penalties for unsafe behaviour on our roads.

I would like to work through these items according to that hierarchy because it helps to illustrate how we are comprehensively tightening and improving things. Starting with the government amendments which have been circulated in my name in the detail stage debate, these introduce new lower level offences that act as early intervention tools to stop dangerous behaviour. This includes new offences for driving a vehicle or travelling in or on a personal mobility device without due care and attention or reasonable consideration of road users. This is the first rung on the enforcement ladder. These amendments encourage ACT road users to be responsible when sharing the road network with others.

These new offences are designed to respond directly to the increasing diversity of users on our roads, including pedestrians, cyclists and e-scooter riders. As part of our consultation on the shared e-scooter pilot that has been underway for the past 12 months, we have heard that Canberrans want a clearer framework to guide good behaviour and encourage considerate sharing of the road.

These offences will apply to e-scooter riders who are using these devices without taking due care. This might include behaviour like swerving in and around pedestrians in busy public places or forcing pedestrians to take evasive action to avoid being hit by an e-scooter. It will also capture an array of inconsideration behaviour from drivers, such as intentionally speeding up and preventing another vehicle from merging.

Early intervention is key to preventing injuries and deaths on our road network, and the bill introduces a new power to allow a police officer to direct a person to get off or not to get on an animal, personal mobility device, bicycle or an animal-drawn vehicle if the person is under the influence of alcohol or a drug. Where a direction issued by a police officer is ignored, the below penalties will apply. These new offences will carry a maximum court penalty of 20 penalty units, around \$3,200 for a court ordered penalty, or an infringement notice penalty of \$154 for personal mobility device riders and cyclists. For drivers of other vehicles, the infringement penalty is \$301 to reflect the greater risk that these vehicles pose to other road users. We anticipate that, for these offences, infringement notices are more likely to be used than the higher court ordered penalty, but the penalty remains available to deal with more serious behaviour.

The next rung in the hierarchy is new and strengthened laws relating to maintaining proper control of a vehicle or a personal mobility device. The new offence of failing to have proper control of a personal mobility device mirrors existing provisions that require a cyclist to have proper control of their bicycle. This will most likely be used in situations where someone has injured themselves or caused a crash through not having proper control of their device.

The community expects that people will be safe and in control on our road network, regardless of what they are driving or riding. This is important for the safety of others on footpaths and shared paths. This offence is proposed to carry a maximum penalty of 20 penalty units, again, or an infringement notice penalty of \$154, which is consistent with existing penalties for similar offences. It is intended that the infringement notice penalty will act as a deterrent to some of the isolated unsafe behaviour that we have seen on e-scooters since their introduction in Canberra, and encourage behaviour change. The government amendments also increase the infringement notice penalty amount for the existing offence that requires drivers to maintain proper control of a vehicle. This will rise from \$301 to \$398 to support an effective hierarchy of dangerous driving penalties once we slot in the first-rung offence of driving without due care and attention.

We then move into the next and more serious rung of road offences, which relate to negligent driving. The bill increases the infringement notice penalty for negligent driving in instances that do not lead to an injury or death, from \$398 to \$598. This reflects the need to address dangerous negligent behaviours which make our roads less safe and lead to accidents or near misses. With more and more dashcam and helmet-cam footage available these days, police are increasingly able to pinpoint the causes of accidents and follow up bad behaviour that puts other road users at risk.

We want to ensure that when these matters come to police attention they are appropriately penalised. The bill seeks to insert an entirely new offence into the negligent driving hierarchy. We have recognised that there is a gap between the penalties for the existing offence of negligent driving occasioning grievous bodily harm and that of negligent driving in any other case. This means that, currently, drivers can receive a relatively minor penalty for injuring another road user where it does not amount to grievous bodily harm. The amendments address this by introducing a new offence of negligent driving occasioning actual bodily harm.

The intent of the new offence is to capture harm that is serious in nature but not necessarily permanent. That includes injuries like major bruising, black eyes, cuts or lacerations. These types of harm are most commonly experienced by vulnerable road users like cyclists and pedestrians when other users do not take enough care. The common-law definition of actual bodily harm will apply to the new offence, which is consistent with the approach taken to the existing offence of negligent driving occasioning grievous bodily harm. The bill includes examples of actual bodily harm to assist the community to understand the application of the new provision. This includes examples focused on vulnerable road users, to help guide both ACT Policing and the community in understanding the kinds of behaviours that this offence intends to capture.

The new offence will attract a maximum penalty of 50 penalty units, currently representing a fine of up to \$8,000 and six months imprisonment or both, depending on the severity of the incident. Additionally, a court will have the option to apply its existing discretion to disqualify someone from holding or obtaining a drivers licence if they are found guilty of this offence. These are serious penalties which reflect the serious harm that negligent driving causes. We want to send a clear message that injuring someone on our roads is never okay and will be penalised, even if the injury is not permanent.

Briefly, as well as updating the penalties hierarchy and adding new offences, this bill proposes to increase the existing minimum automatic licence disqualification periods for several driving offences which result in serious harm or death. This ensures that when people have done the wrong thing on our roads and caused serious harm to others there is an appropriate period of time before they are able to be back behind the wheel.

To sum all of that up, the bill and the government amendments establish a stronger hierarchy of penalties that spans new offences for not taking due care and attention or providing reasonable consideration when driving or riding; new and updated offences for driving and riding without having proper control; and new police powers to direct a person to get off or not get on an animal, PMD, bicycle or animal-drawn vehicle, with associated penalties where a direction is ignored. It includes updates to penalties for the existing offence of negligent driving that does not lead to injury or death. It includes a new offence for negligent driving occasioning actual bodily harm to ensure that dangerous behaviour that causes injury to another road user is appropriately recognised and penalised as the serious matter that it is. The hierarchy and the bill include automatic licence disqualification periods for several driving offences which result in serious harm or death.

This bill and the amendments that have been drafted in consultation with key government and community stakeholders have been subject to a detailed inquiry by the Assembly's planning, transport and city services committee. I thank members of that committee and everyone who participated in the inquiry for their input to help further shape this bill. Together, these reforms strengthen our road penalties to help protect all Canberrans from dangerous behaviour that is not sufficiently captured by our current laws, and to ensure that all Canberrans are aware of their obligations to be

safe and protect other road users, particularly those who are walking, cycling or scooting.

Following passage of this bill, the ACT government will be rolling out a significant community education and awareness campaign. Our Share the Road campaign will be highly visible in public spaces, including on our buses, at petrol stations and in shopping centres. It will support the changes in this bill by providing a clear community message about the importance of respecting the rights and safety of all users on our roads. We know that it is important to communicate prominently and directly with Canberrans about the changes that we make in this place, particularly the ones that we are debating today. The campaign will put vulnerable road users at the centre of a message about sharing the road to keep all Canberrans safe.

Achieving Vision Zero is not going to be easy, and our penalties framework plays an important role by clearly outlining what we expect and require of Canberrans on our roads—that is, safe, considerate and responsible behaviour. I commend the bill and the government amendments to the Assembly as another important step towards building a culture of care and mutual respect to keep people safe whenever they are driving, riding, scooting or walking on our roads or in a road-related area.

Bill agreed to in principle.

### **Detail stage**

Clauses 1 to 7, by leave, taken together.

Proposed new clauses 7A and 7B.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.46): I move amendment No 1 circulated in my name, which inserts new clauses 7A and 7B [*see schedule 1 at page 546*]. I table a supplementary explanatory statement. I have already spoken to these amendments, so I will not comment further but will allow others to speak.

**DR PATERSON** (Murrumbidgee) (11.46): I am pleased to stand here today in support of Minister Steel and the Road Transport Legislation Amendment Bill 2021, addressing the serious issue of dangerous driving behaviours on ACT roads. The government has committed to the realisation of Vision Zero—that is, zero deaths or other serious injuries on ACT roads. As my colleague has outlined to the Assembly today, deaths and serious injuries on ACT roads are preventable.

In 2020 there were 5,760 on-road recorded traffic crashes, which resulted in 622 casualties, including seven fatalities and 90 hospital admissions. This is despite the territory-wide shutdown of all non-essential travel and services that was implemented in March 2020 to slow the spread of COVID-19 in the community. The bill we are debating here today is one measure we can take to prevent death and serious injuries on our roads resulting from dangerous and unsafe behaviours on the road network.

The amendments in the bill seek to protect all road users in all transport modes and on all parts of the road network. The potential for dangerous and unsafe conduct on our roads to have serious or catastrophic consequences is high. Strong enforcement tools play a critical role in deterring these behaviours on our roads. Strengthening enforcement tools to better address negligent driving that occasions actual bodily harm will ensure that, where a driver disregards the safety of fellow road users, the territory's legislative framework provides strong and proportionate penalties that are commensurate with the road safety risk associated with the unsafe behaviour and support behavioural change.

The consequence of a driver driving a motor vehicle in a negligent manner is not solely borne by them. All road users wear the risk of this behaviour, including other drivers, vulnerable road users, and people using our road and public transport networks. For this reason, I acknowledge the importance of the fact that the reforms proposed to be made today address dangerous and unsafe behaviours across all road users and all transport modes.

A regulatory framework that supports Vision Zero is vital to ensure that every Canberran gets home safely to their family. I commend the work of the minister to address this issue of dangerous and unsafe behaviours on the roads. I stand today in support of this bill and commend the bill, including the government amendments, to the Assembly.

Amendment agreed to.

Proposed new clauses 7A and 7B agreed to.

Clause 8.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.49): I move amendment No 2 circulated in my name [*see schedule 1 at page 546*]. This amendment changes the threshold in the proposed new subsection 304A(1) from reasonable belief to reasonable suspicion. This reflects some feedback from ACT Policing about the enforcement of this offence. We believe that it is appropriate to have a lower threshold when it comes to a police officer directing a person to get off or not get on a vehicle. The consequence of that direction is not significant; therefore, we believe that the lower threshold is appropriate.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clause 9.

**MS CLAY** (Ginninderra) (11.51): I move amendment No 1 circulated in my name [*see schedule 2 at page 547*]. I table a supplementary explanatory statement. I am speaking in support of the government bill, the government amendments to the bill

and, more importantly, the two amendments that have been circulated in my name today. I am going to speak once, both to this amendment, which is on clause 9, and to the next amendment.

My amendment and the government bill both aim to improve road safety. Where people are harmed as a result of negligent driving, these bills aim to bring penalties closer to meeting community expectations. My amendment fills a gap in the law to make sure that we have an enforceable penalty when drivers injure road users. This will help to improve safety and create a culture of care on our roads. This is really important. We are in a climate crisis and have to take real climate action as fast as possible. Around 60 per cent of our tracked emissions come from transport. We have to do all we can to reduce that and we need to give people lots of great transport choices while we are doing that.

Active travel is the original zero emissions transport, but we know we have barriers to uptake. Vulnerable road users—the people who are walking, riding, cycling, scooting, or using a wheelchair—are really worried about their safety when they are on or near our roads. We need to do all we can to protect them, to make sure they are safe and to make sure they feel safe. Active travel is also essential to reduce congestion and it is great for physical and mental health. It is really fun too. I rode today, to the great relief of my advisers. I am a better human being when I have ridden.

Last year I started a debate about road safety to encourage active travel and to protect our vulnerable road users. I tabled a bill which aimed to address the gap in our road laws. We already have an offence for negligent driving, which can be taken to court. But, more typically, police issue an on-the-spot traffic infringement notice for \$398 and three demerit points.

We also have an offence for negligent driving that causes grievous bodily harm, which is punishable through the courts. The maximum penalty there is a fine of up to \$16,000 and imprisonment for up to one year. That is a very serious offence and there is a high threshold to trigger it. Case law tells us that grievous bodily harm involves terrible lifetime injuries like facial fractures and bone deformities requiring major surgery, or severe, traumatic, life-threatening injuries to brain, face, kidneys and chest, requiring lengthy hospitalisation and lifetime care.

We also have offences for driving in a furious, reckless or dangerous manner that puts at risk the safety of a vulnerable road user. These are also only punishable through the courts, as they should be. They are serious offences with maximum penalties of between \$16,000 and \$80,000 in fines and between one and five years imprisonment.

Fortunately, what happens most often on our roads between drivers and vulnerable road users has less severe consequences than this. The government bill sets out common examples of actual harm like cuts, scrapes, bruises and sprained ankles. These have a really big impact on the victim. We have to change our behaviour and we have to make our streets safer and encourage a culture of care on our roads.

Part of that means making our laws cover the situations that occur most frequently. But we also have to do this with appropriate penalties and in a way that makes those

laws readily and easily enforced. A \$900 on-the-spot fine and three demerit points is suitable for negligent driving where the victim has suffered, cuts, bruises or a sprained ankle. It is a quick and effective deterrent. A major court enforcement action with a maximum sentence of six months imprisonment is not proportionate. We do not want to fill up our prisons unnecessarily. We do not want to clog up our courts. We do not want to overburden our police resources. Fines work, and we should use them where appropriate.

Until this debate began, we had no offence to cover negligent driving that caused actual harm. My original bill and the government bill before us today fill this gap. I welcome the legislation brought forward by the transport minister. But I am concerned that, without my amendment, the government bill may not be enforced. It needs a straightforward and immediate traffic infringement notice to prevent unsafe driving.

This is a really considered amendment. I have spoken to the Attorney-General about this and he supports this amendment. I have spoken to Pedal Power and the Australian Federal Police Association, several other stakeholders and many vulnerable road users, all of whom are in support.

Last year our planning, transport and city services committee conducted an inquiry into this topic. We heard from many witnesses about why we needed fines. Cyclists and road users Mr Budd, Mr Watson and Mr Ibbotson made the point well. They said that in their working life they know how difficult it is to get matters through the court system and that “there are a whole constellation of stars that would have to align for a successful prosecution”.

Mr Ross, Chief Executive Officer of Pedal Power ACT, said:

My understanding is that there is substantial research that supports the argument that if a penalty is swift and significant it will create behaviour change. Ultimately, what we want to do is to create behaviour change on our roads. We want people to take greater care. I think the answer to both of those things is that we want a swift and significant penalty to follow.

Mr Caruana, president of the Australian Federal Police Association, said:

The ability for the police officer to make a decision on the spot to give a TIN—  
that is, a traffic infringement notice—

will free up the courts. We definitely see that that is an important factor to have ... If someone wishes to appeal that TIN, there is a process already in place to do that. They can have their day in court; they can explain their circumstances. On the other side of it, if someone says, ‘Yes, I am at fault. I caused this issue. I will pay the fine; I will pay the TIN. I will lose my demerit points, but I will get on with my life so that I do not have to go back to court for mentions and hearings,’ it is a little less work for the courts. We are very supportive of anything which can be done on the ground by members as an immediate penalty.

In another hearing, in estimates in October 2021, Mr Drumgold, the Director of Public Prosecutions, explained the human rights implications of using on-the-spot traffic infringement notices versus court prosecution offences in the traffic and road safety context. Mr Drumgold said:

If a matter proceeds by way of infringement notice rather than by way of summons, the person has a right to pay it there and then. There are all sorts of ongoing benefits of that. You do not have to take a day off work and sit in a court list and wait for your name to be called, appear and probably adjourn it. You do not need a lawyer ... If a matter proceeds by way of infringement notice rather than by way of summons, the person has the right to pay it there and then. That means there are all sorts of ongoing benefits with that ... particularly in traffic matters, because of the volume of them, they work quite well with the option of traffic infringement notice.

I have chosen to set a \$900 fine, based on committee evidence that we received. Community concern reflected that we need a higher fine when someone is harmed than when someone is not harmed. Evidence showed that fines over \$1,200 may lead to more court challenges, so I have picked a fine of \$900 as a really good balance.

When it comes to active travel, laws are only one small part of the picture. I welcome the transport minister's statement, tabled earlier today, and his statement just now, about our road safety campaign. We are really looking forward to that. I am glad to see the link between climate action and properly resourced active travel being made so strongly. I am really pleased to see that we are building safe infrastructure.

The ACT Greens took a commitment on that to the election. We called for at least 20 per cent of the roads budget to be spent on footpaths and shared paths. It is great to see commitments to this coming through. I also welcome the minister's deep understanding of the need to protect vulnerable road users. That has been echoed by everyone who has spoken in here today. It is good to see.

I am also pleased that the Assembly has worked together to consider this legislation and this amendment. I particularly thank my colleague Mr Parton, who is also a member of the committee that looked into this issue in depth. He has been working in transport and active transport for a long time and he has considered this issue deeply, as have the Canberra Liberals. We had really good and constructive negotiations with the minister on this. It has been a great example of the benefits of democracy. Bringing different perspectives to a difficult issue can result in a better outcome for the people of Canberra, and I am proud to be part of a truly democratic moment in doing that.

The ACT Greens are happy to support the government bill, their amendments to it and my two amendments to the government bill.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (12.00): The government's bill introduces a new offence of negligent driving occasioning actual bodily harm, with a maximum penalty of 50 penalty units, six months imprisonment, or both. The infringement notice is not considered appropriate for this offence, due to the significant harms that

negligent driving occasioning actual bodily harm can entail and the subjective nature of the offence.

Ms Clay's amendment seeks to remove the option for a six-month imprisonment term and replace this with a \$900 infringement notice penalty. This amendment undermines the purpose and intention of the new negligent driving offence in the bill. It removes the ability of courts to issue more serious penalties, which include a six-month imprisonment term, so that would not be available for the most serious negligent driving offences occasioning actual bodily harm.

If someone causes harm to another road user, we think that this matter is too serious to deal with through a traffic infringement notice. The question of negligence and the question of harm are also subjective, requiring a level of adjudication by a court, and this is therefore not suitable for a strict liability offence involving a TIN. As causing actual bodily harm through negligent driving is a serious road safety concern, we believe that the behaviour should be considered carefully by a court. The court then should have the ability to set a penalty that is commensurate with the road safety risk while supporting behavioural change. An infringement notice that someone can quickly pay and brush off does not achieve this objective.

Maintaining the option for an imprisonment term also allows for the court to apply a penalty that fits the offence and harm caused, reflecting the range of injuries encompassed by actual bodily harm. Removing it does not strengthen the existing negligent driving framework; in fact, it may recreate the existing issue that the government's bill attempts to solve, where a person who drives negligently and causes serious but not permanent harm only receives an infringement notice penalty—which was the intention, I believe, of the original bill brought on by Ms Clay, the private member's bill.

Ms Clay's proposed penalty of a \$900 TIN is also not consistent with the rest of the penalties to be established by the government's bill and amendments. This would create inconsistency across the penalties applying for different types of offences, undermining the creation of a clear and structured hierarchy that moves from least to most serious road offences. While Ms Clay's amendment is well intentioned and informed by a genuine desire to ensure that dangerous behaviour on our roads is appropriately penalised, it actually weakens protections for vulnerable road users. We believe that it will create less clarity in the road penalties hierarchy and more instances of dangerous behaviour receiving inconsistent or inadequate penalties. For these reasons, the Labor Party will not be supporting Ms Clay's amendment.

**MR PARTON** (Brindabella) (12.04): I am going to speak to the Clay amendments in one hit here. The Canberra Liberals will be supporting the Clay amendments. It is not that we think Mr Steel is wrong. What has been highlighted to us through this process is that both Mr Steel and Ms Clay are right; it is just about the level of how right they are.

As I said in my statement to the bill as a whole, if this bill had gone through unamended it would be a pretty solid piece of legislation. Ms Clay and I find ourselves with some common ground on a lot of things. I am not going to say that

I was inspired by the climate crisis in my consideration of this bill because I was not. But the two of us, and many others, including Mr Steel, have a pretty high focus on the active travel component of this bill. The new laws, in theory, make it safer for people to walk, to ride their bikes on the roads, to get about their business and to do so in a safe manner.

I speak as an MLA who, like Ms Clay, rode my bike to work this morning. We are both pretty serious about promoting positive change in this space, as is Mr Steel. I note Mr Steel's ministerial statement in the chamber this morning pertaining to active travel investment priorities. Both Ms Clay and I, and the Canberra Liberals broadly, will be holding Mr Steel to account on this.

We must also recognise, and genuinely recognise, the work that has been done thus far in this space. This amendment has occupied much of my time and attention in the last week, and we have found it very difficult to arrive at a final position. Indeed, I wavered on a number of occasions last week. I was yes, then no, then yes again, before finally arriving at a position late on Friday afternoon. Ultimately, if the bill were passed in its original form, it would still be a good bill. So if we had made the decision to support Minister Steel, that would not have been a diabolical outcome at all—it would have been a good outcome—but I think that the outcome with the Clay amendments in force is marginally better.

Over a series of conversations about the amendment, I arrived at the position that we would likely get better outcomes if the Clay amendment became law. It is my belief that when an offence of this nature takes place, the more quickly justice can be served, the better. I trust our police. I am not suggesting that Mr Steel does not trust our police, because I know that he does. But one of the things that has come through in our decision-making on this is that we trust the police to make the discretionary decisions that are required to enforce a law of this nature.

I take on board the comments made by the Steel office regarding the possible interruption to the hierarchy of penalties that is caused by the addition of the Clay amendment. But I think that the level of interruption is debatable and, by and large, I do not think it will have a detrimental effect on the outcomes.

I know that some drafting guidelines were not necessarily followed and that some of the i's were not dotted and the t's were not crossed. But ultimately it was the conversations I had with the Australian Federal Police Association and Pedal Power that pushed me over the line to give support to Ms Clay's amendment. Both of those conversations were focused on outcomes.

I have listened to Mr Steel today, who still presents a very solid argument as to why the bill should not be amended. But, based on conversations that I have had with people who are in the field and on the ground, and based on their lived experience of how these things play out either in court or otherwise, we have leant towards supporting the amendments.

I agree with Ms Clay that, under the original provisions in the bill, it is less likely that police would proceed with this offence because of the time-consuming nature of the

court process. And I agree with Pedal Power that the sooner we can get outcomes on offences of this nature, the better for everyone.

I thank Ms Clay, Mr Steel and the staff from his office, the AFPA and Pedal Power for their engagement on this. I look forward to these laws being rolled out. The Canberra Liberals will be supporting the Clay amendments.

**MS DAVIDSON** (Murrumbidgee) (12.08): I would like to make a very brief statement in support of Ms Clay's amendments. Having spoken to the Attorney-General and listened to Ms Clay talking through these amendments, what they mean for our justice system and what they mean for people who have experienced these situations on our roads, I understand that what she is looking to achieve with these amendments is a faster outcome that is better for everyone involved. So we support these amendments.

**MS CLAY** (Ginninderra) (12.09): In closing, I welcome all the comments here today. We have had a really useful debate and good negotiations on this. I absolutely accept the government policy and the careful drafting that has gone into the government bill. We wholeheartedly support that bill; we just wish to improve it.

The addition of a traffic infringement notice will improve it. It will make it enforceable. It will make sure that when Minister Steel runs the Share the Road campaign, it will have a big impact in Canberra. We all know that Canberra, in some ways, is a small town. The second you hear that somebody got a fine, it is going to spread like wildfire. Slow court prosecution, and possibly never court prosecution, would not have the same impact.

I remind members and reassure members that, as amended, we are going to have a really good hierarchy of offences here. We will have our negligent driving that does not cause harm. We will have our negligent driving that causes harm and can receive a fine if we pass this amendment. We will then have some more serious penalties where grievous bodily harm or death occurs.

But we also have another offence in the act that we do not need to debate; it is already there. We have an offence of driving in a way that puts at risk the safety of a vulnerable road user. That is a court enforcement prosecution offence only. The maximum penalties for that offence are quite high: \$16,000 to \$80,000 and 12 months to five years imprisonment. That offence is sitting there on the books. We can use that for the more serious ones.

This offence of actual harm, where the actual harm examples given are cuts, bruises, scrapes and sprained ankles, is a really appropriate offence for which to receive a traffic infringement notice and to receive the swift, on-the-spot action that we know our police—and we trust our police—are good at issuing. We understand that it does not remove anyone's rights, because people who do not wish to pay it can go to court and will be in the same position as if there were no traffic infringement penalty.

The Greens support the government bill and we would like to amend it as well.

Amendment agreed to.

Clause 9, as amended, agreed to.

Clause 10 agreed to.

Schedule 1, part 1.1, agreed to.

Schedule 1, part 1.2.

**MS CLAY** (Ginninderra) (12.13): I seek leave to move an amendment to this bill which has not been considered by the scrutiny committee.

Leave granted.

**MS CLAY**: I move amendment No 2 circulated in my name [*see schedule 2 at page 547*]. I am happy to rely on the comments I have already made.

Amendment agreed to.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (12.14): I move amendment No 3 circulated in my name [*see schedule 1 at page 546*].

Amendment agreed to.

Schedule 1, part 1.2, as amended, agreed to.

Title agreed to.

Bill, as amended, agreed to.

**Sitting suspended from 12.15 to 2.00 pm.**

## **Ministerial arrangements**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (2.00): Madam Speaker, I have a long list of acting arrangements for question time today. Minister Rattenbury is again absent, for reasons that members would be aware of. Similar to yesterday, I will take questions on water, energy and emissions reduction, and Minister Cheyne will assist in the Attorney-General, consumer affairs and gaming portfolios. Minister Vassarotti is also unable to attend question time today, so Minister Gentleman will assist members with questions in the environment and heritage portfolios, and the Deputy Chief Minister will assist in the areas of homelessness and housing services, and sustainable building and construction.

## **Questions without notice**

### **ACT Health—COVID-19 data**

**MS LEE**: My question is to the Minister for Health. Minister, this morning's bombshell revelations in the *Canberra Times* show a clear breakdown in

communication between you and your directorate. Minister, how can you do your job as health minister when your officials in ACT Health refuse to provide you with information that is vital to the decision-making process?

**MS STEPHEN-SMITH:** I thank the Leader of the Opposition for the question, but completely refute the assertion that she is making. In fact, our officials provide both me and the cabinet regularly with epidemiological updates that include a range of information.

The questions that were pertinent to the *Canberra Times* freedom of information request related to the information that was going to be provided to a media outlet, in response to a media request. So the question was not whether I was going to be able to have that information; the question was: can we have that information in order to provide it to the media? Then there was a conversation about what is appropriate to be provided, what appropriate caveats could be placed on that information, and how that should be described and discussed in relation to a media inquiry, not in relation to the information that I get and that cabinet receives on a regular basis in terms of supporting us to manage the ongoing response to COVID-19.

**MS LEE:** Minister, has there ever been an instance when you or your office have been refused information from ACT Health, and have you received an explanation for that?

**MS STEPHEN-SMITH:** Again, I thank the Leader of the Opposition for the question. There have indeed been some robust conversations between me and my office and ACT Health about access to information in response to media inquiries. This is often a conversation about what we can provide with absolute confidence.

I want to say here that ACT Health officials take their responsibility to provide accurate information to the ACT public very seriously. They want to know that they can stand behind any information that they provide, and they also take their obligations in relation to privacy of individuals very seriously. They have previously expressed some caution around information that they have been concerned might not be consistent with their obligations under the Health Records (Privacy and Access) Act 1997. We have had differences of view about some of that information, when it should be provided, and we have discussed those things openly. But I do not think that that is a bad thing.

**Ms Lee:** Madam Speaker, a point of order.

**MADAM SPEAKER:** A point of order?

**Ms Lee:** The minister is more than halfway through the answer and she has not answered the crux of the question, which is: have there been instances when information has not been provided?

**MADAM SPEAKER:** She is answering the question, I believe, in order.

**MS STEPHEN-SMITH:** Madam Speaker, I believe that I have in fact answered the question.

**MS CASTLEY:** Minister, have you lost control of ACT Health?

**MS STEPHEN-SMITH:** No.

### **ACT Health—COVID-19 data**

**MS CASTLEY:** Madam Speaker, my question is to the Minister for Health. Today's shocking revelations in the *Canberra Times* about Canberrans being kept in the dark about vital health information show the culture of secrecy that contaminates your government. It is a story and editorial that lifts the lid on how your government holds the Canberra community in contempt by keeping facts secret: COVID information they deserve to know; revelations that officials are withholding health data not just from the community but from you; and your lack of leadership to stand up for Canberrans and ensure that this information is made public. Why, time and again, is your government denying Canberrans their right to know?

**MS STEPHEN-SMITH:** I thank Ms Castley for her editorial commentary in relation to the *Canberra Times* article. I might just put on record exactly what was provided in the media response that is the subject of that freedom of information request. The office provided the following information to the media:

In 2022 the number of COVID deaths remained relatively small, with a total of 11. Approximately half of those who died with COVID were fully vaccinated, with two or more doses, and half were unvaccinated, not fully vaccinated or vaccination status is unknown. ACT Health does not routinely collect comorbidity data for COVID-19 positive cases for reporting purposes. However, it is important to note that there are often several complexities associated with the cause of death for an individual, including possible underlying health conditions. Of those who have died in 2022, a number were already undergoing palliative care at the time of their death.

A key message from experts remains that vaccination significantly reduces the risk of illness for the majority of people. We will continue to encourage anyone who is eligible to get vaccinated. Where possible, clinical staff ask patients about their vaccination status on arrival in a health facility and record details. Currently, the data does not distinguish between those who have had two doses of the COVID-19 vaccine and those who have had three. Both groups are included in the category of fully vaccinated.

There are 25 ICU patients from 1 January 2022 to 30 January 2022, nine fully vaccinated, six not vaccinated, one vaccinated with one dose, nine vaccination status unknown.

All of that information was in fact provided to the media and the conversation was about how much information we provide, how we provide it and how we describe it accurately to ensure that we are providing information to Canberrans but not misleading them with that information.

**MS CASTLEY:** How can Canberrans trust you and your government when you keep them in the dark about vital COVID information that they have a right to know?

**MS STEPHEN-SMITH:** I think I have just very clearly expressed that we are not keeping people in the dark.

**MS LEE:** Minister, what information was not provided that the public have the right to know?

**MS STEPHEN-SMITH:** I do not think there was any information that was not provided. The question that was asked subsequently and that the *Canberra Times* reported on was: “The minister was asked, ‘Can you say what number of people died in palliative care, please?’”

The conversation with the directorate was then around why it is really difficult to provide that information, a clarification that palliative care is not the same as end of life care, and also that we may not in fact know. Deaths are reported in multiple different ways. Not everyone who dies with COVID-19 dies in hospital. In fact, sometimes it is identified that someone has died with COVID-19 after their death, even as part of the post-mortem process. That data is collected in a very different way. We will not necessarily know the personal circumstances, in that detail, of everyone who dies with COVID-19.

We obviously report when we find out that someone has died with COVID-19, but we will not necessarily have that level of detail to a number that is specific enough, again, for Health Directorate staff to be confident to stand behind a single number. This is really important. Health Directorate officials, when they are providing information to Canberrans, want to be able to ensure that that information is accurate and that that information is not in some way going to mislead Canberrans. That is generally what the conversation is about. That is what many of these emails were about.

### **ACT Health—COVID-19 data**

**MR HANSON:** Madam Speaker, my question is to the Health Minister. Today the *Canberra Times* revealed that ACT Health has hidden vital COVID-19 public health information from your office and from Canberrans. How many times in the past has your directorate hidden information from your office, and how many times have they hidden information from the public?

**MS STEPHEN-SMITH:** I thank Mr Hanson for the question. I completely reject the premise, and I have already explained why.

**MR HANSON:** I have a supplementary question. Minister, how many times in the past have your senior officials blocked your requests for information, and why did they do so?

**MS STEPHEN-SMITH:** Again, I think I have already answered Mr Hanson’s question, and reject the assertion that he is making.

**MS CASTLEY:** What other data has been withheld from you and from the public?

**MS STEPHEN-SMITH:** Again, I reject the premise of the question. I do not believe that any data is being withheld from me or from cabinet. As I have previously indicated, I get regular updates. I meet with officials—it used to be once every morning—to get a daily update, Monday to Friday. It is now three times a week. Cabinet is provided with a detailed epidemiological update every single week. I believe that we are getting all of the information that we need from our health directorate and all of the information that we ask for in order to manage the pandemic. I think the response that Canberrans have made to the pandemic and the response that the government has had to the pandemic demonstrate just how successful ACT health has been in this work.

### **Canberra Hospital—intensive care unit**

**DR PATERSON:** My question is to the Minister for Health. Minister, can you please provide an update on the expansion of the intensive care unit at Canberra Hospital, and how this will benefit the community?

**MS STEPHEN-SMITH:** I thank Dr Paterson for the question. This week the expansion of the intensive care unit at Canberra Hospital has opened, adding more beds to our intensive care capacity here in the territory. The Canberra Hospital ICU treats around 2,200 patients annually, providing around-the-clock care for critically ill patients. These additional ICU beds will ensure Canberrans and those in the surrounding areas have access to life-saving care, acute medical treatment and intensive care monitoring as our region's population continues to grow.

The ICU expansion includes eight new bed spaces that contain state-of-the-art hospital beds with customisable features to prevent pressure injuries and promote early mobility for patients. The new spaces include ceiling-mounted medical pendants with incorporated patient lifters that provide more flexibility to safely care for patients. The ICU expansion also includes a family room with kitchenette and a bathroom for visitor use when they are seeing a loved one in the unit.

These kinds of physical infrastructure improvements ensure that we can get the most from our hospital spaces to not only improve workflows but also improve patient outcomes and the experience of visitors in the ICU, which we know is often quite a stressful place when you have a loved one in there.

The expansion of the ICU is not just about physical spaces or beds, though. The ACT government has invested in increased staffing, including nurses, doctors and allied health professionals, to bring the expansion online in a staged way in order to meet increasing demand. In the 2021-22 budget, we invested more than \$28 million to grow our ICU capacity at Canberra Hospital year on year. This additional ICU capacity ensures patients and families can continue to access critical care services close to home.

**DR PATERSON:** Minister, what impact has the COVID-19 pandemic had on the ICU, and what lessons from the pandemic have been incorporated into the ICU expansion?

**MS STEPHEN-SMITH:** Our healthcare workers have done an incredible job during the pandemic, and they continue to rise to the many challenges it has presented. This has been particularly evident in the intensive care unit at Canberra Hospital. In the ICU COVID and non-COVID zones were established and adjusted to meet the needs of Canberrans due to the demand for COVID and non-COVID intensive care beds. Caring for COVID patients in the ICU requires additional health workforce due to high-care needs. This increase in the workforce has involved teaching, training and bringing on board new staff, and working through the challenges of a workforce that is also, in itself, impacted by COVID. All of this has occurred while the team has continued to provide care to our community's most unwell patients.

This pandemic has made it very clear that our ICU capacity in the region is crucial to our public healthcare system. Throughout the pandemic and during the construction phase of the ICU expansion, which was funded with \$13½ million from the commonwealth—thank you very much, commonwealth government—changes were made to the scope of the project to give our ICU clinicians increased flexibility to further increase safety for patients and staff.

One of these changes was an airlock, which means a new eight-bed unit can be operated as a single negative-pressure suite or as one negative-pressure room and two isolation rooms, to contain airborne contaminants. This gives the unit the ability to adapt and flex, which is an important step in futureproofing our ICU. The expansion has also installed, within one of the isolation rooms, new disinfection technology that is able to kill harmful viruses and bacteria using specialised lighting technologies.

The ICU is truly a state-of-the-art facility that will benefit patients and staff in Canberra and the surrounding regions.

**MR PETTERSSON:** Minister, how does the ICU expansion link with the broader health infrastructure changes that are occurring at Canberra Hospital?

**MS STEPHEN-SMITH:** I thank Mr Pettersson for the supplementary question. The expansion of the current ICU facilities in Canberra Hospital provides additional intensive care capacity while construction is currently underway on the new 60-bed ICU that is part of the broader Canberra Hospital expansion project due for completion in 2024.

As much of the Canberra community has seen, the Canberra Hospital campus is undergoing significant change through a number of significant projects, such as the Canberra Hospital expansion and the expansion of the Centenary Hospital for Women and Children.

In 2021 we released the Canberra Hospital master plan, which is the blueprint for how we will continue to transform the Canberra Hospital over the next 20 years to meet the community's needs into the future. The master plan builds on the ACT government's nearly \$1.3 billion in investment in healthcare infrastructure over the past decade and the Canberra Hospital construction project currently underway. It incorporates improvements we are already making, and outlines how this work will continue into the future.

The ICU expansion brings our Canberra Hospital capacity to 39 beds, and will further enhance our current capacity so that we can continue to deliver life-saving treatment and care to our community for many years to come. This grows our ICU capacity in line with the move towards the 60-bed ICU that is being constructed in the state-of-the-art critical services building, as part of the \$624 million Canberra Hospital expansion, the biggest investment in health infrastructure since self-government.

The implementation of the master plan will, of course, progressively transform the Canberra Hospital campus over a number of stages, and consider how best to utilise critical buildings. This will include the optimal use of our existing ICU as our capacity across the campus continues to increase, and we futureproof the Canberra Hospital for our growing community.

### **ACT Health—Chief Health Officer**

**MRS KIKKERT:** My question is to the Minister for Health. Minister, today's damaging reports reveal the breakdown in the relationship between you and the ACT's Chief Health Officer. How can Canberrans have confidence in your government's handling of the COVID crisis, given the breakdown of your relationship with the Chief Health Officer?

**MS STEPHEN-SMITH:** I am not even going to thank Mrs Kikkert for that question. It is ridiculous. There is no breakdown in the relationship between me and the Chief Health Officer.

**MRS KIKKERT:** Do you still have confidence in the information provided by the Health Directorate?

**MS STEPHEN-SMITH:** Yes, I do.

**MS LEE:** Minister, why is either the Chief Health Officer or ACT Health and its officials blocking your requests for COVID information to be made public?

**MS STEPHEN-SMITH:** It would be nice if the opposition had been able to listen to the earlier answers and were agile enough to adjust their questions. As I said to Ms Lee in response to one of her earlier questions, there are often discussions between me or my office and the Health Directorate about how best to present information to the community so that it is accurate and so that we are providing information that makes sense, that is not misleading and also does not affect the privacy of individuals.

For example, when we provided the information in relation to the 25 ICU patients who had been in ICU between 1 January and 30 January—information that was provided to the media—that is a very different proposition to providing information in relation to the between one and four people who might be in the intensive care unit at any period in time.

I think it really is important to explain and to understand that difference because the

kind of information about comorbidities, underlying health conditions or indeed vaccination status is personal health information in the context of the health records act. When you have only a very small number of people in the intensive care unit at any one point in time, providing that information may not identify those people to the broader Canberra community, but it will provide people who know who is in the ICU with information about a person's health status or vaccination status—their personal health information—that they may not have consented to be provided to those people who know that they are in the ICU.

There are some really serious issues around health privacy here. It is an ongoing conversation around how we then think about this when we talk about the larger number of people and provide information in that context to the Canberra community.

### **ACT Integrity Commission—funding**

**MR PARTON:** Madam Speaker, my question is to the Chief Minister. In response to a recent audit report on procurement, the ACT Integrity Commissioner put out a call for businesses to come forward if they suspect corrupt conduct has occurred in government procurement. However, the budgeted funding for the Integrity Commissioner next financial year is lower than the current one. Chief Minister, how can the Integrity Commissioner possibly do their job if they continue to be starved of funding?

**MR BARR:** The commission is not starved of funding, Mr Parton. There is an annual budget process. The commissioner, through the Speaker, provides a submission to the government as part of that process. If you go back and look at the budget papers and budget review papers over the last few years, significant additional resources have been provided to the commission as part of that process. That process is an ongoing one, but resources are not unlimited in this jurisdiction, and the commission, like every other area of public administration, has to operate within a budget.

There are not unlimited resources and you of all people, Mr Parton, would be screaming blue murder if taxes were increased to provide more resources for more public sector agencies.

**MR PARTON:** What is your response, as Chief Minister, to the Integrity Commissioner's view that issues with procurement in your Labor-Greens government are probably endemic?

**MR BARR:** It is not for me to comment on the comments of the Integrity Commissioner.

**MS LEE:** Chief Minister, what responsibility do you, as the Chief Minister, take for a culture that has created what the Integrity Commissioner has expressed as “likely to be endemic” when it comes to probity issues in procurement?

**MR BARR:** Until there is evidence to support such a statement, such a question that seeks an opinion is indeed very premature.

**Legislation—draft planning bill**

**MR DAVIS:** My question is to the minister for planning, and it relates to the new planning act ongoing consultations. Minister, I am interested in learning how specifically we are consulting with diverse stakeholders such as Aboriginal and Torres Strait Islander communities and multicultural groups, and making sure those consultations are accessible.

**MR GENTLEMAN:** I thank Mr Davis for the question. He raises an important issue. As I said yesterday, the draft bill recognises the role of traditional knowledge and culture of the Ngunnawal people when we are planning for new communities. This language in the bill came from Ngunnawal people themselves during consultation. We have worked closely with various local Aboriginal and Torres Strait Islander groups in developing the legislation, and we will continue to consult with them.

The ACT government is working with leaders of various community groups on the best way to consult with their membership. In terms of bringing the community together and having that back and forth consultation that Ms Clay asked about yesterday, this will be critically important during the development of district strategies. This work will involve bringing a diverse range of our community together so that they can share their experiences and hear from each other to develop a strategy for each of Canberra's eight districts.

The greater the diversity of these groups, the better it will be for our strategic planning. The groups that can be the hardest to reach are our young people, and women who have young children as well. There are also the groups that have the most at stake in terms of what kind of city Canberra will be into the future. We are particularly keen to hear from them.

In terms of our multicultural communities, officials are working with their colleagues across government to promote the planning bill through the Multicultural Advisory Council networks.

**MR DAVIS:** Minister, related to the fact sheets on the website, are there plans to translate these into different languages? If so, what languages?

**MR GENTLEMAN:** The ACT government will work with the Multicultural Advisory Council, as I just said, on how best to engage with the multicultural community on the bill. In that way the community can let us know what works best for them. We will be developing text for community groups to use in their own publications, to encourage people to have their say on the draft bill, including multicultural groups.

One benefit of our local multicultural communities is that they tend to be well organised, and we can reach out to these groups through community leaders, which is where we will focus our consultation on the bill. Ensuring that we have information that is relevant to a range of different audiences, of course, is important, and we will be using a range of social media and other channels to promote consultation on the bill during the three-month consultation period.

The bill is a reasonably technical piece of work. I anticipate that community engagement will escalate as we work on district strategies. This is the real heart and soul of the planning system, where people will feel connected to outcomes in their neighbourhoods.

As I said in the previous answer, I am particularly keen to get our diverse communities together for this community-building activity. Of course, we here, as local members, are also leaders within our communities, and I encourage all members of the Assembly to encourage their networks to have their say on the planning bill.

**MS CLAY:** Minister, how will you capture and publish the community feedback so that the community can see it?

**MR GENTLEMAN:** That is another important question. Ensuring that we capture the widest range of views as possible is important to me and to the ACT government, from expert planners to people who are planning to build a home, or young Canberrans. One of the ways that we are making the consultation accessible is by providing a range of options for people to have their say. People are able to make a quick comment on the bill, they are able to click through so that they can provide targeted information on individual chapters, or they can make a longer submission.

We have made sure that fact sheets are written in plain language, to guide the general community through the bill. We are also providing a policy overview paper that provides more detail that is appropriate for planning professionals. I understand that an animated video is also in the works and should be released in coming weeks. We will make use of social media channels to distribute information and links to the Your Say page. We will also work with our community partners, partly through the Environment and Planning Forum itself, and partly through providing tools for these groups to spread the message to their own membership.

We are hosting, as I mentioned yesterday, information sessions where people can raise questions. There will be a different suite of engagement activities for the district strategies which will be more focused on reaching out to the general community.

### **Access Canberra—dementia**

**MR PETTERSSON:** My question is to the Minister for Business and Better Regulation. Minister, last term the Assembly passed a motion about dementia-friendly spaces. Can you please update the Assembly on the work Access Canberra, in particular, has done to ensure its service centres are dementia friendly?

**MS CHEYNE:** I thank Mr Pettersson for the question. To confirm its commitment in assisting customers living with dementia, in October 2020, Access Canberra engaged Dementia Australia to undertake an environmental review of its service centres. The review process used the dementia friendly community environmental assessment tool providing a systematic framework for assessing buildings and identifying areas for improvement.

I am pleased to be able to report that the review by Dementia Australia noted that Access Canberra service centres scored well in all areas of assessment, particularly in comparison to other organisations and even businesses of a similar nature. Access Canberra continues to undertake supporting your customers living with dementia training in partnership with Dementia Australia, for all its service centre staff.

**MR PETTERSSON:** Minister, is the new Belconnen Service Centre dementia friendly?

**MS CHEYNE:** I thank Mr Pettersson for the question. The short answer is yes. Access Canberra are committed to ensuring that when new service centres are designed, the needs of all customers are catered for, including those affected by dementia. While all Access Canberra service centres are dementia friendly, the new Belconnen centre was recently designed with particular focus on accessibility.

As a result, the new Belconnen service centre scored higher in Dementia Australia's review than the other service centre locations. Dementia Australia praised Access Canberra's efforts with the design of the new Belconnen service centre in its report, and I quote:

I greatly commend Access Canberra in designing a well-considered centre, with many features to ensure it is dementia friendly. I particularly commend them on seeking to educate all staff on how best to support a customer living with dementia.

**MS ORR:** Minister, what are the other benefits of the new Belconnen Service Centre?

**MS CHEYNE:** I thank Ms Orr for the question. The new service centre is located next door to the old site in Swanson Plaza and it is significantly larger than the previously leased sites. As a result, the new location is able to support the community with significantly more service counters and self-serve kiosks than at the previous centre.

As well as benefits for accessibility, the design of the new service centre has placed all counters and self-service kiosks at appropriate physical distances to ensure that operations can continue in a COVID-safe way. Since opening, the new service centre has been well received by its customers and in its first week of operations, served approximately 1,800 customers.

While this unofficial opening to the public occurred on 17 January due to COVID impacts, I was proud to be able to formally recognise the occasion, together with staff in February this year and I would just like to take a moment to commend all those who have been involved in the project and in making it such a success and fit for purpose.

### **Container deposit scheme—security**

**MS LAWDER:** Madam Speaker, my question is to Minister for City Services. Minister, I refer to cyber security issues relating to the Container Deposit Scheme. Have any fraudulent transfers occurred to CSD customers?

**MR STEEL:** I thank the member for her question. I will take that question on notice.

**MS LAWDER:** Approximately how many users have reported experiencing unauthorised access issues to their accounts?

**MR STEEL:** I will take that question on notice, Madam Speaker.

**MR CAIN:** Have any changes been made to ensure these sorts of cybersecurity breaches no longer occur?

**MR STEEL:** Again, I will take that question on notice.

### **Speed limits—Watson**

**MS CLAY:** My question is to the Minister for Transport and City Services. Minister, the ACT government has a good Slower Streets policy and I am really pleased to see a lot of recent efforts in improving our laws and slowing down our speed limits to improve road safety for vulnerable road users. I recently met with parents and residents in Watson who are concerned about the safety of children adjacent to a child care centre on Gwynne Street. It is a 50 kilometre an hour zone and it is adjacent to a supermarket. They have been campaigning for slower streets for a number of years. How do you make decisions about slowing streets down and reducing speed zones?

**MR STEEL:** I thank Ms Clay for her question. The ACT government, as you would be aware, is committed to Vision Zero and as part of that approach of our objective to have zero deaths and zero serious injuries on our roads, we use the safe systems approach, which includes safer speeds as being one of the critical areas, but it also includes safe infrastructure and safe behaviours as well.

When we assess these particular place based areas around safety and what can be done to improve those areas, it is an evidence based approach and so, the ACT government will conduct traffic assessments to see how many people are, or particularly pedestrians, are crossing the road in this case, look at the speed the vehicles are travelling on the road, where the road fits into the hierarchy and what is happening in that general area.

So there are recent traffic studies conducted on many roads, and we often update those from time to time. And when it comes to things like pedestrian interventions like crossings, in particular, we need to look closely at how many people are crossing the road. Somewhat counter intuitively, when there are less people crossing a road, putting in interventions like pedestrian crossings actually potentially makes it more dangerous using the crossing, because motorists are not expecting them to cross the road because they do not tend to have a huge number of people in the area. So we need to look very carefully at each area and at each intervention to make sure that it is fit for purpose.

**MS CLAY:** Is there an option to drop the speed limit in this particular area?

**MR STEEL:** I thank the member for her question. In relation to the Gwynne Street area, we would take an evidence based approach by updating our traffic assessment data in Watson. There was a study that was undertaken in 2020 there that demonstrated that in one afternoon peak period there were around 19 pedestrians crossing over Gwynne Street and around 53 vehicles using the road around the same time.

We can go away and have a look at another survey which is also planned to happen this month, over a seven-day period, to further investigate whether rat-running is contributing to issues on the street, whether that has changed since the last survey and the number of people using the street. That will help to inform any interventions there.

In relation to the speed limits, that will also be informed by that data. But what I can say, is that there is a reason why 40 kilometre speed limits are not usually applied to areas around childcare centres, in particular, which I understand is in this locality and the reason is because we do not expect that young children in early childhood services would be walking themselves to their service, like children a little bit older—in primary school and high school, for example—might be. So those factors would be taken into account in terms of any intervention, whether it would be around changing the speed limit or other measures.

### **Government—procurement**

**MR CAIN:** Madam Speaker, my question is to the Special Minister of State. Minister, why does your government not collect data or report on contracts that have been awarded to a tenderer that was not recommended by the relevant procurement panel?

**MR STEEL:** I thank the member for his question and the ACT government is committed to ensuring that procurement activity is fair, open and undertaken in accordance with the provisions in the Government Procurement Act and Financial Management Act, and the relevant policies and guidelines—and that includes the guidelines that we put in place around probity and procurement last year. And of course, the ACT government will respond in detail to the recent Auditor-General's reports which have looked at this particular issue around where a delegate has departed from the recommendation of a procurement panel.

Procurement ACT does not currently receive notifications about when that occurs, but we do think that it would be useful to understand where that has occurred in the future and that will form part of the government's response to the Auditor-General's report and the procurement reform project which is underway.

**MR CAIN:** So these are reports of contracts awarded to a tenderer not recommended. Minister, could you publish that information, please?

**MR STEEL:** Well I will take that as a comment. But in relation to the publication of information, we do already have a contracts register where those contracts are published and are transparent. So having said that, we think that there is use in

understanding those circumstances where delegates have exercised the power of making a decision that differs from a tender evaluation team, and that data gathering exercise will be happening and we will be looking forward to making some further reforms in response to recommendations which we have, of course, welcomed from the Auditor-General.

**MR HANSON:** Minister, since you have been the minister, how many contracts have been awarded that have not followed the results of the tender evaluation process and the recommendations of the panel.

**MR STEEL:** Well at this point in time, there is no specific requirement to report information on cases where delegates depart from a tender evaluation panel recommendation, so that is not information that is easily accessible. But we just had an Auditor-General audit that has looked at this issue and provided recommendations—systemic recommendations around procurement across the whole of ACT government—to address this issue. So we will be responding to the Auditor-General, specifically in relation to this matter.

**Mr Hanson:** Madam Speaker, I have a point of order on relevance. He is talking about an Auditor-General's report and about the future actions that this government is going to take. What I am saying is, specifically: Minister, how many times has this happened? It is a reasonable question. If he doesn't have that information available, he can take it on notice.

**MADAM SPEAKER:** I think he has, in some way, answered it by saying that the information is not readily available.

**MR STEEL:** Madam Speaker, I have already said that we do not collect that information, essentially, through Procurement ACT and there are over a thousand procurements that are undertaken each year across ACT government. So a very significant number. It would be incredibly resource-intensive to look at all of them and understand that.

*Mr Hanson interjecting—*

**MR STEEL:** Having said that, we have said that there is a use in looking at a sample of those to understand better the decision-making process and what has been happening, in order to inform further improvement to our procurement processes.

Of course, the Auditor-General has already looked at this matter in relation to one procurement and, of course, it is open to them if they ever want to look at any other procurement as well and undertake a performance audit, that is their role and that would be up to them.

But following a review of Procurement ACT last year and the recommendations of the Auditor-General, we will certainly be undertaking a procurement reform project which will be looking at this issue and at how we can better monitor and understand the extent to which this is occurring, and, of course, making sure that across government, delegates are making decisions and properly documenting those

decisions. But it is an important accountability in the system that they have the ability to do that.

### **Environment—single-use plastics**

**MS ORR:** My question is the Minister for Transport and City Services. Minister, how is the ACT government helping to cut down on harmful single-use plastics at major community and public events?

**MR STEEL:** I thank Ms Orr for her question and certainly, understand her interest in single-use plastics in the ACT. Of course, following the first tranche of the single-use plastic ban which came into force last year, we have seen a range of single-use plastics already phased out in the ACT. That has been well accepted by the community and it has been on the basis of very significant engagement with the National Retail Association to support business through that transition. Of course, many businesses are doing the right thing. And this is important because it is about making sure that we support our environment, take everyday action on climate change. Many businesses have been doing that and the community has been supporting them.

In addition to the general phase out across the community, last year I also declared several public events plastic-free here in Canberra. And the declaration ensures that in addition to the products that we have already banned, these declared events will be prohibited from supplying plastic straws, takeaway containers and single-use plastic plates and bowls. So event operators and businesses providing services within an event footprint need to replace these with sustainable alternatives.

Most recently, we saw Canberrans and stall holders embrace our plastic free Royal Canberra Show which was the first official declared plastic free event and then there have been others, with community events like Canberra Day, Enlighten Festival, and we are looking forward to working together to make events across the ACT as sustainable as possible into the future as well, with the National Folk Festival taking place this Easter to follow on from the Royal Canberra Show's success. It is clear from their experience that plastic-free events were not a show-stopper but a show-starter.

**MS ORR:** Minister, how does the government work with event promoters and businesses to identify and promote plastic-free events?

**MR STEEL:** I thank the member for her supplementary. The ACT government works proactively with business, industry and suppliers, and event promoters, to identify which events could be declared plastic-free. Like the broader Canberra community, most businesses in the ACT have welcomed the opportunity to reduce waste by switching to sustainable alternatives as part of taking everyday action to support the environment.

We established the plastic reduction taskforce as part of our consultation process in the lead up to our first bans on single-use plastics taking affect, and this group is made up of key industry stakeholders, businesses and government officials. We have been

working with the taskforce and partners across government like Events ACT and Venues Canberra to identify upcoming events and consult with their organisers about the feasibility of going single-use-plastic free.

We recognise that this will be more of a transition for some events than others, depending on the kinds of activities and services that they offer. And I want to thank and acknowledge some of the event organisers who have jumped at this opportunity, like Groovin the Moo music festival and our local sporting clubs the Canberra Raiders and the Brumbies.

Your organisations are setting a great example by making an easy detoured option for Canberrans to use sustainable products and that deserves to be recognised as part of what will make these events even better in 2022.

**DR PATERSON:** Minister, what are the next steps in the ACT's progressive phasing out of single-use plastics across Canberra?

**MR STEEL:** Thank you, Dr Paterson, for her question. Over the past 12 months we have successfully phased out single-use plastic cutlery, expanded polystyrene, food containers and single-use plastic stirrers. And we are now continuing our work to cut waste and phase out more harmful single-use plastics from our waste stream.

We are currently consulting with industry and business about phasing out a second tranche of products from July this year, and that will include single-use plastic straws, with exemptions for those who need them, single-use plastic fruit and vegetable barrier bags, cotton buds with plastic sticks—the not-so-degradable plastic products.

Businesses and community organisations and individuals were invited to provide feedback on these proposed items between October last year and January this year. We have had a good constructive engagement from a range of sectors, and this will feed into the selection of a final list of items to be banned. I look forward to releasing the outcome of this consultation soon and I commit to working with businesses, disability groups and the broader community as we continue to cut waste in a realistic and inclusive way so that all of us can do our bit towards a cleaner and more sustainable Canberra.

**Mr Barr:** Further questions can be placed on the notice paper.

## **Leave of absence**

Motion (by **Ms Clay**) agreed to:

That leave of absence be granted to Mr Rattenbury, Ms Vassarotti and Mr Braddock for today for health reasons.

## **Government schools and offices—defibrillators**

**MS CASTLEY (Yerrabi) (2.47):** I move:

That this Assembly:

(1) notes:

- (a) defibrillators save lives. St John Ambulance estimates that each year more than 100 Canberrans' lives could be saved from sudden cardiac arrest (SCA) if defibrillators were installed in ACT government schools and workplaces;
- (b) currently there is no requirement for defibrillators in ACT government schools or workplaces;
- (c) the cost of a defibrillator and installation is \$2500. It would cost \$250 000 to provide 100 defibrillators in government schools and workplaces (some schools have already installed them using their own limited funds);
- (d) rolling out defibrillators in all government schools and workplaces is supported by St John Ambulance, Australian Red Cross and the Heart Foundation; and
- (e) it is estimated more than 30 000 Australians suffer from SCA every year of which only five percent survive. The chances of survival decrease by up to 10 percent for every minute that passes; and

(2) calls on the ACT Government to:

- (a) lead the nation on this important health and community issue by putting a defibrillator in every ACT government school and building/workplace;
- (b) legislate to mandate defibrillators in all ACT government schools and government workplaces;
- (c) prepare and deliver a public education campaign, in consultation with St John Ambulance and the Heart Foundation, to raise awareness of the use of (and access to) defibrillators to save lives; and
- (d) examine installing defibrillators on all ACT buses (we already have defibrillators on our 14 trams thanks to funding from Rotary Gungahlin) and report back to the Assembly before the May sitting period.

I am pleased to introduce my first notice of motion as the ACT's shadow health minister and raise an important health and community issue where this government has the opportunity to lead the nation with a life-saving initiative.

This motion is about sudden cardiac arrest and defibrillators. It is simple: calling on the government to install defibrillators in all government schools and government workplaces. I am also calling on the government to introduce legislation to mandate defibrillators in all government schools and workplaces, which would send a strong message to the community that this government values its staff—its teachers and public servants—and wants to save Canberrans' lives.

I was shocked to learn defibrillators are not required in schools and government workplaces. Today my notice of motion gives the government an opportunity to rectify that, to lead the nation by ensuring life-saving equipment is accessible where we need it.

Defibs are commonplace in our sporting clubs and shopping centres. My hope is that one day they will become a safety norm like smoke alarms and fire extinguishers. This is a simple and effective way to give Canberrans more peace of mind.

The issue of sudden cardiac arrest—of heart attacks—has been in the news these past few weeks with the tragic passing of cricket legend Shane Warne and the dynamic Victorian Labor senator Kimberley Kitching. This is a big issue when you learn that more than 30,000 Australians suffer from cardiac arrest every year, of whom only five per cent survive.

Let us spend a few moments educating ourselves about the facts. A cardiac arrest is when your heart stops beating. Your brain and vital organs are starved of oxygen. You then become unconscious and stop breathing or will not be breathing normally. A cardiac arrest is a medical emergency. Every minute counts and everyone, anyone, can help to save a life.

Most sudden cardiac arrests happen in the presence of family, friends or colleagues. Providing CPR and using a defibrillator within the first few minutes greatly improves a person's chance of survival. That is what my motion is talking about: installing life-saving equipment in our schools and government workplaces, where we need it, so we can save the lives of our loved ones, our friends, our students and our colleagues.

AEDs—automated external defibrillators—are portable life-saving devices that can apply a safe electrical shock to restart a person's heart to its normal rhythm and then be used alongside CPR. It is important to state that a defibrillator only delivers a shock if it is necessary, and the defibrillator will make that decision for you. The individual does not make that decision.

This needs to be stressed because research reveals that a lot of people, particularly women, are anxious about using defibs. People need to know that you cannot do any harm using a defibrillator on someone who is unconscious. As Poppy Brown, director of state and territory operations at Australian Red Cross, put it to me:

You don't have to make the medical call yourself.

The machine does it all for you. You won't do the wrong thing—it is just a time thing. You have to do it within a few minutes to have the biggest impact on survival rates.

Awareness-raising is an important task for legislators. I was surprised to learn about Heart Foundation research that shows that fewer than three in five Australians know what a defibrillator is. The 2020 survey revealed that among the 50 per cent of Australians who were aware of defibrillators, only one in two said they would feel confident using an AED if they thought someone was having a cardiac arrest.

Overall this equates to just two in five, or 41 per cent, of Australian adults being confident using an AED if they needed to. That is a real concern. That is why I am also calling on the government, as part of this motion, to develop and deliver a public

education campaign to improve the community's understanding of cardiac arrest and to increase awareness of and training in CPR and the use of defibrillators.

The reason for my motion today is that resuscitation saves lives. St John Ambulance ACT estimates that ready access to defibrillators could save about 100 lives each year in Canberra. In a speech in this place on 23 November last year, Minister Steel stated:

One person injured or one person dying on our roads is one too many.

Surely the same philosophy applies to our hardworking schoolteachers and public servants—that one teacher or public servant dying from cardiac arrest is one too many. That is why this notice of motion is so important—because defibrillators are often the difference between life and death. It is as stark as that.

St John Ambulance has been calling for defibrillators in our schools and government workplaces for some time. Minister Steel responded on 13 January last year to a letter about the issue from St John Ambulance ACT CEO Adrian Watts. Unfortunately it was not the response Mr Watts and his army of dedicated St John Ambulance volunteers wanted to hear. Minister Steel revealed that ACT government directorates have defibrillators installed “in a number of ACT government occupied buildings” and “some of these are publicly accessible”—only some. I guess it is the luck of the draw as to whether you are fortunate enough to work in one of the “number of ACT government occupied buildings” with defibrillators. As politicians we are among the lucky ones, with a defibrillator located in our workplace, the Legislative Assembly, on the ground floor near reception.

Unfortunately the picture for our government schools is not good. Minister Steel revealed in his letter that, as of October 2020, only 38 of the 89 public schools in Canberra have defibrillators. I salute the dedicated P&C bodies that have fundraised to install their own defibrillators. But given the thousands of Canberrans who visit our schools every day—teachers, support staff, students, parents, tradies, grandparents and others—this is not good enough. Government leadership is required. Government action is required.

It is also a fact that young Australians, our kids, also die from sudden cardiac arrest, often while competing on sports fields—providing further urgency to having defibrillators in all schools, as is necessary. As Poppy Brown from the Red Cross put it to me, there may be undetected heart issues among students, but on a hot day, with our kids running around the oval or participating in school athletics carnivals, tragedy can occur. Our schools must be ready to respond with an onsite AED that is prominent and accessible to the whole community.

Before concluding, I want to turn to another important part of my notice of motion, calling on the government to examine installing defibs on all our ACTION buses. The 2020-21 annual report for Transport Canberra and City Services reveals that we have 455 operational buses in our fleet. Having onboard AEDs makes sense and is a measure the government should consider.

In his letter to Mr Watts, Minister Steel notes that there are defibrillators in seven of the Transport Canberra incident response vehicles, which are located at every major

bus station. But as I have said, when it comes to cardiac arrest, timing is everything and resuscitation in the first few minutes is vital. So we need defibrillators on buses, not just at the seven major bus stations.

It is interesting that Minister Steel also highlighted in his letter that there are defibrillators on all 14 light rail vehicles. Not one of these 14 defibs was funded by this government, which speaks volumes about the government's commitment to the health and safety of Canberra's light rail passengers. They were funded by the Rotary Club of Aurora Gungahlin. In a letter to the *Canberra Times* on 28 October 2020, club treasurer Denis Waters writes:

During the planning phase at least two cardiac incidents occurred on the trams. With an ageing population, the ACT government can't keep depending on service clubs to install life saving infrastructure in the community.

Mr Waters from the Rotary Club of Aurora Gungahlin is right. So too are St John Ambulance, Australian Red Cross and the Heart Foundation. Sadly, they know this issue far better than any of us, which is why they strongly support this motion calling on the government to show nation-first leadership on this important health and community issue.

A *Canberra Times* headline best sums it up: "Time for the government to act on defibrillator shortage". Yes, it is time. It is time for the government to show it cares about the lives of its teachers and public servants, of our students and of all Canberrans, by committing to a program to roll out defibrillators in our government schools and workplaces, backing that up with legislation making them requirements, and also implementing a public awareness campaign and examining defibs on all of our buses—not relying on our service clubs to do the job for them.

Defibrillators are commonplace in our sporting clubs and shopping centres. My hope is that one day they will become a safety norm like smoke alarms and fire extinguishers. This is a simple and effective way to give Canberrans more peace of mind, and I urge the health minister to support it.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (2.59): I rise to speak to Ms Castley's motion, and I move the following amendment:

Omit all text after "That this Assembly", substitute:

"(1) notes:

- (a) it is estimated more than 30 000 Australians suffer from sudden cardiac arrest (SCA) every year of which only five percent survive;
- (b) the chances of survival decrease by up to 10 percent for every minute that passes;
- (c) defibrillators save lives. St John Ambulance estimates that each year more than 100 Canberrans' lives could be saved from SCA if defibrillators were installed in ACT government schools and workplaces;

- (d) currently there is no legislative requirement for defibrillators in ACT government schools or workplaces;
  - (e) St John Ambulance, Australian Red Cross and the Heart Foundation support the provision of defibrillators in all government schools and workplaces;
  - (f) as of October 2020, 38 of the 89 ACT government schools have a defibrillator on site;
  - (g) ACT government schools assess their risk profile in accordance with the First Aid Code of Practice and through consultation processes established per the *Work Health and Safety Act 2011*;
  - (h) all light rail vehicles have a defibrillator on board;
  - (i) Transport Canberra has a fleet of five Field Response Vans that are based at each interchange across Canberra, which are able to be deployed to respond rapidly to any emerging issues on bus services anywhere in the city;
  - (j) each Field Response Van is fitted with defibrillator equipment and all Transport Canberra Transport Officers staffing these vans hold first aid certificates; and
  - (k) all Transport Canberra buses have radio communication to the Transport Canberra Control Room which enables a rapid response of emergency services and the incident response vehicles as required; and
- (2) calls on the ACT Government to:
- (a) continue to support government schools and agencies to increase the availability of defibrillators in their facilities; and
  - (b) consider ways to increase public awareness of the use of (and access to) defibrillators to save lives, in consultation with St John Ambulance and the Heart Foundation.”.

I thank Ms Castley for moving this motion. I note that it is unclear whether this responsibility sits within the health portfolio; to be clear, I am making a whole-of-government response here, and I thank my colleagues and their directorates for the input they have provided both to the amendment and to the information that I will use today.

Of course, this is an important motion. Again, I thank Ms Castley for providing the opportunity to discuss the role that automated external defibrillators, or AEDs, can play in our workplaces and communities. The government certainly supports the intent of Ms Castley’s motion, and our amendment seeks to clarify the work already underway to support the accessibility of AEDs in government-managed facilities, including schools and on public transport.

The government, however, is not supportive of the legislation mandate for AEDs in all government facilities. It is really not clear that legislation is an appropriate mechanism to achieve the intent of Ms Castley’s motion, which, again, we support. The rationale for this goes to the evidence that has been developed over a number of years. In 2005 the Australian government engaged St John Ambulance Australia to design and implement a public access defibrillation demonstration project. Through

this project, St John partnered with host organisations to install AEDs in their facilities.

A 2008 evaluation of the demonstration project found that “the appropriate and effective installation of AEDs can save lives”. Of course, we have continued to recognise that in the amendment that I have moved to Ms Castley’s motion. But it also found that “most untrained staff reported they were likely to wait for a trained first responder or emergency medical services rather than activate an AED without prior training”.

More recently, a 2017 Rapid Literature Review on Public Access to Defibrillation commissioned by the New South Wales government explored the complexity of designing an effective public access defibrillation program. This review indicated that there was benefit in taking a strategic view on the placement of AEDs, with their usefulness being related to the likelihood of an out-of-hospital cardiac arrest occurring, the emergency services response times for that location, and the likelihood of a bystander being available and actually able to use an AED.

It is important to take a holistic view of the training, education and equipment that form part of workplace responses to emergencies. The government acknowledges, again, that AEDs can play a role in improving this response. With this in mind, we will continue to work across a number of portfolios—notably, as identified by Ms Castley, education and transport—to increase the availability of AEDs.

First aid training is provided to ACT government employees as required, under workplace health and safety requirements. This includes all Transport Canberra transport officers holding first aid certificates. As the amendment notes, there are currently defibrillators located in all 14 light rail vehicles. Transport Canberra has a fleet of five field response vans which are based at each interchange across Canberra and are able to be deployed to respond rapidly to any emerging issues on bus services, anywhere in the city. Each of these vehicles is fitted with defibrillator equipment, and all Transport Canberra transport officers staffing these vans hold first aid certificates. All Transport Canberra buses have radio communication to the Transport Canberra control room, which enables a rapid response by emergency services and the incident response vehicles as required.

As Ms Castley noted, and as the amendment notes, AEDs are located in many public schools, and all ACT public schools have trained first aid officers who can manage situations as they arise. ACT public schools are able to assess their own risk profile in accordance with the first aid code of practice and through consultation processes established under the Work Health and Safety Act 2011. Schools are supported by the ACT government in their autonomy by budget allocations with which they can make purchases such as AEDs in accordance with procurement governance arrangements.

I also take this opportunity to note the circumstances in the ACT. While acknowledging everything that Ms Castley has said, and the availability of defibrillators in a range of settings, the ACT is in the fortunate position of having excellent emergency services response times. Of course, we can have that confidence

that there will be an emergency services response quickly, and we have good travel capacity as well in the ACT.

The availability of lifesaving AEDs is an important topic for consideration, and I thank Ms Castley for highlighting this today. My amendment, while omitting Ms Castley's call on the government in relation to mandates, does call on the government to continue to support government schools and agencies to increase the availability of defibrillators in their facilities, and to consider ways to increase public awareness of the use of, and access to, defibrillators to save lives, in consultation with St John Ambulance and the Heart Foundation.

The government, of course, will explore how we can build on our work to date in expanding the availability of AEDs in Canberra, led by evidence about how this can best be undertaken strategically to ensure the best outcomes for Canberrans.

**MR DAVIS** (Brindabella) (3.06): I rise to speak to Ms Castley's motion calling on the ACT government to put defibrillators in our public schools and workplaces, and I thank Ms Castley for the motion. The Greens will be supporting the amendment to the motion circulated by Minister Stephen-Smith, which calls on the government to continue to support access to this lifesaving technology.

Sudden cardiac arrest is alarmingly common. As Ms Castley rightly points out, between 22,000 and 30,000 Australians pass away from sudden cardiac arrest each year. In the ACT St John estimates that more than 100 Canberrans run the same risk—that is, two Canberrans every week.

Proper access to defibrillators is essential to people's survival in the event of sudden cardiac arrest. It can happen anywhere and at any time. In fact it is estimated that roughly 80 per cent of sudden cardiac arrests happen in homes and public places, well removed from specialised hospital equipment.

Time is also a crucial part of an effective response. Defibrillator efficacy drops rapidly after the first 10 minutes of cardiac arrest. If someone suffering an arrest receives treatment within the first two minutes, their chances of survival sit at around 80 per cent. Within four minutes, it drops to 60 per cent and, by the time you reach eight minutes, their chances fall to only 20 per cent.

Here in Australia, St John estimates that between five and 12 per cent of cardiac arrest victims survive. While this increases to as much as 25 per cent if there are bystanders, the survival rate is as high as 60 per cent in other countries. In the ACT, the witnessed sudden cardiac arrest survival rate is around seven per cent. Increasing access to defibrillators makes a substantial difference to these survival rates.

At this point I would like to acknowledge the hard work of the ACT's first responders. Their job is not easy at the best of times; and, lord knows, they have had a particularly challenging job maintaining public health over the last two years. I am grateful to those who operate under these high-stress, high-intensity circumstances to save lives. My constituents in Tuggeranong, and in the Canberra community more broadly, are all better for your work and your professionalism.

Realistically, 80 per cent of sudden cardiac arrest cases come down to bystanders. It is incumbent upon us, as policymakers and local members, to set our community up for success. I reflect that it would benefit us as a government to have a comprehensive review of where our defibrillators are and how many we have. Making sure that all of our ACT government defibrillators are registered and recorded is a good starting point as we continue to build on our existing supply.

We should also be equipping our community with the skills and confidence to handle the situation when they find themselves supporting someone in cardiac arrest. I applaud those organisations that are already offering this lifesaving training—St John, Canberra First Aid and Training, ACTWell and others.

I will borrow the words of our 2022 Senior Australian of the Year, Ms Valmai Dempsey:

I would like to see a time when all bystanders have the first aid training, competence and confidence to put those skills to use in those vital minutes before an ambulance arrives.

Practice makes the difference in a crisis. While defibrillators come with instructions and are designed to be used by people with no training, hands-on experience could save the life of someone going into sudden cardiac arrest. I would encourage every person in this place and every person that engages with us to take up those first aid courses when they come on offer. Nothing brings more peace of mind than preparation, and your proactiveness now could make all the difference in a critical situation. The better equipped we are and the more we support our community in being prepared for first aid, the more lives we can save.

I encourage the ACT government to continue to improve on our defibrillator network, and I urge all Canberrans to take up first aid training opportunities and stay alert to the risk of sudden cardiac arrest. I note, in particular, the perfectly good timing of Ms Castley's motion, while the Standing Committee on Education and Community Inclusion continues to deliberate on our school infrastructure and maintenance inquiry. I suspect this may be a useful topic of conversation for the committee in later days.

**MS CASTLEY (Yerrabi) (3.10):** I am really shocked, to be honest. This was not a big one—a tough one. It is about saving lives and, honestly, a great deal of contempt has been shown. The health minister's office called my office and said that an amendment would be circulated at 9.45, but, no, it was circulated while I was speaking.

This is not just a topic for consideration; it is a topic for action. It is great that teachers and people in government workplaces have first aid training, but what is the point of that if they do not have the tools to help save lives? It is like a fireman with a truck but no hose. The Chief Minister wants to have a progressive government. This is something we can lead the nation on—saving lives. Is that not progressive enough?

Far out! This is not a toughie! If it is about money, the cost for the schools that do not have it, at two and a half grand a pop, would amount to less than \$130,000—less than

130 grand to put life-saving devices in our schools! That would mean that nearly every suburb would have a defibrillator that someone could grab quickly. Yes, our ambos do such an amazing job. I met with Tom, who saved his mate at the gym by doing manual compressions. He had another mate at the gym bash on the door of a Woollies to get a defibrillator, which saved a life. The ambos were, unfortunately, 13 minutes away. The stats tell us that following sudden cardiac arrest the chances of survival decrease by up to 10 per cent for every minute that passes. Thirteen minutes is more than a 100 per cent decrease in the survival rate. I am not sure that my maths adds up, but you know where I am going, Mr Assistant Speaker. This is crucial life-saving equipment.

I do not agree with the amendment, and I am very disappointed in the ACT government today.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 11

Noes 4

Ms Burch	Ms Orr	Mr Cain
Ms Cheyne	Dr Paterson	Ms Castley
Ms Clay	Mr Pettersson	Mrs Kikkert
Ms Davidson	Mr Steel	Ms Lawder
Mr Davis	Ms Stephen-Smith	
Mr Gentleman		

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **Housing—tenant rights**

**MR PETTERSSON** (Yerrabi) (3.17): I move:

That this Assembly:

(1) notes that:

- (a) as a result of the national issue of affordable and accessible housing, many people face the likelihood of having to rent for most of or all of their life;
- (b) there is currently a power imbalance between landlords and tenants, resulting in many tenants feeling forced to accept sub-standard or poor living conditions; and
- (c) landlords will often ask tenants for extensive background information on their income, employment situation, rental history and references; whereas tenants can obtain little-to-no information about their landlord and their treatment of previous tenants;

- (2) acknowledges:
- (a) the work of the ACT Government to improve rights of tenants, including:
    - (i) capping rent increases;
    - (ii) strengthening tenants' rights to have a pet;
    - (iii) allowing tenants the freedom to make minor modifications to their home;
    - (iv) providing a fairer method for calculating break lease fees;
    - (v) lowering upfront costs by limiting the amount of advance rent a landlord can request;
    - (vi) facilitated share housing arrangements by making it easier to change who is listed on a tenancy agreement while the tenancy agreement continues; and
    - (vii) raising minimum standards for rental homes;
  - (b) that the ACT Government has successfully attracted Build to Rent projects that will improve the local rental market; and
  - (c) that the ACT Government is continuing to progress its commitment to amend the Residential Tenancies Act to end no cause evictions under the Parliamentary and Governance Agreement, and related reforms to better protect tenants; and
- (3) calls on the ACT Government to:
- (a) review the information imbalance that exists between landlords and tenants, and consider whether prospective tenants should be given the right to receive references from landlords' previous tenants, and report back to the Assembly on this matter during the November 2022 sitting period; and
  - (b) reaffirm its ongoing commitment to improving the rights of renters in the ACT.

We all know that renting in Canberra is tough right now. Not only do renters have to pay quite a lot of money for their homes; they also have to compete for a property in a very tight rental market. According to the ABS's 2017-18 survey of income and housing, 34 per cent of the ACT's households were renting. The latest data I have seen from the ACT government says that there are 52,389 properties subject to land tax in the ACT. As there are 177,560 properties in Canberra, that would put the figure for short-term rentals at roughly 30 per cent—quite a lot of renters. For many Canberrans, particularly in my generation, the dream of owning a home will never become a reality. Young people and low-income earners are coming to terms with the likelihood of renting for the rest of their lives.

The ACT government cannot solve the national housing crisis by itself, but what it can do it should do. Anything we can do to improve the lives of renters is a good thing. Seemingly, despite the fundamental importance of renters to a rental market, their views and needs are freely overlooked. The control of our rental markets lies with investors, developers and landlords, and in a market as tight as Canberra's, considering the wellbeing of renters is not necessary.

The median price for a rental property in Canberra is \$651. This is an astronomical figure. What does paying \$651 a week mean? It means losing a significant chunk of your pay cheque to rent. It means more financial stress as the cost of living rises. It also means saving up enough money for a first home loan is becoming increasingly an unattainable goal. Canberra's tiny rental market does not just cause soaring prices; it also makes the process of securing a rental property incredibly competitive and stressful.

According to SQM Research, the January 2022 vacancy rate for the ACT was 0.7 per cent. Anyone who has looked for a rental property in the past 12 months can tell you about the queues and crowds lining up at open inspections—crowds of up to 60 people all hoping that this is the place they can secure to bring an end to the search. As the number of available places shrinks, the number of renters going to open inspections and searching for a home for weeks or even months, increases. Canberra's market is leaving prospective renters feeling desperate and powerless. Some renters are making offers to pay rent well above the asking price or even offering to pay rent months in advance.

While recent reforms by the ACT government have made it illegal for real estate agents to solicit higher bids, there is nothing stopping renters from choosing to make higher offers. People should not feel that their only way to secure a home is to offer more on top of an already expensive rate. Unfortunately, the rental market is so tight that prospective renters who can afford to pay that extra \$20, \$30 or \$100 more a week, are inclined to do it. This only makes it harder for renters to secure a property without rent bidding.

It is clear that the situation for renters in Canberra is far from ideal. As a government, we need to be doing all that we can to improve the rights of tenants. Raising the minimum standards for rental homes, capping rent increases and strengthening tenants' right to have a pet are significant and necessary steps that we have taken to make renting fairer in the ACT. I believe that making landlords provide a reference written by previous tenants is another way we can empower tenants.

We must take further steps to address the power imbalance between landlords and tenants, and that is why I have brought forward this motion today. There is an inherent power imbalance between landlords and renters. In a city where demand outstrips supply, landlords have plenty of tenants to choose from, while tenants are left with few options. This results in many tenants being forced to accept sub-standard living conditions. I have heard from many tenants who have reported very questionable behaviour from their landlords—surprise visits, entering the home without the tenant's permission, refusing to deal with mould or other serious maintenance issues. This culture of landlords acting without consequence needs to change.

Real estate agents and landlords also have total control over the rental application process. Tenants are expected to hand over their proof of income records, housing history, employment history, personal references, maybe even employer references—the list goes on. All of this information is handed over to a landlord who does not do anything in exchange. I think this is deeply unfair. Why should we expect tenants to

enter a contract worth tens of thousands of dollars a year with a person they know nothing about? This should not be the norm. At the very least, prospective tenants deserve to have some idea about how their landlord has treated tenants in the past.

There needs to be greater transparency in our rental market. Landlord references are a simple and sensible step towards achieving this. Tenants deserve to know whether their prospective landlord is going to do a good job or whether they have a history of mistreating their tenants. Tenants deserve to know if their landlord will be quick to deal with maintenance issues, if they will respond to their emails, and give reasonable notice before visiting the property.

Without any sort of accountability there are no real incentives for landlords to treat their tenants well. We have laws that are designed to protect tenants should serious misconduct occur, but in a rental market this tight, landlords who are uncommunicative or uncooperative, or even break the law, tend to get away with it in the long run. This motion is about giving a little more power back to renters. I urge all members in this place to support it.

**MR DAVIS (Brindabella) (3.24):** I rise to speak in support of Mr Pettersson's motion, a simple reform that seeks to shift the gross power imbalance that has existed for far too long between those who can afford to own multiple properties and those who cannot afford to own one at all.

Before it is highlighted by some of my colleagues in this place, I appreciate the irony of me saying these things, as someone who spent 12 years working with and for real estate investors and landlords here in the ACT, prior to my election to this place. This is not only a view that I have long had but actually good advice that I would give to landlords, were I still working with and for them: being a landlord is not a right; it is a privilege.

Unfortunately, we know, as discussed at length in this place, that federal government tax settings such as negative gearing and capital gains tax concessions have created an environment that has allowed many in our community to see property investment as an inherent right. But it absolutely should not be. It is a passive income generated from the hard work and labour of those who do not own property. It is a gift, in large part, to those who have been able to leverage against the family home or their primary place of residence that, in the midst of this housing affordability crisis that grips our nation, many have chosen to move into property investment with what is essentially fake money.

Madam Speaker, if you had bought a home in our electorate of Brindabella—let us say Calwell, as an example—back in 2010, a three-bedroom, one-bathroom home, you would have bought it for, at that time, approximately \$390,000 to \$400,000. Were you to sell it today, you would get close to \$1 million. What that means is that that family now, in conversation with their accountant or broker, or in dinnertime conversations with friends and family—the conversations we all naturally have about how, in this system we have created for ourselves, we are going to get ahead and make a better life for ourselves—hears someone say, “You should buy an apartment. They are going up at the rate of knots.” Another friend says, “Yes, I hear that they are doing no deposit down at the new waterfront development.”

So they go and they have a chat to the bank and they realise that there is all of this essentially fake money. Nobody earned it; it is not real. The market, in its magic, has gifted it to a property owner through the peaks and troughs—or what has mostly been peaks—of owning residential real estate in this city. So they go out and they buy a property. Good on them. No-one is saying that that is a bad thing. It should be encouraged; it creates supply for those who want or need to rent.

But we do need to shift the cultural conversation in our city—and, I believe, across our country—about this inherent right to use mythical, fake money to buy homes that you are then able to “gift”, as I have heard some phrase it, to other people, I am not sure that giving up 20, 30, 40, 50 or 60 per cent of your household income each week for a roof over your head is necessarily a gift, but it is how I have heard it articulated by some.

It broke my heart over the years, particularly my last few years in real estate, prior to my election in this place, when you really saw the market take off. What was a healthy and manageable level of competition between landlords and renters, or between prospective tenants for available property, has become a completely untenable, unmanageable situation.

Prior to the introduction of the legislation Mr Pettersson referred to in his contribution about outlawing rent bidding, I cannot tell you how many times I stood, as a rental agent, on the other side of a kitchen bench in one of those tiny, 15-minute open homes where people are just trekking in in tens, twenties and thirties. I can still remember one particular incident at a home in Macgregor that very nearly became violent as two prospective tenants verbally chose to outbid each other, while completing their rental application bent over the kitchen bench right in front of me. These are real stories.

As long as I am sharing real stories with members of the house, let me tell you about a few real stories that I experienced as a property manager—yes, working for landlords. There are good ones. I do not want to pretend that there are not good ones. I can still remember one particular landlord I had when I worked at an agency at Belconnen who lived three streets away from his investment property. He rented it out to a lovely young woman, a single mother. Upon meeting her at the first inspection, they had brokered a little deal with each other, because he was semi-retired, that he would come over every week and mow the lawns, as long as it was at a particular time. It was a perfectly good arrangement. That is a really good example of how some people understand the inherent privilege that it is to own residential real estate and their responsibility to provide a safe, clean, accessible home to the market and then to their tenant, with whom they now have a contractual relationship.

I can equally tell you, Madam Speaker, about a number of deeply troubling occasions where I had the misfortune of working for unscrupulous landlords, slumlords, who should be purged from the market, who should not be able to own residential real estate and hold homes over the heads of their tenants. I can still remember one situation very early on in my real estate career, when I was even younger than this—much more pimply-faced, Madam Speaker! It would have been the third or fourth landlord I had the experience of working for who said to me, “Rent it to anyone you

like, Johnno, but not (insert minority group here). I don't want my house to smell like that cooking or that food."

At that time, there were absolutely no rules and regulations specifically in any real estate code or the Residential Tenancies Act, aside from the Discrimination Act, that would have prevented that diabolical instruction. We have heard it put that landlords do not get the ultimate say and that the property manager does. That is naive and does not understand the relationship that exists between a property manager and a landlord, and the conversations that they have.

What usually happens in this heated market is that way more applications come in than that landlord can possibly service. The property manager is usually underpaid and usually has not attained the highest level of qualifications that would allow them to provide a professional, high-level service—at no fault of their own, might I stress, Madam Speaker. This is usually at the hands of the rent roll owner or the licensee in charge of these agencies, but that is perhaps a conversation for another day.

If you have a hundred applications, you take out the ones that you think your landlord is going to like, and maybe you take out the ones with the last names that might bother your landlord client. Then you pick out the ones that have offered more than the asking price. That might be four or five. If you are a property manager managing 180, 200, 220 properties a day, you could not possibly do all 100 of those applications justice. You could not process all of them effectively, call every single reference, before you give advice to your landlord, so you have to cull them somehow and you bring it down to who can pay more.

Would it not be wonderful if there was a situation where prospective tenants in our city, as they scroll through realestate.com.au or Allhomes, could sort the properties in a not too dissimilar way? Just imagine what it might look like on Allhomes if you jumped on and saw properties in Kambah—one for \$500 a week, three bedrooms, one bath; another one there, \$500 a week, three bedrooms, one bath—and one had a five-star rating from the past tenant and the other a one-star rating. What would you do, as the prospective tenant? Imagine that they are open at the exact same time. You can only see one. Which one would you go and have a look at? I know which one I would go and have a look at.

I know and I trust and I expect that there will be members of this place who will make contributions in the debate around how this is tinkering around the edges—that it does not fix the housing affordability crisis, that this is not a substantial reform, and I might give that critique that. But I think Mr Pettersson summed it up perfectly in his speech when he said, "We must do all that we can, where we can." We have discussed at length over the last few days all of the things that we cannot change, unfortunately, to fix the national housing crisis, and the implications of that national housing crisis on our city.

But we can continue, as a progressive, forward-thinking, leading jurisdiction, to role model good practice to other jurisdictions, to set the standard to encourage new social norms. I think that it would be an incredible hallmark of a progressive government to say that for too long the power balance in the landlord-tenant relationship has been

unfair; that the power balance between a landlord and tenant in that relationship has been unequal. Any way that we can even those scales, surely, is a positive step in the right direction. Surely it would be received with, if not the great enthusiasm I am demonstrating right now, at least reluctant acceptance that it gets us closer to, dare I say, a utopia where everyone who needs a home has a home.

I have heard it put by some, in my research in preparing for today's motion, that this has the risk of scaring landlords. People may not choose to invest in residential real estate in our city if they feel that they might be held to this new standard and therefore that would create a risk that there would be a limitation of supply. While I do not accept that argument, I am going to assume that to be true for the basis of the next point.

Would that be a bad thing? Would it necessarily be a bad thing if a bunch of people who own real estate in this city right now chose to put their homes on the market? We have been discussing at length over the past few days the housing affordability crisis, the challenge that first home buyers are facing to crack into the market, being outbid at auctions, being run over at open homes. Accepting the premise of that argument, would it be terrible if all those properties found their way to the market? Surely, accepting the talking points of some that supply equals demand, if there were a slightly greater supply in the market would that not slightly reduce demand and subsequently prices? Twelve years of selling homes in this city tell me that that is what would happen.

Let me assure you, utilising that same experience, that such a modest, pragmatic reform that seeks to even the scales between two people in a contractual relationship that has been too unequal for too long will not lose our market or our city a single landlord and subsequently will not lose our city or our market a single residential property. Why? Because being a landlord in this city is a pretty good deal. It is a very good deal. Owning homes that are rapidly increasing in value—this fake money the market is generating for property owners that I mentioned earlier—does landlords very well, especially—

**Mr Parton:** You would know, Mr Davis.

**MR DAVIS:** I would know, Mr Parton, I would. Especially when these are properties that are not the landlord's primary residence. You will hear it said, "Well, you know, if the value of the home that you own grows, it does not really matter if you are not going to sell it." Right? That is your primary residence. That is not the case for landlords, who could take advantage of the winnings of the market, putting their property on the market any day now and taking that reward.

But they will not, because, in spite of the rhetoric that we have heard from some about the overwhelming burden of things like rates and land tax—you know, the money collected to run good services in a progressive city—in spite of all those things, it is a really sweet deal to be a landlord in the ACT. It would continue to be a pretty sweet deal to be a landlord in the ACT were we to support Mr Pettersson's reforms. We would at least be inching closer to a utopia where, in a contractual relationship between someone paying someone and someone receiving something, those scales could be evened just a little bit closer to fair.

**MR PARTON** (Brindabella) (3.39): I am absolutely staggered by the efforts of Mr Pettersson in bringing forward this motion today. Madam Speaker, we are in the middle or at the height of a housing crisis—a time when putting a roof over your head in Canberra has become so unaffordable, when people are sleeping in their cars or leaving this great city of ours because they cannot find a place to live. Our current rental vacancy rate is actually 0.4 per cent, according to the Real Estate Institute this week. There are dozens of applications—indeed Mr Davis has just said there would be at least 100—for so many of these properties. I cannot believe that at this point in the crisis, this is what we have from a Labor member. The only thing that this motion calls on the government to do is to force landlords to provide references to tenants. That is it; there is nothing else.

I read through it a number of times, thinking, “There’s got to be something else.” I know others in this place read through it, thinking, “There’s got to be more to it than this,” but that is it. This motion is actually a joke, and that is how it started. That is genuinely how it started. That is how it should end.

It is all well and good to come in here and say that it is desperately important for us to do whatever we can to make sure that landlords do the right thing by their tenants, and certainly they should, but if this were actually important to Mr Pettersson, he would have consulted with the various advocacy groups. Those who I have spoken to did not hear from Mr Pettersson. They read about it in the paper; they indicated somewhat similar feelings to me, in that they are not necessarily opposed to this call but is that all there is? Is that really all there is?

I actually think it is time for Mr Pettersson to have a good, hard look at himself and ask himself what it is that he is doing here. I enjoy Mr Pettersson’s company; I think we all do. He has been here for five years now. How does he see his future in this place? I like having a laugh as much as anyone, but when I come into this place as an MLA, I take my role very seriously when it comes to bringing forward motions, and debating bills and motions.

Mr Pettersson can be seen on a social media platform answering the question, “Why did you become a politician?” Mr Pettersson’s answer is, “Because I thought it would be funny.” That is why he is here, according to Mr Pettersson; he is here because he thought it would be funny.

So it is no great surprise that the inspiration for today’s motion came directly from TikTok. This motion is inspired by Sydney comedian Tom Cashman, who has posted a series of TikTok videos about him almost jokingly asking the landlord for a reference, rather than the other way around. Mr Cashman posted the video to get laughs and to get views, and that is exactly what he achieved. I cannot get away from the fact that I think that is why Mr Pettersson has brought this motion forward today.

Let us get this straight. When it comes to seeking policy advice in this particular housing space, I paid my own way to get to the National Housing Conference in Melbourne earlier in the year. I bought my own ticket to the conference, and paid for my airline tickets and accommodation—it totalled around \$1,500—so that I could

meet with some innovative policymakers to assist me in constructing policy in what is a very important space. While I was doing that, Mr Pettersson was lying in his bed at home, scrolling through TikTok. And this is how we came to be here today.

I can I tell you that the word that comes to mind here for Mr Pettersson—and I cannot get away from it—is contempt. The motion shows contempt for every Canberran in rental stress, for everyone who cannot get into a home. It is very clear that there has not been a great deal of thought that has gone into this.

I would draw Mr Pettersson’s attention to the comments on that original TikTok of Mr Cashman’s. About 10 comments down, there is a contribution from a user known as “It’s Gonna Be OK” and he says, in regard to trying to get landlords to give references, “That would be really nice and fair, but in Berlin you would end up just living under a bridge with that attitude. The housing crisis is real.” “Feisty Bree” responds by saying, “Same with California.” “Aquatic14” says, “Same with Canada.” “And Verbs are Good” says, “Same in Australia and New Zealand.”

Ultimately, in his speech, Mr Davis has pretty much intimated the same thing, because he spoke about a process where the letting agent has to go through 180 applications and the process whereby they will whittle them down to the small number that will get shown to the landlord.

Does anyone believe that in the current market they might strike out the ones that have asked for the landlord reference? I think they probably would. In answer to Mr Davis’s question as to which property you would go to, the one where there is a one star or a five star, I can tell you, based on the feedback that is coming to me from people who are desperately trying to get into the market, that they would go with the one that they thought they had more chance of getting. A lot of them would actually choose to go to the one star. That is not right; that is rubbish, and that should not be the case, but at the moment the reality of our housing situation here is that that is the case.

I cannot see what positive effect this is going to cause right now. That is not to say we are absolutely opposed to the idea; it is just that in this current time and place, seriously, is this all you have got?

I jokingly said to Mr Pettersson yesterday that I had consulted with Tom Cashman, and he thought I was serious. I did not. I did consult with the Real Estate Institute, various real estate agents and landlords and some advocacy groups, and they were speechless. They could not believe that we were going to waste valuable time in this place to debate such a motion.

One of them spoke about the stunning exodus of investors from the market in recent years and recent months, and I know Mr Davis touched on this. Ultimately, we arrive at different conclusions as to motivations and where that is heading, but there is no doubt that there has been an exodus, and much of it is because of the massive increase in prices.

One of the real estate agents that I spoke to said it really does not take much of a push to convince landlords to sell up. The evidence from the industry is that most of those properties are being purchased by owner-occupiers, as Mr Davis pointed out. But it is one of the big reasons that we have a vacancy rate of 0.4 per cent.

Mr Pettersson, in his opening remarks on this motion, pointed out that there is a massive cohort, a huge cohort, of people who will never own a home. For some of those people, it is by choice, but for many others it is because it will just be outside their financial reach to do so.

I was staggered to hear Mr Davis suggest that it would actually be quite a positive thing if some of these landlords left because some owner-occupiers would purchase those properties. What does Mr Davis have to say to the massive amount of people who are currently failed by the private rental market because they just cannot get in? The further you diminish that private rental market, the more those rents will go up and the more the sort of practices that Mr Davis spoke of, that are far from ideal, will occur.

I would ask Mr Pettersson to explain to this chamber exactly how many constituents have contacted his office asking him about the ability for tenants to seek references from landlords. I want to know, because I have not had any; not a single one. I want to know how many people have contacted the Pettersson office asking this question. And in answering that request, I wonder whether Mr Pettersson can provide the evidence of those inquiries. If that evidence cannot be provided, we all must arrive at the conclusion that this is all just a bit of a laugh.

I met with a landlord on Monday night, a gentleman who had a dozen investment properties in a family trust. Ms Cheyne knows exactly who I am talking about. I explained to him what the guts of this debate today was about. I explained that Labor was moving a motion seeking to make it law that he would have to provide references to prospective tenants, should they request one. Terry—not his real name—was a little perplexed. “Surely, they would just want references for the letting agent?” he said. “No,” I told him, “this motion specifically asks for the landlord to provide references.” “What’s that going to achieve?” Terry asked me. “What’s it going to achieve?” “Well,” I said, “in the current market, it’s not going to achieve anything.”

The Canberra Liberals will not be supporting this motion. I think that it should be a great embarrassment for both Labor and the Greens, because of what it signals more than anything else. If you consider the motion that the leader of the Canberra Liberals brought to this chamber yesterday, and if you consider for a moment the motion that Mr Davis has put on the paper, potentially for discussion tomorrow, when you compare those to this motion, I think it should be a sign of great embarrassment. It signals that both Labor and the Greens, more than anything else, are not taking the housing crisis seriously and that, as a collective, you are treating the city with contempt.

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for

Human Rights and Minister for Multicultural Affairs) (3.49): I thank Mr Pettersson for bringing this motion to the Assembly and for his interest in the rights of tenants. The Attorney-General, Minister Rattenbury, cannot be here today. I will be speaking in his place, on behalf of the government, regarding policy relating to tenancies. We do support this motion today.

The rights of renters, as has been reflected in all speeches today, are more important than ever before, particularly when many people are more likely to rent for longer periods of time or indeed for their entire lives. Additionally, the COVID-19 public health emergency has only made life tougher for renters who were already struggling to make ends meet. Everyone deserves a safe and secure place to live, and to choose and live in rental properties based on the principles of dignity and fairness. Currently, there is an unfair power imbalance between landlords and tenants whereby the rights of landlords are placed well ahead of the rights and needs of renters.

The ACT government is committed to addressing this power imbalance. We have already made significant reforms in recent years to improve the rights of tenants, and these are reflected in the motion. They include capping rent increases; strengthening tenants' rights to have a pet; allowing tenants the freedom to make minor modifications to their home; providing a fairer method for calculating break lease fees; lowering upfront costs by limiting the amount of advance rent a landlord can request; and raising minimum standards for rental homes.

But there is more work to be done, and the ACT government remains committed to continuing to progress its reform agenda, including a significant reform that tenant advocates have long called for: amending the Residential Tenancies Act to end no cause evictions, which is outlined in the parliamentary agreement for this Assembly. Removing no cause terminations from the Residential Tenancies Act will mean that landlords will only be able to terminate tenancies when there is a justified ground for termination under the Residential Tenancies Act. Tenants will no longer have to fear that they may be evicted for no reason and may consequently feel more confident in asserting their rights under their tenancy agreement.

We also remain committed to considering a range of other tenancy reforms, such as regulating rent bidding; strengthening the right to grow food and to compost at a rental property; and introducing minimum standards for residential tenancies. We are considering these issues in consultation with the Canberra community. Members in this place might recall that between August and October last year we asked the Canberra community for their views on these key areas of reform. Community views were sought through the ACT government's YourSay website via an online survey and through written submissions in response to the consultation paper released for community feedback at the beginning of August.

The listening report outlining community and stakeholder views as part of the consultation process will be released shortly. The community's feedback as part of this process will inform the ACT government's approach to the reform of rental laws. There will be additional opportunity for tenants, landlords, real estate agents and other interested members of the community to have their say, and to share views of the potential impacts of the proposed reforms and how they should be implemented, once

a public exposure draft bill has been developed. I am pleased to say that this is expected to occur in mid-2022.

Going specifically to Mr Pettersson's ask—and as the motion draws attention to—it is the case that landlords will often ask tenants for extensive information on their employment and on their rental history, while tenants often are not in a position to obtain information about landlords' treatment of previous tenants. I note that Mr Pettersson's motion is about the consideration of a change here.

Indeed, any changes to rental laws giving renters the right to receive references from landlords' previous tenants does need to be considered practically. This includes due consideration of how the intended impact can be achieved and any other consequences that might arise and ensuring that, if this is pursued, a balance is struck in strengthening the rights of renters while also reflecting that landlords need the freedoms and rights to effectively manage their properties.

I commend Mr Pettersson on bringing this motion to the Assembly and look forward to learning further of the information power imbalance review, together with the consideration that will be given to landlord references, when it is reported back to the Assembly in November.

**MR PETTERSSON (Yerrabi) (3.55)**, in reply: I appreciate the opportunity to rise in closing because I want to thank, first and foremost, all members for their contributions—definitely some more than others. I want to start first, Madam Speaker, by addressing Mr Parton's speech. Mr Parton I would describe as a nice guy. He is one of the friendly guys around this building, which is why I am quite genuinely surprised by the very ferocious and personal attacks that Mr Parton led with.

Generally speaking, personal attacks and process arguments are the place that you find yourself when you actually cannot argue on the substance of the issue. When you do have an argument of substance, that is what you lead with. If you actually think you have got a point, that is the point you try and make. But when you stand up and all you can say is mean things about someone else, I think that says more about you than it does about the other.

Very specifically to the point Mr Parton made about our interaction in the hallway, where Mr Parton claimed that he had asked the comedian a question about this motion, I would urge Mr Parton to reflect that there is a reason that I believed he might have spoken to this TikTok comedian, while with others I might not have so easily assumed that that would have occurred.

I think there is something that needs to be addressed in this debate and it has come up with some of the questions that I have received today. I think references are a great thing for landlords and for tenants. When a landlord asks for references, I think that is a good thing. It allows them to get more information to make an informed choice. I completely understand and am empathetic towards landlords wanting to make the best choice for their property. Good. No objection to landlords. I have friends who are landlords. They are not bad people. Overwhelmingly, landlords in Canberra are great people. Canberrans are wonderful people.

When those landlords ask for information, they do it for a reason. It is so that they can make an informed decision. They want to make sure that the person that is moving in has a good record in how they treat their rental properties and that they can pay the rent that is expected of them. Similarly, those exact same benefits apply the other way. When you are a tenant you want to make sure that, when you move into a property, the person on the other end of the phone is going to pick up; that when there is urgent maintenance they are actually going to do it. You want to know that that landlord is going to respect your rights.

The stories I have heard across the ACT of landlords disrespecting tenants are absurd: from landlords randomly bursting into people's houses at strange times to landlords refusing to do maintenance that is required. These are things that are sometimes illegal, sometimes not, and in that grey area the exploitation that can occur is deeply troubling. We have courts for a reason. When landlords or tenants do the wrong thing, there should be recourse. But let us be very clear: that recourse is often instantaneous and only applies to that circumstance. It is important that people can be aware of what has gone on so that they can make informed choices. If someone is a bad landlord then I think tenants have the right to know that so that they can avoid them.

Something that has been raised and that I think is worth pointing out is the role of property managers in this process. Property managers have a hard time. They have a lot of work. They do not get paid a lot of money and they often do not get all the support they need. I do not want to castigate property managers. But what needs to be said is that landlords, at the end of the day, are responsible. They appoint the property manager. They are responsible. You cannot subcontract out your responsibility. At the end of the day, the buck stops with the landlord.

To those in the Canberra Liberals that seek to run a protection racket for property owners' interests, it is very clear to everyone what has occurred today. The fact that you are so ardently inclined to defend the interests of the property class is remarkable. I was somewhat surprised at what occurred today. I actually thought the Canberra Liberals were going to come in here, say a bunch of nothing and just let this one go through to the keeper. Instead they viciously came out and not only attacked me in a very strangely personal way but tried to undermine this motion—for no real reason, because, at the end of the day, references are good for both sides.

Something that I want to put on the record here is that the response to this idea when it was first put out there by a comedian over a month ago was profoundly positive. The response from renters is actually staggering, and I say that as a renter myself. I am probably one of the few politicians in this country that rents. I know what it is like. For all of the renters, they know exactly what this motion does. It gives them the slightest semblance of power. It gives them the ability to tell their story, to say, "This landlord treated me badly and you should be aware of this." To me, it is shocking what I have seen here today. I look forward to the coming year, as the ACT government investigates and considers this motion.

As much as Mr Parton would like to describe this as some concrete proposal right here today that is going to send the ACT housing market crashing, that is not what this

is. I called for something to be considered. I think it is shameful of members in this place to come in here and try to shame people out of bringing ideas forward. I think that it says more about your values than anyone else's. In conclusion, I would urge all members in this place to support this motion. I think it is a good one and I look forward to seeing this progress.

Question resolved in the affirmative.

### **ACT Health—COVID-19 data—correction**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.02), by leave: During question time I read from an email that I had understood to be a response that was provided to a journalist in response to their questions. I subsequently realised that that was not the final version of the response that was provided to the journalist. The final version actually contained some additional information and some corrections to the numbers. Rather than reading out the entire thing again, I present the following paper:

Final response to media inquiry regarding vaccination status of people who had been admitted to ICU and those who had died with COVID-19 in 2022 (provided to journalist 4 February 2022).

### **Adjournment**

Motion (by **Mr Gentleman**) proposed:

That the Assembly do now adjourn.

### **Ginninderra electorate—small businesses**

**MRS KIKKERT** (Ginninderra) (4.02): We all know that small businesses are the backbone of our local economy. More than 30,000 private sector enterprises operate across Canberra, the majority of them small. Despite our reputation as a city of public servants, nearly two-thirds of our workforce are employed in the private sector.

Small business owners are champions who assume enormous personal risk as they create and grow their businesses. Their commitment to innovation and excellence keeps essential and desired services available whilst providing their employees with opportunities to develop, to grow and to provide for themselves and their families.

In many cases, small businesses are also important elements of our communities and neighbourhoods, building connections, bringing people together and supporting worthwhile endeavours. This is certainly true of Duncan's Plumbing, Heating and Air Conditioning, located in Page, in my electorate of Ginninderra. As well as owning its own premises, Duncan's also acts as the well-regarded landlord of many of the other shopkeepers in Page. It is obvious that owner Jason Duncan and his team take great pride in the way that they manage and maintain their properties, making the Page shops an inviting place to visit.

Duncan's also supports the Belconnen Community Men's Shed, located right next door. It sponsors a number of sporting teams across the Canberra region, including the Belconnen United Sharks, Hockey ACT and the CBR Brave, Softball ACT, and even the Queanbeyan Yowies basketball team. It has also been a major sponsor of community events such as the Weetangera school fete.

On the first weekend in March it was my privilege to attend another community event sponsored by Duncan's Plumbing, Heating and Air Conditioning, along with my colleague James Milligan—the Page shopping centre barbecue. I rise today to thank Jason and his team for once again being good neighbours and helping to build and strengthen community by bringing people together. The food, of course, was fantastic and the vibe was relaxed and happy.

I was thrilled to see that the Canberra Prosperous Mountain Dragon and Lion Dance team had been invited to this community celebration. As part of their performance they blessed each of the six shops for the coming year. After two very difficult years for our local small businesses, what a lovely gesture that was.

I sincerely hope that 2022 will see Duncan's prosper. I hope that this same prosperity will be enjoyed by all of the small business owners at the Page shops, across my electorate and across this territory. I give my sincere thanks to Jason Duncan and all of his employees for making so many valuable contributions to our Canberra community.

### **Health—autoimmune disorders**

**MS ORR** (Yerrabi) (4.06): I rise today to speak about autoimmune disorders and the impact they have within our community. Autoimmune disorders occur when a person's immune system starts attacking their own body. There are around 80 different autoimmune disorders, ranging in severity from mild to disabling, and for unknown reasons women are more likely than men to develop them. There is no known cure for most autoimmune disorders, and very often we do not even know how these disorders work, but symptoms can usually be somewhat managed, providing some relief for those with them.

Why is it important to talk about this? It is because autoimmune disorders affect around five per cent of the Australian population, and they are often chronic and have many associated impacts. In short, they have a really big impact on people, but as a community it is not something that we really think about or understand. The USA has a whole month set aside to raise awareness of these disorders and the impact that they have. That month is March, and it is in this spirit of awareness that I speak today.

I personally know about the impact of these disorders because I am one of those five per cent. I will never forget the day my GP called me and said, "You don't have cancer, but something is really wrong and you need to go to emergency now." That was 12 years ago. I was diagnosed with immune thrombocytopenia—or, as it was known then, idiopathic thrombocytopenic purpura, which I must admit I have never

been able to properly pronounce, and I have always referred to it by its abbreviation, ITP. It is a rare disease affecting only three in 100,000 adults per year in Australia.

Mr Deputy Speaker, when you type in “ITP” to an internet search, you are flooded with information on where to find a tax accountant but not really any information on the disorder itself. The common understanding is that ITP occurs when the immune system starts attacking the body’s platelets, which are the things that make your blood clot, leading to a low platelet count and severe bleeding in the body. It means you get lots of bruises, pinpoint-sized reddish-purple spots called petechiae all over your skin, blood blisters in your mouth, a slightly yellowish sheen to your skin, astoundingly heavy periods, and in some instances internal bleeding, predominantly in the kidneys and bowel.

Treatment in the first instance usually involves corticosteroids, but if those do not work other options are drugs stronger than corticosteroids, transfusions and even splenectomies. I could run through all of these because, apart from the splenectomy, I have had all of them. Unfortunately, I also have a long history of none of these treatments ever working. I have just had to wait and hope that my body spontaneously helps itself out.

Mr Deputy Speaker, with the bushfires, the hailstorm and COVID-19, the start of 2020 was a lot for many Canberrans to deal with, but you can add to my list a looming election and, in January, confirmation that I had relapsed to a platelet level that needed medical intervention. Given my history of never responding to any treatment, the initial prognosis was, to put it mildly, not great.

I was told early on in my career not to speak about my health, even to those closest to me in politics, as it is not always the nicest profession. Given this advice, I would be lying if I said that I did not have concerns about some people using my disorder against me. So in 2020 I kept my condition mostly to myself. I was also hesitant to let people see me, especially when my symptoms were at their worst, in the first half of 2020.

While my immune system was a bit confused, the rest of me was fine and I could still do my job. That is what I got on with doing—leading support for Canberrans during the pandemic, supporting the vital work of the community sector during the COVID-19 shutdown and establishing the Canberra Relief Network, a nationally recognised initiative which ensured that Canberrans had food if they needed it during the pandemic. I also defended my seat in the 2020 election.

That brings me full circle to why I have risen today to talk about autoimmune disorders. While I am one person, I am one person of five per cent of people who, every day, face the same lack of understanding about what it is we are going through, which in turn makes us hesitant to speak about it and get the support we need, even while doing everything that people without the challenges of an autoimmune disorder do.

ACT Labor has several health commitments to be delivered in this term, and I ask that as these are implemented there is every opportunity to support people with

autoimmune disorders. I hope that by putting this part of my story on the record, it encourages more people to speak up, to ask questions and, for those that do not have an autoimmune disorder, to go forward with an open mind and a bit more support.

### **World Rewilding Day**

**MS CLAY** (Ginninderra) (4.11): Sunday, 20 March was World Rewilding Day. It was a day where people around the world raised awareness of rewilding and the need for recovery of nature, inspiring people and organisations around the globe to support and participate in practical rewilding. What is rewilding? There are so many definitions. It is a progressive approach to conservation. It acknowledges that nature can and should take care of itself. It is about healing nature, restoring ecosystems and letting natural processes shape the land and the sea, repair our damaged ecosystems and restore our degraded landscapes. It restores our connection with the natural world and it helps us to reconnect. For me, rewilding is about hope, creation and agency. It is about learning and listening to what our environment needs and helping out or getting out of the way.

Why is it important? I know I bang on about this a lot, but we are in a climate emergency. We also have an extinction crisis and a habitat crisis. We are experiencing biodiversity decline at an increasing rate. Rewilding is one small way we can support and reconnect with nature and reverse the harm that humans have done to our environment for generations. It provides opportunities to reverse the biodiversity loss and lets us restore habitat in our cities and our local areas. It lets us make a home for the plants and animals who used to call this place home. It also improves our health and wellbeing.

I have learned a lot about rewilding during my term here. I get to meet and work with a lot of local community groups, and a lot of them are working in this area. I have been lucky, as an MLA, to have participated in rewilding and land care activities. I have met with people and I have weeded and done plantings in Cook, Bruce Ridge, Aranda bushland, Mount Painter, Black Mountain, Umbagog, Lawson, Mackellar and Gossan Hill. My partner keeps threatening to list our backyard as a rewilding project in the hopes of attracting my attention to help him out on the weekends, but, frankly, I am too busy elsewhere, so it is probably not going to work.

I was privileged to hear from, and work with, a newly established group, Emu Creek, which is a rewilding group run by John. He is intensely passionate about assisting his local area to become biologically rich and diverse again. He wants to protect the environmental features that are already there, like native grasses, and to replant them and recreate them. He has a vision, and he has gathered together a lot of interested locals—all different ages, all different backgrounds. The results are impressive, and the outings are really fun.

I have also spent time with some more established land care groups, like Friends of Mount Painter. It has been great to see and hear the long-term, continual stewardship in these areas and to see what it can achieve. Places can be, and are, regenerated when we give them time, attention and consistent love. For me, rewilding is integrating nature in our city and turning to nature-based solutions, such as wetlands to purify our

stormwater, and urban forests that provide food for our birds and bees and shade for our people. It is a continual process of learning and growing, adapting and changing. I have been lucky to attend information sessions on micro-forests and I have learned so much about all the different types of habitats we can have and all the different types of plantings that we have a place for here.

Rewilding is also looking at using innovation in a nature-based solution to help improve our city. I am looking forward to hearing the outcomes of our water-sensitive urban design trail at my local shops in Jamison, which will improve the tree health and growth in our car park and will just make it a little bit cooler. It is also providing some benefits for local birds and wildlife.

I am most moved by the work of our local volunteers when they are looking after the places that they love. I am looking forward to hearing from the local groups in our current environmental volunteerism committee inquiry. I think we will find out some really good ways that the government can help people and, again, get out of their way when they need us to get out of the way.

We are pretty lucky, here in the ACT, to live in this bush capital. I am really pleased to see that we have a number of steps in our parliamentary and governing agreement to try and protect it, including better funding for our parks and conservation and better management of our Canberra Nature Park and Namadgi National Park. We have increased funding for weeds and invasive species management. We have increased funding for local environmental groups. We have also launched our cat containment plan and the new cat plan around the ACT.

I am also pleased to see that we are taking new steps, like introducing and considering a right to a healthy environment into our Human Rights Act. World Rewilding Day was launched for the first time last year by the Global Rewilding Alliance. I really look forward to watching rewilding grow and become more popular as the rewilded areas themselves grow and become more popular.

## **Harmony Week**

**MR CAIN** (Ginninderra) (4.16): As members would be aware, this week, 21 to 27 March, is Harmony Week, with Harmony Day being Monday, 21 March. The theme of Harmony Week—this is something that is encouraged by the Australian government as well as, I believe, all the jurisdictions—is that everybody belongs. Another theme of Harmony Week is a celebration of our country's, and particularly this city's, cultural diversity.

I would like to briefly mention two events of personal significance to me, during this period. Firstly, it was an honour to attend last Sunday the ringing of the peace bell. I was able to participate, along with a member from this Assembly, at the Canberra Nara Peace Park. This annual event was organised by the Canberra Multicultural Community Forum, in conjunction with the Rotary Club of Canberra Burley Griffin and the Canberra Interfaith Forum.

Of significance that afternoon was the addition of eight languages to the peace pole, these being Bengali, Farsi, Hindi, Nepali, Sinhalese, Swahili, Urdu and, most relevantly, Ukrainian. Each language group that was in attendance that afternoon was invited to come and say the following words in their own language: “May peace prevail on earth.” And in my own singular language skill, it was an honour, on behalf of the Canberra Liberals, to say those words. I want to thank especially Chin Wong, chair of the Canberra Multicultural Community Forum; Rotary president Warrick Howieson; and chair of the Canberra Interfaith Forum, Dean Sahu Khan, for organising this event. May it be held annually and, of course, may we hold the spirit of this week throughout the whole year.

Secondly, and of great significance, was the motion presented by the Chief Minister today, supported by all three parties in this Assembly. I want to read this motion, short as it is. It says:

That this Assembly:

- (1) voices support for the democratically elected Ukrainian Government, the Ukrainian people and Canberra’s Ukrainian community; and
- (2) requests the Speaker convey to the Ukrainian Government, via the Embassy in Canberra, the support of this Assembly expressed in this motion.

It was an honour to be part of the Assembly sitting, and even a greater honour to be in the Speaker’s chair today when this motion was unanimously supported.

### **ACT Health—COVID-19 data—correction**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.20): I want to table a correction to the document that I tabled earlier. I had written an incorrect date on it. The information was not provided to the journalist on 4 February but on 3 February.

I table:

Final response to media inquiry regarding vaccination status of people who had been admitted to ICU and those who had died with COVID-19 in 2022 (provided to journalist 3 February 2022)—Amended version.

### **Canberra—109 years**

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (4.20): As a city we have just celebrated Canberra’s 109th birthday. Across the community we enjoyed a range of different events to commemorate it. One particularly delightful hour of celebration was the Lunatic Fringe’s performance of *Canberra: We Live Here* at Smith’s Alternative on 15 March.

The Lunatic Fringe are thus named because they do not take themselves too seriously. As MC on the night and proud Canberran Jill Waterhouse describes the group: anyone is welcome in any capacity; poems and songs are composed at kitchen tables or in the shower; contributors can be as anonymous as they wish; the only central organisation is an email contact who receives the contributions; anyone is welcome to take charge; the theme is decided over a casual lunch at one of the clubs and by email; and then they look for a pianist and someone to type out a program.

Given the time of year, *Canberra: We Live Here* was an appropriate theme for a group that has nothing but praise for this city and territory. They composed original poems and songs to demonstrate their enthusiasm and to contribute to the commemoration of Canberra Day. I thoroughly enjoyed the performances, the creativity, the connection and the camaraderie and am looking forward to the next performance.

In the time I have left, I want to share some of what had been composed. I will see how many I get through. The first is titled *This Is Canberra*, by Kay Grzadka. It is set to the tune of *The Last Farewell*. I will spare the chamber my singing, but I think it reads quite beautifully as a poem:

There's a city laid out by the Molonglo River where Scrivener Dam has made the waters swell  
 Formed a lake and in it there's an island, and from there drifts the sound of carillon bells  
 The city's called a place of many meetings, on land of Ngambri and of Ngunnawal  
 For this is Canberra, and I have loved her dearly, more dearly than the spoken word can tell (repeat)

There's a grand and lofty tower on Black Mountain, a true landmark wherever here we dwell  
 When I see it as I drive down Federal Highway, I know I'm safely home and all is well  
 By Mount Ainslie there's a war memorial, of bravery and sacrifice it tells  
 For this is Canberra ...

The colours of the florid in Spring time and Summer has her floral blooms as well  
 The beauty of the changing leaves in Autumn, 'til glistening frosts forecast a wintry spell  
 The wondrous hues upon the western skyline as the sun sets below the Brindabellas  
 For this is Canberra, and I have loved her dearly, more dearly than the spoken word can tell.

And this is by Jill Waterhouse. It is titled *In Praise of Canberra: A New Job*:

Woke up this morning feeling fine  
 I'd got a text with just one line  
 Last night I got a new job, as I hoped that I would  
 Something tells me I'm into something good.

I'll be working hard, such a steady wage  
I will sing at Smith's, a special stage  
Though Canberra's new to me, it's so well understood  
Something tells me I'm into something good.

Finally, this is *Ken Behrens*, also written by Kay Grzadka:

“We're all Ken Behrens”, said the Chief, “and put now to the test.”  
“To help each other fight the virus we must do our best.”  
Well educated, vaccinated, more than all the rest  
Ken Behrens passed the test.

Give a cheer for our Ken Behrens  
For the lovin' and the carin'  
(For) Getting vaxed and for mask wearin'  
Ken Behrens you're the best!!

Ken Behrens like our Nigel had a real hard row to hoe  
Doors were closed and rules imposed and business hit a low  
Now we've opened up again we hope your business grows  
We wish you all the best.

Give a cheer for our Ken Behrens  
For the lovin' and the carin'  
(For) Getting vaxed and for mask wearin'  
Ken Behrens you're the best!!

I thought those were very fitting to mark a very special celebration of 109 years of Canberra, and I thank the chamber for indulging me.

Question resolved in the affirmative.

**The Assembly adjourned at 4.26 pm.**

## Schedules of amendments

### Schedule 1

#### Road Transport Legislation Amendment Bill 2021

##### Amendments moved by the Minister for Transport and City Services

1

Proposed new clauses 7A and 7B

Page 5, line 9—

*insert*

**7A** New section 244L

*in division 14.3, insert*

**244L Travelling in or on personal mobility device without due care etc**

A person must not travel in or on a personal mobility device without—

- (a) due care and attention; or
- (b) reasonable consideration for other road users.

Maximum penalty: 20 penalty units.

**7B** New section 296A

*insert*

**296A Driving without due care etc**

A driver must not drive a vehicle without—

- (a) due care and attention; or
- (b) reasonable consideration for other road users.

Maximum penalty: 20 penalty units.

2

Clause 8

Proposed new section 304A (1)

Page 5, line 15—

*omit*

believes

*substitute*

suspects

3

Schedule 1, part 1.2

Amendment 1.3

Page 10, line 1—

*omit amendment 1.3, substitute*

**[1.3] Schedule 1, part 1.12A, new items 422A and 422B**

*insert*

422A	244K	person in or on personal mobility device without proper control	20	154	-
422B	244L	person in or on personal mobility device without due care etc	20	154	-

**[1.3A] Schedule 1, part 1.12A, item 524***substitute*

523A	296A				
523A.1	• rider of a bicycle	driving without due care etc—bicycle rider	20	154	-
523A.2	• any other driver	driving without due care etc—any other driver	20	301	-
524	297 (1)	drive without proper control of vehicle	20	398	-

**Schedule 2****Road Transport Legislation Amendment Bill 2021**Amendments moved by Ms Clay**1****Clause 9****Section 6 (1), penalty, proposed new paragraph (c)****Page 7, line 6—***omit*

, imprisonment for 6 months or both

**2****Schedule 1, part 1.2****Amendment 1.2****Proposed new item 9****Page 9—***omit item 9.3, substitute*

9.3	• if the driving occasions actual bodily harm	negligent driving occasioning actual bodily harm	50pu	900	3 (NS)
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