



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

TENTH ASSEMBLY

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Tuesday, 29 November 2022

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

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

Leave of absence

Motion (by **Mr Gentleman**) agreed to:

That leave of absence be granted to Ms Orr for today's sitting due to illness.

Motion (by **Mr Braddock**) agreed to:

That leave of absence be granted to Mr Davis for this sitting week due to personal reasons.

Petitions

Ministerial response

The following response to petitions has been lodged:

Schools—maintenance—petitions 15-22 and 21-22

By **Ms Berry**, Minister for Education and Youth Affairs, dated 11 November 2022, in response to a petition lodged by Mr Davis on 2 August 2022, concerning a building condition report for Lyneham Primary School.

The response read as follows:

Dear Mr Duncan

Thank you for your letter about petition number 15-22 and 21-22 regarding a building condition report for Lyneham Primary School.

The ACT Government is committed to ensuring that ACT public schools are great places for students to learn and staff to work.

The Education Directorate has an established process of conducting condition assessments of the internal and external areas of all ACT public schools. Through this process, data is collected in an asset management system and then used to prioritise the annual repairs and maintenance programs through a school maintenance plan.

A condition assessment on internal areas at Lyneham Primary was completed in September 2022, including recording the condition of paint, carpet, doors, windows and lighting. The condition assessment recorded data on over 1,700 points within the school and has been used to update the Lyneham Primary School maintenance plan (**Attachment A**). The maintenance plan is a living document which is reviewed and updated regularly with the school.

A condition assessment of external areas at Lyneham Primary is being undertaken in term 4, 2022. The data recorded will again be used to update the school maintenance plan and prioritise the repairs and maintenance program for the school. The Education Directorate has prioritised a large external painting program which will commence in term 4, 2022.

The Directorate also conducts routine condition assessments of all critical infrastructure, including fire systems, emergency lighting, hazardous materials, heating and cooling throughout the year. Any identified issues are repaired in consultation with the school.

A number of improvements have been completed at Lyneham Primary School this year, including a classroom expansion, glazing and internal door upgrades and outdoor learning and landscaping upgrades. I can also confirm the flammable cladding referred to in the petition was removed and replaced mid last year.

The school has also identified a series of priority projects that are in an early planning phase. These projects include a new accessible and non-gendered toilets for students, an upgrade to the senior male toilets that also includes improved access from the playground, new small group learning environment and courtyard, new courtyard off the small group unit in the junior school and a new staff courtyard.

The government welcomed the ACT Legislative Assembly Standing Committee on Education and Community Inclusion Report – Managing ACT School Infrastructure and a formal response to the report was tabled on 20 September 2022.

As set out in the government response, the Education Directorate has commenced a review of the capacity assessment methodology used for ACT Schools. The response also notes that libraries are not included in capacity calculations.

Your correspondence on this matter is appreciated.

Motion to take note of petitions

MADAM SPEAKER: Pursuant to standing order 98A, I propose the question:

That the response so lodged be noted.

Paper **Out-of-order petition**

MS LAWDER (Brindabella) (10.02), by leave: I present:

Petition which does not conform with the standing orders—Monash shops redevelopment—Ms Lawder (127 signatures).

As Brindabella members here in this this place would know, plans for some redevelopment at the Monash shops are afoot. It has been the source of much discussion in the community recently. So Monash shops, where the supermarket once was, has been vacant for some years and local residents are very concerned about the amenity provided for people in their suburb.

The current proposal would see the redevelopment of the shops to accommodate a new childcare centre. Of course, as with most proposals, there has been a mixed response. Some residents have noted that Monash already has a childcare centre, and they believe that a supermarket reopening there would be better suited to community needs. That is what this out-of-order petition today is about, with 127 signatures from members of the community.

We discussed a similar issue last week, when we talked about Richardson shops. Local suburban shops are an issue that residents feel strongly about. Sadly, they can be vacant despite local community support. The challenges of these suburban shops need to be investigated further by our government so that barriers can be removed to improve their viability and allow them to be a great community asset that we know they can and should be.

We have heard about this at Richardson shops and, now, at Monash shops. We have heard about it at Giralang and in some places in Molonglo—the long-lasting battle to get local shops and the benefit to local residents. I really hope that the consultation process for Monash shops redevelopment continues to a standard that ensures that residents' voices and concerns are listened to, and I commend the petition to the Assembly.

MR PARTON (Brindabella) (10.04): I also just wanted to say a few words about the out-of-order Monash shops petition, because what we see here is democracy in motion. That is what we see with petitions all the time in this place, and I applaud Murray and Cathleen and all of the residents of Monash who attended a hastily convened public meeting at the Monash shops several weeks ago. A number of those residents have formed a view that the government's consultation is a box-ticking exercise, with a pre-determined outcome, but they also have genuine concerns about what is planned for their shops.

Monash shops, like Richardson shops and Bonython shops, are no longer servicing those communities in the way that they were envisaged to service them. That becomes particularly problematic when you consider the proximity of the Goodwin village to Monash shops. I think Ms Lawder made a really good point that, at the end of the day, a petition in this place regarding Monash shops is not going to be on many

people's radar. It is going to be seen very much as a small, niche issue that does not affect the vast majority of Canberrans, but when you push this out much wider, across the entire suburban area, you see that it is an issue that we have to look at closely.

Big decisions are about to be made in Monash which will impact the Monash shops for many years, and the people of Monash are keen to impose their views on that decision-making process in the hope that they can reach an optimal outcome. Thank you.

Petitions

Debate resumed on the motion:

That the response so lodged be noted.

Question resolved in the affirmative.

Aboriginals and Torres Strait Islanders—Our Booris, Our Way—update Ministerial statement

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.06): I am pleased to present the fourth combined six-monthly progress reports for the government response to the recommendations from the *Our Booris, Our Way* review; and *A Step Up for Our Kids* Out of Home Care Strategy 2015-2020 snapshot report.

Over the past six months, the government has continued to work closely with the Our Booris, Our Way Implementation Oversight Committee to deliver the recommendations of the review. The committee plays a vital role in providing advice and insights into the implementation of the recommendations. It is only through listening to the voices of those with lived experience that we can fully understand the historical and structural issues that are continuing to affect Aboriginal and Torres Strait Islander people today. These include the impact of past trauma, intergenerational poverty and systemic racism—impacts that continue to reverberate through generations and across systems.

This is not an easy task, and it is frustrating that we have not continued to see an ongoing reduction in the numbers of Aboriginal and Torres Strait Islander children entering care since the reduction in 2018-19. I can advise, though, that there has been a significant fall again since May, and I am pleased to advise that the year-to-date number to September of Aboriginal and Torres Strait Islander children entering care is 27 compared to the year-to-date number to June, which is included in these reports, which was 40.

While we continue to work closely with the committee on much needed reforms within the child protection system, we also need to put more energy and investment into early support. This is a key recommendation from the Our Booris, Our Way final

report. We know we must focus on supporting families early, before they enter crisis and before they find themselves at risk. Improving early support is also a key focus of the new Next Steps for Our Kids strategy. Our Booris, Our Way is the first of six domains under the strategy, ensuring the broader reform to our child protection system and associated family support services aligns with the important, existing work to deliver on the recommendations of the review.

In the 2022-23 budget we have committed \$743,000 to establishing an Aboriginal and Torres Strait Islander care and protection legal advocacy service within the Aboriginal Legal Service. The new service will enhance the accessibility of the care and protection and justice systems for Aboriginal and Torres Strait Islander people by strengthening access to culturally appropriate legal assistance and by promoting continued partnership with families and community agencies to keep children safely with their families, and at home.

We know that early supports are critical to preventing the need for crisis interventions and interaction with the statutory system. Connecting with families before they engage with the child protection system is vital. We are also undertaking a range of commissioning activities across areas that underpin parents' capacity to keep their children safe at home—including housing, community support, and alcohol and other drug services.

Other key activities over the six months to the end of June 2022 include the family group conferencing community awareness campaign, which I launched in May to increase community awareness of family group conferencing. The campaign includes a short, animated YouTube video, a new website, and pamphlets with a QR code to link users directly to the family group conferencing website. A family group conferencing program is also being developed for expectant mothers. We are also continuing our work to enshrine the Aboriginal and Torres Strait Islander child placement principle into the Children and Young People Act 2008.

SNAICC recently undertook consultation with Aboriginal and Torres Strait Islander community members, including those in Wreck Bay; Aboriginal community operated services; mainstream service providers; and Child and Youth Protection Service—CYPS—staff. SNAICC facilitated workshops to build consensus on the best way to fully enshrine the principles in legislation, policy and practice. The findings from this consultation will be made available in a listening report as part of the final report expected by the end of the year.

In March I held a forum with representatives of local Aboriginal community control organisations to discuss options for establishing an ACCO to work with Aboriginal and Torres Strait Islander children and families engaged with, or at risk of engaging with, statutory child protection. The initial focus is the provision of diversionary services to provide earlier support for families when they need it. The government will continue working closely with the local community on the best approach. As an early step we have committed just over \$500,000 over two years through the National Agreement on Closing the Gap virtual funding pool to support Yerrabi Yurwang Child and Family Aboriginal Corporation to become a registered human services provider.

In June 2022, I launched Next Steps for Our Kids 2022-2030, the successor to A Step Up for Our Kids. Through this reform work, the government has committed to a phased transfer of approximately 30 per cent of the existing funding for intensive family support and out of home care to Aboriginal community controlled organisations to better support Aboriginal and Torres Strait islander families. As members are aware, the government is progressing towards the establishment of an Aboriginal and Torres Strait Islander Children's Commissioner as an independent statutory authority, who will work in collaboration with existing oversight mechanisms in the ACT. Indeed, the legislation will be debated today.

The new commissioner will have a broad mandate to promote the rights of Aboriginal and Torres Strait Islander children and a number of individual and systemic advocacy functions and powers. As an interim step, Ms Barb Causon, former chair of the Our Booris, Our Way steering committee and implementation oversight committee has been appointed as the Aboriginal and Torres Strait Islander Children's Advocate.

CYPS continues to prioritise kinship assessments for Aboriginal and Torres Strait Islander children. The data shows that a greater proportion of Aboriginal and Torres Strait Islander children and young people entering out of home care for the first time are being placed with kin now than in previous years. CYPS has also commenced implementing the family-led decision making procedure. The procedure outlines the steps CYPS staff need to take to actively support families to keep their children safe at home.

The directorate is also engaging with SNAICC to provide cultural advice on appropriate safeguards for permanency planning for Aboriginal and Torres Strait Islander children and young people in care under the Children and Young People Act 2008. I look forward to receiving advice and sharing this in the near future.

I acknowledge that some of the recommendations are taking longer than others to progress, and I acknowledge the frustration and fatigue conveyed by the implementation oversight committee. I want to assure the committee we will continue to implement the recommendations of the review with the additional focus on early supports that we know are so important in keeping families together and safe. I also want to thank the Our Booris, Our Way Implementation Oversight Committee members for their ongoing commitment and generosity in sharing their expertise and experience, and their efforts to hold us to account in implementing the recommendations.

In particular, I would like to take this opportunity to thank the outgoing chair of the oversight committee and former chair of the steering committee Barb Causon PSM. Ms Causon has been instrumental in this work to date, and will continue to play an important role in the work to reform the child protection system for Aboriginal and Torres Strait Islander families in her new role. I would also like to acknowledge the incoming chair of the committee, Natalie Brown. Ms Brown is a longstanding member of the committee and has been deputy chair since the commencement of the Our Booris, Our Way review. Ms Brown brings significant experience and community connections to the committee. I was pleased to meet with her recently and look forward to working with her as the new chair.

The A Step Up for Our Kids snapshot report for quarter 4 2021-22, is also being tabled today. As members would be aware, the six-monthly progress report on A Step Up for Our Kids has been presented to the Legislative Assembly since April 2018, with the most recent snapshot report tabled in May 2022. As always, when considering the snapshot report it is important to note the data is internal operational data that may be updated and changed between reporting periods, and caution should be exercised when using and interpreting data in this report and comparing between reporting periods. This snapshot report continues to provide insights into the impact of A Step Up for Our Kids, Our Booris, Our Way and other reforms, as well as the continued challenges in out of home care.

In the 2021-22 financial year, 144 children and young people entered out of home care, and 111 exited out of home care. This is the highest number of entries and the lowest number of exits since snapshot reporting commenced in 2017-18. This has seen an increase in the overall numbers of children and young people in out of home care to 849, compared to 818 at end of the 2020-21 financial year. Of the total number of children and young people who entered care, 41 children and young people returned to care in the 2021-22 financial year, which is slightly lower than in 2020-21 when 43 children and young people returned to care.

The reasons for the increase in number of children and young people in out of home care are complex. We do know that children, young people and their families need earlier support if we are to divert them from contact with the statutory system. Next Steps provides us the reform roadmap over the next eight years. It was developed using a robust evidence base of efficacy in our reform effort over the past six years. This has included hearing from people with lived experience of the system and taking on board their advice on what could be different and better.

Next Steps makes a strong commitment to providing earlier support for families, and sits alongside other strategies that will have an impact on the child and family sector, including the Best Start for Canberra's Children: First 1000 Days Strategy. Next Steps holds a central focus of improving outcomes for children, young people and families where there is vulnerability and risk and intersection with statutory systems. The implementation of Next Steps will inform and align with the recommissioning of our non-government providers of out of home care and related services. This work is currently underway. We have ensured service continuity for families through extended contracts with our existing providers and gone out to tender for a new provider of specialist therapeutic residential care services.

At the same time, we have ensured that we are progressing important policy work that will make a direct difference to children and young people in the out of home care system. Examples are a new charter of rights for parents and families and looking at supports for young people as they transition to adulthood, in line with our commitment, under the Parliamentary and Governing Agreement, to improve the availability of extended care for young people from 18 years old until they turn 21. Under Next Steps, we are working with funded partners and the broader child, youth and family support sector on how our joint work can provide a more integrated system of supports for families. We are ensuring community sector partners have a strong voice at the table as we co-design the first four-year action plan under Next Steps.

Over-representation of Aboriginal and Torres Strait Islander children in the out of home care system continues to be a significant concern. Twenty-eight per cent of children and young people entering care in the 2021-22 financial year were Aboriginal or Torres Strait Islander. This is equal to the figure of the 2020-21 financial year, and the highest proportion at this end-of-year point since 2017-18. As I mentioned earlier, this represents 40 Aboriginal and Torres Strait Islander children and young people entering care during 2021-22. This compares with 40 also in 2020-21, 34 in 2019-20, 24 in 2018-19, and 51 in 2017-18. As I mentioned earlier, the latest year-to-date figure that I have, to the end of September this year, is 27, which obviously is good but does not necessarily represent a trend, and is still far too high.

As at 30 June 2022, 28 Aboriginal and Torres Strait Islander children and young people had exited out of home care in the 2021-22 financial year, constituting 25 per cent of all children and young people exiting out of home care during that period. As at 30 June 2022, 31 per cent of children and young people living in out of home care and subject to long-term orders with parental responsibility transferred to the Director-General, were Aboriginal or Torres Strait Islander. This figure has remained steady since snapshot reporting began in 2017-18, with it fluctuating between 30 and 31 per cent, as reported at the end of each financial year since that time. This remains an unacceptable level of over-representation and highlights the need for continued work.

As I mentioned earlier, this is why the first domain under the Next Steps strategy is Our Booris, Our Way. The work to implement all Our Booris, Our Way recommendations continues to be guided by the implementation oversight committee. While this work sits alongside Next Steps, it also must be embedded within the strategy to ensure a broader focus on earlier supports for Aboriginal and Torres Strait Islander families that is culturally safe, integrates service delivery and leads with self-determination as a core principle.

The snapshot report indicates that the number of Aboriginal and Torres Strait Islander children in the care of the Director-General with a cultural care plan in place has again declined. As of 30 June 2022, 211 children and young people were eligible to have a cultural plan in place. Of these, 173 Aboriginal and Torres Strait Islander children, or 82 per cent, had a cultural plan in place, compared to 179 children and young people, or 87 per cent, at the same time the previous year. Throughout 2021-22, the Children, Youth and Families division has continued to review how cultural plans are developed. In August 2021, the cultural panel commenced operation, with all cultural plans being reviewed by the panel. The time line for the commencement of this panel was impacted by COVID-19 service impacts and the availability of suitably qualified individuals.

The focus of the panel has been on the quality of cultural plans, ensuring that plans tell the family's story of their Aboriginality, and that all sources of the plan are documented and ensure connection, participation, partnership and placement. While this has sometimes delayed the finalisation of plans, it has improved their quality. In parallel, there has been a review of how staff record cultural plans on the Children and Young People Record Information System, CYRIS, resulting in a changed process, and further improvements are planned. These changes are currently being reviewed, with early indicators showing that the dedicated one-on-one support from the cultural team is increasing the overall quality.

Data from the snapshot report shows that placement types within out of home care continue to remain relatively stable, with most children and young people being in kinship care placements as of 30 June 2022. We continue to support children, young people, and their families through prevention services, with a renewed focus on supporting families with complex needs to prevent entry and/or re-entry to care.

In 2021-22 there were 97 episodes of service commenced for children and young people, following families providing consent to work with Uniting's preservation services. Of these, 19 were with families who identify as Aboriginal or Torres Strait Islander. It is notable that there has been no increase in the number of Aboriginal and Torres Strait Islander families who have been supported by this service between December 2021 and June 2022. It also appears that the benefits of this service continue to be slightly lower for Aboriginal and Torres Strait Islander children as a proportion compared to the overall population of service recipients. However, for the 242 Aboriginal and Torres Strait Islander children and young people who have received Uniting's preservation services since 2015-16, 89 per cent had not entered out of home care three months after commencement of the service; 63 per cent had not entered out of home care 24 months after commencement of the service.

In the 2021-22 financial year, 35 children and young people who were in out of home care received a finalised Enduring Parental Responsibility or Adoption Order, a significant increase compared with the 20 in 2020-21 and 16 in 2019-20. As of 30 June 2022, there are 137 children and young people with a permanency order.

With the release of Next Steps in June, we will continue regular reporting on child protection data as part of my strong commitment to building greater trust and transparency, which is a domain of Next Steps. As the strategy matures, we will continue to build capacity to capture robust data to inform these updates. This ongoing refinement of data is pivotal to supporting a responsive and agile service system and work to address the over-representation of Aboriginal and Torres Strait Islander children and young people and improve outcomes for all children and young people in out of home care. Thank you for the opportunity to share this update with you.

I table the following papers:

A Step Up for Our Kids—Snapshot Report—1 July 2017 to 30 June 2022.

Our Booris, Our Way—Review—

Six monthly update (January to June 2022).

Government response and A Step Up for Our Kids Out of Home Care Strategy, Ministerial Statement, 29 November 2022.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

ACT Heritage Council—*independent review* **Ministerial statement**

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.24): I rise to brief the Assembly on the outcomes of the review into the ACT Heritage Council that I commissioned in August 2022. The review was necessary after I was briefed on issues that were impacting on the current performance of the council, and the strength of relationship between council members and ACT Heritage in the Environment, Planning and Sustainable Development Directorate, which I will refer to as the directorate.

As Canberra continues to grow, the community and the government now more than ever require well-functioning heritage arrangements to ensure that the ACT's natural, cultural and Indigenous heritage are recognised, registered and conserved for future generations. This requirement relies on good legislation and an effective Heritage Council that delivers its statutory functions under the Heritage Act 2004 in a collaborative and professional manner.

In response to the directorate briefing me about apparent issues within the council, I wrote to all members of the council in August 2022 to advise that an independent review would be undertaken into the operational activities of the council. The Nous Group was engaged to perform this work. I acknowledge their assistance with this task that involved interviewing council members apart from the ex-officio members and staff members of ACT Heritage.

I would like to acknowledge all Canberrans who contacted me to support the need for a review of the Heritage Council. The strong support and desire for change is further evidence of the need for the ACT to reform its heritage arrangements. Many residents have taken the time to share their stories and the need for a new approach to the regulation, governance and administration of heritage in the ACT.

The report from the review paints a concerning picture. It confirms that there are wide-ranging and complex structural issues impacting the performance and relationship of the council and ACT Heritage. I am saddened and disappointed about the findings. It is clear from the report that the government needs to take urgent action to address the findings and restore confidence in the Heritage Council and ensure that it achieves its statutory functions and delivers the services that the government requires and that Canberrans expect.

I have spoken with the chair and the deputy chair of the council about the findings from the review. I have expressed my loss of confidence in the council. Both of these members have indicated the need for me to take strong and appropriate action in response to the findings. I have also written to all other members of the council to provide them a copy of the report and my views as expressed to the chair and the deputy chair and seek their feedback on the report. Most have taken up this opportunity and their feedback will be helpful for informing the next steps.

I have released a copy of the key findings from the review that drew on the contributions of all members of the current council and several employees of the ACT Heritage team within the directorate. The review identifies a wide range of themes that are preventing the effective operation of the council and have led to a deterioration of the relationship between council members and ACT Heritage.

I am now consulting with the Assembly's Standing Committee on Environment, Climate Change and Biodiversity about my potential decision in response to the review. This decision may include ending the appointment of council members. I will provide further advice on my final decision in due course once I have consulted with the committee.

What is clear is that to better position the council and ACT Heritage to meet the future challenges of managing heritage within a growing city, our approach to heritage needs reform. I will therefore be undertaking a comprehensive review of the ACT's heritage arrangements. This review will examine the legislation and how the ACT's approach to the conservation and management of heritage compares to best practice in other states and territories. It will examine the functions of the council and their role as either a decision-maker or advisory body. The outcomes of the review will help to guide and inform a potential reform agenda. I intend to provide further information to the Assembly and the public about what we have learnt from this review and the government's future plans in response.

As Minister for Heritage, strengthening the ACT's heritage arrangements and restoring trust and confidence in the Heritage Council and the Heritage Unit will be a priority for me in the coming 12 months. The comprehensive review and current work funded by the government to upgrade the ACT Heritage database will help build better, stronger and more effective heritage arrangements that best suit government and community needs within a growing city.

In closing, I would like to thank all members of the council and the ACT government officials who were involved in the initial review for their time and their transparency around the issues presented. I will continue to make information about the next steps for the council and the scope and parameters of the review that I am announcing today available on the ACT environment website.

I present the following paper:

ACT Heritage Council Review—Outcome—Ministerial statement, 29 November 2022.

I move:

That the Assembly take note of the paper.

MS LAWDER (Brindabella) (10.30): Pursuant to standing order 213, I move:

That the full report of the ACT Heritage Council Review, including recommendations, as referred to by the minister, be presented to the Assembly.

Question put:

That the report be presented to the Assembly be agreed to.

The Assembly voted—

Ayes 7

Noes 14

Mr Cain

Ms Castley

Mr Cocks

Mrs Kikkert

Ms Lawder

Mr Milligan

Mr Parton

Mr Barr

Ms Berry

Mr Braddock

Ms Burch

Ms Cheyne

Ms Clay

Ms Davidson

Mr Gentleman

Dr Paterson

Mr Pettersson

Mr Rattenbury

Mr Steel

Ms Stephen-Smith

Ms Vassarotti

Question resolved in the negative.

MADAM SPEAKER: The question now before us is Ms Vassarotti's motion that the paper be noted. Ms Lawder, I apologise; I went straight to the vote and did not give you a chance to talk to your motion. But you could talk to the original motion.

Ms Lawder: I know, and I would have persuaded them!

MADAM SPEAKER: You have an opportunity to talk to the original motion if you wish. If not, I will put the question.

Question put:

That the Assembly take note of the paper be agreed to.

Original question resolved in the affirmative.

Human rights—environment—government response

Ministerial statement

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) (10.35): In recognition of the triple planetary threat—climate change, environmental pollution and biodiversity loss—the ACT government has committed to consider including the right to a healthy environment in the Human Rights Act 2004.

Over the past 12 months, I have been working closely with Minister Vassarotti, as Minister for the Environment, to set the direction for how the government could consider this reform. This is an important item in the Parliamentary and Governing Agreement, and I thank Ms Clay for her motion brought to the Assembly in February this year which reiterated that commitment.

As members will recall, Ms Clay's motion called on the government to investigate this reform, conduct community consultation and meet with stakeholders. It further called on the government to report back to the Assembly by the first day of the last sitting week in 2022—that is, today—with the substance of these consultations and a time frame for introducing the right to a healthy environment. Today I will table the Listening Report of the YourSay Conversations consultation, and I am pleased to provide this further statement to the Assembly detailing that consultation and the next steps.

On 30 June 2022, the government launched a discussion paper and an online survey via YourSay. We hosted a public panel discussion to kickstart that community conversation. The consultation was open for eight weeks and closed on 31 August 2022. We reached over 550 people via YourSay and we received 40 pieces of written feedback, which included 22 written submissions and 18 survey responses. We engaged with over 40 organisations, and our public panel attracted more than 30 in-person participants and logged another 30 online views.

During the conversation, we heard from organisations and individuals representing the interests of the environmental movement; the community sector; healthcare providers; the business and property sectors; ACT community councils; Aboriginal and Torres Strait Islander health research; and community health research. Submissions and survey responses came from individuals of all ages, grassroots environmental and community groups that are involved in environmental initiatives, as well as organisations that represent the interests of people with chronic health conditions impacted by the environment. We also heard from many of the more prominent advocacy organisations engaged in activism for human rights and the environment within the ACT and nationally.

Through the public consultation, we sought the community's views on the implications, benefits and challenges of protecting the right to a healthy environment and other wider considerations for implementation. The community responses expressed strong support for introducing the right to a healthy environment into the Human Rights Act. This was seen as a positive initiative to place people and community at the centre of environmental protection and recognise the importance to our collective wellbeing of restoring and protecting the environment.

The feedback noted that a range of benefits would flow from recognising the right to a healthy environment, including greater awareness and dialogue of environmental impacts and encouraging more ambitious goals to protect our environment and climate for a sustainable future. In particular, it was considered that the right would have significant benefits for Aboriginal and Torres Strait Islander peoples, who hold a unique relationship to country as traditional owners and custodians and who are disproportionately impacted by climate change, environmental degradation, loss of biodiversity and the consequential adverse health and wellbeing impacts.

We also received a diverse range of feedback on how the right to a healthy environment should be expressed. The community told us it could be described as a safe and accessible place for work and recreation or an environment that sustains and

nourishes humans and a diversity of other life. Others suggested it could be expressed as an environment free from adverse human impact, such as over-development, pollution or poor air quality, or having First Nations voices heard, rightful access, and self-determination. The community also told us that there should be positive actions by government to protect the environment and that this is of particular importance for future generations. This accords with the concept of ‘intergenerational equity’, already enshrined in the ACT’s environmental protection laws.

To recognise Aboriginal and Torres Strait Islander people’s unique cultural and spiritual links to Country, we heard that it would be important for government to include Aboriginal and Torres Strait Islander people in decision-making processes regarding lands, waterways and resources, as well as to respect and elevate Aboriginal and Torres Strait Islander people’s leadership, traditional knowledge and wisdom.

Finally, we asked the community on steps the government could take to fulfil the right to a healthy environment. A strong thread in the conversation since we started engaging with stakeholders is the need for an accessible complaints mechanism in the Human Rights Act to ensure access to remedies for breaches of the right to a healthy environment and other human rights. This would be an important part of fulfilling the procedural aspects of the right to a healthy environment.

Last month, I was pleased to inform the Assembly that the government has committed to legislating to allow the Human Rights Commission to consider human rights complaints. This is a complex reform. Officials in the Justice and Community Safety Directorate and the Environment Planning and Sustainable Development Directorate are examining wider implications for recognising the right to a healthy environment and engaging with our community stakeholders to explore options for amending the Human Rights Act to protect this right.

As a leading human rights jurisdiction, the ACT continues to set a strong example for the rest of the nation in our protection for human rights. Continuing to enhance our Human Rights Act has been a commitment of successive territory governments since the act was introduced in 2004, because human rights are not just words on a page; they genuinely shape how the government responds to policy challenges.

In responding to this resolution, I am pleased to provide a commitment that the government will introduce a right to a healthy environment to our Human Rights Act in this term of parliament. The next step is for the government to closely and carefully consider the policy issues and options that this consultation has brought forward.

Working with Minister Vassarotti, I intend to begin leading this work in the first half of 2023. We will then consult with key stakeholders regarding proposals for the model through which this right will ultimately be realised. I look forward to continuing this work. I again thank Ms Clay for bringing forward the motion, and I thank the many stakeholders who have already provided insightful views through the consultation to date.

I present the following papers:

Right to a healthy environment—Assembly resolution—Government response—
Ministerial statement, 29 November 2022.

Your say report—Right to a healthy environment—Report on what we heard.

I move:

That the Assembly take note of the ministerial statement.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.43): I rise to speak briefly in support of Minister Cheyne’s ministerial statement on the work that has been progressing to explore the idea of the right to a healthy environment. This is exciting reform that we are putting in place, not just for us here today but also for future generations.

Legislating the right for a healthy environment is something that the ACT Greens campaigned for as part of our election platform in 2020. A commitment to explore this issue was included in the Parliamentary and Governing Agreement. Also, earlier this year my colleague Ms Jo Clay brought an important motion to the Assembly to highlight these issues and the work intended by government to progress this issue.

I would like to thank Minister Cheyne, who has been leading this work around progressing the community conversation about how we might look at introducing the right to a healthy environment. As Minister Cheyne has noted, the community discussion around this issue has been positive and useful in informing our progress on this issue. It was fantastic to participate in the panel discussion that was held at the beginning of the process, which outlined some of the key legal issues that should be considered, how we need to incorporate First Nations knowledge into this work and a reflection of what it might mean for us in practical terms.

When we think about the air we breathe, the water we drink and the environment we inhabit, we take this mostly for granted. However, whether it be through the impacts of climate change, the impact of pollution and loss of environmental values, it is becoming increasingly clear that we need to move more actively to protect these essentials of life. It has also become abundantly clear that we are dependent on these systems to work in order to protect our own health and wellbeing. As our First Nations teachers re-enforce to us again and again, if we look after Country, it will look after us.

Since we first started discussing this idea of the right to a healthy environment, some exciting developments have occurred. Very significantly, in July this year, the United Nations General Assembly voted overwhelmingly to declare that the ability to live in a clean, healthy and sustainable environment is a universal human right. While not legally binding, this lays the foundation for nations and subnational governments to introduce laws to put this into effect. As a jurisdiction that has led nationally on issues of climate change as well as human rights, it is not surprising that once again we are at the forefront of work in this area.

I would also like to acknowledge the significant work that has been progressed by some of our key stakeholders in this area. For instance, I was really pleased to join

with the Environment Defenders Office earlier this year to help launch their report into the concept of the right to a healthy environment in Australia. This report provided an extremely timely summary of the key issues, examples of how this right has been expressed and translated across the globe and what it might mean for the Australian government as well as other jurisdictional governments. This work complements the insightful and thoughtful submissions that have been provided by many stakeholders and contributed to the ACT government's discussion.

I am really excited that we are now moving to the next steps on the details of the policy issues and the options about how we progress to introduce this right in the ACT. In doing so, we will continue our national leading work in recognising the importance of human rights and the importance of protecting our precious environment.

MS CLAY (Ginninderra) (10.47): I would just like to say a few words about Minister Cheyne's statement on the government response to my motion earlier this year to introduce the right to a healthy environment into our Human Rights Act. I am really, really, really happy to see this come back and in such a great form.

The motion called on the ACT government to investigate the inclusion of the right to a healthy environment in our Human Rights Act and to conduct community consultation and meet with stakeholders to actively explore the inclusion of this right. It asked the ACT government to report back to the Assembly by today with the substance of these consultations and a time frame to introduce the right to a healthy environment into our legislation.

I moved this motion because it is something that the ACT Greens have felt really strongly about—and advocated for—for a long time. It was an election commitment of ours. It is key because of the crises that we, the ACT community, and the crises that we as a country and as a planet are experiencing—the climate crisis, the biodiversity extinction crisis and the pollution that we experience from over-production and over-consumption.

I would really like to sincerely thank Minister Cheyne for the important work she has led in consulting with the community and for the deep and heartfelt manner with which she has done that. I attended the launch of the consultation and the public panel discussion at the end of June, and I was really, really interested to hear the considered thoughts of Dr Caroline Hughes; Dr Helen Watchirs, our ACT Human Rights Commissioner; and those from civil society such as the Environmental Defenders Office; and the business community. It was a really good beginning to the consultation, and I look forward to going through the outcomes of the detailed consultation that has been tabled here today.

I moved this motion back in February this year because it was long past due for the ACT to recognise this right. We are a really progressive jurisdiction, and it is high time for us to include this well-known right into our human rights legislation. I spoke at the time about the international community's embracing of the right and its introduction and implementation in a lot of other countries around the world. I spoke about the UN Human Rights Council, who passed resolution in October 2021 on the human right to a safe, clean, healthy and sustainable environment.

I also spoke about the importance of this right for me and my family. It is deeply personal. I think it is up to us here in the Assembly to do the best that we can to protect our environment for the people who live here and also to preserve the habitat that we have in the ACT. It is so amazing.

The importance of a healthy environment has actually grown since February when I first moved this motion. Since then, we have seen more damage. We have had a disproportionate number of floods and other extreme weather events happening all around Australia and all around the world. But also, since February, we have had progress on this right around the world. In July 2022, the right to a healthy environment became universally recognised by the United Nations, and in August 2022 one of our leading environmental law firms in Australia, the Environmental Defenders Office, launched a report on the right to a healthy environment in Australia.

Sadly, Australia is one of only 37 of 193 UN member states that does not recognise the right to a healthy environment in our own national laws, despite the fact that we are at the forefront of the damage and we are suffering the kinds of extreme weather events that we will see more and more of in our changing climate. We have got a lot of work to do as a nation, and I am really happy to see the ACT taking a step forward and addressing it locally.

I am really glad to be in a progressive jurisdiction like this one. We were the first jurisdiction in Australia to introduce our Human Rights Act. I am really happy to hear the commitment the government has stated today to introduce the right to a healthy environment into that act in this parliament and I am really looking forward to seeing the time line and the detail for this. This is excellent news.

Finally, I just want to paraphrase some of the words that Dr Caroline Hughes left us with when speaking in the introduction to the June consultation. I am paraphrasing; it is not a direct quote. She spoke about how First Nations people here and around the country are working together to ensure that we have a healthy country for everyone and that First Nations people do not look at the environment in isolation. They do not look at it as separate paths. She likened the environment to the heart. She said that our hearts in our bodies are vital and it is vital that we protect the heart, that the heart needs other organs to survive, that we need to protect the whole and create a healthy environment, and that that is the way that we will not only survive but thrive.

I say sorry to Dr Hughes because I am sure I have butchered her very, very beautiful expression. But we listened and we really liked that holistic way of looking at it. We are not separate from the environment; we are a part of it. We have a real duty to ourselves, to the First Nations people and to our children; but we also have a duty to the planet and its healthy environment. It also exists. There are a lot of other creatures we share this place with, and it is really important for our land, our ecosystems, animals, insects and people that we protect this environment, that we make sure we keep it healthy, that we get it healthier than it is right now so that it can sustain all of us.

Question resolved in the affirmative.

Lakes and waterways—Commissioner for Sustainability and the Environment report—government response

Ministerial statement

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (10.53): I am pleased to table the government response to the state of the lakes and waterways in the ACT investigation undertaken by the Commissioner for Sustainability and the Environment.

In March 2021 the ACT Minister for the Environment asked the commissioner to investigate the state of Canberra's urban lakes and waterways, including water quality and ecological health, the effectiveness of monitoring and management practices, and the role of the community and other stakeholders. In May 2022 the investigation was completed and the report was tabled in August of this year. The report highlights the importance of lakes and waterways for community wellbeing and the significant challenges in managing these assets within an urbanised environment.

There are 12 broad recommendations in the commissioner's report, related to strategic planning; monitoring and reporting; public access to water information; recognising Ngunnawal knowledge and practices; community participation; governance; compliance; and mitigating urgent issues. The government response to these recommendations is extensive and will require coordination across multiple directorates. The issues reported reaffirm the government's investment to improve water governance, urban planning and on-ground delivery of infrastructure to improve the health of our lakes and waterways.

Our urban lakes and waterways play a vital role in the functioning of our city, providing for pollution control, flood mitigation, habitat, amenity and opportunities for recreation. The government understands the diverse values held for our urban lakes and waterways, the critical importance of adapting our management approaches to respond to emerging challenges and the need for continuous work to protect our lakes and waterways for the benefit of our community.

The findings and recommendations presented by the commissioner provide an evaluation that will guide ongoing improvement in our management of lakes and waterways. The Office for Water has been funded, as part of the 2022-23 ACT budget, to facilitate efficient, effective and coordinated water management. The Office will strengthen the foundational governance arrangements to address the issues reported by the commissioner.

New initiatives being implemented by the Office will improve public access to water information, strengthen our water security from the impacts of climate change and advance the water interests of the Ngunnawal community. Further, an additional \$14 million investment into the ACT Healthy Waterways program was made as part of the 2021-22 budget review, bringing the total value of the program to \$20.5 million since the first stage of Healthy Waterways was completed in June 2021. The Healthy Waterways program enables us to address pollution from its source, through strategic

catchment planning, targeted scientific investigation and ongoing community education. This investment will help to further reduce pollutants entering our lakes and waterways.

A review of the legislative framework for environmental protection was funded in the 2022-23 budget and has been initiated by the ACT's Environment Protection Authority. This review will ensure that the authority can continue to meet its regulatory remit within a rapidly growing city, enable climate adaptation and promote environmental improvement.

The package of initiatives presented in the government's response will directly and meaningfully contribute to the improvements identified by the commissioner in her investigation. The government has provided a strong foundation to address emerging challenges and deliver enhancements to water governance, regulation, planning and program delivery. The government has agreed, or agreed in principle, to all but one recommendation provided by the commissioner. Our response reflects the shared value that we hold for our lakes and waterways and is founded on the strength of the recent commitments noted earlier.

The commissioner's recommendation to assume responsibility for the monitoring and management of the water quality within Lake Burley Griffin is not agreed. The recommendation has good intent. The government's response will support water quality outcomes within Lake Burley Griffin through improvements delivered by the Office for Water and the Healthy Waterways program and ongoing collaboration with the National Capital Authority.

I thank the commissioner for her comprehensive investigation into the state of Canberra's urban lakes and waterways and for her recommendations that guide ongoing improvement towards a shared outcome. I commend the government response to the *State of the Lakes and Waterways in the ACT* investigation report to the Assembly. I present the following papers:

Investigation into the state of lakes and waterways in the ACT—Ministerial statement, 29 November 2022.

Commissioner for Sustainability and the Environment Act, pursuant to section 22—Commissioner for Sustainability and the Environment—State of the Lakes and Waterways in the ACT—

Government response.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

Justice and Community Safety—Standing Committee Scrutiny report 24

MR CAIN (Ginninderra) (10.57): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 24, dated 28 November 2022, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MR CAIN: Scrutiny report No 24 contains the committee's comments on 12 pieces of subordinate legislation and one government response. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

Standing orders—suspension

Motion (by **Mr Gentleman**) agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent the adjournment debates on 30 November and 1 December 2022 being extended to a maximum of 1 hour and 15 minutes.

Aboriginal and Torres Strait Islander Children and Young People Commissioner Bill 2022

Debate resumed from 21 September 2022, on motion by **Ms Cheyne**:

That this bill be agreed to in principle.

MRS KIKKERT (Ginninderra) (10.59): I and the rest of the Canberra Liberals will be supporting this important bill today. The recommendation to establish an Aboriginal and Torres Strait Islander children's commissioner was made in the *Our Booris, Our Way* final report in December 2018 and that was almost four years ago.

This piece of legislation has been a long time coming—so long, in fact, that in order to alleviate some of the growing frustration and disappointment within the Indigenous community, the government was compelled to introduce funding for a temporary Aboriginal and Torres Strait Islander Children and Families Advocate in last year's budget. Despite repeatedly advertising this position, however, the government managed to fill it only 2½ weeks ago. I sincerely hope that the government will be much better at successfully recruiting someone for the new commissioner position created by this bill.

The delay in establishing the office of an Aboriginal and Torres Strait Islander children and young people commissioner has not been the only issue that has worried the Indigenous community throughout this process. Stakeholders have also shared with me their concerns that the new commissioner will not do what many community members believe is needed to see real change occur. As one person put it to me: "We do not need another toothless commissioner."

Concerns such as these are certainly justified. In 2004 Cheryl Vardon submitted a report on the territory's child protection system to the then Labor government. In the

report she recommended the establishment of a children and young people commissioner in the ACT. This commissioner was to have several functions. One of the main ones that she suggested was the power to convene and then chair an independent tribunal to review decisions made by government-funded services dealing with children and young people. The recommendation for an external merit review of child protection decisions was supported, according to the report, by the Childrens Court magistrates and most of the legal representatives who had been consulted by Ms Vardon as part of her inquiry.

In response, the Labor government then created the office of the Children and Young People Commissioner. Problem solved, right? Well, not exactly. Labor created the office but intentionally chose not to give the new commissioner any power to convene an independent tribunal to review child protection decisions; nor did they create any other mechanism for the external merits review of such decisions, as was supported by both the magistrates and legal representatives.

In May 2017, only a few months after becoming the shadow minister for families, youth and community services, I moved a motion in this Assembly calling on the Labor-Greens government to “recognise the importance of ensuring that decisions regarding a child’s placement and care plans be subject to external review”. From then until now, I have not once stopped demanding this reform from those opposite. I was encouraged in 2019 to hear all four members of the Human Rights Commission publicly agree with me and state:

The Commission considers that the provision of external merits review of child protection decisions ... is necessary to uphold the rights of children and young people, and their families, and is essential for achieving full compliance with the ACT’s human rights obligations.

This enduring personal campaign would have been unnecessary if the Labor government had fully implemented Ms Vardon’s recommendation back in 2004. Instead, it chose to create what my Indigenous friend called a toothless commissioner. One can certainly understand, therefore, why Aboriginal and Torres Strait Islander families in the ACT fear that this new office might similarly lack the functions required to create real reform when it comes to the pressing issue of the over-representation of their children in out of home care. Personally, I do not blame them.

A related concern raised with me is that this new office will merely replicate the review and advocacy roles exercised by the existing Children and Young People Commissioner. The recommendation in the *Our Booris, Our Way* final report captures this concern by noting that, whilst Queensland, Victoria and South Australia have appointed specialist Aboriginal and Torres Strait Islander children’s commissioners, their roles are primarily framed as review and advocacy roles. In contrast, the steering committee specifically recommended that “the ACT appoint an Aboriginal and Torres Strait Islander Children’s Commissioner with this and additional capacity to specifically intervene and engage in child protection processes”.

As one stakeholder said, “Merely remirroring the existing Children and Young People Commissioner, as much as we love her, is not going to be the change that we need.”

In fact, this bill includes 25 pages of consequential amendments that do just that, inserting the new commissioner into the Children and Young People Act, the Children and Young People Regulation, the Court Procedures Act, the Human Rights Commission Act, and the Official Visitor Act, wherever the Children and Young People Commissioner is already mentioned.

In a briefing with directorate officials, I asked what exactly the difference will be in their functions and powers between the existing commissioner and the Aboriginal and Torres Strait Islander Children and Young People Commissioner. I was told that there is only one single difference: the new commissioner role includes the capacity to conduct inquiries and, as part of this function, to compel a person to give information or produce a document or other thing that the commissioner considers necessary.

It remains to be seen if this difference will prove to be enough. The Aboriginal and Torres Strait Islander stakeholders that we have spoken with are cautiously and guardedly hopeful and will withhold judgement until they see real reform occur as a consequence of this new commissioner. If that reform does not eventuate, I will be back to call upon the government to put more teeth into this new office.

I raise one final point: this bill specifies in great detail how the new commissioner can engage with court proceedings; but a very great amount of decision-making in the child protection space does not involve the court. When I met with directorate officials I asked whether this proposed legislation specifies how exactly the new commissioner will engage the Child and Youth Protection Services and those commissioned by CYPS to provide out of home care.

I was assured verbally that the government will make sure that this happens. But it is not spelled out. As we know from plenty of past experience, when something is not in writing, sometimes it does not happen at all. This cannot be. Aboriginal and Torres Strait Islander stakeholders have shared with me in particular that the long-awaited legislation to finally create an external merits review process for child protection decisions, which is due to be tabled next year, must delineate a clear and active role for the Aboriginal and Torres Strait Islander Children and Young People Commissioner. Nothing less will do.

On behalf of these stakeholders from Canberra's Aboriginal and Torres Strait Islander community, I give notice to those opposite that failure to embed the new commissioner in an external merits review process will require me to table amendments to fix this oversight. I commend the bill to the Assembly.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (11.09): I rise in support of the bill. I will respond to a couple of the comments that Mrs Kikkert made during the debate. Firstly, I want to assure her that the government has, in fact, accepted all of the recommendations that were made in the co-design process with the Aboriginal and Torres Strait Islander community in framing this bill. We had a thorough process of co-design, and all of the recommendations from the Jumbunna Institute have been accepted. In my speech I will clarify a few things that Mrs Kikkert does not quite seem to have understood.

I also want to start by acknowledging that this land is Aboriginal land. Sovereignty of this land was never ceded. It is absolutely vital that we are listening to the voices of Aboriginal and Torres Strait Islander people in this conversation. I want to acknowledge in the chamber here today members of the Our Booris, Our Way Implementation Oversight Committee, and prominent members of the Aboriginal and Torres Strait Islander community who have contributed so much to the recommendations and to this process.

This bill is the realisation of a key recommendation of the Our Booris, Our Way review and another important step towards achieving ACT Labor's election commitment to implement the review in full. As members would be aware, the Our Booris, Our Way review explored the over-representation and experiences of Aboriginal and Torres Strait Islander children and young people and their families in the child protection system.

The review made 28 recommendations to government, as well as eight sub-recommendations, which provide a guide to creating a culturally responsive child protection system that truly meets the needs of Aboriginal and Torres Strait Islander families. Recommendation 7, the establishment of an Aboriginal and Torres Strait Islander children's commissioner, envisages a commissioner that can provide oversight, advice and advocacy on behalf of Aboriginal and Torres Strait Islander children, building on the models already in place in Queensland, Victoria and South Australia.

The review described a commissioner that would not only carry out reviews and provide advice but also step in and support children and young people involved in the child protection system, utilising specific powers. In practice, these powers are analogous to those held by the Public Advocate, who is also the Children and Young People Commissioner but has a separate legislative identity.

The subsequent design work was undertaken through a co-design process facilitated by the Jumbunna Institute for Indigenous Education and Research. The result is a considered, culturally informed bill that gives effect to the Our Booris, Our Way recommendations. The bill will establish an independent statutory authority empowered to promote and protect the rights of Aboriginal and Torres Strait Islander children and young people through individual and systemic advocacy and engagement with government and non-government agencies.

The bill includes a set of Aboriginal and Torres Strait Islander cultural principles which must be applied when a person exercises a function under the legislation. The principles confirm the importance of Aboriginal and Torres Strait Islander children and young people maintaining their cultural and linguistic environment and their set of values, respecting the kinship roles of Aboriginal and Torres Strait Islander people and acknowledging the spiritual, social, historical, cultural and economic importance of country to Aboriginal and Torres Strait Islander children and young people. These cultural principles arose from the co-design process, which determined that the legislation should provide an explicit reference to the need for the commissioner to focus on Aboriginal and Torres Strait Islander children and young people from a cultural standpoint, noting the importance of connection to family, community, culture and country as critical to best interests.

The bill requires the commissioner to engage closely with the Aboriginal and Torres Strait Islander community, including children and young people, and enables the commissioner to establish advisory bodies. These mechanisms are critical to ensuring that the commissioner is responsive to the needs of Aboriginal and Torres Strait Islander children and young people in the ACT and is empowered to advocate for community-identified solutions. The commissioner's individual advocacy powers will set them apart from similar roles in other jurisdictions. They will have a function to intervene on behalf of Aboriginal and Torres Strait Islander children and young people in relation to decisions that will affect their rights or interests. This includes in the child protection system, such as through case conferences and court proceedings.

The bill amends the Children and Young People Act to provide the Aboriginal and Torres Strait Islander Children and Young People Commissioner with the requisite powers equivalent to the Public Advocate and human rights commissioners. This includes access to information about children in the child protection system and the capacity to engage with young people in the Bimberi Youth Justice Centre.

While the commissioner will have equivalent powers to the existing statutory office holders in the ACT, the requirements in this bill will ensure that the new commissioner exercises these functions in a distinct way, drawing on their specific expertise and ongoing community engagement. The commissioner will also have a systemic advocacy function to inquire into matters related to the rights, development, safety and wellbeing of Aboriginal and Torres Strait Islander children and young people. They will be able to make a recommendation in relation to an inquiry and require a response from the person in charge of a relevant entity within a reasonable stated time frame.

As I outlined in my ministerial statement this morning, the over-representation of Aboriginal and Torres Strait Islander children and young people in the child and youth protection system and out of home care continues to be a significant challenge. This unacceptable reality exists in child protection systems across Australia. The Our Booris, Our Way recommendations are our road map to make the necessary changes to address it here in the ACT. I would again like to thank the Our Booris, Our Way Implementation Oversight Committee for their continued advocacy and advice to government in the implementation of their recommendations. I acknowledge the achievement that the passage of this bill represents for every member of both the current and previous iteration of the committee.

I would also like to thank the Jumbunna Institute and all community members who participated in the co-design work to ensure that this bill is as culturally informed and as effective as it can be. Finally, I would like to acknowledge Minister Cheyne for her leadership in this vital piece of work. I commend this bill to the Assembly.

MS DAVIDSON (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health, Minister for Veterans and Seniors) (11.15): I rise as an ACT Greens member of this Assembly to speak in support of this bill to establish an Aboriginal and Torres Strait Islander children's commissioner as an independent statutory authority.

The *Our Booris, Our Way* final report in 2019 stated:

Our children should be safe with their parents, strong in culture and proud of their identity. In exercising our self-determination, we also need to be responsible as parents to care for our children and to seek support if we know our children are at risk. We acknowledge that for this to happen we need to have trusted and culturally appropriate early support services that are easy to access.

The ACT Greens support the full implementation of the recommendations in the *Our Booris, Our Way* review. I also want to thank the committee for the years of work that they have put into this. This Aboriginal and Torres Strait Islander children's commissioner is an important part of those recommendations. The right of First Nations people to self-determination underpins the way that the Aboriginal and Torres Strait Islander children's commissioner will work, including its framework, powers and functions.

The Jumbunna Institute, Distinguished Professor Larissa Behrendt and Associate Professor Paul Gray facilitated a co-design process to design the new commissioner in 2021, including hearing from young people at Bimberi Youth Detention Centre. True co-design work takes time and requires significant commitment from the community members who are part of the process. I am always thankful for the time they take to inform the ACT government about the work we need to do. Listening to and supporting our First Nations community has been the best way to achieve the right outcome in designing the role of the new commissioner. We must continue in our commitment to listen, understand and support our First Nations people.

Larissa Behrendt described self-determination in 2002 as “a vision of increased Indigenous autonomy within the structures of the Australian state”. Acknowledging that this always was and always will be Aboriginal land, that sovereignty was never ceded and that the work of truth, treaty and voice continues in our journey towards true reconciliation, there is a lot we can do right now that creates space for self-determination within our existing structures. This commissioner is one such example. It is right that the commissioner will be an Aboriginal or Torres Strait Islander person and will be appointed through a process that involves the Aboriginal and Torres Strait Islander community in the ACT. This provides a level of transparency that is important in establishing such a fundamentally important new, independent office.

The commissioner will have the responsibilities and powers to make recommendations to intervene or join proceedings on individual cases and to make recommendations and advocate on systemic issues. The commissioner will act in the best interests of the child through a cultural lens, understanding the importance of connection to family, community, culture and country. I cannot stress enough how important it is to understand that what affects one child within the Aboriginal community has effects on everyone in the community, and that understanding identity and relationships with community and cultural responsibilities is fundamental to a child's wellbeing and requires strong connections to country.

Having this commissioner, co-designed with community, to advocate for children and their families, to raise awareness of what Aboriginal and Torres Strait Islander children need and how we can best support them, is an important part of the work that we, as a government and as a community, must do. This is a step towards the decolonisation of our child protection system towards a family support system with self-determination at its heart, and towards healing. I commend this bill.

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) (11.19), in reply: I am pleased to close the debate on the Aboriginal and Torres Strait Islander Children and Young People Commissioner Bill 2022, and I acknowledge the contributions across the chamber today.

This bill establishes a new independent commissioner who will promote the rights of Aboriginal and Torres Strait Islander children and young people in the ACT. This bill is very much determined by and is the product of the Aboriginal and Torres Strait Islander community—their dedication and their drive.

I echo Minister Stephen-Smith that this is Aboriginal land. It always was and it always will be. Sovereignty was never ceded. I also acknowledge the presence of members of the Our Booris, Our Way Implementation Oversight Committee, and the Aboriginal and Torres Strait Islander community, and thank them for being here for this historic moment. Critically, the establishment of this position was recommended by the Our Booris, Our Way review, and it has been the implementation oversight committee which has been instrumental in realising this reform. I warmly and sincerely thank them for their ongoing collaboration with government in progressing it.

I also acknowledge and thank the Aboriginal and Torres Strait Islander Elected Body and other community representatives, who supported the development of this role through the co-design process, facilitated by the Jumbunna Institute for Indigenous Education and Research. From the recommendation of the role to co-designing the functions of the commissioner, the community has been guiding the government on this reform, and this partnership and engagement will continue through the recruitment, implementation and operational phases.

The bill is intended to operate consistently with the Human Rights Act and principles set out in two key international human rights instruments: the Convention on the Rights of the Child and the Declaration on the Rights of Indigenous Peoples.

The Convention on the Rights of the Child identifies childhood as separate from adulthood and as a protected time in which children must be allowed to grow, learn, play, develop and flourish with dignity. There are four general principles of the convention: the right of all children to be heard and taken seriously; the right of non-discrimination; the right to life and development; and the primary consideration of the child's best interests.

The Declaration of the Rights of Indigenous Peoples is the most comprehensive instrument detailing the rights of Indigenous peoples in international law and policy and addresses both individual and collective rights, cultural rights and identity, rights to education, health, employment, language and others.

The commissioner will promote the human rights of Aboriginal and Torres Strait Islander children and young people, including their special rights under human rights law as children and their cultural rights as Indigenous people. The commissioner will contribute to a growing network of office holders across the country promoting the rights of Aboriginal and Torres Strait Islander children and young people. However, our commissioner will have a distinct framework tailored to the needs of the ACT community, which was co-designed with local stakeholders.

This bill sets out the key elements of the new commissioner's role: the capacity to undertake individual and systemic advocacy; ongoing engagement with the Aboriginal and Torres Strait Islander community; cooperation with the Human Rights Commission; and transparency through the provision of an annual statement to both the Legislative Assembly and the community.

The commissioner's power to engage in individual advocacy was identified in the Our Booris, Our Way review and subsequent co-design process as a critical element for this new position. Participants in the co-design process wanted to see the commissioner make a difference in the lives of children and young people in real time, noting the importance of the developmental period for lifelong wellbeing. Providing effective early individual advocacy was identified as an important part of preventing systemic harms, creating a more positive trajectory for children, their families and communities.

The bill empowers the commissioner to do just that. It provides the commissioner with the capacity to undertake individual advocacy in relation to a broad range of service systems, including the child protection and youth justice systems, as part of their broad mandate and in acknowledgement of the need to take a holistic approach to the wellbeing of Aboriginal and Torres Strait Islander children and young people.

The bill includes powers for the commissioner to access information needed to undertake this function, make recommendations in individual matters and require a response from the person in charge of a relevant entity within a stated reasonable time frame. The commissioner will be able to intervene on behalf of Aboriginal and Torres Strait Islander children and young people in relation to decisions that will affect their rights or interests. This includes case conferences and relevant court proceedings.

Amendments to the Children and Young People Act and the Court Procedures Act included in the bill will also provide the commissioner with powers to enable individual advocacy, including access to information. Importantly, the commissioner will be entitled to appear, be heard and call witnesses in any hearings in court proceedings against Aboriginal and Torres Strait Islander children or young people or in an application, proceeding or matter under the Children and Young People Act, including care and protection proceedings.

In acknowledgement that there are systemic issues affecting the lives of Aboriginal and Torres Strait Islander children in the ACT, the bill also includes functions and powers for the commissioner to undertake systemic advocacy. Co-design participants advised that systemic advocacy is an important element in promoting systems change, both within specific systems and across systems as part of a holistic and coordinated approach. The commissioner will be able to advocate on behalf of Aboriginal and Torres Strait Islander children and young people collectively, including through the conduct of an inquiry into any matters relating to systemic issues that affect or may affect the rights, development, safety and wellbeing of this cohort.

The commissioner will play an important role as part of the human rights protection framework in the ACT. In doing so, the commissioner will bring to this role a unique cultural perspective and deep understanding of the issues affecting Aboriginal and Torres Strait Islander peoples consistent with the principles of self-determination. That self-determination is part of what makes this role distinct from existing statutory roles in the ACT.

The requirements in the bill for the commissioner and their staff to engage regularly with the community, and consult children, young people and their families and report annually on their operations, will support the development of strong links to the local Aboriginal and Torres Strait Islander community. This engagement will ensure that the commissioner is working in the most beneficial way possible, responding to the priorities of the community, and forms part of the distinct character of this role.

Madam Speaker, for the benefit of all, I want to reiterate again that the establishing legislation for the Aboriginal and Torres Strait Islander Children and Young People Commissioner makes it clear that the commissioner has a function to intervene on behalf of Aboriginal and Torres Strait Islander children and young people in relation to decisions that will affect their rights or interests, including in relevant court proceedings. The bill amends relevant legislation to provide for that.

I am proud to be progressing this reform as part of the government's commitment to implementing the Our Booris, Our Way recommendations. I know for many in the community, it has been too long. The establishment of the Aboriginal and Torres Strait Islander Children and Young People Commissioner is part of a suite of community-driven reforms to address the over-representation of First Nations children in the child protection system and to improve the wellbeing of this cohort, informed by a human rights framework.

This is an historic moment, but this is, of course, when the most important work now begins. I look forward to continuing to engage with the Aboriginal and Torres Strait Islander community on the implementation of this critical reform.

Finally, I thank officials from the Justice and Community Safety Directorate, who have provided the support and facilitated the engagement to ensure that this is a bill which responds to and meets the needs of the community. I thank colleagues in the Community Services Directorate and Minister Stephen-Smith, who are working with us so collaboratively. Thanks also to the Parliamentary Counsel's Office, for their efforts in drafting this thorough and extensive bill. I commend this bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Independent Reviewer of ACT Government Campaign Advertising—appointment

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (11.29), by leave: I move:

That, in accordance with section 12 of the *Government Agencies (Campaign Advertising) Act 2009*, this Assembly approves the appointment of:

- (1) Mr William ‘Bill’ Campbell AO PSM KC as Independent Reviewer—ACT Government Campaign Advertising for a period of three years commencing 2 December 2022.
- (2) Mr Michael Manthorpe PSM FIPAA as Acting Independent Reviewer—ACT Government Campaign Advertising for a period of three years commencing 2 December 2022. This appointment is effective in instances when the Independent Reviewer—ACT Government Campaign Advertising cannot for any reason exercise the functions of the position.

I present to the Assembly a motion to appoint Mr Bill Campbell as the Independent Reviewer—ACT Government Campaign Advertising and Mr Michael Manthorpe as Acting Independent Reviewer—ACT Government Campaign Advertising. Madam Speaker, this follows the retirement of Professor Dennis Pearce AO as the independent reviewer at the end of September this year.

I want to thank Professor Pearce, who held the role of independent reviewer commencing in 2014. I thank him for his service and for the trusted advice and steady support he provided to the ACT public service during his time as independent reviewer. Mr Campbell is the current acting independent reviewer and has been undertaking all reviews since Professor Pearce’s retirement.

Mr Campbell is also a public international lawyer with a distinguished career history and extensive experience in law and in interpretation of legislation. He has held the positions of General Counsel, International Law, and Head of the Office of International Law in the federal Attorney-General’s Department. He has advised successive Australian governments on all areas of international law and its implementation in Australia.

Mr Campbell was appointed Officer of the Order of Australia for his distinguished service to public administration and to international legal practice through senior counsel and advisory roles. He was awarded the Public Service Medal for outstanding

public service through exceptional contribution to commonwealth law in the international arena, particularly in relation to natural resource management. He was also appointed an Honorary Professor of Law at the Australian National University College of Law in February of 2019.

Mr Manthorpe would be called upon to review ACT government advertising campaigns if the independent reviewer was unavailable. Mr Manthorpe was appointed the Commonwealth and ACT Ombudsman from 2017 to 2021, where he played an important role in upholding the concepts of integrity and fairness.

He was awarded the Public Service Medal in 2010 for outstanding public service in contributing to the Australian government's response to the collapse of ABC Learning Centres in 2008. He is Deputy President and Councillor at the Institute of Public Administration Australia and was awarded fellowship of the organisation in 2021. He brings with him a wealth of experience from many years in senior leadership roles across the public service.

I have every confidence that both Mr Campbell and Mr Manthorpe will perform the duties of the position with the highest integrity and professionalism. As independent reviewer and acting reviewer, Mr Campbell and Mr Manthorpe will review government campaigns over \$40,000 to ensure that they comply with the Government Agencies (Campaign Advertising) Act of 2009, which aims to prevent the misuse of public funds. This is an important role in ensuring integrity, transparency and trust in the use of public funds for government communications.

As part of the review process, the reports of the independent reviewer are presented to the Assembly on a biannual basis. I consider both Mr Campbell and Mr Manthorpe to be highly qualified to undertake this role for the Assembly and trust that this view is shared by other MLAs.

I encourage the Assembly to accept this nomination this morning with the requisite majority, so that the government can implement the necessary processes for the approval of advertising. I present the nomination for consideration by the Assembly.

MS LEE (Kurrajong—Leader of the Opposition) (11.34): The Canberra Liberals have no objection to the Chief Minister's proposal for the approval of the appointment of Mr Bill Campbell as Independent Reviewer—ACT Government Campaign Advertising and Mr Michael Manthorpe as Acting Independent Reviewer—ACT Government Campaign Advertising. Both the gentlemen that have been proposed are highly qualified, as outlined by Mr Barr in moving his motion.

On behalf of the Canberra Liberals, I also put on the record our thanks to Professor Pearce for his work whilst he was the independent reviewer. The Canberra Liberals will be supporting the government's motion. It will be interesting to be on the winning end of a vote for a change! We will be supporting Mr Barr's motion today.

MADAM SPEAKER (Ms Burch) (11.34): The Government Agencies (Campaign Advertising) Act 2009 requires that this appointment is agreed by a special majority of the Assembly, which is 17 votes; therefore, a vote will be taken, I will ring the bells.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 21

Noes 0

Mr Barr	Mrs Kikkert
Ms Berry	Ms Lee
Mr Braddock	Mr Milligan
Ms Burch	Mr Parton
Mr Cain	Dr Paterson
Ms Castley	Mr Pettersson
Ms Cheyne	Mr Rattenbury
Ms Clay	Mr Steel
Mr Cocks	Ms Stephen-Smith
Ms Davidson	Ms Vassarotti
Mr Gentleman	

And so it was resolved in the affirmative, with the concurrence of a two-thirds majority of members.

Question resolved in the affirmative.

Sitting suspended from 11.38 am to 2.00 pm.

Questions without notice

Crime—offences while on bail

MS LEE: My question is to the Attorney-General. Attorney-General, you have previously argued strongly that there is no need for bail review. I refer to the case of an offender who was arrested for two counts of raping a seven-year-old child. He was charged and released on bail the next day. While on bail, he assaulted and raped another child, a 12-year-old. The victims' families have spoken on how the victims experienced things that no child should ever have to and said that the offender "took away her innocence and childhood". Attorney-General, one mother stated: "It has torn the family apart. This will never be fixed."

Attorney-General, I ask what the community is asking: how is it possible that a person charged with raping a child—someone who a judge has referred to as having a higher than average chance of reoffending—can be granted bail to then rape another child?

MR RATTENBURY: This is clearly a terrible set of circumstances. My sympathies go out to the persons involved, particularly the victims, who have experienced something no-one should ever have to experience. The circumstances Ms Lee describes leave all of us distressed by their very nature. In terms of Ms Lee's specific question—how is a person granted bail?—Ms Lee well knows that the decision to be granted bail is made by a judicial officer, under the terms of the Bail Act, which set

out a range of factors that judicial officers are required to take into account in considering whether an alleged offender should receive bail.

Clearly, in this case that judicial officer formed a view. As Attorney-General, I will not comment on individual cases. I also was not present for this particular matter, so I am not clear about the basis on which the judicial officer took that decision. They have weighed up the factors and they have made that decision. The answer to Ms Lee's question about how this decision was taken is: the judicial officer took the decision in light of the evidence presented to that judicial officer and the considerations under the act.

MADAM SPEAKER: As we proceed, I remind members of continuing resolution 10, on matters that are sub judice. If this is an active case, it cannot be referred to. Questions may be asked in general terms. Ms Lee.

MS LEE: Thank you, Madam Speaker. Attorney-General, what do you say to the shattered families to explain that a review of bail is not necessary?

MR RATTENBURY: My heart goes out to those families. This is a dreadful set of circumstances. We have indicated that we are doing work on the Bail Act. Despite the attempt by members of the opposition to polarise this debate, we are seeking to take into account some of the concerns that have been expressed to us by the community. We are looking—and I have been very public about this—at whether the factors in the Bail Act both adequately give our judicial officers the remit to consider the issues they need to and provide sufficient direction to reflect the will of this Assembly and the community. I have indicated very publicly that we are looking at those considerations in the Bail Act. I am expecting to receive advice from the directorate in the near future.

MR HANSON: A supplementary.

MADAM SPEAKER: Mr Hanson, a supplementary, noting my comments before.

MR HANSON: Attorney-General, how many more families' lives have to be destroyed to serve your ideology on bail and sentencing in the ACT, while you refuse to commit to an independent review?

MR RATTENBURY: I find the imputation from Mr Hanson somewhat offensive on a personal level. Clearly, judicial officers are faced with extremely difficult decisions on a regular basis. The ACT government have made it clear that we are looking at some of these factors. I have just answered Ms Lee's questions to that effect. Mr Hanson might take note of my previous answers.

Justice—bail breaches

MR HANSON: My question is to the Attorney-General. Attorney-General, you have previously argued strongly that there is no need for bail reform or a review into sentencing and bail, as evidence has shown that reform of that sort is not necessary. Three months ago, a Canberra prisoner was granted day bail to attend a funeral. The prisoner breached that bail and spent weeks on the run from police, only to be found barricaded in a room, claiming to be armed. This week the same prisoner asked

for bail to attend another funeral. Bail was granted, despite identical circumstances to the previous breach, and against the wishes of the prosecution, who opposed bail. That prisoner has now breached bail again, and is currently at large, with the police asking the public for assistance. Attorney, how does the public keep faith in a system where a prisoner is released twice and absconds twice in identical circumstances in less than three months?

MR RATTENBURY: Mr Hanson has now conflated a number of matters. In his previous question he talked about a review of the Bail Act. What we have seen in recent times is Mr Hanson and other commentators calling for a review of the Bail Act, bail, sentencing and the entire judiciary. These are all quite different things. What I have indicated—as I have said on Ms Lee’s question earlier—is that the government is looking at the conditions around bail. We are examining how the ACT’s laws compare to other jurisdictions, and we are contemplating, as I outlined earlier, whether the Bail Act meets the expectations of this community and this Assembly, to ensure that judicial officers have the powers they need.

There will then be a question of judicial officers exercising their discretion. That is what we pay them to do. That is the responsibility that we put on them. Under the separation of powers, those are not politically directed decisions. Mr Hanson well knows all of those things.

Mr Hanson: It’s my fault, is it?

MR RATTENBURY: Mr Hanson would like to be in charge of bail decisions. He has just said, “It should be my call.” That does not respect the separation of powers.

Mr Hanson: On a point of order. It is ridiculous for the Attorney-General to make that assertion. Mr Rattenbury is not answering the question. He is seeking to debate the question, and in doing so he is trying to somehow apportion blame for what is happening to the opposition. It is ridiculous.

MADAM SPEAKER: Mr Hanson, you have made your point of order. There is no point of order. I remind members to be very mindful of continuing resolution 10, where it says that if matters are active before the court they cannot be discussed. So use general terms only, if this is going to be the theme of a number of questions. Mr Rattenbury, your time has expired.

MR HANSON: Attorney-General, what resources are put in place to prevent repeat breaches of day-release bail?

MR RATTENBURY: I am not quite sure of the question Mr Hanson is asking. As he knows, under the act a range of factors are considered in determining whether somebody is likely to meet their bail conditions, including the likelihood of people breaching their bail. Those are there at the initial decision-making by the judicial officer. Then, depending on someone’s bail conditions, they can have requirements to report. I think that that is what he is asking. Forgive me if I have misunderstood the question, but there are a range of requirements that people have to fulfil under those bail conditions that are about ensuring people do as they are directed to do under their bail conditions.

MR CAIN: Attorney, do you accept that cases like this are exactly why an independent external review is essential to keep public faith in the bail system?

MR RATTENBURY: Again, I am not sure which of the claims or propositions Mr Cain is referring to—whether he was referring to a review of the judiciary, the Bail Act, or sentencing. They are all quite different considerations. What I can assure this Assembly is that we are looking at the terms of the Bail Act to make sure that they meet the expectations of this Assembly and the community.

Neighbourhood Democracy project—update

MR BRADDOCK: My question is for the Chief Minister. Chief Minister, can you please provide an update on the Neighbourhood Democracy project which was funded under this year's budget?

MR BARR: I thank Mr Braddock for the question. As the question indicates the Fostering Neighbourhood Democracy project was funded an allocation of \$200,000 in the recent territory budget. This will enable a pilot project to be facilitated that is localised and responsive to community needs. A communications and engagement specialist has been engaged to deliver the initial phase of the project, and the government is keen to explore options for this project to complement existing ACT government engagement activities. I understand that following the work of this initial engagement there will be a draft implementation plan for the pilot project to commence in calendar year 2023.

MR BRADDOCK: Chief Minister, will you be able to estimate when the consultation for the Neighbourhood Democracy might happen?

MR BARR: I anticipate that would be in calendar year 2023, although we will have further information on that once this initial period of work is undertaken.

MS LAWDER: How many communication specialists has this government engaged or directly employed?

MR BARR: In relation to this project, which I presume is—

MS LAWDER: No, more generally.

MR BARR: I am not sure that is linked to—

MS LAWDER: The question is around democracy and most of the question was around the delivery that enabled democracy.

MR BARR: As I understand it, there is one communications and engagement specialist involved in this project—one organisation. In relation to the broader question, I refer Ms Lawder to annual reports.

Justice—sentencing

MR HANSON: My question is to the Attorney-General. You have recently and repeatedly refused to undertake a review into sentencing in the ACT, despite pleas from thousands in the community to do so. You refused because you claimed the evidence showed it was not needed.

I refer to work from Tom McLuckie and the resulting articles entitled “Key ACT government data exposed as inaccurate” and “Flawed ACT govt sentencing data exposes more awkward questions”. It has been revealed government data incorrectly inflates the number of offences and the time that offenders spend in prison as a result. Attorney-General, how do you stand by your decision to refuse to conduct a review when the data you have been using is shown to be “flawed and inaccurate”?

MR RATTENBURY: There are a number of indicators which show that the ACT sits broadly in the middle of the pack amongst Australian jurisdictions when it comes to sentencing. That data is not being disputed. That is data the government provides to the Australian Bureau of Statistics. It is reported through a range of nationally recognised reports, including the *Report on government services*, and that data is derived under nationally agreed standards for data collection. They are the figures that I have been speaking of in my various commentaries around this matter.

Mr McLuckie has undertaken some analysis. He has written to me indicating his concerns with some of those data figures. I am in the process of looking at those questions he has raised, and I will respond to Mr McLuckie in those areas. I think that some of the tenor of it goes to, perhaps, a disagreement on how some of these figures are measured. For example, there is a debate about recidivism data and how one describes recidivism. I, again, use the recognised national measure under the *Report on government services* but other people have different views on how we might measure that. That is a dialogue I am happy to engage with Mr McLuckie on. I appreciate the fact that he is spending a lot of time having a look at this information. I intend to engage with him on those discussions as I get further advice.

MR HANSON: Minister, who is conducting that review into the data, and will you correct the public record should you find that his analysis is correct?

MR RATTENBURY: I am seeking that advice from a range of sources within ACT government from my own directorate. The courts are obviously an important source of data, and I note the Director of Public Prosecutions, in his recent appearance before the dangerous driving inquiry of the Justice and Community Safety Standing Committee, challenged some of the analysis of those figures, so I think there is some work to be done in this space.

What I will commit to in this Assembly is that I am not simply waving this away; we are looking at it closely. I suspect, as is the nature of statistics, there will be ongoing debate on these things. For example, we also saw in the recent annual report hearings that, when asked about the figures cited by the Australian Federal Police Association, the police union, even the Chief Police Officer could not indicate where those figures

had come from. There are a range of data sources being thrown about in the public space here, and we need to work through these in an open and discursive way to try to get to the bottom of where some of these are coming from, how we might best analyse them and what they actually mean for us.

MR CAIN: Attorney, given you have just now admitted that a review of the data is needed—

MADAM SPEAKER: No preamble, Mr Cain—to your question.

MR CAIN: Minister, do you accept this need for a review? This self-declared uncertainty of the data source—is this not support for an independent review into sentencing?

MR RATTENBURY: I fundamentally reject Mr Cain's characterisation of my answer. Even if he was not supposed to have a preamble—it was an incorrect preamble. What I indicated was that we are willing to look at the concerns and questions that have been raised with us. If I stood here and said I was not willing to do that, that would be more of a concern. When people come along with a question, you should take them seriously and at least be willing to have a look at it and provide an answer. I have said I will have a look at it, and I will provide an answer.

ACT Policing—resourcing

MR HANSON: My question is to the Minister for Police. Minister, in recent annual reports hearings, the Chief Police Officer noted the impact of changes to drug laws and the potential increase of drug and dangerous driving in the ACT. The Australian Federal Police Association have raised similar concerns, particularly in light of recent tragic drug-driving incidents and also that current drug-driving tests do not cover all of the drugs that have been decriminalised. Minister, what extra resources are being put in place to address the concerns of the CPO and the AFPA and keep Canberrans safe from drug drivers?

MR GENTLEMAN: I thank Mr Hanson for his question. It is an important one. As I have said before in this place, we do resource ACT Policing and have increased resourcing every year since I have been the minister. That shows in the results that ACT Policing are achieving. That is the opportunity for us to support ACT Policing in the work that they do, and they are being very successful, particularly, most recently, with Operation TORIC, quite a number of arrests were made of offenders who have committed several crimes in relation to driving and drug use as well.

MR HANSON: Minister, what legislative changes will be needed to ensure the drugs that are now decriminalised are detectable by police? Will you commit to make those changes?

MR GENTLEMAN: I am always happy to work with ACT Policing on what legislative changes they require to keep Canberra safe. Canberra is, of course, one of the safest cities in Australia—well reported in our *RoGS* and well reported by ACT Policing. So, if they require some legislative change, I am very happy to work with them.

MR CAIN: Minister, how will police deal with this extra threat and this extra need for checking on our roads when they are already the lowest-funded police force in our country?

MR GENTLEMAN: I reject Mr Cain's assertion that they are the lowest-funded police force in the country. As I have said, we resource them each year. In fact, we just signed the agreement last week with the Australian Federal Police for \$800 million—plus, of course, the ongoing extra funds we provide for particular operational facilities that the police provide for the ACT, and—

Mr Hanson: You're misleading the Assembly, mate!

MR GENTLEMAN: it is working—

Mr Hanson interjecting—

MADAM SPEAKER: Enough, Mr Hanson!

MR GENTLEMAN: Their response has been exceptional across the ACT in keeping Canberrans safe. We give them the operational control to be able to use those resources where they see fit, and this is how they have created Operation TORIC, and it has been incredibly successful.

Mr Steel: Madam Speaker, I raise a point of order. Mr Hanson just interjected across the chamber claiming that Mr Gentlemen was misleading the Assembly. He should withdraw that remark, Madam Speaker.

MADAM SPEAKER: Withdraw it, Mr Hanson.

Mr Hanson: Madam Speaker, I won't withdraw it. He was misleading. It is the lowest funded on every single measure.

MADAM SPEAKER: Mr Hanson, I have asked you to withdraw it.

Mr Hanson: I can't withdraw a factual statement. He is misleading the Assembly, Madam Speaker.

MADAM SPEAKER: Mr Hanson, sit down. You will withdraw or you will move a substantive motion. That is your choice.

Mr Hanson: I call on Mr Gentlemen to withdraw the statement; it is the lowest-funded police—

MADAM SPEAKER: Mr Hanson, you are warned! You will withdraw or move a substantive motion—or I will name you. So you will need to move substantive motion of misleading or you will be named. So withdraw or be named.

Mr Hanson: I seek leave to move a censure motion on Mr Gentlemen for misleading the Assembly, in that ACT Policing is the lowest-funded police force in Australia?

Leave not granted.

MADAM SPEAKER: Mr Hanson, you will withdraw or you will be named.

Mr Hanson: Madam Speaker, you called on me to move a motion or I would be named, and I did move a motion.

MADAM SPEAKER: I said you have a chance—

Mr Hanson: I sought leave to move a motion.

MADAM SPEAKER: Resume your seat for a moment. Yes, in hindsight, I should have just named you, in actual fact. So take that one for the team! We will move on, but consider yourself warned, Mr Hanson. I would just remind everybody about parliamentary language. These are substantive matters and an interjection and then a motion on the fly on the floor is really not acceptable in my eyes for this sort of motion.

Transport Canberra—electric buses

MS CLAY: My question is to the minister for transport. Minister, in response to a question on notice from annual reports hearings in October 2022, I saw that the intended start date for the leased electric buses and leased lower emissions diesel buses to replace Canberra's old orange Renault buses was meant to be July 2022, but now it will not be until January 2023. Can you tell me why this is the case, and can you run through some of the challenges TCCS has faced in procuring these newer buses?

MR STEEL: We have said that we expected to receive the leased electric buses when we made the announcement of contracting with the delivery partners before the end of the year, and we are expecting them to arrive in a matter of days. I am looking forward to making that announcement. That will help us to retire some of the DDA non-compliant Renault orange buses, which many people in Canberra are familiar with. We have been working hard to reach that deadline.

MS CLAY: Minister, are you expecting these procurement challenges to impact the plans for the 50 zero emissions buses that will be on our roads in this financial year?

MR STEEL: I do not think there have been very significant procurement challenges in relation to the buses themselves. We know that there is much more to transitioning to zero emissions than just the buses themselves. It includes the electrical infrastructure required, and skilling up the mechanics to work on those buses. We are very confident about getting these first electric vehicles in our fleet, and we are continuing to undertake the procurement for delivering our promise to buy 90 electric buses. That procurement is still in train, and there is no suggestion at this point that it is delayed.

MR BRADDOCK: Minister, when will all 26 of the leased lower emissions diesel buses be in operation?

MR STEEL: I am very pleased to say that the first of the buses has been completed, at the Scania factory in Adelaide. The chassis are built in Spain, I understand, and brought over here; then the bus bodies are added to those. Staff from Transport Canberra and City Services are going there to visually inspect those buses, to make sure that they meet all of the requirements that we have placed on them, before they come up here and are added to the fleet, ready to start in our new network, starting in term 1.

Children and young people—early childhood services

MR PETTERSSON: My question is to the Minister for Education and Early Childhood Development. Minister, how is the ACT government supporting children's development in the years before school?

MS BERRY: I thank Mr Pettersson for his question. The ACT government's Child Development Service has been providing assessments for children for many years now. Earlier this month I announced a \$7 million commitment for a new therapeutic early intervention service at the Child Development Service. This is what it might mean for a family: their child might be in an early childhood education and care setting, and the educators might have noticed that the child is showing some behaviours that indicate that the child might need some additional supports. The early learning centre could then refer that family to the Child Development Service.

The service will do an assessment, which they already do right now, but from next year they will also be able to provide therapeutic services for children aged from 24 to 36 months. That could include speech therapy, occupational therapy, physio or a combination, depending on the needs of each child and their family. That child could then be referred to the ACT government's three-year-old early learning initiative for that really vital early childhood education experience. This new service means that more children will be getting a great start to their education, and families will be able to access these important supports free.

MR PETTERSSON: Minister, how will the new service be delivered?

MS BERRY: The new service will start seeing children and their families in February. It will operate out of the Child Development Service, to give families a seamless experience from the developmental assessment to the therapies that will be provided free for that age group.

The government is currently recruiting allied health professionals—speech pathologists, occupational therapists and physiotherapists—to deliver those services. Applications for those jobs close on 2 December and I encourage anyone in those professions to apply. This is such an exciting opportunity to make a real difference in the lives of local children and families.

DR PATERSON: Minister, how does this announcement fit with the First 1,000 Days Strategy?

MS BERRY: I thank Dr Pettersson for her interest in this matter.

Mr Parton: I think it's Paterson. I think that's Michael, the other one.

MS BERRY: Paterson.

MADAM SPEAKER: No need, Mr Parton.

Mr Parton: Just trying to correct the record.

MS BERRY: I did say Paterson, didn't I? Sorry.

MADAM SPEAKER: Ms Berry, just continue.

MS BERRY: This is all part of the Best Start for Canberra's Children: the First 1,000 Days Strategy that Minister Stephen-Smith and I launched earlier this month. Together, we worked with the community sector, parents, carers and children to understand how to give children the best start in life. The strategy sets out a plan to improve the first 1,000 days of every child, which we know are so important for the rest of their lives. The strategy will be delivered alongside Set up for Success, the ACT's early childhood strategy, as part of the government's ambitious child and family reform agenda.

Alexander Maconochie Centre—~~independent review~~

MRS KIKKERT: My question is to the Minister for Corrections. It has long been suspected by Aboriginal leaders that there is systemic racism in the ACT justice system, leading to over-representation. In his 2019 review, the inspector recommended that the government contract an independent Indigenous expert to review the security rating system at the prison to ensure that it is free of any cultural bias. The government agreed, and claimed that this was done in August of this year. This independent review was not actually done.

Furthermore, in their research, the government referenced a Canadian tool that was ruled invalid and unreliable by the Canadian Supreme Court, which said that it was a clear danger to continue using it. Minister, why did the government claim to have engaged an independent reviewer when this, in fact, had not happened?

MR GENTLEMAN: I thank Mrs Kikkert for the question. I will respond, firstly, to the *Healthy Prison Review* from the inspector, and advise that we feel that it is a very important review. Of course, these reviews help to provide some scrutiny and accountability of the justice system. Of course, we will be responding formally to that review over time, and we will look at the claims and recommendations made in that review. With respect to the detail of the question from Mrs Kikkert, I will have to take that on notice.

MRS KIKKERT: I have a supplementary question. Minister, how exactly was this invalid tool that was used by Canadian corrections, involved in your supposed completion of this recommendation?

MR GENTLEMAN: I am unsure whether the tool was used in that fashion. I will take that on notice and come back with it.

MR PARTON: Minister, why is an Aboriginal and Torres Strait Islander 21 times more likely to be incarcerated in the ACT than a non-Aboriginal and Torres Strait Islander?

MR GENTLEMAN: It is a question for us all, I think, to see the over-representation in our justice system by Aboriginal and Torres Strait Islander people. Each of us, in different portfolios, has worked to try and reduce that wherever we can. I am at the end, of course, of that system, having been Minister for Corrections for a couple of years. We are trying to do our best to ensure ways forward for Aboriginal and Torres Strait Islander people in the AMC, and provide support for them whilst they are in the correctional facility. We have worked with different groups outside of government, too, to provide support for them, but it is a matter for us, as a community, I think, to work as best we can together to reduce that level of over-representation.

Justice Health—funding

MRS KIKKERT: My question is to the Minister for Justice Health. Minister, the Inspector of Correctional Services has been told by health and custodial staff they believe the health centre is no longer fit for purpose. It is overcapacity and besides a small office demountable, it has received no enhancements since being built. This under-resourcing of the centre has led to some detainees reporting it takes over eight weeks to see a doctor and some detainees have experienced long wait times to access anti-psychotic medication. The Inspector has also observed there appears to be “entrenched animosity between Justice Health, ACTCS and Winnunga.” Minister, an expansion of the health centre has been recommended by at least two committees in recent years. Each time your response has been vague. We now have it from the Inspector. What plans do you have to improve the health centre?

MS DAVIDSON: I thank Mrs Kikkert for the question. It is really important we have the Inspector of Correctional Services to be able to give us advice about where there may be improvements we can make to support better health care for people who are in the AMC. I am looking forward to discussing how we can do that with my cabinet colleagues over the coming months. It is also important to know the Justice Health strategy is currently being progressed as well. These recommendations from the Inspector of Correctional Services will be considered as we continue to work on the Justice Health strategy. While I cannot provide specific information about appointment wait times for individuals, I do recognise the AMC is a particularly difficult environment in which to try and deliver health services and being able to get in and out of the Hume Health Centre is part of that process. There will be some meetings to further discuss ways we can improve people’s access to the Hume Health Centre and other access to health services over coming weeks and I am looking forward to being able to progress some work in that space. I also note some renovations in mid-2022 increased Winnunga’s allocation of space at the Hume Health Centre. I thank Winnunga for their ongoing commitment to providing health care at the AMC alongside Justice Health services to make sure people are able to access continuity of care there.

MRS KIKKERT: Minister, why are potentially highly violent offenders being denied or forced to wait extremely long wait times to get their anti-psychotic meds?

MS DAVIDSON: I can't answer the specifics of someone's health care in a public environment like this but I can assure you that Justice Health services do include psychiatric care, psychologist care and other mental health services as part of the care they provide to people. If there is someone specifically that you have concerns about I invite you to let my office know about what is happening and we can follow that up for the individual.

MS CASTLEY: Minister, why have you allowed things to get to a point where there is entrenched animosity between Justice Health, ACTCS and Winnunga? What negative effects does this have on daily operations?

MS DAVIDSON: I reject the premise of the question that there is that kind of entrenched animosity. It is a very difficult space in which to deliver services and there are times when Corrections, Justice Health and Winnunga need to work collaboratively to provide care to people but all three of those services are committed to providing the best possible care for people who are in the AMC. I know they are continuing to seek ways to continually improve the ways in which they work together. Such as for example, the roll out of the digital health record recently, being able to better support the sharing of clinical information where it is necessary between Winnunga and Justice Health services to make sure everyone has the information they need to deliver the right health care at the right time.

Inspector of Correctional Services—resourcing

MRS KIKKERT: My question is to the Minister for Corrections. The Inspector of Correctional Services stated they do not have any additional funding from the ACT to carry out their OPCAT responsibilities and that their budget bid for the last three years has “languished”.

At this point, they have not been able to conduct visits to Bimberi as often as they would like and should, under OPCAT legislation, due to under-resourcing. They further stated that they do not have the staff capacity to follow-up on the implementation of their recommendations. This is particularly important, as the inspector contests government claims that no less than six recommendations are resolved. These too could be resolved with additional funding. Minister, why has this government been unable to provide the funding three years in a row for just one more FTE position for the inspector's office?

MR GENTLEMAN: I thank Mrs Kikkert for the question. I responded to the exact same question during the annual report hearings. It is a cabinet decision on funding for the Inspector of Correctional Services, and those decisions sit with cabinet.

MRS KIKKERT: Minister, how will you advocate for the Inspector of Correctional Services to get an extra FTE position in the next round of budget discussions?

MR GENTLEMAN: That will be some work for me and my directorate.

MR PARTON: Minister, what negative outcomes could occur from underfunding this critical oversight body?

MR GENTLEMAN: Madam Speaker, that is a hypothetical question. Of course, we have seen the work the Inspector of Correctional Services has done. He has done a very fulsome report most recently, and we will be responding to that. It is important work that the inspector does. If you look at past recommendations and reports from the inspector, we have responded to them very favourably and worked as hard as we could to address the recommendations.

Inspector of Correctional Services—resourcing

MRS KIKKERT: My question is to Minister for Corrections. Minister, the Healthy Prison Review 2022 contains no fewer than nine references where the inspector said his office did not have sufficient resources to fully investigate aspects of the prison. These include not having the resources to survey visitors to the prison, not having the resources to do an in-depth consideration of programs and interventions, not having the resources to review the experiences and accommodation of detainees under protection status and not having the resources to look into the experiences of culturally and linguistically diverse detainees. This is clearly laid out in the review. This under-resourcing has been obvious for years, yet your government continues to insist that resourcing for oversight of the prison is adequate. Minister, if the inspector does not have the resources to examine the experiences of CALD detainees in depth, how can you say that prison oversight resourcing is adequate?

MR GENTLEMAN: We will be responding to the inspector's Healthy Prisons Review. We will be responding fully to that. Of course, all of the recommendations and comments will be taken into account in further decisions that the government will make.

MRS KIKKERT: Minister, how can you say that resourcing for the oversight of the prison is adequate when the inspector does not have the resources to properly review the experiences of the most at-risk detainees in the AMC?

MR GENTLEMAN: I would just refer to my previous answer. We will of course take the recommendations and the comments from the inspector's review into account. I will certainly be responding, through my portfolio, on the application of those recommendations to particular components of my portfolios and I am sure the government will be able to respond to the other claims for resourcing as well.

MR PARTON: Minister, how can you say that the oversight of the prison is adequate as the inspector contests your claims that the recommendations have been implemented in six and if the inspector does not have the resources to independently verify your claims?

MR GENTLEMAN: We will certainly look at the claims that the inspector has made and respond to them fully, as I have said. I think we have gone through the answers to Mrs Kikkert's questions with regard to this. The government will be looking at the recommendations that the inspector has made and see whether there is further resourcing that can be made.

Light rail—services

MR PARTON: My question is to the Minister for Transport and City Services. Minister, the relatively new tram stage 1 got its chance to shine in the big events spotlight on the weekend, with the Spilt Milk festival. The *Daily Telegraph*, among other media outlets, has declared that the Canberra tram failed as hundreds of concertgoers were forced to walk into Civic when services were suspended. Even before the suspension of services, there was nowhere near enough tram capacity for the task at hand. Minister, why were concertgoers who were already on the tram told to “get off the tram and walk”?

MR STEEL: I thank Mr Parton for his question. There was a very large event on the weekend, a very successful event, by all accounts, including by my younger cousin, who travelled down from Newcastle to attend. It is the first time that the Spilt Milk festival has been held at Exhibition Park in Canberra. Twenty-five thousand people were moved using light rail to and from the venue. The festival organisers worked with Canberra Metro and with private bus provider Qcity; they provided 50 buses and there were 125 busloads full of people, supporting that event, and safe access to and egress from the event, including afterwards.

We did, unfortunately, despite barriers, the presence of security and police, see some people who were leaving the venue ignore those barriers and cross onto the light rail corridor. For a period of approximately 20 minutes, for safety reasons, there was a requirement to temporarily suspend light rail services; some of the bus services were affected as well.

PA announcements were made on board light rail vehicles, advising passengers at that time of the suspension, and they were provided with the option to walk to the city, as it was unknown what time services would resume at that point. However, services were reinstated at approximately 11.45 pm, maintaining low speeds, not exceeding 20 kilometres per hour. Passengers were cleared from EPIC and Racecourse by approximately 12.20 am, with the last light rail service departing the Alinga Street stop at 1 am, as scheduled. Of course, Transport Canberra also assisted by putting on extra articulated buses from the city to Tuggeranong, Belconnen and other places around Canberra, to support safe access to and egress from the city light rail station.

MR PARTON: Minister, what is the point of a tram line to service a major events venue if it cannot cope when there is a major event at that major events venue?

MR STEEL: It was always planned by event organisers—who made the decision, by the way, to suspend temporarily—that safety needed to be managed around the venue, given the large number of people, with 45,000 attending the event, and that light rail would not be able to take all of those, even though every light rail vehicle was being used, and headways had been cut down to as low as 3½ minutes, in terms of frequency.

It was always anticipated that extra buses would be required to move people out of the venue. A large number of attendees decided that they did not want to line up for either the buses or the light rail vehicles; instead they decided to walk to the city, given that

it is a relatively short distance from EPIC, in order to potentially go to the nightclubs there, and continue their recreational activities. But the fact is that they did disrupt the light rail line and the buses during that process. It was anticipated that a large number of people would be walking around the roads, and that is why Flemington Road and parts of the Federal Highway were closed off to motor vehicle traffic.

Certainly, there will be learnings for next time—we hope this event will occur again in Canberra, potentially at EPIC—about what could be done further to make sure that the event organisers prevent people from walking on the light rail track, which is obviously an unsafe practice, and one of the reasons why services had to be temporarily suspended. But 25,000 people is a pretty good number, and there were many thousands more that were carried by bus from the venue. All of those different transport modes contributed to people getting out of the city in around an hour, which is pretty good. I have been caught up in lines for way past an hour at Olympic Park, coming out of major musical festivals.

MR COCKS: Minister, would more buses have been able to move the crowds from Spilt Milk more successfully than the tram?

MR STEEL: They were used in combination. I think this goes to some of the misreporting over the last couple of days about what occurred on the weekend. Firstly, there was the misreporting that light rail services completely stopped. They did not. There was a temporary suspension of around 20 minutes before they then continued, and in fact carried more than 2,800 people past 11.45 pm.

The other factual mischaracterisation was around the transport modes on offer. There were 50 buses being provided by Qcity, plus more Transport Canberra buses that were providing access to some of the other parts of Canberra. They were shuttle buses, so they came back to the venue, and 125 busloads were carried into the city interchange.

When you have large events like this, mass transit like light rail does play an important role. It carried thousands of people on Saturday, in addition to buses. But there are always things that the festival organisers can learn, particularly around crowd management. I appreciate that some of those crowds did not want to wait in the lines, but the lines were not that long, and people who did wait got on a light rail vehicle or a bus, and got to their destination.

Health—perinatal services

DR PATERSON: My question is to the Minister for Health. Minister, the ACT government has delivered a comprehensive suite of plans aimed at delivering the best start for Canberra's children. Can you please provide an update on what steps the government is taking to continuously improve our public maternity system?

MS STEPHEN-SMITH: I thank Dr Paterson for the question and her ongoing interest in how we support Canberra children and families in achieving the best start to life. She is correct that the government have delivered on our election commitment to deliver a vision for the future of services that support the best start to life, from conception and pregnancy to the first 1,000 days and beyond, as Minister Berry talked about earlier.

With the delivery of the First 1,000 Days Strategy the government has set an ambitious platform of action for the future in the ACT that we believe is critical for the future of our children. This strategy works in conjunction with and as part of a broader strategic direction, outlined through, among others, our preventive health plan, Healthy Canberra; the early childhood strategy for the ACT, Set up for Success, which Minister Berry leads; and our strategy to strengthen families and keep children and young people safe, Next Steps for Our Kids.

Key to this strategic direction is the ACT government's comprehensive 10-year Maternity in Focus public maternity system plan that I announced in June of this year. As Dr Paterson knows, we on this side of the chamber are proud of our dedicated public maternity workforce and the over 5,300 babies that are delivered every single year in the public system, which is why we are continuing to invest to ensure that they have the support and the systems they need into the future.

I am pleased to advise the Assembly that the government have got on with delivering our ambitious first four-year action plan. We have established critical oversight mechanisms, working across our public maternity system to commence work on nation-leading minimum maternity nurse and midwife to patient ratios, progressing the implementation of the Safer Baby Bundle through the office of the chief nursing and midwifery officer, to name just a few critical steps for the future of our system.

This work is just a snapshot of what is being undertaken to create a foundation to evolve our public maternity system and deliver the best for Canberra's future.

DR PATERSON: Minister, how has the ACT government supported comprehensive, person-centred maternity care, with increased capacity across the public system, and what future plans are there to continue this work?

MS STEPHEN-SMITH: I thank Dr Paterson again for her question. This reflects not just an interest in our long-term plan to transform our maternity system but how we are supporting our workforce now with increased capacity across the system. Through the 2021-22 ACT budget the government made a significant investment to deliver two intensive care cots in the neonatal intensive care unit, or NICU, at Centenary Hospital for Women and Children. This \$15.3 million investment was to support the most vulnerable and unwell babies in our region with additional capacity. This year, in support of Maternity in Focus, I announced a \$12.1 million package as a down payment on the implementation of the first action plan. This included two major investments to boost our frontline maternity system now, first by increasing the number of special care nursery cots at Calvary Public Hospital Bruce from eight to 11, reducing pressure across the system for those babies who need a little more special care.

Excitingly for those on the north side of the lake, the government has also invested in establishing a new gestational diabetes mellitus service at Calvary Public Hospital Bruce. This new service will open in 2023 and will provide for more births at Calvary Public Hospital Bruce every year. Importantly, it will provide an option for pregnant Canberrans north of the lake who have diabetes, rather than having to travel to Centenary Hospital for Women and Children. This means better care, closer to home, leaving more time to focus on the exciting life changes ahead.

As members can see from the government's significant boost in investment across our frontline maternity services, with more than \$27.5 million over the past two budgets, this means that we are not only delivering on our ambitious plans for the future but expanding services now.

MR PETTERSSON: Minister, can you please provide an update on how the ACT government is expanding the Centenary Hospital for Women and Children to support Canberrans?

MS STEPHEN-SMITH: I thank Mr Pettersson for the question. We have invested more than \$50 million to expand the Centenary Hospital for Women and Children. That has already delivered the refurbishment of the paediatric high care ward and new clinical administration support areas. In October the new maternity assessment unit opened for women in the second half of their pregnancy, or in the first two weeks after giving birth, who need a pregnancy-related assessment. The new unit doubles the size of the existing service and the design supports the implementation of a new model of care which incorporates 24-hour services and a triage-based system to ensure that women get the right service at the right time.

The gynaecology day unit was also opened, which is a new service offering a dedicated procedure suite for adolescents and women who require gynaecological treatment. The suite has been designed to provide the person-centred care each patient needs when they are feeling particularly vulnerable.

The new antenatal and gynaecology unit is currently under construction and will support the creation of 15 new postnatal beds and strong integration with the new early pregnancy unit. The new three-bed early pregnancy unit will support women with all complications relating to early pregnancy, including early pregnancy loss. This is a purpose-built unit to deliver a therapeutic and healing environment, and it will be staffed by a skilled multidisciplinary team.

The final stage of the project will see a further expansion, with a new adolescent unit, including residential adolescent mental health care, an adolescent mental health day service, the special care nursery expansion and an additional neonatology area for families. Through the Centenary Hospital expansion project we are planning comprehensive infrastructure investment for women, newborn babies, children and adolescents and their families, with more beds, more therapeutic spaces and more support areas for our workforce.

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

Legislative Assembly—conduct

MR HANSON (Murrumbidgee) (2.54): I seek leave to move the motion circulated in my name asking Mr Gentleman to withdraw and apologise for what I consider to be misleading statements to the Assembly.

Leave not granted.

Standing orders—suspension

MR HANSON (Murrumbidgee) (2.55): I move:

That so much of the standing orders be suspended as would prevent me from moving a motion to request a correction of record from a Minister.

I think it is the normal and accepted form of this place that if someone is misleading or if someone is seen to be misleading then they, at the earliest opportunity, correct the record, apologise and say, “I got it wrong.” That is the form of this place and that is what we have always done. With regard to police funding, I think it has been a matter of public record and it has certainly been something we have debated regularly in this place over the last couple of years, that the ACT does fund its police force at a lower level—Madam Speaker—

Mr Barr: Point of order. Mr Hanson is seeking to debate the matter not the suspension of standing orders.

MR HANSON: Madam Speaker, on the point of order, if you could just stop the clock for a second please. I am making the point this is a matter that could be debated now. I am trying to explain why this could be debated now, why there is no need for this to be brought back another time and why we could debate this very quickly now.

MADAM SPEAKER: Okay, I will give you some leniency for now but in the time you have left go to the point of suspending standing orders.

MR HANSON: Thanks very much, Madam Speaker. I am not trying to litigate the argument. I am trying to say that this is a point of record. Now Mr Gentleman has regularly argued we have a low funded police force and he thinks that is a good thing because it might be value for money. We have a different nature of jurisdiction here in terms of the size and scope. That might be his argument and that is for him to put. But the matter is black and white and has been the subject of debate in this Assembly on many occasions: we do have the lowest number of police funded in Australia so I just ask that he apologise and withdraw and we can all move on.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (2.57): Mr Hanson was, yes, skating around the edge, seeking to debate the matter rather than the suspension of standing orders. Let me be clear on the matter of suspension of standing orders. The government is not going to support motions being sprung on the Assembly. This is the second time in this sitting period that we are not going to be supporting and giving leave for these sorts of motions. Now I understand that what was negotiated—I saw Mr Braddock come and speak to the opposition—was that the government would be prepared to allow Mr Hanson to bring this motion on at the conclusion of private members business in a few hours time, if he still believed it was that important to bring it forward. Now if the opposition want a debate for police numbers and find a way to add another piece of private members business, they should substitute out one of their other—

Mr Hanson: I just want them to be honest, Madam Speaker. It is about the mislead; it is not about the police numbers.

MADAM SPEAKER: Members. Mr Hanson, you were warned as it is. So I would suggest you be very quiet. Mr Barr.

MR BARR: Now it is up to the opposition to determine which matters they put forward for private members business. There are hours each sitting day devoted to—

Mr Hanson: Madam Speaker, on a point of order. Mr Barr is trying to argue these substantive issues and say that it should be of advantage. This is a matter of a mislead.

MADAM SPEAKER: Mr Hanson, I gave you a level of leniency. I am providing that to Mr Barr but we are debating suspension of standing orders.

MR BARR: The point I am making is that there is time allocated for opposition private members business on each sitting day. It is up to the opposition to determine which matters they bring forward but this idea that you can add another bit of private members business through dropping a motion in the middle of question time and seeking leave to do so, it is not a principle the government can accept. We do note, Madam Speaker, this motion has now been brought forward. We will not grant leave for it to be brought on forthwith but we have agreed it can be brought on at the conclusion of the three matters of private members business today.

I want to put the opposition on notice this is not a practice we would support as a regular occurrence as a way to add another matter, another item of private members business. On that basis, Madam Speaker, we will not support the suspension of standing orders at this time but we will grant leave in several hours time for this matter to be dealt with—quickly, one would hope—at the conclusion of private members business today.

MADAM SPEAKER: Members, the question before us is to suspend standing orders.

MR PARTON (Brindabella) (2.59): Madam Speaker, I wanted to stand and say that it has been characterised that this is some idea that Mr Hanson came up with. Indeed, Mr Hanson is following your direction because when you asked him to withdraw, you gave him the option—

Mr Gentleman: Point of order, Madam Speaker, I cannot see how this debate is on the suspension of standing orders, it is now referring to—

Opposition members interjecting—

MADAM SPEAKER: Members, can you resume your seats? Just for clarity members, we are seeking to suspend standing orders or not. I am very conscious of my comments through question time where I did put to Mr Hanson to withdraw because the only way to do a motion on misleading is through a substantive motion. So Mr Parton on the suspension of standing orders please. Only!

MR PARTON: Yes. My point is that, as the presiding officer of this chamber, you believe, quite rightly, that it was important for Mr Hanson to deal with those comments at the time that he made them because you asked him to withdraw or to bring forward a substantive motion. And so, our side of the chamber is seeking, as per your wishes, to deal with those statements in the most timely manner possible which would be to debate the matter now.

MADAM SPEAKER: Thank you for your assistance, Mr Parton!

MR BRADDOCK (Yerrabi) (3.01): I take Mr Parton's impetus to resolve this in as timely a fashion as possible. I would just ask a question; would the passage of two hours have such a detrimental impact in terms of your argument? Particularly given this will allow the minister to be fully briefed in terms of any particular numbers they may wish to be able to provide in support of their argument.

We will not be supporting the suspension of standing orders at this point in time. We would, as the Chief Minister has outlined, be able to resolve this question after we have finished scheduled private members business, which was already agreed and organised at the administration and procedures committee meeting which the Canberra Liberals were also part of. Once we have finished our scheduled business then we are in a position to be able to resolve this question.

Question resolved in the negative.

Papers

Madam Speaker presented the following paper:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General's Report No 8/2022—2021-22 Financial Audits Overview, dated 28 November 2022.

Mr Gentleman presented the following papers:

Financial Management Act, pursuant to subsection 30F(3)—2022-23 Capital Works Program—Progress report—Year-to-date performance as at 30 September 2022.

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Education Directorate—Freedom of Information request—Decision not made in time, dated 24 November 2022.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Animal Welfare Act—Animal Welfare (Advisory Committee Member) Appointment 2022 (No 3)—Disallowable Instrument DI2022-245 (LR, 21 November 2022).

Board of Senior Secondary Studies Act—Board of Senior Secondary Studies Appointment 2022 (No 5)—Disallowable Instrument DI2022-241 (LR, 14 November 2022).

City Renewal Authority and Suburban Land Agency Act—

City Renewal Authority and Suburban Land Agency (Authority Board Deputy Chair) Appointment 2022 (No 2)—Disallowable Instrument DI2022-243 (LR, 17 November 2022).

City Renewal Authority and Suburban Land Agency (Authority Board Member) Appointment 2022 (No 2)—Disallowable Instrument DI2022-242 (LR, 17 November 2022).

Energy Efficiency (Cost of Living) Improvement Act—Energy Efficiency (Cost of Living) Improvement (Eligible Activities) Determination 2022 (No 2)—Disallowable Instrument DI2022-244 (LR, 17 November 2022).

Food Act—Food (Fees) Determination 2022 (No 1)—Disallowable Instrument DI2022-246 (LR, 21 November 2022).

Gambling and Racing Control Act—Gambling and Racing Control (Code of Practice) Amendment Regulation 2022 (No 1), including a regulatory impact statement—Subordinate Law SL2022-17 (LR, 11 November 2022).

Medicines, Poisons and Therapeutic Goods Act—Medicines, Poisons and Therapeutic Goods (Fees) Determination 2022 (No 1)—Disallowable Instrument DI2022-247 (LR, 21 November 2022).

Public Health Act—Public Health (Fees) Determination 2022 (No 2)—Disallowable Instrument DI2022-248 (LR, 21 November 2022).

Radiation Protection Act—Radiation Protection (Fees) Determination 2022 (No 1)—Disallowable Instrument DI2022-249 (LR, 21 November 2022).

Residential Tenancies Act—Residential Tenancies Amendment Regulation 2022 (No 1)—Subordinate Law SL2022-16 (LR, 11 November 2022).

Tobacco and Other Smoking Products Act—Tobacco and Other Smoking Products (Fees) Determination 2022 (No 3)—Disallowable Instrument DI2022-250 (LR, 21 November 2022).

Tree Protection Act—Tree Protection (Advisory Panel) Appointment 2022 (No 1)—Disallowable Instrument DI2022-240 (LR, 3 November 2022).

Veterinary Practice Act—Veterinary Practice (Board) Appointment 2022 (No 3)—Disallowable Instrument DI2022-251 (LR, 21 November 2022).

Health—funding

MS CASTLEY (Yerrabi) (3.03): I move:

That this Assembly:

(1) notes:

- (a) ACT Government expenditure on health grew at 3.3 percent per year between 2012 and 2019, which is significantly less than rising health costs and wages over the same period; and
- (b) Commonwealth Government funding to the ACT for health grew at 9.2 percent per year over the same timeframe;

(2) further notes the Labor/Greens Government:

- (a) cut real expenditure on health per person by 3.6 percent between 2015-16 and 2018-19;

- (b) reduced available beds against the 2011 Capital Asset Plan by 150 beds between 2015-16 and 2020-21;
 - (c) will decrease staff across Canberra Health Services and ACT Health next year by 124 full-time equivalent; and
 - (d) has overseen the worst emergency department wait times in the country since 2017-18 according to the Productivity Commission's Report on Government Services;
- (3) acknowledges the Commonwealth Labor Government:
- (a) has reduced public hospital funding by \$775.4 million in 2022-23; and
 - (b) will cut \$2.4 billion in funding to public hospitals over the next four years; and
- (4) calls on the ACT Government to:
- (a) report to the Assembly by the end of the first sitting week of 2023 about why it has cut health funding since 2015-16;
 - (b) reverse their real cuts to health funding;
 - (c) write to the Federal health minister requesting a reversal of the Commonwealth's proposed cuts to public hospital funding; and
 - (d) table the letter to the Federal health minister in the Assembly by the end of the first sitting week of 2023.

I rise today to speak about the devastation the Labor-Greens government has inflicted on the ACT's health system due to years of underfunding and neglect. When I was appointed shadow health minister, I met with health stakeholders to learn about their issues and concerns. Time and time again, what I kept hearing from people who have worked for years in our territory's health system is that the system is broken. And that assessment has not changed. In fact, if anything, the system is getting worse, with our valued nurses and doctors leaving in droves and more planning to quit.

Let us look at what some of our key health stakeholders have said about the ACT health system. Steve Robson, the president of the Australian Medical Association said during an ABC radio interview last month on 28 October, "One of the things we know is if you look at the metrics by which we judge health care, Canberra is not doing well. They, Canberrans, have long waits for emergency care and long waits for operations compared to other states." A *Canberra Times* article about Dr Abhayaratna, the ACT AMA president, on 26 May last year, shortly after he was appointed to the role, states:

Dr Walter Abhayaratna used to think that Canberra's health system could be among the world's best ... but lately, he's been increasingly worried it'll never make the cut.

These are damning comments from experienced and respected doctors who know Canberra's health system well, experts reflecting on the deep concerns of their medical colleagues for our embattled health system and hospital system.

Another key stakeholder in Canberra's health system is Matthew Daniel, the branch secretary of the Australian Nursing and Midwifery Federation. He has not been

backward in coming forward to express his anger and frustration at this government's handling of the health portfolio. Mr Daniel has led protests outside the Assembly for better pay and conditions for nurses and midwives. Speaking recently about the government's plan to address worker fatigue he has dismissed it as a bandaid solution. We later learnt the union had quit its membership of the health minister's cultural reform oversight group, with Mr Daniel saying there was a lack of urgency or an inability to achieve real change in culture through this body.

The former director of paediatrics at the Canberra Hospital, Professor Graham Reynolds, last month described the culture at Canberra Hospital as characterised by poor rostering, double shifts and covering illness without proper relief provisions, which amounts to administrative bullying. Former Labor Chief Minister Jon Stanhope and ex-treasury official Dr Khalid Ahmed have on several occasions described health care in Canberra as in crisis. The two analysts added, "We have ascribed the central cause of that crisis to ongoing and persistent cuts to health funding."

Of course, we cannot forget the nurses and midwives who have spoken out about horrendous conditions at the Canberra Hospital: patients being left in corridors, staff having no time for toilet breaks, bullying, countless culture reviews yet no meaningful action taken, and a persistent lack of support. In one *Canberra Times* article about staffing shortages, nurses said the hospital is blaming COVID but this was an issue many years before COVID and once it hit there has been a blanket response to say the issues are due to COVID but they are absolutely not.

This is important to note because, as usual, I expect the government will dismiss this notice of motion and move amendments along the lines of "There is nothing to see here" and "All is well." Clearly, all is not well in Canberra's struggling health system and the situation is going from bad to worse.

Government underfunding, let us talk about that. I think it is important to be crystal clear about the real reason the health system is on its knees and it is due to the fact that this Labor-Greens government has been underfunding healthcare in the Territory for years! The data that I have set out in my notice of motion today comes from the 2012-2013 budget through to the 2018-19 ACT budget papers 3, looking at specific purpose payments and national partnership payments. These are pages 270 and 278. The commonwealth's compounding annual growth during this period was 9.2 per cent per year over the 2012 to 2019 period for SPP and NPP funding. By contrast, over the same period, the ACT government's compounding annual growth rate for health was 3.3 per cent, excluding the commonwealth contributions. This information comes from budget pages 366 and 330 from ACT budget statements C, 2012-13 and 2018-19.

However, my analysis does not stop there. The Australian Institute of Health and Welfare released data on hospital expenditure for each of the states and territories. Over the same period, the ACT government funded our hospital services at a compounding annual growth rate of 2 per cent. The federal government figure was at 14 per cent. The ABS data for health services inflation between 2012-13 and 2018-19 had a compounding annual growth rate of 4.3 per cent per year.

The Chief Minister is also this territory's Treasurer and these figures show that he has failed to properly fund our health system in line with increases to health costs and

wages. The Chief Minister made a decision to keep the ACT's investment in health below what was needed to keep up with rising health prices and wages. We see the result of that neglect and lack of investment almost every day in stories of our health system at breaking point, unable to meet demand and in crisis.

Responding to my question about underfunding of our health system in question time last month, the Chief Minister said, "The ACT government's funding that comes from our own source revenue and our contribution to total health funding has not been cut, only the commonwealth contribution has been cut." As Mr Barr well knows, the Labor-Greens government has increased health funding but it has not been enough to cover increases in wages and the rising cost of health services. It just has not met that increase. For years, this government has underfunded and neglected our health system and Canberrans deserve to know that this government has underfunded their system and to know that this is the cause of the problems that plague our health system.

Public hospitals are the backbone of any public health system. If you want to know how well or not Canberra's health system is faring, a good place to start is the performance of the Canberra Hospital. Since 2017-2018 our emergency department has had the worst wait times in the country. Furthermore, since 2017-18 less than half of patients have been triaged within clinically appropriate timeframes. Over these years, the ACT has been on average almost 12 per cent behind all other states and territories, which is simply a disgrace. The health minister's latest quarterly report revealed that only 39.7 per cent of patients received treatment within clinically recommended wait times. Almost 9 per cent of patients did not wait to be seen after being admitted to ED. That means almost 3,300 patients left emergency without being treated in the April-June quarter.

Put simply, our hospital system cannot cope with demand and the reason our hospital system is unable to cope is because of this government's years of neglect and constant underfunding of health in the Territory. Our analysis back to 2012 proves it. How can our hospital staff meet clinically recommended wait times when the government fails to adequately invest in our health care with proper resources and staffing?

One of the stakeholders I met with said that the primary reason for long emergency wait times is bed-lock. Now, back in 2011 when Katy Gallagher was the Chief Minister, she released the 2011 *Capital asset plan*. Now, this outlined the demand projections for the next ten years. In 2015 and 2016 the Barr-Rattenbury government were not providing beds according to that plan. They threw it away.

According to the Australian Institute of Health and Welfare, by 2021-22 ACT was short 150 beds compared to this plan. So they knew this back in 2011. When our emergency and elective surgery wait times are as bad as they are, this bed shortage is clearly not acceptable. Patients have contacted me who are waiting more than two years to receive operations for illnesses causing them significant pain, and this reduces the quality of their life. Only 50 per cent of category 2 patients are being admitted within clinically recommended timeframes. Only 50 per cent. The Labor-Greens government's failure to make these beds available has blown out waiting times, wait lists and forced Canberrans to live in pain or seek treatment in Sydney or the private system.

During annual report hearings, the CEO of Canberra Health Services told the committee the hospital only had 94 per cent of its nursing workforce available on the day of the hearing, which included the relief pool of nurses to use for these situations. We also know nurse to patient ratios have not been compliant since they were implemented, despite the minister claiming this would be completed by July this year. Nurses are burnt out, understaffed and under resourced.

Recently the commonwealth announced \$775.4 million of cuts to public hospital funding and proposed a \$2.4 billion cut over the next four years. Mr Barr in his response to me in question time said, “The reason we have a public policy challenge is because of a chronic underinvestment in the primary healthcare system and cuts to hospital funding. The commonwealth lifted its share from 40 to 45 but that is still short of the 50 per cent provided by the commonwealth.” Following the announcement of the federal government, I am interested to see how the Chief Minister will respond. They have not provided 50/50 funding or increased the Medicare levy and now the Territory must make up the differences that it failed to before COVID.

The Canberra Liberals wait in anticipation with \$3.3 billion in spending on the horizon for the tram and a track record of dipping into the health pocket. What will become of the health system in the next two years? Our health system cannot afford any more strained resources and real funding cuts. How will the Chief Minister adequately fund the hospitals whilst spending more than \$3 billion on light rail?

If the Chief Minister really thinks this is the biggest domestic public policy challenge facing our nation then he needs to report back to the Assembly why he has made cuts to our health system. If, as the Chief Minister has said, the adults are in town and the Chief Minister wants more federal help then he should write to the federal health minister and ask for an increase in funding. Above all, the Chief Minister should pay back what this government has cut from the health budget so that Canberrans can have access to the system it deserves, not the one that has been stripped by this Barr-Rattenbury government.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.17): Of course, ACT Labor members in this place will not be supporting Ms Castley’s motion. In contrast to Ms Castley’s expectation, I do not have an amendment to move to this motion; I will simply speak to it and correct a number of the errors that Ms Castley has made in drafting this motion. We will be voting against it when the time comes. For members’ benefit, I will step through each of the motion’s paragraphs and state why they are either misleading statements or fundamentally misunderstanding national health funding arrangements.

Paragraph (1) of Ms Castley’s motion states that ACT health expenditure has grown at a lower rate than the commonwealth contribution to the ACT public system. For the benefit of members who are present and Ms Castley, who I am advised by my office has never asked for a briefing on how health funding works, I will quickly explain the national funding arrangements for public hospitals, as agreed between all states and territories and the commonwealth, and which have been in operation from 2013.

I recognise that this is actually quite complicated and it takes a while to get your head around. The National Health Reform Agreement sets out that the commonwealth government will pay 45 per cent of efficient growth in activity annually, with a 6.5 per cent cap for public hospital services. That means up to a 6.5 per cent cap on the activity growth for each nationally weighted activity unit, NWAU. Of new activity, the commonwealth will pay 45 per cent of the national efficient price for that activity, and the state or territory will pay the remainder.

To be clear, this does not mean that the commonwealth funds 45 per cent of our hospital funding. It means that 45 per cent of new activity is funded at the nationally agreed efficient price each year by the commonwealth. This comes on top of the existing base funding, which is the funding that was provided by the commonwealth in the previous year. The aim, over time, is to move towards the commonwealth funding a greater proportion of hospital activity, to get closer to that 45 per cent of all activity. I absolutely recognise that this is not a simple system to understand. Many claim to understand the funding arrangements, while very few actually do. Indeed it is commonly assumed that the 45 per cent figure relates to total hospital funding.

Although Ms Castley's figures are incorrect, her observation that commonwealth funding is growing more quickly than ACT annual growth is correct. This is not some kind of hidden secret; this is actually the deliberate design of the National Health Reform Agreement. All states and territories and the commonwealth agreed to a funding arrangement that would slowly close the gap in hospital funding over time between the commonwealth's current share and an ambition of getting closer to a 45 per cent share. To achieve this, the commonwealth funding must grow at a quicker rate, and the funding arrangements mean that it has to.

Before commencement of the National Health Reform Agreement arrangements in 2013, the commonwealth contributed approximately 28 per cent of the ACT's public hospital funding. With the commonwealth contributing 45 per cent to new activity each year, it has slowly increased its share over time. In 2019-20 the share had increased to 33 per cent. There is a long way down the road to go to approach that 45 per cent of funding.

In 2019-20—but we could choose this financial year as well—the territory contribution to ACT public hospitals will represent 67 per cent of total recurrent hospital funding. I should say state and territory, actually, because New South Wales does contribute some of that.

Ms Castley, as reported on the ABC this morning, stated that the ACT needed to increase our funding to meet the rate of inflation and costs of the system. This is another part of her argument. In fact the health inflation rate, as reported last week in the Australian Institute of Health and Welfare *Health expenditure 2020-21* report, was less than 1.9 per cent between 2010-11 and 2020-21. That inflation rate was less than two per cent between the period 2015-16 and 2020-21, not the 4.3 per cent that Ms Castley indicates, although I can understand where she might have got that figure, in terms of looking at demand growth plus cost inflation and the way that hospital funding is growing. But it does not reflect health inflation in the way that she has presented it.

Members may be interested to know that the overall hospital funding base has actually increased compared to these figures of 1.9 and two per cent. The overall hospital funding base has in fact increased by an average of seven per cent per annum between 2013-14 and 2022-23, from just over \$903 million in 2013-14 to \$1.66 billion as outlined in the 2022-23 budget. Between 2013-14 and 2018-19, prior to the COVID-19 pandemic, this growth averaged 4.9 per cent per annum compared to Ms Castley's bigger ideal—I am not quite sure where she got it from—of 4.3 per cent. Since the pandemic hit in 2019-20 to the present day, annual growth has increased to 9.6 per cent, reflecting the significant investments that we have made to respond to the more recent challenges.

Of course, Ms Castley might have been referring in her media comments to more recent times. I am pleased to point out to Ms Castley the 2021-22 budget, where the ACT government increased our contribution to our public hospitals in response to increased cost pressures caused by COVID-19 and demand pressures, with more than \$60 million in revised indexation funding flowing into the system. This reflects a portion of the increased investment that I have described previously. Indeed that budget actually reflected a step change in our health system, with an additional \$461 million over four years, reflecting the changed environment that we recognise that our health system faces, and this year's budget has only built on that investment.

Besides not agreeing with the figures in paragraph (1) of Ms Castley's motion, the underlying premise misunderstands how the National Health Reform Agreement operates. This relates directly to paragraph (3), which seeks members to acknowledge that the commonwealth government is reducing hospital funding. This is absolutely incorrect and displays a fundamental lack of understanding of how the National Health Reform Agreement operates.

Again, for the benefit of the Assembly, and particularly those opposite, the agreement does not enable the commonwealth to cut hospital funding. That is just not how it works. Minister Butler has been clear, in responding to these claims that were made following the budget, that the funding reflected state and territory initial estimates nationally and forecasting by commonwealth Treasury based on forecasts of activity that were provided by states and territories. It would not have mattered who held the commonwealth Treasury bench; for this specific element of the budget, the Treasury reflects the state and territory forecasts and estimates that are provided to the commonwealth, and those are the numbers that are reflected in the commonwealth budget papers.

To spell it out, the big states that account for most public hospital funding have provided forecasts to the commonwealth that are lower than the forecast they previously provided; therefore the commonwealth share of funding, or the commonwealth funding as their share of overall hospital funding, has been projected lower. I do not think any of us in the states and territories actually expect that to be the outcome, because while those forecasts of NWAU are lower, we also understand that the health system is under pressure and we are going to have to grow to the extent that we can with the constraints that we face.

But—and I should stress this, and I have stressed this, Mr Assistant Speaker—it is an estimate, given the commonwealth is obliged to fund all activity up to a national 6.5 per cent growth cap. The Treasury forecast is really principally for their own budgetary purposes; it is projecting forward. What really matters is what the activity is for the activity-based funding to work out at the end of the day. If the activity is higher than states and territories have currently forecast, which it often is, and we expect it to be, the commonwealth will be obliged to fund their share.

The bottom line is that there are no cuts. It is incorrect. Those opposite know it—or should know it—because it was reported nationally at the time, but they have still brought a motion to this place asking me to write to the health minister to ask him to fix something that is not even a real thing. Given that all of paragraph (3) is fundamentally incorrect, therefore, we cannot support it, and I could not possibly agree to write to the commonwealth health minister or Treasurer asking them to reverse cuts that do not exist.

If this place agreed to this motion, I would have to write to the commonwealth to ask them to reverse something that has not happened, based on a misunderstanding from the local opposition. That is not something, as health minister, that I would be in the practice of doing. I want to stress that I have been in the practice of writing to the commonwealth health minister on numerous occasions to stress the importance of increasing commonwealth funding, and for the commonwealth to address the challenges that it genuinely is responsible for—things like aged care, NDIS and primary care. The Chief Minister was absolutely correct in identifying the real funding cuts to primary care under the previous coalition government as one of the key challenges in the system.

Of course, the other thing that state and territory ministers have put to the commonwealth repeatedly, to the former coalition government and now to this government, is that the 6.5 per cent cap is a problem. It is a problem under the Labor government, as it was a problem under the coalition. That is why state and territory health ministers have been calling for this cap to be abolished for some time. If members opposite have been listening in this place for the last few years or reading my or my health minister colleagues' comments over the same period, we have been remarkably consistent in what we have been calling for. I have spoken about it in committees, I have spoken about it in the chamber, I have spoken about it in the media, and I have spoken directly with the former and the current commonwealth health minister; that is, the removal of the 6.5 per cent growth cap and the increase of commonwealth contributions to fifty-fifty.

I refer to what the former commonwealth Labor government committed to doing before the 2013 election and what the incoming Abbott government refused to do. Unfortunately, since then we have lived through a decade of neglect due to federal Liberal governments not taking their responsibilities in the health system seriously, whether that is dental, aged care, primary care, the relationship between Health and the National Disability Insurance Scheme, or hospital funding.

Prior to the last election, did anything change? Did we hear anything from those opposite in support of removing the cap, in support of increasing the commonwealth

share of funding? Were they advocating to their coalition federal colleagues? No, nothing—crickets from those opposite when the Morrison government was still in place, even though other state Liberal governments were calling for it.

Those opposite are now calling for the reversal of a cut that does not exist, but they were never heard from when the Morrison government was overseeing the degradation of aged care, primary care and the inability for NDIS to support people to be discharged from hospital in a timely fashion to somewhere that was more appropriate for them and their care. Canberrans are well aware of this hypocrisy from those opposite. Something in their bones tells them that the Liberal Party cannot be trusted with health funding.

If this motion had engaged in the national debate about improving the National Health Reform Agreement, supporting the ACT government's ongoing advocacy for fifty-fifty funding or removal of the cap, this could have been a different debate. We could have had a tripartisan view that in fact we do need to improve the National Health Reform Agreement; that in fact the commonwealth does need to come to the party. I am pleased to say that Minister Butler is taking these calls seriously. We are two years into this term of the Assembly, and I am starting to expect more substance from those opposite on this point.

The second paragraph of this motion is quite unusual. It is a random assortment of statements, most of which are misleading. I am running out of time. I want to emphasise that the decrease in the FTE numbers that Ms Castley talks about reflects the impact of the COVID-19 pandemic. In case she has not noticed, we are no longer in lockdown. We are no longer rolling out a mass vaccination campaign across the territory. What we have done is meet our election commitment to 400 new FTE equivalent permanent staff—exactly what we said we would do ahead of time, because that is what Labor governments do. We deliver. (*Time expired.*)

MS CLAY (Ginninderra) (3.32): I am speaking to this motion on behalf of my colleague Mr Davis, who is unable to be here today. The ACT Greens will be voting against Ms Castley's motion. It is an inaccurate, unhelpful and highly politicised reflection of the position that our health system is in. There is a lot of material in here that is not an accurate reflection of our health system, and we have heard about that in quite some detail from the health minister.

It does not reflect how our national health funding agreement works. It does not reflect the fact that the changes in staffing from last year to this year account for the government scaling down the once-in-a-generation mass vaccination program for COVID that we successfully delivered last year. I will not go through the motion line by line. My colleague the health minister actually went through much of it, in the time allowed to her, line by line, to do some fact checking.

Instead I will make a few substantive comments on behalf of Mr Davis about the Liberals' approach to health care. Mostly, it seems to be confused. In the Greens, we look at a history of the federal Liberal Party that seeks to privatise health care at every level and make it a personal responsibility. We look at the federal Liberal system of putting a \$7 billion subsidy into private insurance instead of into core health funding.

We look at the history of Liberal governments here in Canberra which reduced health funding and, in fact, closed a much loved and much needed hospital. We then look at motions like this one, which seems to call for more public health funding, albeit with a lot of inaccurate information woven through it. We have decided that the most useful thing we can do is set out some of the Greens' policies, so that Greens policy on health funding is at least clear.

The Greens understand that health care is a fundamental part of government. We are advocating for substantial increases in investments in universal health care right across the country. During the federal election earlier this year, we made the inclusion of mental and dental care a key priority of our campaign. The Greens are committed to making dental and mental health care part of Medicare, and we want to reinvest the private health rebate back into the public system. The last time that the Greens were in the balance of power federally, we made dental care free for kids.

Locally, we have made substantial gains in the public provision of mental health care, not just through funding but through the prioritisation of mental health care as a fundamental aspect of public health. This is symbolised not only by the establishment of the mental health ministry; it is actually actioned through it as well.

I will leave the detailing of these successes to the minister herself, who I think will be speaking shortly. We are fundamentally reorientating the way people receive care, and we are putting emphasis on keeping people with mental healthcare issues out of emergency and in the community. Community-based care is fundamental to the ACT Greens approach to health care. It is an adage but it is true: prevention is better than a cure.

The impact of a decade of underinvestment by the federal Liberal government in primary care, aged care and disability care has put increased pressure on our system. We know people are waiting for too long in our emergency departments and on lists for elective surgery. The ACT government has continually and significantly invested in the ACT's emergency departments and the broader hospital to improve patient flow, including a \$23 million funding boost for the Canberra Hospital emergency department and \$16 million for more patients to receive services at the Calvary Public Hospital, including the expansion of Calvary's medical imaging to a 24/7 service, through the last budget. Through the 2022-23 budget, the government also boosted the allied health teams at Canberra Hospital's emergency department.

Our acknowledgement of the issues in the emergency department are why we have been such strong supporters of walk-in clinics. They are a really good mechanism to provide free and readily available health care across our city, and they aim to prevent these patients from ending up in the emergency department. It is also why we are trying to change the health system and the way we think about health problems. We want to take a more systemic approach to the relationship between people's lives, their living conditions, their access to care and their health.

While a lot of emphasis is put on emergency care as a measure of success, we need to take a whole-of-society approach to our healthcare system. We need to see the ED as the last resort, not the primary point of care. We need to think about health as a whole-of-society and whole-of-life experience, and understand the connections

between community, ecosystems, secure employment, housing, access to cheap and renewable electricity, and food security. All of these attributes have come to be known as the social determinants of health. I know that sounds like a buzz phrase, but it is a genuine and transformative way to think about health.

Mr Davis's recent motion on the relationship between climate change and public health shows that way of thinking. Through that motion we have called on the government to develop a climate change preparedness strategy to ensure that public health services are adequately prepared for the impacts of climate change.

The warming climate is a dire threat to human health. Preparing for the impacts of climate change on the health and comfort of our community is a top priority. While we focus on climate mitigation and prevention, we also need to turn our public policy brains to adaptation. The impacts of heat on our health is the obvious issue here; but, right now, despite the cooler weather, we are in the middle of a climate-induced health issue that is specific to Canberra. The huge increase in rain we have had in recent months has led to the overproduction of pollen and other irritants trapped in our valley. These pollens are causing significant issues for those who experience allergies, including the onset of asthma and eczema.

Of course, in New South Wales—and we are an island in New South Wales—people are experiencing other serious health impacts at the moment, such as flooding. They have immediate dangers like drowning. They have injuries from rising waters. They also have the impacts of isolation. They have the loss of health infrastructure. They have a lack of access to fresh food and other essential supplies like medicines. This is the kind of systemic problem that we need to be thinking about, and this is the kind of change we need to be factoring in.

A well-resourced and protected public health system that has the capacity to be adaptable and to work with complexity is essential, especially as we move into a world that is defined by a warming climate. I look forward to seeing the products of Mr Davis's motion that he moved late last year and continuing to work with the government on these incredibly important issues.

The ACT Greens are strongly supportive of new and meaningful ideas that are evidence based and equitable. We look forward to seeing these new and meaningful ideas that will help our health system, going forward. I would encourage constructive debate, but that debate needs to be informed by evidence and good data, with genuine, deep analysis. The Greens cannot support this motion today.

MS DAVIDSON (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health and Minister for Veterans and Seniors) (3.39): I thank Ms Castley for this motion. It provides an opportunity to restate the ACT government's funding strategy for mental health.

The investments that we make demonstrate the value of our Office for Mental Health and Wellbeing in being able to build upon their years of research and analysis and strong working relationships across ACT government with commonwealth Health and with our university and community sector partners. I am thankful for our NGOs, who

deliver many mental health services in the community, and those who undertake research and systemic advocacy, as well as the valued contributions from consultation and co-design processes of people with lived experience.

The need for mental health services has been increasing for years in the ACT, as it has across Australia. COVID-19 brought additional challenges with social isolation and economic impacts. All of this builds upon the existential anxiety around our changing climate, and the growing levels of social and economic inequality, layer upon layer. These mental wellbeing impacts will be felt by our community long after the virus itself has ceased to be a threat.

One of the biggest pressures on our health system has been the increased volume of demand, combined with increased acuity in people in need of care. Focusing investment on earlier intervention and delivering services in the community closer to where people live makes a real difference in supporting people at an earlier stage in their mental health journey, reducing the duration of treatment needed and staying in recovery.

When we find services that work, we increase investment in those services, as we have done in the 2022-23 budget. PACER—the Police, Ambulance, Clinician and Early Response team—has demonstrated its effectiveness in reducing the need for a person in mental health crisis to go to the emergency department, with 70 to 80 per cent of people seen by PACER not needing to go to hospital. This is important for more effective, long-term mental health outcomes, because it keeps the person connected to services that can help them in the community. The success of the first PACER team prompted investment in a trial of a second PACER team, and this has now been extended to a full-year trial of the second team, as well as an evaluation—an important element of any trial process. This funding, at \$1.997 million, expands PACER to two teams, seven days a week, serving the whole of Canberra.

The success shown by the Way Back suicide prevention and aftercare service, delivered by Woden Community Service, has also resulted in an increased investment of \$3.533 million over four years to expand the program to support more people, as well as to further enhance the postvention support offered through coronial counselling delivered by Relationships Australia.

We want to reduce the number of people presenting to hospital with mental illness by increasing the accessibility of appropriate mental health supports in the community. The most recent budget includes \$9.384 million over four years for services that reduce people's need for presentations to hospital, such as ongoing funding for the home assessment acute response team, including a specific Aboriginal and Torres Strait Islander position; ongoing support for the homeless outreach team after the success of their recent 12-month pilot program; and a new adult dialectical behaviour therapy program.

Support for expanded access to dialectical behaviour therapy is also included in funding in the most recent budget, totalling \$14.462 million over four years, to strengthen mental health support for families and young children, with the establishment of a mother-infant DBT program. This funding also supports universal perinatal mental health screening and data collection; establishing a multidisciplinary

early intervention service to address young people at risk of developing mental health concerns, as part of the bilateral agreement; and the expansion of the childhood early intervention team to Gungahlin Child and Family Centre.

Continuing our efforts to increase services addressing youth mental health, this year's budget also included \$8.1 million over four years for a youth at risk trauma service, based on years of detailed research and analysis by the Office for Mental Health and Wellbeing.

All of this builds on investments in past budgets in prevention, early intervention and the delivery of care in the community closer to where people live, as well as \$4.64 million in the September 2021 COVID-19 support package and the \$37½ million bilateral agreement with the commonwealth government.

Those investments include the ongoing work to deliver the ACT's first eating disorder residential centre and early intervention service for eating disorders; and engaging Thirrili, an Aboriginal community-controlled organisation, to provide a new Aboriginal and Torres Strait Islander suicide prevention, intervention, postvention and aftercare program; as well as having opened the first Safe Haven in Belconnen in November 2021; and another step up, step down residential mental health service in Garran, adding to our existing range of step up, step down services; the opening of ward 12B at Canberra Hospital for subacute mental health inpatient care; the opening of Gawanggal mental health accommodation at Calvary; and increasing the flexibility of the Adult Mental Health Unit to respond to the need for low versus high dependency beds.

I am very happy to have been able to provide details about a month ago on the success so far of the Safe Haven in Belconnen in supporting people before their psychological distress reaches the point where they need to go to the emergency department, as well as adding to the other supports that people might already access. I was recently talking to someone who started visiting Safe Haven regularly in January this year. She told me that visiting Safe Haven has meant that when her mental health condition has been going through a tougher patch, she has not needed as many additional appointments with her psychologist or her NDIS plan supports.

I was also very pleased to report earlier this year on the success of the Stride Garran step up, step down service, with an average daily bed occupancy of over 90 per cent and more than 140 people supported over the 2021-22 financial year. More than nine per cent of participants in their program identify as Aboriginal or Torres Strait Islander, 15 per cent as culturally or linguistically diverse, and 21 per cent as LGBTIQ+. One-third of the participants in the program were stepping up to a level of care higher than they could access while living at home in the community, and two-thirds were stepping down from an inpatient stay as part of their transition home to care in the community. Of those participants stepping up from care in the community, 78 per cent said they would have presented at the emergency department had it not been for the Stride Garran step up, step down service.

There is more to do, particularly in areas such as mental health supported accommodation, integrated mental health and alcohol and other drug treatment, the needs of veterans and their families, youth mental health, older persons mental health

and wellbeing, and understanding the mental health and wellbeing needs of our First Nations community. We will continue working on this, and I will continue to share our progress with the Assembly.

I would like to close by assuring our Canberra community that evidence-based investment in mental health services continues, with a focus on prevention, early intervention and community delivered care, as well as meeting the need for acute care services and supporting the needs of those most at risk in our community. That is why I will not support Ms Castley's motion today.

MS CASTLEY (Yerrabi) (3.46), in reply: Mr Assistant Speaker, I am not at all surprised. I knew that this would happen when I came in here. It is the minister's way to say that I do not know what I am talking about. I am wondering, though, whether she also feels the same way about the federal AMA and the AIHW, as that is where I got these figures from for today's motion—and, of course, the government's budget papers.

You cannot skew my figures and say I am wrong when you reference a different reporting period. To be clear, we are going from 2012-13 through to 2018-19, to prove that, before COVID, significant underfunding was occurring from this Labor-Greens government. There is no getting away from the fact that the budget papers do show that our health system has increased in funding by only 3.3 per cent, excluding the commonwealth figures, while we see that inflation has gone up by 4.3 per cent.

The commonwealth funding has increased by 9.2 per cent per year. The *RoGS* report, at table 12A.2, shows that the recurrent expenditure per person for public hospitals in the ACT is minus 3.6 per cent. It is simple; if something costs a certain amount and increases by 4.3 per cent each year in costs, your budget must reflect that.

I note that the minister did not respond with regard to the lack of beds, referencing the 150 extra beds that it was forecast we would need by 2021. If the hospital and healthcare system had been properly funded, we might have had those beds right now, but we do not. We have less than what we need. That is a significant number, and it is a disappointment to Canberrans.

We have people with hernias that pop out of their belly button, waiting for 700 days for an operation, and when they email the minister, they get a "good luck and hope it goes well", but still no appointment to have an operation done. We have nurses, as I said before, afraid that they may pass by someone in a bed in the hallway who has passed away. I also mentioned the people leaving ED because they could not wait any longer for treatment.

The minister did not come back to any of these points in my speech. As I say, it is interesting where they get their figures and where we get our figures from. I can tell you that we know that only 39.7 per cent of patients received treatment within clinically recommended time frames. Something is going wrong here, and I find it astounding that the government stands up again and says, "There's nothing to see."

The ACT has been, on average, almost 12 per cent behind all other states and territories. That is a shame. We are the capital of Australia. Canberrans deserve better.

With respect to Minister Davidson, on 8 February this year, I asked in question time why she was not doing more on mental health services. Her clippie response was, “I’ll remember that next time I talk to the Treasurer.” Clearly, back then she was not happy, and now that the adults are in town, I am astounded to hear that she is quite happy with the way things are going. We know about the concerns very recently of a couple of families of girls with eating disorders in the Canberra Hospital. I fear that these girls have fallen through the cracks between the two portfolios.

As I say, I am not surprised that the government is not supporting my motion. I am just disappointed, as are hundreds of Canberrans, thousands of Canberrans, who know that this government are not doing the right thing with the money and they are not adequately funding the healthcare system. That is all I have to say.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 6	Noes 13	
Mr Cain	Mr Barr	Dr Paterson
Ms Castley	Ms Berry	Mr Pettersson
Mrs Kikkert	Mr Braddock	Mr Rattenbury
Ms Lee	Ms Burch	Mr Steel
Mr Milligan	Ms Cheyne	Ms Stephen-Smith
Mr Parton	Ms Davidson	Ms Vassarotti
	Mr Gentleman	

Question resolved in the negative.

Canberra—cost of living

MS LEE (Kurrajong—Leader of the Opposition) (3.55): I move:

That this Assembly:

(1) notes that:

- (a) the ACT Council of Social Service, in its 2022 ACT Cost of Living Report, shows that over the past five years Canberra has experienced significant price increases for essential goods and services, including:
 - (i) transport up 19.2 percent;
 - (ii) electricity up 28.1 percent;
 - (iii) gas up 24 percent;
 - (iv) medical and hospital services up 21.4 percent;

- (v) housing up 19.0 percent;
- (vi) rents up 13.1 percent; and
- (vii) education up 17.0 percent;
- (b) in addition to these significant price increases for essential goods and services, inflation in Canberra is at levels we've not seen since the 1900s;
- (c) over the last 10 years, household rates have increased by an average of 10 percent, and will continue to rise;
- (d) the median house price in the ACT remains close to \$1 million;
- (e) successive interest rate rises are adding an extra \$1,000 per month to the average mortgage, with more expected rate rises to come;
- (f) the cost of renting a typical house is now \$750 per week – the highest for any capital city in the country;
- (g) the cost of childcare is the highest in the country; and
- (h) general practice bulk billing rates are the lowest in the country; and
- (2) calls on the ACT Labor/Greens Government to:
 - (a) recognise that many Canberrans are facing a real cost-of-living crisis; and
 - (b) report back to the Assembly by Thursday 30 March 2023, on the drivers of the cost-of-living pressures in Canberra and measures available to the ACT Labor and Greens Government to address these pressures.

Earlier this year the ACT Council of Social Service, ACTCOSS, released their *2022 ACT Cost of Living Report*. The report was damning. It outlined how, over the past five years, Canberra has experienced significant increases in the price of many essential goods and services. Many of these price increases exceeded the national average. Housing was up by 19 per cent. Electricity was up by 28 per cent. Transport was up by over 19 per cent. Gas was up by 24 per cent. Medical and hospital services were up by over 21 per cent. We are seeing record inflation, escalating interest rate rises, with more rises to come, and recently we have seen media reporting that parents with children in Catholic schools in the ACT are facing a seven per cent rise in their school fees next year.

Housing affordability in Canberra is at an all-time low. Median house prices are close to a million dollars, and many households are struggling to pay their increased mortgage costs, which have increased by over \$1,000 per month for the average mortgage in the ACT.

The latest ANZ CoreLogic *Housing Affordability Report* has shown that the portion of income required to service a mortgage on a Canberra house is over 40 per cent. Over 40 percent, Mr Assistant Speaker; that is a record high for Canberra. With more rate rises expected over the coming months, the news will only get worse for mortgage holders.

Let us not forget that Canberra remains the most expensive capital city to rent a house—that is, of course, if you can find one. Just today we saw data from the rental affordability index, which rated the ACT as the worst region for rental affordability across a staggering eight of the 10 low income household groups analysed. In eight out of 10 groups, the ACT was named the worst for rental affordability.

The report showed that students, pensioners and single parents are forced to sacrifice up to 70 per cent of their income to pay their rent. This, of course, means that these low income households will struggle to meet the cost of food, medicine, utilities and other essential goods and services.

Over the last 10 years, we have seen the average rates bills for households increase by 10 per cent each and every year. Under the Labor-Greens government's tax reform agenda, people can expect their rates bills to keep going up and up, as we are only halfway through the reform agenda.

The cost of child care in Canberra is the highest in the country and our GP bulk-billing rates are the lowest. We have heard this week that families will be paying even more for their Christmas lunch this year, as grocery prices continue to rise. As much as this Labor-Greens government wish to bury their heads in the sand, the fact is that many Canberrans are facing a cost of living crisis.

The ACTCOSS report found that the escalating prices for essential goods and services will hit lower income households the hardest. The report details how housing, transport and energy costs are amongst the main contributors to the increasing cost of living pressures on low income households in the ACT, and how this sharp increase in the cost of living has seen an increase in poverty in our community.

The ACTCOSS report found that, despite the ACT having the highest average weekly earnings in the nation, around one in 10 Canberrans are living in poverty. The report found 62 per cent of people had difficulty getting medication or medical care due to the increased cost of living, and 70 per cent of people who regularly use a car had difficulty travelling to work, medical and other appointments due to the increase in fuel costs. In recent media reporting, the CEO of ACTCOSS, Dr Emma Campbell, said:

We see that the cost of living crisis combined with pressures of rising inflation means many Canberra households cannot afford the fundamentals of a healthy life such as housing, food, transport, health services, and energy ...

None of this is news to this Labor-Greens government. Only a few months ago, I stood here in this very place and spoke about the massive challenges that many of our low income and vulnerable Canberrans are facing with respect to their cost of living. I put forward a Canberra Liberals motion to establish an independent inquiry into the prevalence of poverty in Canberra, only to have every single member of Labor and the Greens vote it down. In February last year the Canberra Liberals tried, unsuccessfully, to establish a poverty task force to investigate the ongoing causes and drivers of poverty in the ACT. Again, that motion was voted down by every single

member of Labor and the Greens. In October last year, when the Canberra Liberals moved a motion that was very similar, in terms of raising awareness about the cost of living challenges facing so many Canberrans, Labor and the Greens amended it beyond recognition.

Canberrans are hurting. They are feeling it at the supermarket check-out, at the petrol bowser, every month when their ever-increasing mortgage payments are due, or each fortnight when they pay their rent. They are feeling it each time they receive their rates notices, when they visit the doctor or pick up medication at the pharmacy. These are real worries that face real Canberrans. These are families, mums, dads, grandparents and students across our community that struggle each and every day to afford to live in this city.

Yet, every time we talk about cost of living pressures in the ACT, we get bombarded with self-congratulatory posturing from those in the Labor-Greens government about how they have measures in place to help some of the most vulnerable members of our community with the cost of living pressures that they face. But what are they actually doing? It is clear, and becoming even more so, that whatever they are doing is not working.

We heard recently in the annual reports hearings that only 41 per cent of ACT residents that are eligible for an energy concession were actually accessing it. Most worryingly, we also found out that the government has scrapped its own affordable home purchase scheme for low to middle income households for the remainder of this financial year. At a time when low income families are in desperate need of new homes, that is what this Labor-Greens government is providing.

Reducing the cost of living pressures must be front and centre of government policymaking when so many Canberrans are hurting so much. It is a fundamental responsibility of any government, no matter which party, to look after the most vulnerable in our community when they need it the most. We need targeted and adequate measures to help families in low income households, and we need them now. That is why I bring this motion to the Assembly today.

This motion is an opportunity for every member of the governing parties to engage in a mature discussion about what we can do to help Canberrans that are truly hurting and who need urgent support right now. I urge every member in this chamber to support my motion so that we can have a real look at what measures are available to us as policymakers to help ease the cost of living pressures for so many people in our community that are doing it tough. I commend my motion to the Assembly.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (4.04): I move:

Omit all text after “That this Assembly”, substitute:

“(1) notes that:

- (a) cost-of-living pressures are currently an issue across Australia in a wide range of essential sectors, including energy, health, transport and housing;

- (b) major contributors to cost-of-living pressures facing Australians include wages not keeping pace with inflation across most private and public sectors, and a lack of suitable employment and promotion opportunities;
 - (c) Australian mortgage holders on variable mortgages are experiencing increases in payments due to decisions by the Reserve Bank of Australia to raise interest rates to counter inflationary pressures;
 - (d) unemployment in the ACT is currently the lowest in the country, with the Territory close to effective full employment; and
 - (e) Canberrans generally enjoy a high standard of living and access to free quality healthcare and education, and well-planned and delivered infrastructure – the lack of which leads to additional cost-of-living pressures for residents of other jurisdictions.
- (2) further notes that the ACT Government, as already outlined in the agreed amendment to Ms Lee’s 13 October 2022 private members’ motion, is delivering a range of practical, effective and ongoing supports for households to help address cost-of-living pressures, including:
- (a) the Utilities Concession, supporting 31,200 eligible low-income households with an \$800 contribution toward their energy and water bills in 2022-23;
 - (b) the Utilities Hardship Fund, supporting vulnerable consumers with access to \$100 vouchers through an eligible energy retailer;
 - (c) motor vehicle registration concessions, providing up to an 100 per cent discount on motor vehicle registration fees for 66,000 eligible registrations;
 - (d) driver licence concessions, providing an up to 100 percent discount on driver licence fees, supporting 7,900 eligible drivers in 2022-23;
 - (e) public transport concessions with reduced or free fares on Transport Canberra bus and light rail services, supporting an estimated 5.5 million trips in 2022-23;
 - (f) the Vulnerable Household Energy Support Scheme, with \$50 million over the next five years to deliver a range of measures to reduce energy hardship for low-income homeowners, and public, private and social housing renters;
 - (g) the Home Energy Support Program, with rebates of up to \$5,000 for eligible homeowners to install energy-efficient products and undertake sustainable upgrades;
 - (h) the Low-Income Home Energy Program, supporting vulnerable and low-income households to improve the thermal comfort of their property and reduce energy costs;
 - (i) the Taxi Subsidy Scheme, providing assistance for people with a disability or significant mobility restriction, to make an estimated 86,200 trips in 2022-23;
 - (j) rates deferral schemes for eligible low-income households and property owners aged 65 years and older;

- (k) establishment and maintenance of a Food Security Network to develop a fit-for-purpose database that is managed by a dedicated project coordinator in the community services sector, including funding for secretariat support and development of a communications strategy;
 - (l) the pensioner rates and Fire and Emergency Services Levy (FESL) rebate schemes, supporting 15,800 eligible households with a 50 percent rates rebate up to \$750 per year, and a \$98 FESL rebate per year;
 - (m) conveyance duty concessions, with an up to 100 percent discount on conveyance duty payable, supporting 6,600 eligible households per year; and
 - (n) the Spectacles Subsidy Scheme, supporting eligible Canberrans with up to \$200 on spectacle purchases every two years, assisting in the purchase of 9,900 spectacles in 2022-23.
- (3) notes the ACT Government:
- (a) is investing in the ACT's health system to ensure Canberrans have increased access to free high-quality public healthcare when and where they need it, including the ACT's network of nurse-led walk-in health centres and community health centres;
 - (b) has implemented a range of economic policies and direct financial supports for Canberra businesses to keep Canberrans in jobs through the height of the pandemic and during our economic recovery;
 - (c) has structured its Enterprise Bargaining Agreement (EBA) core pay offer to approximately 25,000 ACT public servants on the principles of providing the lowest-paid government workers the highest pay increases over the life of the proposed agreement, including an immediate one-off payment to cope with the inflation spike; and
 - (d) is implementing policies to accelerate the delivery of additional affordable rental dwellings, including through the promotion of the Build-to-Rent scheme, the expansion of the Growing and Renewing Public Housing program, and supporting social and affordable housing developments – most recently Common Ground Dickson.
- (4) calls on the ACT Government to continue investing in measures to support low-income Canberra households reduce their cost-of-living pressures across a range of areas.”.

The amendment notes the cost of living pressures that are being experienced. We note that they are being experienced Australia-wide; they are not just an ACT issue. These are in a range of essential sectors, including energy, health, transport and housing.

We also note, though, importantly, that one of the major contributors to cost of living pressures facing Australians and Canberrans is that their wages are not keeping pace in many industry sectors, private and public, and that there can be, in some parts of Australia, a lack of suitable employment and promotion opportunities. The amendment notes, though, that unemployment in the ACT is currently the lowest in the country and that we are very close to having effective full employment in the territory.

We also note that most Canberrans enjoy a very high standard of living, and Ms Lee touched upon that in her remarks. Of course, all Canberrans have access to free,

quality health care and education. In the amendment I note that we have already discussed this, on 13 October, and I outlined at that time the range of practical support that the government provides to households to address the cost of living.

Let me quickly recap. We provide an \$800 rebate on energy and water bills to 31,200 eligible low income households. We have a utilities hardship fund which supports even more vulnerable consumers with access to \$100 vouchers through an eligible energy retailer. That is on top of the \$800 concession.

We provide motor vehicle registration concessions, a 100 per cent discount, for 66,000 motor vehicle registrations in the territory. We provide up to a 100 per cent discount on drivers licence fees for 7,900 eligible drivers. We provide public transport concessions, with reduced or free fares, on bus and light rail services for 5.5 million trips. We are investing \$50 million over the next five years in the Vulnerable Household Energy Support Scheme. These are a range of measures to reduce energy hardship for low income home owners, and public, private and social housing renters.

This program, together with the Sustainable Household Scheme, can support households to save thousands of dollars each year on their energy bills, in making the transition away from gas appliances to more efficient electric appliances. Through the Home Energy Support Program, we provide rebates of up to \$5,000 for eligible home owners to install energy efficient products and undertake sustainable upgrades. Through the Low-Income Home Energy Program, we support vulnerable and low income households to improve the thermal comfort of their property through measures like improved insulation to reduce their energy costs.

We provide people with a disability or significant mobility restriction with a subsidy on more than 86,000 trips annually through the taxi subsidy scheme. We provide a rates deferral scheme for low income households and property owners aged 65 years or older. We have supported the food security network to provide extra assistance through the community sector, which enables support to be delivered to those who need it most. Through pensioner rebates on rates and the fire and emergency services levy, we provide support for 15,800 eligible households with a 50 per cent rates discount, up to \$750 a year, and a \$98 rebate on the fire and emergency services levy.

We provide up to a 100 per cent discount on stamp duty for eligible first home buyers. That has supported 6,600 eligible households each year, and for low income households or individuals who need support to buy a pair of spectacles, we provide eligible Canberrans with up to \$200 every two years. I am advised that will assist with the purchase of 9,900 pairs of spectacles in the current fiscal year, 2022-23.

They are some of the main ways that the territory government is providing support. That is across a number of different household types, but it touches on up to 31,000 households. To give context to this, we have about 185,000 households in the territory at the moment. Around one in six households is supported through that range of programs.

I also thought it was timely, given what has been in the news today, ahead of next week's national cabinet meeting and perhaps in response to the call from Ms Lee for things to be done now, to say that I am advised federal cabinet is finalising a national

response to increased energy prices ahead of next week's national cabinet meeting. This package of support from the federal government, which, of course, is the government that provides income support at the greatest level in this nation, as a result of its taxation and constitutional responsibilities, is expected to lower energy costs for struggling consumers via a range of different measures, including direct energy price subsidies. I look forward to hearing more from the commonwealth ahead of next week's national cabinet meeting.

Of course, it is not just direct cash or concessions that both the territory government and the federal government can provide. Obviously, the federal government provides income support, rent assistance and a range of other measures. There is also investment in our social safety net. My amendment touches on the importance of investing in health care, education and programs and projects that keep people in employment.

It is clear that if you have a job your income is likely to be higher, and often considerably higher, than those who do not have a job. Obviously, it depends on the number of hours you work and how that interrelates with whatever social security payment you might have been on, but, generally speaking, if you are employed that is going to help in addressing your cost of living pressures.

The next thing that can help you is to be paid a fair and decent wage. I note the announcement over the weekend from ACT Senator David Pocock that he will be supporting the commonwealth government's industrial relations legislation that aims to get wages moving again and to provide more support for low income earners through a change in the bargaining arrangements under Australia's industrial relations framework. I note that, under the Constitution, the territories operate in the federal industrial relations system, so this impending change in commonwealth industrial relations law is very pertinent for low income workers in the ACT.

It is designed to—and even its critics acknowledge that it will—lead to increased wages. In any debate about cost of living there is the expense side but there is also the income side for any household budget. If you earn more, you are in a better position to meet increased costs. Obviously, if you are in employment you are in a better position to meet increased costs.

We do note that there will always be a section of the community who, for a variety of reasons, will not be in full-time paid employment. The other concession that Senator Pocock was able to extract from, and that was agreed by, the federal Labor government was an annual review of commonwealth social security payments and their fitness for purpose ahead of each commonwealth budget. I think that is an important outcome to assess whether more can be done in terms of income support. Whilst it is important that there are a range of measures in place and policies that are seeking to put downward pressure on price increases, it is equally important that, after a period of a decade of anaemic wage growth, particularly outside of the public sector, we get wages moving again.

I note that Ms Lee did not touch on that at all in her remarks. I guess the question remains: what does the Liberal Party think about increased wages? I know Mathias Cormann said when he was interviewed on Sky News—no more authoritative source

than the Sky network—that it was a deliberate design feature of the previous federal Liberal government’s industrial relations and economic policy framework to keep wages as low as possible, to keep wage growth as low as possible. The result of that 10 years is a cost of living crisis. We have got to get wages moving again, and we have federal laws that are about to start that process.

As an employer ourselves, we have put forward an enterprise bargaining offer that gives the greatest pay increases to our lower income earners within the ACT public service. We recognise that. We recognise also that there should be more fairness in Australia’s taxation system, our income taxation system, so it will be important that the combination of wage increases, of annual reviews of income support payments and fair taxation policy, all combine to address cost of living challenges.

I also welcome the announcements that have followed a major investors’ roundtable that I attended with Treasurer Chalmers in Sydney on Friday. I was there in my role as Chair of the Board of Treasurers, the state and territory treasurers’ body. We have seen commitments across some of our large institutional investors, now totalling into the billions of dollars, to invest in affordable housing across Australia.

We currently have a number of build-to-rent projects in action. We have an open project at the moment in Turner. We have put forward a build-to-rent prospectus that outlines further opportunities for more investment in affordable housing and we have outlined the range of concessions that we will provide to investors, provided they meet our affordability targets in relation to both the quantum of new affordable housing and the level of discount from the prevailing market rate. We also intend to see a boost in the supply of housing, both through land released by the ACT government and through the rezoning proposals that are contained within the draft Territory Plan and district plans that the Minister for Planning and Land Management has put forward.

We understand that the solutions to these challenges require work at all levels of government and require a coordination of policy effort, particularly in housing, between the commonwealth and the states and territories. For the first time in a decade we have the federal government at the table with money, and with leverage through institutional investors to bring more capital to the task of building more affordable housing. So I think there is a pathway forward on that issue.

In relation to energy, I look forward, as I have mentioned, to the announcement, ahead of national cabinet next week, of the major federal government support package. The territory will also look at our own—we do this annually, in every budget—concession programs in relation to energy. We look at what is happening in the market in relation to costs for consumers. We are very cognisant of that. I advise the Assembly that we will, again, be looking closely at both what the federal government does and where energy prices are going, ahead of making a decision in the next budget round about the level of support that we will provide through that particular concession.

I think the other thing we need to focus on is that this almost full employment starts to see incomes rise across, particularly, lower income workers in the territory. We are playing our part, as an employer, and certainly encourage other employers outside of government to do the same. I commend my amendment to the Assembly.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (4.19): This is a very important issue and one that the ACT Greens care deeply about. Addressing poverty and promoting social justice are foundational values in our parliament. Social justice is embedded in our party's policies. It inspires our election commitments, and we will always prioritise these issues in our work as a party, whether that is on the crossbench or when we play a role in government.

The cost of living has a very real impact every day on millions of people around Australia, making it difficult or impossible for some to access the necessities of life, and pushing people into poverty. While many of us can continue getting by and can accommodate the cost of living pressures, for the most vulnerable, people living at or below the poverty line, these small changes can make or break them. An increase in rent, a spike in petrol prices, rising food prices—these can make all the difference to whether someone can eat properly or whether they can afford their health care or whether they can stay in accommodation or become at risk of homelessness.

Cost of living pressures exacerbate the inequalities already felt by the most vulnerable, making this situation even harder. It is a cruel problem inherent in this capitalist society we live in, the inequality and the ever-widening gulf between rich and poor. We need compassionate policies and interventions to try and tame these inequalities and to support the more vulnerable in our community.

Statistically, we are a relatively privileged population here in the ACT, but we are far from immune to poverty. There are many people struggling and vulnerable in our population. I acknowledge, and the Greens of course acknowledge, that we face a cost of living crisis. As ACTCOSS's 2022 *Cost of Living Report* cites, there are many households in the ACT that cannot afford the fundamentals of a healthy life. As that report points out, the poverty rate in the ACT is approximately nine per cent, which represents an estimated 38,300 Canberrans. Ms Lee has listed a range of cost of living challenges in her motion, reiterating the challenges that ACTCOSS lists in its *Cost of Living Report*.

Members will have seen further news today about National Shelter's rental affordability index, which shows the ACT as very problematic for rental affordability. It reveals Canberra as the most problematic city of all the cities for low income households because of the high average income for working people. Groups such as pensioners, people on JobSeeker, students, people working in hospitality—these residents in our city are all facing severe financial stress when it comes to securing affordable rental accommodation. This is a difficult and ongoing problem. I note that last year's rental affordability index listed similar challenges for those same groups in the ACT.

We also need to acknowledge that the report shows that the rental picture is equally grim right around Australia. In fact, renting has become less affordable in every single Australian city this year, compared to 2021. This points to the fact that there are a range of macro factors affecting Australia and the ACT which are exacerbating affordability issues. These are issues such as global geopolitical events, like the war in Ukraine, which is affecting our whole range of consumer goods, petrol prices and the

global price of oil and, subsequent to those, the rapidly rising consumer price index and therefore inflation.

ABC News's deep dive into rental affordability report discusses a range of reasons for the rental squeeze, stating that these are broad and multifaceted. For example, the post-COVID border opening has led to an influx of migrants and students into the country, which has put extra pressure on rental supply. Rising interest rates have also meant that landlords, in some cases, are passing on the difference to their tenants. The report also identifies that investor-friendly tax breaks, such as the capital gains tax discount and negative gearing, continue to lure investors in the market, driving up rents, keeping would-be home owners out of the market and trapping people into rental accommodation. The report also identified the need for reform to security of tenure and to address the power imbalance between landlords and renters.

This example of rental affordability leads me to a couple of points I want to stress in this discussion. First of all, I want to stress that the government are aware of this issue and we are taking action to try and mitigate it. We are not just aware of this rental affordability issue; we are aware of the range of cost of living challenges. Mr Barr's amendment spells out many of the extensive actions that the ACT government is taking in this area. The Greens' election policies focused on them and the parliamentary agreement focuses on them too. In many ways, these are vexed and deeply ingrained societal challenges that need a lot of work, and some of them are factors that are beyond the direct control of the ACT government.

Just one example of action in my portfolio is the significant reforms we are progressing in the rental space, such as the removal of no-cause evictions and new regulation to enact minimum energy efficiency standards. What I notice in particular is that, despite Liberal Party motions like the one today to give lip-service to affordability issues, the Liberal Party actually constantly opposes, blocks and criticises real actions that will help people who are the most vulnerable. Time and again, for example, Mr Deputy Speaker, you have opposed and criticised our moves to assist people who rent in Canberra, taking on the role of passionate advocate for landlords.

The new minimum insulation standards, for example, which will have a real impact on tenants' energy bills, potentially saving them hundreds, if not thousands, of dollars and protecting them from the health impacts of heat and cold. The Liberal Party apparently does not think that requiring these minimum standards is a good idea. Mr Parton's approach to these issues is to echo the desires of the Real Estate Institute and the landlords, but never does he advocate for the needs of tenants, the people on JobSeeker, the pensioners, the single parents, the minimum wage workers, who have to rent and pay these energy bills, and who remain at risk of being evicted at any time because a landlord can evict them without cause.

That is fine if that is the Liberal Party's position: the championing of Canberra's landlords at the expense of Canberra's renters. But they should not move a motion like this on affordability in Canberra and expect it to be taken seriously when they are counteracting it in those other instances. In fact, there is an extensive list of measures that the Liberal Party opposes that would help affordability.

The recent pattern from our colleagues across the chamber is to show high dudgeon about poverty and affordability but then oppose measures that would help, and to offer absolutely no poverty-relieving policies of their own. One of the best ways that we can assist people in poverty is through raising the rate of JobSeeker. There is an ongoing campaign on this. We have talked about this many times in this Assembly already, but we still cannot get tripartisan support for this critical and fundamental measure that would help people who are most in need.

The Chief Minister's amendment lists a range of initiatives underway from this government that focus on addressing cost of living pressures. These include the extensive range of concessions provided by the government. It also lists important structural interventions we are making at the territory level, such as the policies to accelerate the delivery of more affordable rental dwellings through the Build-to-Rent scheme, the Growing and Renewing Public Housing Program, and other housing developments such as Common Ground. These are initiatives arising out of the parliamentary agreement and out of the Greens' election commitments which focus very strongly on housing. I need to note, again, the distinct lack of support from the Liberal Party for projects like Common Ground or Build-to-Rent or public housing or renters' rights.

I am certainly proud that the ACT Greens took a range of policies to the ACT election that focused on addressing the cost of living and poverty, and addressing these issues in a way that is equitable and sustainable. That is one of the guiding principles of our party: that we can address these problems in a way that is both equitable and sustainable. We do not need to trash the planet in order to help people. In fact, the actions that we take to protect the environment and to address climate change are often the ones that help deal with inequality issues and affordability issues.

We have a range of policies in place, for example, to increase the uptake of electric vehicles. They are currently very expensive, but our actions will lead to reduced prices and to a second-hand market, making them more affordable so that people can take advantage of the lower running costs. They are much cheaper than petrol vehicles.

Our switch to 100 per cent renewable electricity is helping to protect Canberrans from increasing electricity prices through the hedging work that is being done. The ACT continues to have some of the lowest energy prices in the country. Our policies to phase out gas, to promote energy efficiency and to upgrade and retrofit housing are essential for reducing people's cost of living, cutting their energy bills and minimising their household energy costs.

I again need to point out the record of the Liberal Party on these measures. When I brought the bill to this Assembly to extend the Energy Efficiency Improvement Scheme, the Liberal Party voted against it. Through the first phase of that scheme Canberrans are expected to save a total of \$240 million, including \$15 million saved off the energy bills of low income households in particular. Why would you not support that legislative reform?

I do, lastly, want to note that Ms Lee brought a motion to the Assembly in the October sittings that also cited the ACTCOSS report and was very similar to this one. That motion did not propose any solutions. It is therefore surprising to see this motion

come forward today, still with no solutions and still in the context of opposing some of the very real measures that this government and my party have put forward that will actually make a difference to the cost of living.

We will be supporting the amendment put forward by Mr Barr today. As he outlined in his remarks, it identifies a range of the measures that are being put in place by this government—really practical measures that are designed to assist Canberrans to tackle the cost of living pressures.

Federally, my party will continue to make the case on some of these matters as well. We are fierce supporters of the need to raise the rate, to help lift people out of poverty. We saw it during the pandemic. When people started getting a more substantial amount of money to assist them under those pandemic response measures we saw a drop in the poverty rate. There are all sorts of testimonies out there. People could really practically see the difference. It removed enormous pressures from them and actually helped them meet those day-to-day living expenses.

We will be supporting the industrial relations bill nationally, which the Chief Minister spoke of, which will again seek to ensure that the workers in this country are getting a fair share of the economic wealth that is being generated in this country. For that reason, I feel confident that my party, my members, are very focused on these issues and we are bringing practical measures to the table, some of which are described in this motion. That is why we will be supporting the amendment moved by Mr Barr.

MS LEE (Kurrajong—Leader of the Opposition) (4.31): We should not be surprised that Mr Barr has moved an amendment—three pages of yet another congratulatory amendment. He even says in his speech that these are issues that I have raised before—and I certainly have—and he goes through a lot of what he calls a recap about some of the policies and programs and initiatives that this government has put forward.

While that is all well and good, the key question really is: why is it not working? The fact is, if all of those initiatives that Mr Barr outlined in his amendment are the response and the answer to the cost of living crisis that we have here in our city, the key question should surely be: why are they not working? The fact is that Labor and the Greens continue to bury their heads in the sand. They continue to deny responsibility and they continue to deny that perhaps, just perhaps, their policies are not providing the relief that they claim that they are—that maybe, just maybe, they have not got everything right in this space.

Mr Barr spent a lot of his time talking about wages and about jobs. He is always good at talking about the different positions of the federal parties. If, as we know, the ACT has the highest average income in the nation and the ACT enjoys the lowest unemployment in the nation, why are we facing a cost of living crisis that is arguably the worst in the nation? Why do we have almost 40,000 Canberrans living in poverty, including 9,000 children?

I do not pretend that there is a magic bullet and I never have. That is why I have always raised these concerns—the concerns raised with me by so many in our community that are doing it so tough, that are hurting so badly and have called for more work to be done

in this space. They call for us to undertake and establish a poverty task force, to ensure that we look at all the levers, to ensure that we look at all the factors so that we can come up with options and solutions. That has always been rejected.

This amendment and the contributions made by Mr Barr and Mr Rattenbury continue to do what they always do, and that is focus on external factors and ignore the fact that, just maybe, their policies might not be 100 per cent right. My original motion is very straight bat and calls on the ACT Labor-Greens government to:

- (a) recognise that many Canberran's are facing a real cost-of-living crisis; and
- (b) report back to the Assembly by Thursday 30 March 2023, on the drivers of the cost-of-living pressures in Canberra and measures available to the ACT Labor and Greens Government to address these pressures.

You would think that was the bare minimum for a government that have been at the helm for over 20 years and have seen the cost of living skyrocket to do, and they could not bring themselves even to agree to doing that bare minimum.

The damning rental affordability index report that was released today was alarming. The CEO of ACTCOSS, Dr Emma Campbell, was scathing. Dr Campbell said:

The ACT's rental affordability crisis continues to worsen for people on low incomes.

The Rental Affordability Index demonstrates that the ACT Government's housing and homeless policies are failing to meet the housing needs of Canberrans on low incomes—including many in full-time work.

The ACT Government's Housing Strategy Report card released last week shows that there is a long way to go to deliver on its social and affordable housing commitments.

I continue. Dr Campbell said:

Instead of 'ongoing' or 'in progress' on the ACT Government's housing commitments, we need to see homes 'delivered and completed' for the ACT's pensioners, families and frontline workers who are struggling to keep a roof over their head.

How many reports do we need before the ACT Government will take this crisis seriously?

The ACT Government must take immediate action to empower our community housing providers to build more homes, through access to financial support and affordable land, so that all Canberrans have a safe and secure home no matter their income.

Those are scathing words and speak directly to the policy levers that are within the control of the ACT government. Whilst we acknowledge that there are external factors, what we are focused on is getting a commitment, getting acknowledgement and getting some action from Labor and the Greens on the policies that they do have control over. They do have them, and the fact that they refuse to exercise them is unconscionable.

Mr Rattenbury, in the beginning, said all the right words, as he usually does. He says all the right words. In his speech at least he acknowledged that Canberrans are facing a cost of living crisis. But talk is cheap, Mr Rattenbury, when you are sitting at the decision-making table and you control the purse strings and you fail to act. He could not even bring himself to support my line in the motion that said “acknowledge that there is a cost of living crisis in the ACT”. If he cannot even bring himself to vote for that, what hope do low income and vulnerable Canberrans have that this Labor-Greens coalition are going to take these issues seriously and ensure that they take genuine and tangible steps to address this crisis?

Mr Rattenbury could not help himself; he demonised and created a war between landlords and tenants. As a landlord himself, as is his Greens colleague Mr Davis, he would know that most landlords care about their tenants and they want to do the right thing. Whilst he is waxing lyrical and complaining about the Liberals and the genuine concerns that we raise that perhaps the policies and proposals and initiatives that he is putting forward in terms of rental tenancy laws may have a perverse effect, he completely fails to acknowledge the concern that many landlords have that they may be forced to sell, depriving the market of much-needed affordable rental properties.

It is incredibly disappointing but absolutely unsurprising that, once again, Labor and the Greens, instead of acknowledging and actually taking action to do something about the hurt that is being caused to so many Canberrans, have chosen to congratulate themselves on a job well done. But the key issue remains. If every step that has been outlined in Mr Barr’s amendment is what they want to congratulate themselves on, they really should look at themselves in the mirror and ask: why are almost 40,000 Canberrans living in poverty, including 9,000 children, with more hurt to come? They should really ask themselves: are they doing everything they can, as the people who are around the decision-making table, the people who control the purse strings, to help some of the vulnerable members of our community? The Canberra Liberals will not be supporting Mr Barr’s amendment.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 13

Noes 6

Mr Barr

Dr Paterson

Mr Cain

Ms Berry

Mr Pettersson

Ms Castley

Mr Braddock

Mr Rattenbury

Mrs Kikkert

Ms Burch

Mr Steel

Ms Lee

Ms Cheyne

Ms Stephen-Smith

Mr Milligan

Ms Davidson

Ms Vassarotti

Mr Parton

Mr Gentleman

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Health—autoimmune disorders

DR PATERSON (Murrumbidgee) (4.46), by leave: On behalf of Ms Orr, I move:

That this Assembly:

- (1) notes that:
 - (a) autoimmune disorders affect an estimated five percent of the Australian population and they are often chronic and with many associated impacts;
 - (b) there are around 80 different autoimmune disorders;
 - (c) the effects of different disorders can range from mild to highly impactful on day-to-day life;
 - (d) diagnosis of autoimmune disorders can often take years for a large proportion of those who are impacted by them;
 - (e) for unknown reasons women are more likely than men to develop an autoimmune disorder;
 - (f) there is no known cure for most autoimmune disorders, but symptoms can usually be managed through various treatments, providing varying levels of relief;
 - (g) there are some small awareness and advocacy groups for autoimmune disorders in Australia, however, there is currently no large peak body representing those who experience autoimmune disorders;
 - (h) while there is ongoing research into autoimmune disorders, they are relatively poorly understood and there is a lot of research to be done; and
 - (i) in other jurisdictions awareness of autoimmune disorders is raised through community awareness activities such as Autoimmune Awareness Month in the USA; and
- (2) calls on the ACT Government to:
 - (a) consider potential options to raise awareness of autoimmune disorders within the ACT community; and
 - (b) report back to the Assembly on the options identified by the last sitting day in 2023.

I am very pleased to rise today to present Ms Orr's motion on autoimmune disease awareness on her behalf and to read this speech which she has prepared.

Awareness-raising efforts for various issues and diseases have become much more prominent and widespread in recent decades. This is a good thing, as many diseases do not make themselves readily noticeable, prompting treatment seeking, until it is all too late. Examples of awareness-raising programs for these types of diseases range from efforts by the Cancer Council surrounding skin cancer to testicular cancer campaigns and HIV awareness campaigns. There are also awareness campaigns for signs of sexually transmitted diseases, shingles or rapid stroke recognition so that the public can quickly identify symptoms.

There are a very large number of very effective, important and highly valuable prevention campaigns when it comes to preventable public health. A clear one from very recent times is the immense campaign that was run to support the rollout of COVID-19 vaccines. In the ACT, in particular, this was extremely effective.

There have been effective campaigns for all sorts of vaccines over the decades. There are continuous campaigns about the danger of drinking alcohol when pregnant. There have been campaigns about preventive oral health, and the dangers of tobacco smoking.

It is clear that there have been many tangible benefits for the health of our society due to awareness-raising campaigns, both private and public. However, as Ms Orr noted in her motion, there is a gap in the coverage of these campaigns, and a pretty big one. As far as I know, there is no large campaign about autoimmune disorders in Australia. World Lupus Day is 10 May. There are campaigns about arthritis, which include rheumatoid arthritis. The broad concept of autoimmune disorders and the diverse effects and warning signs are absent from community awareness.

As Ms Orr notes in her motion, autoimmune diseases do not affect most people, but there are a large minority who are affected. It is estimated that five per cent of the Australian population is affected by an autoimmune disorder of one type or another. This means that around 1.2 million Australians, and around 22,000 Canberrans, are affected. This makes autoimmune diseases one of the leading causes of chronic illness in Australia.

On a personal note from Ms Orr, as she had said in this chamber before, she is a sufferer of an autoimmune disorder. She is one of those 22,000 Canberrans. To briefly remind members, she was diagnosed with ITP, immune thrombocytopenia, 13 years ago. It has had a big impact on her life. Finding information about the disorder was next to impossible when she was first diagnosed. Potentially, with an awareness campaign, or a peak body able to provide this information, she would have been left less in the dark for all of those years.

The effects experienced by these Canberrans, and anyone else who lives with an autoimmune disorder, are extremely varied, both in the types of symptoms and in the severity of the symptoms. Some are very mild, but some can be life threatening. These disorders can affect the skin, cause gluten intolerance, or cause the pancreas to produce insufficient insulin. There are around 80 different conditions that I could list, and there may well be more that are discovered as the research evolves over time.

Additionally, the duration of these disorders can have an impact that is also quite varied. Alopecia can cause someone to lose all of their hair, and sometimes facial hair. This disorder can occur as a one-off instance and then never happen again, or it can be more of an ongoing problem. Type 1 diabetes, on the other hand, is a lifelong condition requiring constant monitoring and treatment for the entirety of one's life.

Autoimmune diseases can have an impact on anyone. However, overall, women are more likely to experience an autoimmune disorder, and there are some which are

more prevalent in different groups of people. The majority of those who experience lupus are women, and type 1 diabetes is more common in men. Yet it is not fully clear why these different rates of prevalence occur across different genders. While there is a reasonable amount known about the symptoms of various autoimmune diseases, there is still a lot of research to be done. On the other hand there is a lot more work to be done to figure out the different causes of autoimmune disorders, and to figure out potential ways to prevent them.

Diagnosis of autoimmune disorders normally takes a very long time, with various tests to rule out different issues, and lots of differing potential diagnoses. It is not uncommon for an autoimmune disorder to take years to diagnose. This leaves someone suffering from what can be very debilitating symptoms without any certainty, potentially unable to work and with a lot of fear. This subsequently can lead to a deterioration in mental health and other flow-on effects.

As is noted in the motion, there is no cure for almost any autoimmune diseases. However, there are usually ways to manage the symptoms, to varying effect. Compared to many other conditions, the treatment options for autoimmune diseases are often not as well developed or widely available. In a similar vein, there is also no widespread peak body in Australia that dedicates its time and resources to advocating and advising on autoimmune disorders. There are smaller organisations which do good work around individual disorders or similar disorders, but there is no peak body.

As noted previously, there are a lack of public awareness days and campaigns in Australia. In the United States autoimmune awareness month runs through March and provides opportunities for patients, healthcare providers, caregivers, family, friends and other advocates to meet and chat, connect, share their stories and push for more research and support services. A big theme of the awareness month, which is run by the Autoimmune Association of America, is for people to share their stories publicly with friends and family, or on social media. It is all about education. It would be great to see a comprehensive campaign like this in Australia to educate and to raise awareness.

Ms Orr's motion calls on the government to do two things. The first is to consider options to raise awareness of autoimmune disorders within the ACT community. The second is to report back on these options on the last sitting day next year. I look forward to reading the report when it is returned to the Assembly and, hopefully, being able to work with the minister and the government to implement the options as they come back. I commend Ms Orr's motion to the Assembly.

MS CASTLEY (Yerrabi) (4.55): The Canberra Liberals support Ms Orr's motion and support the government looking into issues that affect an individual's access to services for treatment for autoimmune disease. As Ms Orr mentioned in her motion, there is limited knowledge about what causes many of these autoimmune diseases. They can have mild to severe effects for the patient, and there is no known cure. The best that we can offer patients at the moment is symptom management. Dr Paterson mentioned a few of the diseases. There is also coeliac disease and Hashimoto's—all sorts of things. The symptoms are incredibly difficult to live with. In some cases, I know people simply cannot leave the house at certain times of the month.

As I say, the Liberals will be supporting this motion. My one thought would be: does it really take 12 months to come back to the Assembly with some thoughts on this motion? Obviously, Ms Orr would have spoken to the health minister's office in order to prepare this motion. We will not be making any amendments. In light of that, I will finish by thanking Ms Orr for bringing the motion to the Assembly. We look forward to seeing what comes out at the end of next year.

MS DAVIDSON (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health and Minister for Veterans and Seniors) (4.57): I rise to speak in support of Ms Orr's motion and to thank her for raising awareness of autoimmune disorders and what we as a community can do to be more supportive and inclusive of people with autoimmune disorders. These disorders can affect people of all ages, genders and cultural backgrounds. As is noted in the motion, autoimmune disorders are diagnosed in women more often than in men.

I would like to note the research work done by Women's Health Matters in deepening our understanding of autoimmune disorders, particularly their 2018 report, written by Amber Hutchison, *I don't have the spoons for that...*, which outlines the views and experiences of younger ACT women, aged 18 to 50 years, about accessing supports and services for chronic disease.

The report's title comes from the spoon theory of Christine Miserandino, to explain the sudden loss of energy that is common in many people with chronic illness, including autoimmune disorders. The idea is that we all start the day with a certain amount of energy, but people with chronic disease have a more limited supply of energy, or spoons, and each task or action we complete during the day uses a number of them. The harder the task, the more spoons are used. The phrase, "I'm out of spoons," has been adopted as a useful way of communicating to others that the person is running low on energy and needs to rest.

In Women's Health Matters' 2018 research into chronic disease in younger women in the ACT, 39 per cent of the research participants reported that they had an autoimmune disorder, and 15 per cent of those with an autoimmune disorder also had a chronic mental health condition. Autoimmune disorders were one of the top three conditions reported by women who participated in the research, along with mental health and musculoskeletal disease. These are all conditions that are not easily visible and can take years to be diagnosed and for treatment to begin.

Women told us in 2018 that their condition impacts on their employment, not only because of the physical effects of fatigue, pain or needing time to attend appointments, but also because of stigma and discrimination. One woman said:

As a young woman with a chronic illness, the biggest issue I faced is wanting to hide it in fear of being unemployed as a result.

It also impacts on their relationships and things that make life enjoyable that many of us take for granted. As one of the research participants said:

I've lost my career, my opportunity to have children and my independence as I can't even shop, cook, clean and some days dress myself. On the rare occasions we go out, my partner has to push me in a wheelchair. This is not how I planned to spend my 30s, or the rest of my life.

One of the things that women said they find helpful is peer support groups for young women with autoimmune disorders, not only for practical advice on managing their health condition or navigating complex health and social support services, but also for improving their sense of belonging and social connection with people who really understand their experience. In the words of one of the women who participated in the research:

It's actually really good talking to other people face-to-face, it feels really good to just talk to other people who have the same problems or similar problems and the whole mental health issue as well because there is the depression that quite often comes with all this ...

Support for carers is also helpful. Peer group support for the partners of younger people with autoimmune disorders can be very helpful in navigating family and personal relationships where the person is both a carer and the partner, parent or child of someone with a chronic condition. Carers who have had to reduce or give up paid work or are no longer able to participate in the social things that are important for their own wellbeing need to be able to spend time with people who understand that experience and to be able to support each other. I would like to acknowledge the ongoing work that Carers ACT does in supporting and connecting carers with each other and in navigating the services in the ACT that can help carers.

It is important that the community understands that autoimmune disorders are unlikely to have been caused by preventable lifestyle factors and that people of all ages, genders and cultural backgrounds experience these conditions. Many of the women who participated in the 2018 Women's Health Matters study were highly educated but their work life had been interrupted by periods of treatment and recovery, and worries about discrimination as a result of that impact. This has flow-on effects for the financial security of these women that can last for a lifetime, particularly if they have had to reduce paid work hours or stop working altogether, and there are impacts on their ability to maintain social relationships and to do the kinds of things as a parent that they want to be able to do with their children. It also affects their relationship with their partner.

Many young women with these kinds of disorders have talked about not being listened to or believed, including when trying to access health care, which can slow down the process of getting a correct diagnosis and finding the treatment that works for them. What this tells us is that women are still experiencing being distrusted about their own bodies.

As we work together as a community to become ever more inclusive and accessible, we have the opportunity to change the way we look at chronic health conditions such as autoimmune disorders. By learning more about these conditions and understanding how to support people in our lives who have autoimmune disorders, we can make our community more inclusive—by looking at the strengths of a person, at their creativity, knowledge or innovation, their ability to come up with flexible or adaptable solutions

to complex problems, their passion for the arts, sports or academia, their entrepreneurial skills or their interests as parents, friends and carers. There are people who have autoimmune disorders who are also carers for others in their lives. The life experiences and skills that a person develops as a result of their chronic health condition are an important part of who that person is.

I am very much in support of this motion, and I look forward to supporting the ACT government and community sector work to raise awareness of autoimmune disorders.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.03): I rise to speak in support of Ms Orr's motion and applaud her for shining a light on the experience of so many in our community. I thank Dr Paterson for moving the motion on Ms Orr's behalf, in her absence. Autoimmune disease, as others have said, happens when the body's natural defence systems cannot tell the difference between your own cells and foreign cells, causing the body to mistakenly attack normal cells. Autoimmune diseases, as Dr Paterson said, affect around five per cent of people and are an important health issue across Australia.

There are around 80 well-defined autoimmune diseases, ranging from extremely rare to relatively common. The more common autoimmune disorders are thyroiditis, type 1 diabetes and coeliac disease. Most people will be aware of these more common autoimmune diseases but may not be aware of the gendered impact, which both Dr Paterson and Minister Davidson have talked about. Autoimmune diseases are more common in women than men and these differences are increasing. For example, multiple sclerosis was about twice as common in women than men in the 1990s and today that proportion is almost three to one. For some types of autoimmune diseases women are up to 16 times more susceptible than men.

Many autoimmune diseases are rare diseases. The increasing precision of genomic technologies means that new diseases are being discovered regularly. While these individual diseases may be rare, the total number of Australians living with a rare disease is not. Our health system has been driving improvements to ensure that people that potentially have an autoimmune disorder are able to receive the best care possible as quickly as possible. However, this is a complex area, with most disorders requiring specialist diagnosis.

That is why the government, our health experts and Capital Health Network have ensured that medical professionals and those registered with HealthPathways can assess the list of completed localised autoimmune relevant condition pathways on the HealthPathways website, including for psoriasis, type 1 diabetes, myelitis, inflammatory bowel disease plus a page on medications, ankylosing spondylitis, and thyroid disease in pregnancy. This collaboration ensures that general practitioners are supported to better care for patients and ensure that, where available, appropriate managements and treatments are implemented.

We know that, over the past five to 10 years, various treatments have become and continue to become available for all autoimmune disease, with medications to minimise harm to Canberrans needing diagnosis treatment and care. I am pleased that our public health system is continuing to provide support for those in the community who need it.

People with autoimmune disorders have access to expert specialist services through the Department of Immunology at Canberra Health Services, including the Centre for Personalised Immunology Clinic. Two clinics are run per week for patients with MS and neuroimmunological disorders. The service is supported by a part-time MS specialist nurse. CHS cares for close to 400 people with MS and related conditions through this clinic. There is also support in the community for these patients provided by MS Australia. The neurology department also provides care for people with autoimmune neuromuscular conditions, such as myasthenia gravis and immune-mediated neuropathies, through general outpatient and inpatient services. Canberrans with autoimmune disease have access to state-of-the-art diagnostics through the ACT government funding of Canberra Clinical Genomics, and through our strong research partnerships we will continue to contribute to the improvement in care and treatments across the gamut of autoimmune disorders.

Earlier this year I released *Better together: A strategic plan for research in the ACT health system 2022-2030*, which set the government's vision for a vibrant, learning health system where research drives optimal health and wellbeing. This strategic plan will build on the incredible work that is already delivered every day across our public health system and higher education partners, driving improved care and systems. This work includes studies in endocrinology, including the world-leading Our Health in Our Hands diabetes research at the ANU and Canberra Health Services, led by Professor Chris Nolan. It also includes research into personalised medicine, including various autoimmune diseases, by clinicians in the departments of immunology, rheumatology and renal medicine at Canberra Health Services. This research, along with presentations about research into other autoimmune disorders like arthritis, was recently highlighted at the Canberra Health Annual Research Meeting, or CHARM.

However, while we are continuing to improve the clinical practice pathways and support, we recognise that, for many, awareness is a challenge and there is always more to do. It is sometimes difficult to identify the best approach. Ms Orr's motion recognises this and sets the government a task. Currently, the ACT government does not specifically target awareness-raising efforts for autoimmune disorders in general. However, we do support ACT-based organisations, such as Arthritis ACT and Diabetes NSW & ACT, that raise awareness of specific autoimmune disorders which are the most common. The government also supports Carers ACT to support carers for people living with autoimmune disorders. Carer support services are also offered by other non-government organisations dedicated to specific autoimmune conditions, such as the MS society.

Members may be aware that the Australasian Society of Clinical Immunology and Allergy, or ASCIA, is the peak professional body for clinical immunology allergy specialists in Australia and New Zealand. ASCIA's website contains a number of education and training resources geared towards patients, carers and medical professionals that would be applicable to residents in the ACT. I would encourage all members to look at some of the resources on ASCIA's website when talking with constituents about these issues.

Finally, as has been discussed by Dr Paterson and Minister Davidson, and as I mentioned earlier, autoimmune diseases disproportionately impact women. That is

why we continue to partner with Women's Health Matters to ensure that they can continue to provide appropriate and accessible information to support women in their pursuit of health and wellbeing. The Women's Health Matters website lists the key chronic conditions that impact women the most, which includes a number of autoimmune disorders, and provides advice on how to access the right care and locate support services, including organisations relevant to specific conditions and autoimmune diseases, to manage symptoms.

As I stated at the beginning, this motion is important in highlighting an issue that does not always get the focus it requires. While the treatment pathways, integration of services and our non-government partners are some of the best in Australia, we can always do more. While Ms Orr may not be with us in the chamber today, her commitment to this issue is absolutely laudable, and this motion, I hope, will continue to drive improvements in this space. I look forward to reporting back to the Assembly on the work next year and continuing to drive the improvements across our health system. I commend the motion to the Assembly.

DR PATERSON (Murrumbidgee) (5.10), in reply: Firstly, I would like to thank Ms Orr for bringing this motion to the Assembly and for her leadership in telling her story previously, which I think is incredibly empowering for other people experiencing autoimmune disorders in the ACT. I would also like to thank members for their tripartisan support of this motion. I think that is really important. As Ms Orr said in the speech, as there is no peak body for autoimmune diseases in Australia, I think it is really great that the Assembly was able to stand up today in tripartisan support to raise awareness for autoimmune disorders in Australia.

Question resolved in the affirmative.

ACT Policing—resourcing

MR HANSON (Murrumbidgee) (5.12), by leave: I move:

That Mr Gentleman correct the record and apologise to the Assembly for claiming the ACT is not the lowest funded police force in the country.

We were all here in question time, so we know the background to what has occurred here. Mr Cain asked a question and, in response to that, Mr Gentleman said that we were not the lowest funded police force in Australia. But, when you look at the evidence and the statistics, it is clear that we are. Mr Gentleman might be able to argue that there are good reasons for that. He might say that we are a small jurisdiction or whatever the argument is, but that is just a justification for us being the lowest funded police force in Australia. It does not mean that we are not.

He cannot come to this place and assert things that are not true, based upon the evidence. I will go to the latest *RoGS* report. When you look at total recurrent expenditure for the ACT it is \$188.6 million. When you look at the other jurisdictions, for most of them, it is exponentially higher: New South Wales, \$4 billion. The next lowest is Tasmania, which is about double that expenditure. What I am quoting from is the *RoGS* report, table 6A.1. Capital expenditure, again, is the lowest. It is well below the average of Australia and below every other jurisdiction. Then there is

recurrent expenditure per person in population, which is \$444. So, again, we are the lowest per capita by some measure.

How that rolls out on the ground is that, when you actually look at the number of staff and sworn police officers, we again see that we are the lowest in total terms, both in sworn but also in total. Then, in terms of operational staff per 100,000, again, we are the lowest, at 219. As we followed up in annual reports hearings this year, we found out that, in actual fact, the number of police in the annual report this year is less than in the annual report of a decade ago. We have about a dozen fewer uniformed police on the ground now than there were 10 years ago.

What we also find in *RoGS* is that the ACT is the only jurisdiction in Australia to have recorded a negative average growth rate in real recurrent expenditure from 2016-17 to 2020-21. Every other jurisdiction in Australia recorded positive growth in real recurrent expenditure. There are real impacts on the ground, and we have heard the comments from the Australian Federal Police Association about what that means for their members, so we understand what this means.

I am not actually trying to litigate the argument here. I am just saying that we have to be honest about what we say in here. If Mr Gentleman wants to say something in response to a question, he must be truthful. He must not assert facts that are not true. That is open to Mr Braddock too. He might think that having low funding for police is a good thing. We know that he has said in this place that the more police you have, potentially that leads to more crime. So one would presume that he thinks that having the lowest funded police force in Australia is a good thing. I do not know. He will let us know, no doubt.

All I am asking Mr Gentleman to do is accept the facts. It is in the *RoGS*. It is in black and white. If he wants to justify that, he can. He can make those arguments, but he cannot come in here and say something that, based on the evidence, is simply not true. So all I am saying is: correct the record, apologise, move on and we will have the substantive debate on another day about whether it is a good thing or not.

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) (5.16): Successive police officers, including the CPO, have informed numerous estimates and annual report hearings that you cannot accurately compare resourcing in the ACT with other jurisdictions. In responding to Mr Cain in question time it was clear that I was refuting the assertion in the question, given the advice from the Chief Police Officer, regarding the types of comparisons that the Canberra Liberals incorrectly like to make.

I have reviewed Assembly on demand footage. Anyone else who reviews this will clearly see that I said—and let me put it in the *Hansard* again:

I reject Mr Cain's assertion that they are the lowest funded police force in the country.

I said that because it is not possible to make the simple comparison that was asserted in the question.

For the benefit of members, let me quote from the Chief Police Officer. This can be found at page 53 of the JACS standing committee estimates and budget report from 2021. The Chief Police Officer said:

We talk about police numbers all the time. It is very difficult to compare the territory with any other jurisdiction in the country because our population is fairly compacted to a very small part of the territory. I always hear people talk about the numbers of police in a place like Tasmania. The fact is it is three hours between their biggest cities. Here it is literally 10 minutes, and I can move patrols around very quickly.

Simple jurisdictional comparisons to police numbers and/or funding do not account for the tyranny of distance faced by all other states and territories. We have a more compact city, as the Chief Police Officer has said, and this allows ACT Policing to deploy resources to address the challenges being faced. What this government has been doing is providing resources and enabling ACT Policing to determine their best use. This approach has allowed ACT police to free up sworn officers to undertake more direct frontline duties.

In this year's annual reports hearings ACT Policing advised that the overall FTE staffing level in ACT Policing has increased by approximately 55 police, 13 PSOs and 39 unsworn positions over the past 10 years. More than half of the growth in ACT Policing unsworn FTEs derives from transferring unsworn members into operational support roles that were historically performed by police across a range of areas, including intelligence, judicial operations, family violence and vulnerable people. This, together with the introduction of PSOs into the ACT Watch House, allows police to better shift their focus to frontline operational policing duties. Changes such as this are not easily accounted for in simple jurisdictional comparisons.

So let me reiterate: the ACT government has resourced and will continue to resource ACT Policing. In 2019 there was a significant boost to funding and staff. More than 60 positions were provided. The new purchase agreement, just signed, as I mentioned earlier, with the AFP provides base funding—and I will say that again: base funding—of \$800 million over four years. We will continue working with the Chief Police Officer, ACT Policing and the AFPA to resource ACT Policing. This is the approach that has been taken in the past and one that will continue in the next budget round—the very same approach the Canberra Liberals have voted against in every budget.

MR BRADDOCK (Yerrabi) (5.20): I would like to thank Mr Hanson for bringing this back. As they say, there are lies, damn lies, and statistics—and that was an excellent set of statistics. I am not sure exactly what Mr Hanson's point was. Is he seeking for the ACT to spend \$4 billion on policing services here in Canberra in order to match something on the scale of New South Wales? I do not think that would be entirely appropriate. Or is he seeking to do a per capita comparison between a

city-state such as Canberra versus, for example, the Northern Territory or country New South Wales, where a police station might be hours drive from the next station? They are meaningless comparisons and totally out of context with what the policing service is providing.

As the minister has mentioned, the CPO has been quoted in annual reports hearings on the ability to move patrols easily from one side of the city to another in order to be able to respond effectively; hence, the value of such comparisons is very limited. Therefore, we understand that the ability to deliver services needs to take into account the unique context of the policing service that is being provided. Therefore, fair cop, Mr Hanson: we agree that you have provided the *RoGS* statistics, but they have failed to actually provide the story.

MS LAWDER (Brindabella) (5.22): Thanks, Mr Hanson, for your motion today calling on Mr Gentleman to correct the record, because earlier in the day he claimed that the ACT is not the lowest funded police force in the country. Mr Gentleman has told us what he meant when he said that—he said it for these reasons—and explained why he said it. The fact remains that he said that it is not the lowest funded police force in the country. The *RoGS* data—the statistics, the facts—clearly show it is, and we often talk about having the lowest number of police per capita et cetera.

Mr Gentleman has put to us that this is a complex issue. It is affected by the geography and the closer distances here in the ACT, but let's stick to the facts: Mr Gentleman said that the ACT is not the lowest funded police force in the country. The fact is that it is. That is all this motion is saying. Mr Gentleman is trying to muddy the waters with a whole lot of explanations and because and whys and wherefores. The motion says that he should correct the record and apologise to the Assembly for claiming that the ACT is not the lowest funded police force in the country. *RoGS* data applies to many things across many aspects of the territory's work, as well as other states and territories.

We can argue in many ways that sometimes they are not directly applicable or comparable, but they are the facts. They are bald statistics, and that is the point of Mr Hanson's motion today: "Mr Gentleman has said this, which is incorrect." We are asking him to correct the record and apologise to the Assembly. It is quite simple. It is quite straightforward and quite clear. I commend Mr Hanson's motion to the Assembly.

MR HANSON (Murrumbidgee) (5.24), in reply: There are clearly two different debates happening here at the moment. One is from the Liberals, who have pointed out from the evidence—from the authoritative source: the *RoGS* data—that we are the lowest funded police force on every measure, be it in absolute terms or in per capita terms. That is in black and white, so that is the point. What we have heard from Mr Gentleman and from Mr Braddock is why that is the case. Now, it may be justifiable; they can argue that case. They can say, "This is why," but they cannot argue about the numbers that are in black and white—the numbers come from every budget in every parliament—and then say, "We are going to spin our way out of this."

Members, are we going to be so loose with the truth—and that is what is happening here—that Mr Gentleman can just say anything and what the Productivity

Commission says and what is in a budget no longer matters because you can just spin your way out of it; it does not matter whether it is the truth or not? This is a post-truth government. It is a post-truth government because this is in black and white. Are members going to vote today to say, “No, the truth doesn’t matter. The *RoGS* data doesn’t matter. The facts don’t matter. What is in the budget doesn’t matter. All that matters is that we know why it is like that. That is all that matters.”

Mr Gentleman came into this place and said, “We do not have the lowest funded police force in Australia.” The facts, as published by the Australian federal government, dispute that. He is not coming in here and saying “No, it is not us; it is New South Wales, Queensland, Tasmania or the Northern Territory.” He has not done that because he cannot, because to do so would be compounding the mistruths he has already stated.

What we have here today, members, is that he has told a mistruth. He has misled this place. You all know it. He knows it; he has not tried to defend the numbers. Mr Braddock knows it; he is not trying to defend the numbers. But they are conflating the arguments. They are saying why the ACT is the lowest funded to try and excuse the fact that he misled this Assembly. It appears that members are happy to allow ministers to come in here and say what they hell they like, to make up numbers or to say whatever they like, but when the evidence is pointed out, they say, “Well, the facts don’t matter. As long as you can say why and come up with a bit of an excuse for it then that is okay.”

If that is the standard that you are going to hold yourselves to, good luck to you; that is fine. But do not think that we will not point out that this is a minister who is a repeated storyteller, let’s say. He is someone that comes into this place and tells mistruths and misleads. We will point it out every time. We will have these motions every time. I must say, I am not surprised about Mr Gentleman, but I am disappointed by the Greens. Are they so gullible that they are going to buy this spin? Are they buying this spin that the facts do not matter as long as you can try to weasel your way out of it? It is pathetic.

The Greens used to stand for something. They used to say, “We might have policy disputes but at least we will try and stick to the facts. We will not allow ministers to be completely dishonest.” The Greens used to have those sorts of principles. They are devoid of principles. I am not surprised that Mr Gentleman is devoid of principles—we have seen it for years now—but if the Greens are going to join in in allowing a minister to operate in this deceitful way in this place, it is absolutely shameful. If Caroline Le Couteur saw this today, she would laugh at you lot. She would see you for what you are. She would be disgusted at your behaviour; there is no doubt. While Ms Le Couteur would have good policy debates, she would not allow ministers to come into this place and tell a bald-faced lie.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 6

Mr Cain
Mr Hanson
Ms Lawder
Ms Lee
Mr Milligan
Mr Parton

Noes 13

Mr Barr
Ms Berry
Mr Braddock
Ms Burch
Ms Cheyne
Ms Davidson
Mr Gentleman
Dr Paterson
Mr Pettersson
Mr Rattenbury
Mr Steel
Ms Stephen-Smith
Ms Vassarotti

Question resolved in the negative.

Mr Steel: On a point of order, Madam Speaker: earlier, in question time, Mr Hanson interjected across the chamber, claiming that Mr Gentleman was misleading the Assembly. Now that the Assembly has dealt with the motion moved by Mr Hanson, he should withdraw his unparliamentary remarks, together with the three other mentions of the word “misleading” in question time, the three more mentions of “misleading” in his speech just now, and also the word “dishonest”.

Mr Hanson: Madam Speaker, the form is that if you believe someone is misleading, you can say that, but you have to then move a substantive motion. I have just done that, in accordance with your guidance, so I have complied with what you asked me to do. The fact that I lost the motion does not mean that I do not believe it. I have complied by moving a substantive motion.

MADAM SPEAKER: You still, in your speech, used the word “dishonest”. I ask you to withdraw any unparliamentary language in relation to Mr Gentleman, please.

Mr Hanson: If I am being asked to withdraw “dishonest”, I am happy to do so, but not “mislead” because that was part of the substantive motion. It is appropriate for me to say “mislead”. If I did use the word “dishonest”, I am happy to withdraw, Madam Speaker.

MADAM SPEAKER: Thank you, Mr Hanson.

Adjournment

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

That the Assembly do now adjourn.

Valedictory

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (5.34): I would like to make my end of year remarks, and start by thanking the people of Murrumbidgee. It has been an honour once again to represent them for another year in the Assembly. I have enjoyed engaging with them about the issues that matter to the south side, and delivering what we promised at the election—to bring light rail to Woden, starting with the raising of

London Circuit, building a new CIT campus and the new Woden transport interchange, buying 90 electric buses, building the Canberra Hospital expansion, supporting households to reduce their energy costs, skilling Canberrans to get a job, and so much more.

I want to thank my staff for helping me to deliver that work this year—David Ferguson, my chief of staff, Tahni Littlejohn, James Adams, James Eveille, Meg Billson, Saleeha Farooq, Anton Gallacher, Louise Momber, and Jed Rainbow. Thank you for your work. I also want to thank our directorate liaison officers: Callum Blake, Lauren Cunningham, Kylie Beer, Rachel Grant, Kellie Bradley, and Louise Hilder.

I want to thank Chief Projects Officer Duncan Edghill, from Major Projects Canberra, who will be leaving that agency. I want to acknowledge Duncan Edghill's outstanding contribution to the city of Canberra. His skill, drive and expertise have delivered our city light rail stage 1, as well as getting our other projects underway—stage 2A, the Canberra Hospital expansion, the Canberra Institute of Technology Woden campus, and so much more. Best wishes on your next major project, Duncan.

I want to acknowledge Alison Playford, the Director-General of Transport Canberra and City Services, DDGs Jim Corrigan and Ben McHugh, and all of their teams in Transport Canberra and City Services for their work throughout the year. I also acknowledge Under Treasurer Stuart Hocking and DDG Kareena Arthy in CMTEDD, and their teams.

This year I want to give a very special shout-out to our hardworking GSOs, who have been working around the clock to manage storm damage on our roads, cutting grass, cleaning, street sweeping and managing tree damage. The government is acutely aware of that hard work and it deserves to be acknowledged.

Finally, I want to acknowledge our outstanding finalists and award winners in the national Training Awards this year, held in Adelaide on 18 November. I want to acknowledge the Aboriginal and Torres Strait Islander Student of the Year Award finalist from the ACT, Justin Drew. The Australian School-Based Apprentice of the Year finalist was Josh Haynes. We wish him all the best in his future plumbing career. The Vocational Student of the Year finalist was Julia Ware, who members of the Assembly might know from the Auslan inquiry. The Trainee of the Year finalist was Frances Zewe, from the department of agriculture. The Apprentice of the Year finalist was William Shipard, a mature-age carpenter who was an excellent finalist from the ACT.

I also acknowledge the Canberra Institute of Technology, which came home with the bronze medal for Large Training Provider of the Year. World View Technologies, the Small Employer of the Year silver award winner, is a fantastic local business in the circular economy area, employing Aboriginal and Torres Strait Islander people. Particular congratulations go to Richard Lindsay, who was the national winner for the Teacher Trainer of the Year. Richard is the man behind the work that we are doing to skill Canberra's automotive transformation, developing the CIT's Australian-leading electric vehicle training course, which now has a waitlist of over 1,700 people, and growing. Well done, and it is great to see Richard getting the credit that he deserves.

Present at the awards as well were Hanna Holford, last year's national Australian School-Based Apprentice of the Year, and the Teacher Trainer of the Year from last year. We won that national award through David Moore, from Marist College Canberra. Both are outstanding representatives of the ACT who have done us proud. All of these people and organisations show the great pathway available for students through vocational education and training, which is so important for industry, particularly with the skills shortage that we have across the country, and for our economy. We hope that the next generation are looking at joining VET next year.

Finally, merry Christmas and a happy new year to you, Madam Speaker, my other Assembly colleagues, members of the Assembly and staff here in the Assembly.

National Association of Women in Construction awards

MS LAWDER (Brindabella) (5.39): It gives me great pleasure to speak tonight about the National Association of Women in Construction, or NAWIC, ACT chapter. NAWIC is a national not-for-profit organisation that empowers, supports and advocates for women in the construction industry, and our local territory chapter, NAWIC ACT, does an excellent job of providing its members with networking opportunities, events and forums that help build members' professional skills.

Recently, NAWIC ACT held their annual awards. They are a fabulous opportunity for members and supporters to get together and celebrate the incredible women in the ACT construction industry. Due to last year's lockdown and subsequent COVID restrictions, I was unable to host a reception here in the Assembly for the 2021 winners. So it is my pleasure to have some of the 2021 winners here tonight, and some of the 2022 award winners.

The 2021 NAWIC ACT award winners included the Achievement in Design Awards, Agnieszka Liso; the Leadership in Construction Award, Louise Medlin; the Achievement in Engineering Award, Nicki Foote; Tradeswomen of the Year, Sophia Sako; Business Woman of the Year, Claire Denning; Capital Region Student of the Year, Jasmine Clingan; the Crystal Vision Award, Dr Therese Flapper; the Diversity and Inclusion Award, Rork Projects; the Emerging Leader Award, Krystal Hamlyn; the Innovation in the Construction Industry Award, Christie Hartfiel; and the Mentor of the Year, Jo Matai. Congratulations to the 2021 award winners.

For the 2022 award winners, we have the Achievement in Design Award, Savita Gaonkar; the Leadership in Construction Award, Alysha Obst; the Achievement in Engineering Award, Catherine Johnson; Trades Woman of the Year, Julia Beddin; Business Woman of the Year, Sarah Burrows; Capital Region Student of the Year, Amy Adams; the Crystal Vision Award, Emma Skrabei; the Diversity and Inclusion Award, Kate Evans; the Emerging Leader Award, Jessica Bramwell; the Innovation in Construction Industry Award, Jessica Stewart; and Mentor of the Year, Jenny Edwards.

Congratulations to the 2022 award winners. I look forward to seeing what impact all the women over the past two years and previous years will have, moving forward, on our ACT construction industry. Even in 2022, female participation in the construction industry can be a lot higher. It is currently around 13 per cent, but we could do a lot

better. Construction is a large industry and quite a large sector, and it quite literally lays the foundations of our society. By including more women and supporting them in the construction industry, we can help to identify and break down barriers that women face in the industry. In recognising and celebrating these women through the NAWIC Awards, we can help to showcase these women and encourage other women to get involved with the industry by showing how well many women are doing in the industry.

So a big thank you to NAWIC ACT, its members, supporters, sponsors and committee members, who help make all of this possible. Thank you for your organising work of the awards night. It does not happen on its own; it takes a huge effort to make this occur. I really look forward to seeing the continuing influence of the award winners, the finalists and anyone who was nominated on our ACT construction industry.

Canberra—cost of living

MR PARTON (Brindabella) (5.43): I want to rise and respond to comments made by Mr Rattenbury in the debate on Ms Lee's cost of living motion earlier in the day. Mr Rattenbury stood in this chamber earlier in the day and gave a self-congratulatory, virtuous fairyland speech about poverty, rental unaffordability and cost of living, and how everything was somebody else's fault. Mr Rattenbury suggested that somehow our cost of living woes in the ACT were the fault of the Canberra Liberals—that it is us, apparently; we are responsible.

I want to focus my remarks on the mischaracterisations that Mr Rattenbury made about my contributions in the ongoing debate about residential tenancy changes. As Mr Rattenbury tends to do, he sought to play this class war to further ignite any divide that existed between tenants and landlords. To Mr Rattenbury, I would characterise this as throwing tofu to your progressive votes. But it is just baseless, ideological drivel. Mr Rattenbury suggested that I and my party were backing landlords, to the detriment of tenants, and that somehow we were the flies in the ointment. Somehow it gets down to the Canberra Liberals and the speeches that we make in this chamber as to where we are all going wrong.

The national rental affordability index has clearly stated that the ACT has the worst rental affordability in the nation. This report said that students, pensioners and single parents are among the hardest hit groups, forced to sacrifice up to 70 per cent of their income to afford rent. Everything that I have said would occur in this space is happening before our eyes. We said that this would happen.

Mr Rattenbury asserts that we are backing landlords. What we are backing is sensible policy, with a view to the unintended consequences of the ideologically driven class policy which has been unleashed on us by this Greens minister. Mr Rattenbury has single-handedly trashed the private rental market. Mr Rattenbury and the Labor Party have been in power for 20 years plus, and everything that is happening here has been caused by them—although it is the Greens, in particular, who have set about trashing the entire rental market. I might say that there are those in the space who believe that the Greens have wilfully set about trashing the entire market because of some progressive fantasy. The results of your work are clearly on display in the Shelter rental report out today.

One of the other big drivers of rental unaffordability has been the skyrocketing rates under Mr Barr, who has to pay for the tram somehow. I was tagged in a LinkedIn post earlier today from an investor who posted a picture of a modest suburban house. He said: “Why the ACT has the worst rental affordability in the country, and here is the perfect example. This house”—a very modest house—“was rented for \$600 per week. The ACT government collected \$307 a week in land tax and the real estate agent’s management fee is \$45 per week. So the wealthy landlord received \$248 per week.”

Rental unaffordability and this cost of living crisis have been created entirely by the Labor-Greens government. If you had listened to many of the ideas that have been brought forward by this side of the chamber, it is possible we would not be in the position that we are in today—because whatever you are doing is not working.

So my message to Mr Rattenbury would be: don’t you dare come into this chamber and suggest that particularly rental affordability is on us, because it is not; it is on you. You have had 20 years at the wheel. You have been the skippers at the wheel for 20 years, and the Canberra Liberals have been bound and gagged and held hostage below deck—and somehow it is us! You have had 20 years of steering the *Titanic* and you have charted a course straight for the iceberg.

Valedictory

MR PETTERSSON (Yerrabi) (5.47): Another year nearly done and dusted. Like every year, I would like to end with some thankyou. I say to the good people of Yerrabi: thank you for your support throughout the year. It is an immense honour to serve you in this place, and I look forward to working hard for you next year, as I do every year.

To the wonderful rank and file members of ACT Labor and the mighty ACT trade union movement, I say: thank you for your hard work and support. You are the true believers. It has been a good year to be a Labor supporter. Hopefully, in 2023 we will have further reason to celebrate.

To all of the staff across the Assembly, I say: thank you—attendants, chamber support, cleaners, business support, committee secretariat, IT and broadcasting, Hansard, the library and the education office. The list goes on and on. You are all vital to the functioning of our democracy and parliament. I want to put on the record my gratitude for your service. There is probably a joke to be made about Work Safe here, but I will not be the one to do it.

To the staff in my office, Jasmine, Flynn, Samantha and Connor, I say: thank you. You each make it such a delight to come into the office each and every day. Jasmine and Connor have joined me this year, and they have both been a wonderful addition to the team. For both of them, this is their first political job. There is a daunting and steep learning curve, stepping into a staffing role, but I hope they have enjoyed the challenge as much as I have enjoyed helping them on their political journey.

Bringing new people into the team is often necessitated by someone leaving the team. This year I had Abby leave my office. Abby is, of course, like all of my staff, very

smart, with a bright future ahead of her. I am excited to watch the many exciting things that I know she will do in her career. Minister Gentleman seemingly had similar thoughts, which is why he thought it would be a good idea to poach her, which is why you can find her on level 2 these days. Abby, thank you for all of the hard work over many years.

To my Assembly colleagues of all parties, I say: thank you for another year. Whether it be in caucus meetings, committee meetings, debates in the chamber or making chitchat at community events, I have enjoyed many opportunities this year to better get to know each and every one of you.

I will look fondly on 2022. The last two or so years in this place have been dominated by COVID concerns. I remember, like everyone else, the very jarring experience of March 2020, with my calendar filled with events and instead suddenly sitting around at home with a steady flow of Zoom meetings. It has been such a pleasure, throughout this year, that the events have returned. My calendar has finally started to resemble the calendar of pre-COVID times, and it feels really good.

This year has been a fun one in terms of public policy as well. I had a bit of fun talking about the idea of landlord references, I argued for sick pay for casuals, and I turned our attention back to embedded networks that have been ripping off Canberrans. The crowning moment, of course, was the passage of the Drugs of Dependence (Personal Use) Amendment Bill. It was a long and slow process over several years, but it finally came to pass. I have got my work set out for me to top this year, but I will do my best next year.

Over the summer months my team and I will be taking a much-needed break. I hope that each and every one of you will have a chance to rest and also celebrate the festive season with your loved ones.

Valedictory

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) (5.50): I want to say a few thank-yous as well, as we head towards the end of the year, after what have been a challenging couple of years not only in our school communities but across our city.

I want to start tonight by thanking all of our school principals, teachers, school staff, P&C and councils, as well as our school cleaners and building service officers. For many of our schools, this year has been another challenging one, with some schools needing to move to remote education temporarily, exacerbating the workforce and workplace issues that are already being experienced. I want to thank you all again, and the students and families across the ACT. I know how hard you are all working, including me. We have the welfare of our children at the front and centre of our minds.

Domestic, family and sexual violence is an ongoing issue which, despite all of our efforts, continues, and too many people have had their lives turned upside down as a result. I want to acknowledge all of the support services who work day and night to

give people a safe place and a support system. I know that the last three years have presented challenges and complexities that we have never known before, and I want to thank all of these services for their ongoing work.

I want to turn now to sport and recreation. I acknowledge the work of Transport Canberra and City Services, as well as the sport and rec team. This year, in addition to COVID, there has been an inundation of wet weather and it has made it really difficult to keep our sports fields open, to keep our sports teams fit and active throughout the year, and particularly during this La Niña event. I want to thank them all, because they have continued to engage with our sports communities. Our sports communities have acknowledged that this has been a difficult time for them to be able to complete their work and keep the fields open. Nonetheless, to all of our sports communities and the teams at TCCS and sport and rec, thank you all for keeping our Canberra community active and moving.

The work by the CSD team and Housing ACT, and their continued passion and care for people who live in housing or are seeking housing, has continued, despite what appear to have been some never-ending barriers which have been really difficult to chip away at, while continuing with this long tail of COVID. I want to thank all of them for all of the work that they do for Canberrans needing support. I know that they will continue to do that, as they have been over the last couple of years.

I particularly want to acknowledge, thank and congratulate the team at the SLA on the opening of the Whitlam display village. Whitlam is the first suburb that the Suburban Land Agency has had full planning and control over since becoming the Suburban Land Agency. I know that the display village was a significant milestone for all of the team. I look forward to working with them to build great suburbs where people want to live. I also acknowledge the team at Ginninderry for their continued community work.

I want to thank all of my advisory councils, the MACW and the YAC. Connor, I still owe you a drive, to get your driving hours up. I have thoroughly enjoyed all of our conversations and the advice from both of my ministerial advisory councils.

I want to thank everybody in this place, in the Assembly. Again, a big thankyou goes to the cleaners. It has been a real delight to chat with them throughout the day, as they keep our offices clean. Thank you to the attendants for replacing my pass, again. I will do my very best not to lose it in 2023. Let's see how long I can keep hold of it. I want also to acknowledge my children, my dogs, my family, my chickens and my friends, who keep me on a level playing field and keep me sane when I am not doing this busy work. Finally, I acknowledge everybody in this place, and you, Madam Speaker, and all of the officers in the Legislative Assembly team. I wish you all a safe and happy festive season.

I do need to acknowledge my own team, Team Berry, all of the department liaison officers and all of the staff in our directorates that work with us. I thank you all again for your tireless work, particularly Amber and Brooke, for keeping my diary in some kind of order. I want to thank Yersheena for helping us out in my office. It has been great fun. I want to thank Yersheena for her time with us.

My electorate of Ginninderra, west Belconnen, is, of course, the best place in Canberra to live, and I cannot wait to continue working with everybody to make it even better.

Planning—community consultation

MR CAIN (Ginninderra) (5.56): As the shadow minister for planning and land management, I speak regularly about planning issues in my electorate of Ginninderra and around the ACT. Canberra, the bush capital, is the capital of this wonderful country and deserves the very best planning and services. As we are all aware, the government's planning system review and reform project continues to forge ahead. I have had the privilege of engaging with Canberra's community councils, other interest groups and individuals to hear their concerns and their voices on the future of planning in the ACT.

Over the last couple of months I have attended many meetings and hosted representatives in my office from various community councils and representative groups on the Planning Bill, the draft district strategies and the draft new Territory Plan. I want to acknowledge those who have reached out to me. I thank Bill Gemmell, Michelle Bourdet and Nicola Swann from the Weston Creek Community Council, Marea Fatseas, Anne Forrest and David Denham from the Inner South Canberra Community Council, and Fiona MacGregor from the Oaks Estate Residents Association. With respect to my own Belconnen Community Council, I say well done to Lachlan Butler and the recently retired and long-serving chair, Glen Hyde, for hosting a planning forum at the last meeting.

I want to acknowledge the work of the other community chairs and their support officers. They are all talking about planning at the moment. Well done to Henley Samuel on rising to the chair of the Gungahlin Community Council, and I say thank you to Peter Elford for his longstanding tenure in that role. I thank the North Canberra Community Council and Joachim Zeil; the Woden Valley Community Council and Fiona Carrick; the Molonglo Valley Community Forum, with Ryan Hemsley and Monique Brouwer; and the Tuggeranong Community Council, with Glenys Patulny and Jeffrey Bollard. Jeff has recently stood down from a longstanding role as chair.

It has been good to hear from a number of interest groups and professional associations, including the Master Builders Association. I thank the CEO, Michael Hopkins, for being a very active advocate for his members. With Greater Canberra, it was a pleasure to hear their perspective. Matt Bowes and Eben Leifer met with me just a few weeks ago. I also want to thank and congratulate Helen Oakey, from the Conservation Council, who recently moved to Victoria. I had a briefing with her just prior to her departure, and I look forward to hearing from the new CEO, Elle Lawless, early next year regarding their thoughts on planning in the territory.

I want to thank the department for a briefing in early October, as per normal procedure, on the Planning Bill. It was great to attend the Planning Institute of Australia ACT division awards recently. I thank Darren Crombie and CEO David Williams for extending that invitation. Of course, they are interested in planning in the territory. It has been great to meet virtually with my Liberal Party colleague and New

South Wales planning minister, the Hon Anthony Roberts MP, to discuss planning across the border and lessons we can learn for Canberra.

The Canberra Liberals believe in the importance of an efficient, innovative, respectful and purposeful planning system in the ACT that enhances this wonderful bush capital, this city of Canberra. It is my hope that Australians are proud that this city is their capital, and that Canberrans are even prouder that they live here. Getting planning right is important and essential in that regard. I am grateful for the input I have received from community councils, planning professionals and interested constituents. I remain available to hear their concerns and note their submissions.

Question resolved in the affirmative.

The Assembly adjourned at 6.00 pm.