



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

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8 February 2023

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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.

Australia Day—honours 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) (10.01): Canberra has many generous, passionate and innovative individuals who work tirelessly to make our community better and the future of our city brighter. They do not work for the recognition, but they certainly deserve it.

One way we recognise these special people is through the Australian honours and awards system. I am pleased to take this moment this morning to celebrate the 98 ACT residents who were recognised in the Australia Day 2023 Honours List. I would like to make a special mention of distinguished Canberrans relating to my portfolio areas of arts, business, human rights and multicultural affairs.

Dr Michelle Potter was appointed a Member of the Order of Australia for significant service to the performing arts in a range of roles. She has made an outstanding contribution to dance in Canberra, nationally and internationally.

Jeanette Brown has been an active and steadfast member of the Canberra Repertory Society. For her decades long involvement and service to the performing arts, she has been awarded a Medal of the Order of Australia.

Deborah Masling received a Medal of the Order of Australia for service to secondary music education. Mrs Masling founded the School Band Program and was integral to establishing the Lyneham Performing Arts Centre at Lyneham High School in 2010. Her vision and her passion for music education extends far beyond the students she has taught at Lyneham High as the band program has become a model for other schools.

Geoff Page was awarded a Medal of the Order of Australia for his service to literature as a poet. Mr Page is a prolific poet, novelist, editor and biographer. He is passionate

about sharing art and has been organising monthly poetry readings since 1994 and jazz performances since 2003 at Smith's Alternative, University House and the former God's Cafe at the ANU.

I also want to recognise Katrina Fanning, who was awarded an Order of Australia for distinguished service to the Indigenous community through education and health initiatives, and to sport. However, her service goes far beyond that as co-owner and director of Coolamon Advisers, which delivers Badji. Badji is the ACT government's Aboriginal and Torres Strait Islander business support program and, under Ms Fanning's leadership, is promoting First Nations self-determination and economic independence.

We also recently recognised our ACT Australian of the Year award winners and national finalists. In the business space, Olympia Yarger received the 2023 ACT Australian of the Year. Ms Yarger is the founder of Goterra and has pioneered insect breeding mixed with robot technology to manage waste processing. Her technology recovers the value from what would otherwise be waste and landfill.

In arts, Kofi Owusu-Ansah, better known under his stage name Genesis Owusu, received the 2023 ACT Young Australian of the Year Award. A Ghanaian-Australian poet, songwriter and rapper, he uses hip-hop music to highlight issues such as racism and depression. His music resonates with local and international audiences, with two songs charting in the most recent Triple J's Hottest 100.

In multicultural affairs, Dr Shamaruh Mirza was recognised as the 2023 ACT Local Hero for her work as co-founder of SiTara's Story. Dr Mirza—or Sharma, as she is known to many of us—is originally from Bangladesh and, through her volunteer work with culturally and linguistically diverse groups, she encountered many women dealing with depression. SiTara's Story offers a safe space where women can discuss hard topics without stigma, form support networks and participate in a range of activities to empower themselves.

Finally, it gives me great joy to congratulate Professor Tom Calma, who co-led the co-design of the Voice to Parliament, for being named the national 2023 Senior Australian of the Year. He has championed the rights of Aboriginal and Torres Strait Islander people for over 45 years and is one of Australia's most respected human rights and social justice campaigners. In those 45 years, he has achieved a great deal as Chancellor of the University of Canberra, through the Closing the Gap Campaign, and in the National Congress of Australia's First Peoples, to name just a few roles.

There simply is not enough time to convey the full contribution that these impressive Canberrans have made, and continue to make, to our community. But it is important that we take this time to recognise them. On behalf of the ACT government, I thank and congratulate all of our award winners and honours recipients. The ACT would not be the same without them.

I present the following paper:

Australia Day awards and honours—Canberra recipients—Ministerial statement,
7 February 2023.

I move:

That the Assembly take note of the paper.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.07): I would like to take this opportunity to similarly acknowledge the Australia Day Honours and Award winners in my own portfolio areas.

For the second year in a row, the Senior Australian of the Year is a Canberran. Professor Tom Calma, a proud Kungarakan Elder, has spent more than 45 years fighting for the rights and welfare of Aboriginal and Torres Strait Islander peoples. Professor Calma is now playing a key role in the yes campaign for a Voice to Parliament. Tom is an inspirational justice activist. He is also humble and engaging and someone I always enjoy catching up with.

Ms Katrina Fanning has been appointed an Officer of the Order of Australia, as Ms Cheyne has mentioned. A proud Wiradjuri woman, Katrina is a passionate advocate to improve the health and educational outcomes of Aboriginal and Torres Strait Islander people. She is known to so many people in Canberra for her different roles, from senior public servant to consultant, to former chair of the Elected Body, to Canberra Raiders board member and driver of women's sport at all levels, especially rugby league.

Ms Glenys Beauchamp received the same award for her distinguished public service career, particularly for her contribution to health reform, public administration and industry and science policy.

Ms Sarah McGoram was similarly honoured for her passionate advocacy to improve outcomes for healthcare consumers, particularly people suffering from rare cancers.

Ms Kerry Griffin was awarded a Medal of the Order of Australia for her exceptional work as a consumer advocate to improve outcomes for people with breast cancer.

Five Canberrans were awarded a Member of the Order of Australia for health related service. Dr Trina Gregory received the honour for her contribution to general practice medicine. Dr Gregory is a distinguished GP with special interest in HIV medicine, eHealth, transgender health and serving marginalised and disadvantaged people. Dr David Templeman received the honour for service in leadership positions across a range of community health organisations including Karralika programs, Fearless, PTSD ANZ and the Public Health Association of Australia.

Dr Sonya Bennett received the honour for her distinguished career in public health, including most recent as Deputy Chief Medical Officer of Australia. Ms Lucinda Barry received recognition for her service to public health policy as a public servant, ministerial adviser and currently CEO of the Australian Organ and Tissue Donation and Transplantation Authority. Finally, Dr Michael Tedeschi received the honour for his service to addiction medicine. Dr Tedeschi has been a physician in the ACT Drug and Alcohol Service since 1993 and a lecturer at the ANU Medical School since 2004.

He has cared for countless patients and has given generations of physicians the skills to better treat their own patients. It was also wonderful to hear him discussing on radio that he had chosen Canberra first and then found his career path.

I am proud to say that ACT Health Directorate and Canberra Health Services officials have together received 10 public service medals for their work responding to COVID-19.

In Canberra Health Services, Ms Jessie Holberton, was recognised for her work as the Clinical Nurse Consultant for the ACT COVID 19 Vaccination Program. Ms Holberton was instrumental in the running of our vaccination clinics.

Ms Catherine Wakefield was also honoured for her contribution to the ACT's COVID-19 Vaccination Program. Her work was crucial to setting up each of the government's vaccination clinics, including the Access and Sensory Program, which was in December recognised with the Chief Minister's Inclusion Award.

Dr Ian Marr was recognised for his leadership in the ACT's COVID Care at Home Program. Dr Marr's team ensured that COVID patients in the ACT can access the care they need.

Mr Andrew Murphy was recognised for going above and beyond to ensure our health services have the supplies they need. He has worked tirelessly behind the scenes, sourcing everything from PPE and RATs to medical imaging dyes for CT scans.

Ms Kathy O'Neil was recognised for her outstanding contribution to the territory-wide clinical response to COVID-19. She coordinated the clinical services for patients requiring testing, vaccination and hospitalisation and led the deployment of clinical teams responding to outbreaks in high-risk settings.

From the ACT Health Directorate, Dr Sally Singleton was recognised for her contribution to the COVID-19 Outbreak Team. Her leadership and expert advice were vital to the safe functioning of the aged-care, disability, education and corrections sectors.

Toby Keene was awarded for overseeing the ACTs Quarantine Program. He was instrumental in allowing people to safely return from overseas, coordinating a response to public housing outbreaks and developing a wellbeing support for people in quarantine.

Dr Anne Jenkins was recognised for developing and modelling the requirements for COVID-19 vaccine supply and demand in the ACT. Her work has been essential to the success of the government's vaccination program.

Dr Kerry Coleman and Dr Vanessa Johnston were rightly honoured for their monumental contribution to public health in the ACT. Their leadership throughout the pandemic was nothing short of outstanding. Their expert advice, incredible resilience and their compassion and dedication to the Canberra community have been invaluable to me, to the government and to the people of the ACT.

Last, but certainly not least, Ms Vanessa Dal Molin was honoured for her outstanding service to the development of the ACT's public health social measures, the Step Up and Step Down responses to changing COVID 19 risk levels and the implementation of Check In CBR. I also want to recognise Vanessa on a personal level for her patience with me and my office as we worked through some incredibly challenging decisions and the detail of how to give them effect. She truly was the glue that kept the whole show together, and this recognition is incredibly well deserved.

This year's awards demonstrate that Canberra has a strong tradition of community service. I wish to express my thanks, admiration and congratulations to all of this year's award recipients.

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) (10.13): One of the things I have always loved about January is looking through the list of honours recipients and seeing so many names I recognise from our vibrant and talented community.

This year, it is particularly wonderful to see Professor Tom Calma recognised as 2023 Senior Australian of the Year. The list of achievements over his long career covers an amazing diversity of social justice issues, public service and academic sector work, and the vital work of reconciliation. His work at a national level on justice reinvestment, recognising the social determinants of pathways into the justice system, is exactly where we need to be focusing our efforts here in the ACT if we are to achieve our goals of reducing the overrepresentation of Aboriginal and Torres Strait Islander people in our prisons.

I note that Magistrate Robert Cook, who developed the Warrumbul circle sentencing court, was also nominated for ACT Senior Australian of the Year. This focus on how we can better support our young people, especially Aboriginal and Torres Strait Islander young ones, to live healthy and happy lives is particularly important as our Canberra community addresses issues such as raising the minimum age of criminal responsibility.

Among the nominees for 2023 ACT Young Australian of the Year were two young women doing great work to empower and protect girls and young women. Hilary Swann founded a wellbeing program to empower and build confidence in Year 10 girls at Caroline Chisholm High School, and Camille Schloeffel developed a Safe Response Toolkit, with support from a YWCA Canberra grant, to support people in the aftermath of sexual violence.

All the nominees for 2023 ACT Senior Australian of the Year were impressive, community-focused individuals. Brian Triglone founded Alchemy Chorus, bringing the joy of singing to older people with dementia, and our beloved Mohammed Ali founded and champions Helping ACT, putting food on the table with the support of a growing group of volunteers keen to share with fellow Canberrans in need of a little extra help.

We also saw a number of other food relief services nominated in the 2023 ACT Local Hero category. Nazmul Hasan is a local community leader in my electorate of

Murrumbidgee and in August 2021 he started a local support service providing food and other necessities to people in need.

The Local Hero category also saw the nomination of Carol Mead, who I worked with on the Pearce Community Centre committee a few years ago, in recognition of her work supporting community sector organisations in Canberra.

I am particularly delighted that our 2023 ACT Local Hero is Dr Shamaruh Mirza, founder of SiTara's Story, supporting women from our multicultural community to better understand mental health and empower women and girls.

Our 2023 ACT Australian of the Year, Olympia Yarger, does amazing work in developing insect farming here in the ACT. Olympia is in great company, with other nominees including Heidi Yates, our committed and caring Victims of Crime Commissioner, and Mikaela Jade, super talented CEO at indigital, creating augmented reality apps that develop digital skills and preserve the language and culture of Aboriginal and Torres Strait Islander communities. Every day I look at the artwork she created with Kakadu elders for one of her first storytelling apps on the wall in my office. Mik, you inspire me to keep on learning.

Our Canberra community has so many talented scientists. Bryce Cronin was a nominee for the 2023 ACT Young Australian of the Year as the founder of a start-up, printing 3D assistive technology devices for people with disability. And Professor Matthew Colless has been recognised with an AC for his service to scientific research, particularly to astronomy and astrophysics.

It is always great to see people you have worked with recognised for their skills, including Rear Admiral Nigel Perry, who was recognised with an AM. I am grateful to him for taking a chance on bringing me in to his Command a bit over 20 years ago and for the example he set in good leadership.

Seeing Katrina Fanning recognised with an AO for her service to sport and to Canberra's Aboriginal and Torres Strait Islander community through her work in education and health, makes me so happy as a Canberran and is another wonderful example of what great leadership looks like.

To every Canberran who received an honour, congratulations on your achievements and thank you for your service to our community. To everyone who nominated someone they know for an honour or award, thank you for helping us all to better appreciate the people who work so hard to make our world a better place, in ways both big and small.

Question resolved in the affirmative.

Public commemoration—public place names—update Ministerial statement

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) (10.18): On 1 December 2022, I presented the ACT government's response to report 5 of the Standing Committee on Economy and Gender and Economic Equality, *Inquiry into the memorialisation through public commemoration*.

The ACT government agreed to recommendations 2 and 9 and agreed in principle to recommendation 1 of the committee report, and I am pleased to provide an update today. The committee recommended updates be provided to the ACT Legislative Assembly by the first sitting week in 2023 on a couple of matters. These include: the names suggested for future commemoration as place names after consultation with key stakeholders; the implementation of recommendations arising from the 2019 ACT Place Names Committee and Guidelines Review; and the commissioning of future public artwork.

The Minister for the Arts will respond to recommendation 9: to report on the commissioning of future public artwork commemorating women, LGBTIQ+ people, and Aboriginal and Torres Strait Islander peoples. I will respond to recommendation 2 by reporting on the implementation of the recommendations arising from the ACT Place Names Committee and Guidelines Review, which I tabled on 6 June 2019.

Further to the above, I will also provide a general response to recommendation 1 and provide an overview of the names suggested for future commemoration as place names following consultation with key stakeholders.

On 11 February 2021, I approved a range of actions to implement the recommendations of the 2019 review report and to legislate my decision to rename William Slim Drive as an extension of Gundaroo Drive. The new policies and processes I introduced included: the Public Place Names (Naming of Public Places) Guidelines, which provide for consideration to be given to the place names that is reflective of diverse cultural situations and cognisant of community sensitivities; the revised guidelines further provide for community input and feedback in the place naming process. I also introduced: the ACT Place Names Renaming Policy 2021, which provides guidance on how renaming issues are investigated and how a submission to rename a place is assessed; and the revised terms of reference for the ACT Place Names Committee—to reinforce the advisory nature of the committee and its role in decision making, the process for appointing the chair and co-chairs, and provisions for the membership to reflect diversity of age, experience and identity, including a requirement for a young person under 30 years of age.

Finally, I supported the development of an online web portal to provide improved opportunities for community input, including a new “proposal for commemoration” form. Last year the web portal provided for YourSay community consultation on place naming opportunities in Campbell and Kingston. I am looking forward to announcing the decisions about the new names in the coming months.

I would like to acknowledge the excellent community work done by my colleague, Rachel Stephen-Smith, as the member for Kurrajong, in the naming of these community spaces in her electorate. The YourSay community consultation was also done on the co-naming of Spence. This is an excellent initiative, and I hope to see much more work done in co-naming in the future.

In regard to recommendation 1 in the inquiry report, I am pleased to report that consultation is progressing with families and other key stakeholders to support the future commemoration of six Aboriginal and/or Torres Strait Islander peoples, and at least eleven local people, through new place names across the suburbs of Jacka, Macnamara and Whitlam. I will report the details of the personal names to the Assembly once respectful and culturally sensitive consultation with each family is complete and the naming determinations have been finalised.

Today I am pleased to report on road names recently approved in the suburbs of Denman Prospect and Whitlam. The names in Denman Prospect commemorate people associated with activism and reform, including advocacy for LGBTIQ+ communities and people living with a disability, and advocates for electoral, health and legal reform. The naming determination includes activists: Mr Lex Watson AM and Ms Stella Young. It also includes three local people: Ms Manoa Renwick; Mr Boguslaw, or Bogey, Musidlak; and Mrs Bruna Romano.

The new road names in Whitlam honour people for their important contribution to Australian cultural life, and they include the names of four Aboriginal people from the Tiwi Islands in the Northern Territory: Mr Declan Apuatimi Senior, Mrs Jean Baptiste Apuatimi, Mr Raphael Apuatimi OAM and Ms Maria Josette Orsto.

I am committed to promoting equality and diversity in the people commemorated through the naming of public places in the ACT. I encourage the community, and members of this Assembly to nominate names to the ACT Place Names Advisory Committee for its consideration.

I present the following paper:

ACT Place Names Committee and guidelines review—Implementation update—
Ministerial statement, 8 February 2023.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Roads—maintenance—update Ministerial statement

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (10.24): I am pleased to provide you with an update on the ACT government's strategic road maintenance and renewal program and to respond to the Assembly resolution of 12 October 2022.

On 7 December 2022, I was pleased to announce that the ACT government will significantly increase road maintenance funding to \$153 million over the next four years in a new strategic maintenance program to repair and preserve Canberra's roads for a generation. The new strategic maintenance and renewal program provides a record level of funding increase for better, safer and smoother roads. Increased

investment in our annual road maintenance program will now see resurfacing of the network grow by 268,000 square metres a year to cover an area of over 1.26 million square metres resurfaced per year going forward, concentrating on arterial and collector roads. Our new road maintenance program represents a 52 per cent increase in expenditure on road maintenance to deliver the good road conditions that Canberra drivers expect.

This work did not begin in December, or October when the resolution was passed. The program has been developed over a period of years in partnership with the Australian Road Research Board, ARRB, to create innovative methods of road maintenance driven by science and economics to improve road safety, support freight movements and improve the liveability of our city.

In fact, the ACT government has been working with ARRB for over a decade to develop evidence-based approaches to how ACT roads are maintained. As recognised by ARRB CEO Michael Caltabiano, who was interviewed on radio 2CC, the new program is a fundamental rehabilitation to a new standard. Mr Caltabiano identified the new strategic maintenance program as a fundamental step change:

It is a much more holistic view of how roads perform within the ACT, and it is a leading light for how other jurisdictions right across Australia should be considering their maintenance of their road systems.

The latest holistic assessment undertaken by the ARRB over the past two years went beyond looking at traditional asset management practices and included an economic appraisal to develop the new standard.

The benefits of the ACT's new strategic road maintenance program are significant. ARRB has calculated that the marginal benefit-cost ratio for the new strategic road maintenance program is 24—that is, for every dollar invested in the program, \$24 worth of benefits are expected. For context on how significant this benefit-cost ratio is for Canberrans, the Australian government's black spot road safety program will only fund projects with a benefit-cost ratio of at least two; our program achieves a benefit-cost ratio 12 times higher than this. The benefit of the additional investment over a 20-year period has been identified by ARRB as providing a total transport cost saving of around \$2.4 billion for the additional road agency spend.

The optimum economic standard is obtained when total transport costs are minimised. The additional investment for our roads is far outweighed by a predicted reduction in road user costs, which includes reducing vehicle operating and maintenance costs—for example, fuel, tyres and spare parts. This will be achieved by maintaining better, safer, smoother roads within the ACT. The key beneficiary will be Canberra's road users. ARRB has calculated that the marginal benefit-cost ratio for the new strategic road maintenance program will deliver those benefits, and that includes those benefits for road users. Better, safer, smoother and quieter roads in the ACT will reduce costs for those road users.

ARRB's holistic assessment did not just look at cost implications of road maintenance for the government. It also looked at the actual function and purpose of the ACT's roads—that is, to provide a safe and smooth road surface for road users, including

cyclists, drivers, public transport passengers and freight. The additional investment in our roads is far outweighed by a predicted reduction in road user costs, which includes vehicle operating and maintenance costs, because smoother, safer roads means greater vehicle and fuel efficiency, reducing how much Canberra drivers will need to pay for fuel or vehicle maintenance. The program will also have an environmental benefit, as reduced fuel consumption means fewer emissions being released into the atmosphere. The key beneficiary of this program is Canberra's road users, including cyclists, drivers, public transport passengers, and freight drivers. It may come as no surprise that road maintenance has been identified as the standout highest priority service when compared to other municipal services provided by Transport Canberra and City Services, and the government has responded accordingly.

This program is not just about providing additional funding; it is about providing the right amount of funding using innovative and sustainable road surfacing practices to deliver high quality roads now, in the short term, and in the long term. ARRB has undertaken a significant volume of work to determine how the quality of the ACT's road network would change over time in response to different funding profiles and resurfacing treatments. Research considered the levels of rutting, cracking and other forms of deterioration based on low, medium and high-cost options, and the resulting costs to both the ACT government and the community.

As our city grows, it is imperative we act to ensure the ACT's good road network is maintained now and into the future. The government has chosen the highest cost and highest quality option based on ARRB's research. This option includes providing a high level of asphaltting works and ensuring that over time the quality of Canberra's roads is not only maintained but improved. This option will deliver a noticeable improvement to our roads that Canberrans in the community are already starting to see.

The rate of road resealing will significantly increase, and there will be a massive increase in asphaltting of up to 150 per cent. Asphaltting is a high quality, high strength road surfacing option, which can often deliver up to 30 years of useable service. An increase in asphalt works provides an additional opportunity to embed recycled content, supporting our transition towards a circular economy. An increased preventative approach for the rate of road resealing and asphalt works will reduce the prevalence of cracking that allows the formation of potholes through water ingress.

Madam Speaker, as you would be aware, the 2022-2023 annual road resurfacing program is already well underway. Roads across Canberra are being resurfaced, including: Belconnen Way, the Barton Highway and Gungahlin Drive in the north; and Hindmarsh Drive, Cotter Road and Drakeford Drive in the south. In recent weeks, crews completed major resurfacing of Parkes Way, which is already delivering a better surface for drivers. Additional details of road resurfacing planned or underway across Canberra are available on the city services website.

This new program is about ensuring that we are delivering the strategic infrastructure and investment our city will need into the future as it continues to grow and mature. We are focused on the Canberra of tomorrow and the long-term future and liveability of our city. Whether it is delivering the public transport that our future city needs,

with light rail and zero emission buses, or delivering the health infrastructure, with significant investments in the Canberra Hospital expansion and planning for a new northside hospital—only Labor can deliver those benefits as well as the investments we are making in road maintenance.

In conclusion, the new strategic road maintenance and renewal program provides a record funding increase for better, safer and smoother ACT roads. It is based on expert evidence developed over many years, which has identified the right amount of funding and the appropriate treatments to deliver high quality roads, both now and in the long term. It bolsters our investment in the sustainability of our road network by increasing preventative maintenance to keep up with a growing network. Three years of La Nina weather patterns have taken a toll, but these measures will accelerate the repair of recent damage and, more importantly, take a strategic, evidence-based and long-term approach so that Canberrans have safe and smooth roads in the years and decades to come.

I present a copy of the statement.

Road Maintenance—Assembly Resolution of 12 October 2022—Government Response—Ministerial statement, 8 February 2023.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Homelessness—commissioning process

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) (10.33): I rise today to update the Assembly on the status of the Community Services Directorate’s homelessness Commissioning process. Everyone should have a home, but, because housing is treated as a vehicle for wealth generation rather than a social good, homelessness occurs. When homelessness occurs, the ACT government wants it to be rare, brief and non-recurring.

In working towards this goal, for the last two years, the ACT government has been working with people working in the homelessness sector to modernise it. Together, we are preparing for future challenges as our population increases. We are deepening our understanding of what people and our services need to realise their full potential and achieve positive life outcomes. We are designing services to ensure this happens.

The ACT government has explored a new way of working with the ACT homelessness sector, which I will refer to as “the sector”, and with people with a lived experience of homelessness and other key stakeholders to plan for future homelessness service delivery and contractual arrangements. This new way of working is called commissioning.

Commissioning is a renewed process that strategically identifies engagement processes for the designing, funding, and delivering of a fit-for-purpose human services system within the ACT. It is a methodology that ensures our system, and our services and programs within it, are meeting the needs of our community. Commissioning is being delivered in a phased approach. The phases contained in the commissioning cycle encompass the ideas of discovering, strategising, designing, investing, delivering and integrating, and, finally, evaluating.

To date, for the homelessness sector, our journey has progressed through the first three phases of the commissioning process around discovering, strategising and designing. From January to June last year, we engaged extensively with the sector, service users and government officials. Through this process, we held 19 workshops with participation from over 200 participants that included government officers—the frontline staff, policy officers, and managers—and frontline staff from community organisations. We held 21 discussions with service users with lived experience of homelessness and held five deep-dive discussions, which focused on older women, men, people with diverse sexuality and/or gender identity, people with disability, youth and children.

Minister Berry and I highlighted the achievements of this work last year by releasing the ACT's strategic investment plan for the homelessness sector. This investment plan represents the combined work of the ACT government, as well as trusted sector partners and clients. It draws on the findings of the first three phases of commissioning and outlines the government's intention around future investment into the sector. The plan also provides important information about our next phase of the commissioning process—to invest.

Before I talk about the invest phase, I want to acknowledge the quantum of effort to date. I want to thank the homelessness sector for investing its time and its expertise to attend these workshops, and I want to particularly thank the 21 clients with lived experience of homelessness for their expertise, their insight and their time. The value of having lived experienced embedded into the sector just cannot be overstated. Telling us how it felt as you reached out for help at one of the most challenging times of your life—what helped, what was missing and how we can improve—has been central to how we move forward. Each of the listening reports generated from these workshops and deep-dive discussions, together with the final insights report, are available on the CSD commissioning website. Again, I emphasise today that co-design is at the heart of the Strategic Investment Plan and of Commissioning.

I would now like to speak about this next phase that we are moving into in the commissioning cycle—the invest phase. This phase is outlined in the strategic investment plan and informs how future funding and resources, such as head-leased properties, will be allocated to the sector.

The homelessness sector should be able to focus on what it does best, which is providing support to people experiencing homelessness. In the past, traditional procurement processes would have used open tender processes to invest in all homelessness services. This meant all services, regardless of their size, demonstrated experience and history in providing services for people in the local community, had to spend significant time and resources tendering for services we knew we needed here

in the ACT. It was a highly stressful and unsettling time for staff of organisations that had to participate in this process. Further, it created an unnecessarily competitive environment, when we were all working toward the same goal, and it pitted organisation against organisation at a time when we were trying to foster collaboration, innovation and partnership.

Commissioning provides us with a variety of additional ways to contract services. Findings from the commissioning process to date have identified a mix of appropriate investment approaches, including a direct approach, a select tender, an open grant or open tender. These different approaches mean that the sector can focus on the most important work while ensuring that government can demonstrate that public funds are being used in the most effective and useful ways.

We have written to funded services to provide each with a sounding paper outlining the proposed investment approach for their future service delivery. These are, as I have noted: direct approach, select approach, an open grant or open tender. We have also met with funded organisations to discuss the invest approach for currently funded services. Organisations have provided feedback on the information contained within the sounding papers. All feedback on the sounding papers is being considered before finalisation of formal investing approaches is made to funding services.

First funding approaches for the homelessness sector will commence with the release of direct and open grants from March and April 2023. These will remain open for four weeks, with the commencement date for grants set at 1 July 2023. Information on these will be available through respective ACT government tender and grants portals and the Community Service Directorate's Commissioning website.

Commissioning is an iterative process, and we are still working to ensure we are helping to meet people's needs and providing the right support at the right time. There are some key areas where we have collectively identified the need for us to continue the co-design process. Co-design activities we intend to progress from February include looking at clients with high and complex needs—people who might be grappling with a range of needs that have been the trigger for their experience of homelessness, or people who have experienced repeat periods of homelessness. They include looking at the future of OneLink, the central intake system for homelessness services. As we know, a single point for people to access is useful, but we want to ensure it is meeting its vision of making it easy for people to connect with services. Finally, we need to do more to work with Aboriginal and Torres Strait Islander people, with a focus on making clients feel culturally safe when accessing services, and through the development of an Aboriginal community-controlled organisation. For services identified as requiring further co-design work, contracts have been extended while this further consultation and co-design is undertaken, as we progress through Commissioning together for a better future where people can access the help they need when they need it. For the homelessness sector, community partners and clients, new and existing contracts will be in place by 30 June 2023 to ensure that we have a continuity of service.

In closing, there is a lot more work to be done until we have enough housing for all, but I am proud that we are working with the sector to deliver commissioning for the homelessness sector. We cannot ignore the environment which has seen more people

struggling to find a safe and affordable home. This work demonstrates we are working with those on the frontline of support, and those who have lived experience, to find and deliver solutions that support the most vulnerable people in our community to transition into stable, permanent accommodation. This is the beginning of a 10-year commitment with Commissioning enabling the sector and community to tell us what needs to happen to make homelessness in Canberra rare, brief, and non-recurring, and to fund initiatives that will truly address the complexities of homelessness.

I present the following paper:

Homelessness commissioning process update—Ministerial statement, 8 February 2023.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Community sector organisations—funding—government response

Ministerial statement

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.44): I rise to outline the ACT government's response to the *Counting the costs: sustainable funding for the ACT community services sector* report. The Counting the costs report was the result of a partnership between the ACT government, the ACT Council of Social Service and the University of NSW Social Policy Research Centre. I thank ACTCOSS and UNSW for their efforts and collaboration in this work.

The government recognises the critical contribution that our community sector partners make every day to deliver the services Canberrans need. I look forward to continuing our positive partnership with ACTCOSS through our ongoing collaboration to achieve a sustainable community sector. Ensuring our sector partners are sustainable into the future will make a significant contribution to workforce stability, assist in attracting workers to the sector and support investment in professional development, ultimately delivering better services and supports to those who need them most in our community.

The work our community sector partners deliver every day for Canberra makes an important contribution to the wellbeing of eight priority populations identified in the ACT Wellbeing Framework. Building sector sustainability ensures more vulnerable and marginalised people can exercise choice in where they turn to access the services and supports they may need. The government acknowledges the crucial contribution the non-government sector made in support of the ACT's COVID-19 response in particular. The sector was crucial in supporting vulnerable Canberrans through lockdowns and to help our community understand and comply with changing requirements. The health and community support sub-sectors demonstrated agility in rapidly changing service offerings to meet changed need and in standing up new

service responses, such as the Ragusa quarantine facility, at very short notice. The COVID-19 experience is a tangible demonstration of the powerful outcomes that can be achieved when government and our community sector partners truly work in partnership to meet need.

The *Counting the costs* report was comprehensive and so is the government's response. There were six recommendations. The government agrees to one recommendation and agrees in principle to five recommendations. The government also recognises that funding is one element contributing to the broader issue of sector sustainability and that responding only to the recommendations is unlikely to achieve the broader outcome required. This response therefore goes beyond the recommendations to consider the wider issues of what we mean by sector sustainability and the activity required to address it. The response details our commitment to work with the sector, recognising the shared responsibility to ensure we can continue to effectively deliver for our community and the approximately 17,000 people working in the care economy.

It recognises that there are a range of broad policy issues to be considered including the shift to wellbeing budgets and how commissioning will change the way we partner with the non-government sector to enable a broader systemic lens. My colleague Minister Vassarotti just gave a really good overview of how that works in the homelessness sector. The report is positioned within this wider context and seeks to build our collective understanding of how to improve sustainability of the community sector, secure employment for community sector workers and build the relationship between the sector and government.

The community sector in the ACT is diverse, delivering services as broad as environmental and sustainability programs, legal advice, community transport, delivery of animal support services, translation provision, health intervention programs and child, youth and family services, to name just a few. These critical frontline services meet the needs of vulnerable Canberrans escaping domestic violence, facing health and mental health challenges, seeking housing, experiencing food insecurity or being supported through education to employment, among so many other things. This response includes a comprehensive overview of the government's investment in the services provided by non-government organisations.

Through both ongoing funding and one-off grants, the ACT government invests more than \$200 million each year in non-government organisations. Many non-government organisations receive multiple investments from the ACT government to provide a range of services, programs and projects for the Canberra community. We recognise in the response that there are some inconsistencies in the way government invests and interacts with non-government organisations. Particularly how indexation rates are applied to human services funding agreements but also in our practices of contract and relationship management and that these inconsistencies affect sector sustainability.

The ACT government recognises that responsibility for sector sustainability is shared by government and the sector and therefore responsibility for actions that address the report's recommendations and the wider issues of sector sustainability must also be shared. The response outlines how the ACT government will move in stages to a sustainable resourcing and relationship model with the community sector in the ACT.

First, we will invest \$395,000 to partner with the community sector to co-design a sector sustainability program. The program will respond to the issues raised in the report and wider sustainability issues. An 18-month start-up phase for the sector sustainability program will enable this co-design to occur. Second, we have updated the formula to calculate the community sector indexation rate and will apply it across funding for the whole human services sector from the 2023-24 ACT budget. Third, we will develop business cases for future ACT budgets for new sustainable approaches identified by co-designing the sector sustainability program that require additional funding.

Fourth, commissioning of sub-sectors and funding streams is ongoing to identify and address gaps and challenges to meet the needs of people who use those services. Commissioning for outcomes is a journey we are already on and it will be critical to the collective work required to respond to sector sustainability. Some issues will be addressed through commissioning processes, others through ensuring the relationship between government and the sector is one underpinned by trust and collaboration, drawing on the principles of restorative practice and working in partnership to achieve outcomes for Canberrans. Undertaking a commissioning process for the sector sustainability program itself before government determines its overall investment in the program is fully consistent with the shift to commissioning.

The sector sustainability program will have an ACT-government-wide focus and its achievements will be applied consistently across government funding and engagement with the sector. Commissioning of the Sector Sustainability Program will be co-led by a team comprising government and a new funded sector position. This team will work closely together and with both government and sector stakeholders to develop and implement the program. Commissioning of the program will be informed by the recommendations in the report and activities identified in the response I am tabling today. It will provide opportunity to undertake scoping work to understand what might be required to develop pricing tools and resolve inefficiencies with data sharing and reporting through a data ecosystem. It will also identify actions that do not need financial investment but can commence during the start-up phase. Importantly, commissioning of the Sector Sustainability Program will include development of an evaluation framework for the program to enable evidence of impact to be gathered and a final evaluation report developed in 2027.

The ACT government response sets a pathway forward to deliver on our commitments, our shared responsibility to our non-government partners to ensure a sustainable sector in the future because ensuring a sustainable sector ensures that Canberrans can continue to rely on the vital services that make our community the best, most welcoming, most inclusive in Australia.

I present the following papers:

Counting the Costs: Sustainable funding for the ACT community services sector
Report—Government response—

Government response, dated February 2023.

Ministerial statement, 8 February 2023.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

Building—combustible cladding—update 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) (10.53): I am pleased to update the Assembly on the finalisation of the remediation of combustible cladding on ACT government-owned buildings. I would also like to provide an update on the private buildings cladding scheme.

The issue of combustible cladding on government buildings is a concerning issue for most Australian state and territory governments, given the need to ensure these buildings are rectified and are safe for all those who use them. I am pleased to advise the government has now completed works on all ACT government-owned buildings that were identified as requiring remediation. Combustible cladding on these buildings has been replaced with materials defined as compliant under the National Construction Code.

I would like to remind the Assembly briefly of the history of this program. In late 2019 an extensive audit was undertaken of ACT government-owned buildings, which identified 71 had some form of potentially combustible cladding. The audit also found that each of these buildings was safe to continue to occupy. In 2020, a fire engineer was contracted to assess each building to confirm the cladding type, the level of risk posed by the cladding and whether or not remediation was required. These investigations involved a multistage process that identified, reviewed and assessed ACT government-owned buildings, taking into consideration the type of occupant, the use of building, nearby ignition sources and firefighting challenges in the event of a fire.

Of the 71, 23 ACT government-owned buildings were identified as requiring remediation. Like government buildings across Australia, the ACT government-owned buildings are used for a variety of functions. These buildings included four public housing sites, the ACT Magistrates Court, health facilities, a child and family centre, primary schools, high schools and colleges and the National Convention Centre. Based on cost estimates developed through the engineering investigations, \$19 million of funding was allocated to Major Projects Canberra for remediation works related to the 21 buildings, with the Education Directorate undertaking two smaller projects.

Remediation measures varied from building to building. On some buildings the cladding was fully replaced. On other buildings specific sections of cladding was removed to achieve a lower risk rating. For the 21 projects delivered through Major

Projects Canberra the first round of remediation work commenced in April 2021 and was completed by 30 June 2021. The remaining buildings were then completed by December 2022, 20 months since the works began, reflecting a timely and effective remediation process. The remediation works were completed under budget as a saving for ACT residents.

These completed works now ensure all of the 23 government buildings are safer for the community to use, including the 61,000 visitors approximately who visit the National Convention Centre each year; almost 17,000 people who attend sports events and functions at the Gungahlin Enclosed Oval annually; more than 6,000 primary, high school and college students in affected schools and approximately 1,000 visitors to the courts precincts each day the courts are open. These figures do not include the people who work or visit in the buildings in Canberra Hospital.

I am also pleased to advise the combustible cladding that was removed is being recycled and not going into landfill. Not including the two schools remediated by the Education Directorate, it is estimated that just over 11,000 square metres of cladding panels were collected, with 100 per cent of this material being recycled, resulting in more than 62 tonnes of recycled material. The amount of recycled cladding equates to emissions reductions of more than 540 tonnes of carbon dioxide, which represents taking approximately 117 cars off the roads permanently.

The amount of emissions reductions is equivalent to landfill savings of almost 2,700 wheelie bins and water savings of more than two Olympic swimming pools, which is a great benefit for our environment and continues the ACT's commitment to combating climate change. The aluminium from these panels was recycled and used in the production of building products such as window frames, plastic pellets and green ceramics, as well as thermal energy storage blocks.

As noted, I would also like to take the opportunity to update the Assembly on the progress of the Private Buildings Cladding Scheme, a program of financial assistance provided by the government to support the testing, assessment and remediation of combustible cladding on privately-owned buildings. The scheme consists of two phases. Phase 1, the testing and assessment phase, offered financial assistance to eligible owners corporations to have their cladding tested to determine the level of risk, if any, posed by the cladding. The testing and assessment phase was open between July 2021 and July 2022. Phase 2 offers a reduced interest rate concession loan, with no other fees or charges for early repayment, to owners corporations. Applications for the concessional loan opened on 29 August 2022 and will remain open until 29 February 2024, a period of 18 months.

In relation to the testing and assessment scheme, a total of 74 applications were submitted, of which 57 applications have been approved. Three did not meet the scheme's guidelines and were unable to be accepted into the scheme. In addition, 14 owners corporations have withdrawn their applications after assessing the scheme and their particular circumstances.

Owners corporations participating in the scheme were required to submit their testing and assessment reports by 21 December 2022. As at 6 February, Major Projects Canberra had received 35 testing and assessment reports. A further 22 owners

corporations, who joined the scheme in its final months, have sought and been given an extension of time to submit their testing and assessment reports. We expect to be receiving those report in coming months.

The testing and assessment reports we have received provide risk ratings of the buildings tested. These reports show that 27 of the buildings or 77 per cent have cladding which poses a moderate or higher fire safety risk. Seven of these buildings or 20 per cent have cladding which poses a low risk or no cladding.

Of the 27 buildings with a moderate or higher fire safety risk, nine of these buildings have already been remediated or are in the process of being remediated. Fourteen owners corporations have indicated they will submit an application for the concessional loan. Four owners corporations have indicated they are still considering whether or not they will apply for a concessional loan or will utilise strata levies to raise the funds needed for the remediation.

With regards to the concessional loan arrangement, Major Projects Canberra have received four applications, one of which was ineligible because it related to a commercial building. Major Projects Canberra is currently assessing one application and awaits further information in relation to two applications. We expect a slow and steady stream of loan applications throughout the year as owners corporations have to take a number of steps before they can apply for a loan. Feedback from Major Projects Canberra indicates there have been many inquiries from owners corporations and strata managers that are interested in the concessional loan. Attendance has also been high at presentations and briefing sessions on the concessional loan.

We have also assisted scheme participants by compiling a list of registered and qualified suppliers able to carry out the testing and assessment and the remediation work, most of which are locally based, ensuring this work can be carried out by Canberra businesses. I encourage owners corporations to continue to be proactive in resolving this issue.

The issue of potentially combustible cladding is one that has been challenging for all building owners, government and private owners alike. The ACT government has been committed to managing the risk for publicly-owned buildings and supporting private owners to manage the risks they face as well. I am pleased we have been able to finalise the government program and remain committed to providing ongoing support to the community as we continue to provide the private scheme.

I present:

Cladding rectification scheme—Update—Ministerial statement, 8 February 2023.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

National Disability Insurance Scheme—policy reform—update Ministerial statement

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) (11.03): Thank you, members, for the opportunity to provide an update on 2022 National Disability Insurance Scheme policy reforms. The ACT government continues to work with stakeholders and our commonwealth and state and territory counterparts to improve the NDIS. Our goal is to ensure the original principles of the scheme deliver on its promise of a person-centred, rights-based approach to disability supports which deliver choice and control for people with disability to live their lives the way they should be able to.

For many participants, the NDIS has established opportunities and changed people's lives, facilitating the supports people need to participate fully in the economic, social and cultural life of the ACT. Yet since the beginning of the NDIS implementation there have also been significant challenges and community concerns raised with the ACT government in relation to the operation of the NDIS. In particular, the poor participant experience of those involved in the scheme.

The ACT disability community felt strongly that NDIS participants no longer felt they were at the centre of the scheme. Participants continually told me that the scheme was overly bureaucratic, too complex, frustrating, and, for some people, traumatising to deal with. One participant described this to me by saying, "I am an analyst in the public sector doing a PhD and I cannot fill in all the NDIS forms. How does someone who has not had the privilege of an education get anywhere with anything?"

Therefore I, along with many people with disability and the sector, welcomed the reforms of the new federal government in 2022 to strengthen the design, delivery and transparency of the scheme—or, to put it simply, to fix the NDIS. The disability community has advocated strongly for people with disability to be at the forefront of leadership of the NDIS, as a key indicator of the scheme's ownership by people with disability but also to ensure the culture of the scheme is informed by the lived experience of people with disability.

In September 2022, Australian Paralympic legend and disability advocate Kurt Fearnley AO was appointed chair of the board of the National Disability Insurance Agency. Two further members of the board with disability were also appointed at that time and there are now more people with disability on the NDIA board than at any other time in its history. This increased representation of people with disability on the NDIA board is impactful. It speaks to the disability community's motto "nothing about us without us" and it starts to restore confidence in the scheme in the disability community.

Following consultation with me and other state and territory ministers for disability on wide-reaching terms of reference, the Hon. Bill Shorten MP, Minister for the National Disability Insurance Scheme announced an independent review of the NDIS to improve the wellbeing of Australians with disability and the scheme's sustainability in October 2022. I would like to thank the ACT's disability reference group and all those members of the disability community who provided advice to my office during that

consultation to ensure the terms of reference addressed key concerns for people with disability, their families and carers.

The independent review of the NDIS will consider the design, operations and investment of the scheme and identify ways to make the market and the workforce more responsive, supportive and sustainable. The review will work with participants, their families and carers as well as providers and workers to put people with disability back at the centre of the NDIS.

A key architect of the NDIS, Professor Bruce Bonyhady AM, and Ms Lisa Paul AO PSM have been appointed as co-chairs of the independent review panel. The independent review panel comprises experts across the disability community, who will examine all aspects of the scheme and will deliver their final report to disability reform ministers by the end of October 2023. I am very pleased to announce that prominent ACT disability advocate and service provider, Mr Dougie Herd, is a member of the independent review panel. Those of us who know Dougie will be reassured the independent review panel is in very good hands.

I am hearing very positive feedback from community stakeholders welcoming the review. I continue to advocate on their behalf to ensure the review consults directly with, and that all reforms are co-designed, by people with disability, their families, carers and formal and informal support networks. The independent review panel is ramping up its engagement with organisations for people with disability, advocacy groups and government and community stakeholders across Australia and the ACT. What I am hearing from these discussions is that the independent review panel is building on the significant amount of information provided through submissions, inquiries and previous reviews of the NDIS to have solutions-focused discussions about the best way forward for the scheme.

There is a lot at stake with the NDIS independent review. I am confident it will provide a blueprint toward a better scheme which maximises outcomes from investment and restores trust in the NDIS for all Australians. I remain committed to working in partnership with my ministerial counterparts through the disability reform ministers' forum to ensure people with disability are acknowledged, listened to and learned from at every stage of the NDIS review. I am also committed to seeing through implementation of the findings and recommendations of the review.

In addition to the review of the NDIS, the NDIA is also undertaking a specialist disability accommodation pricing review, the first since establishment of the scheme. SDA is a critical aspect of the scheme designed to facilitate housing for participants with complex housing requirements arising from their disability. To date, the SDA market in both the ACT and Australia has not matured to the level initially expected by the NDIS. I expect the SDA pricing review will set new SDA pricing to guide market investment and increase market capacity. This has the potential for improving outcomes for people with disability by supporting providers to build quality housing for participants within the scheme but also to help build the emerging SDA asset class and market. The SDA outcomes of the pricing review are expected to be released in May 2023 and implemented from 1 July 2023. These will be welcomed by the ACT community and providers.

One of the greatest criticisms of the NDIS has been of the need for participants to access formal dispute resolution processes through the Administrative Appeals Tribunal to seek reviews of plans that did not meet participants needs and of the lengthy delays in the resolution of these appeals, in some cases more than nine months. Since Minister Bill Shorten commenced in his role as Minister for the NDIS he has made it clear that the backlog of AAT cases needed to be dealt with and that we need better ways of resolving disputes that provide fairness and justice. I am very pleased to see that some of those older AAT cases have been cleared.

I commend the NDIA in establishing an alternate independent early dispute resolution process as a way of achieving fairer, faster and better outcomes for NDIS participants and improving the appeals process. The independent expert review process involves an independent expert reviewing a matter that a participant has already sought to have reviewed externally. This process seeks to resolve matters prior to a formal hearing, is more participant-centred and will allow participants to explain their circumstances and desired outcomes before the independent expert makes a non-binding recommendation as to the appropriate outcome of the matter.

Further to this, the commonwealth government has also funded additional advocacy support for NDIS participants going through the appeals process. Feedback from ACT disability advocacy organisations is quietly positive that we are already seeing fewer participants seeking support for appeals processes.

Previously, NDIS external appeals were undertaken by the AAT, which is in the process of being wound up by the commonwealth government. The establishment of a new federal administrative review body presents further opportunity to improve the participant experience and foster trust, transparency and accountability in decision-making.

Mr Assistant Speaker, for too long, many people with disability have spent too long in hospital and other care settings waiting to be discharged to appropriate accommodation and supports in the community. Getting people home from hospital faster, with their NDIS supports in place, requires the combined efforts of Canberra Health Services, our Office for Disability and the NDIA. When Minister Shorten came out to Canberra Hospital to personally hear what we need to do differently to speed up the process, we talked about the need for better communication with the NDIA and ensuring that people in the NDIA have the authority to make sensible decisions.

I would like to commend the significant operational reforms by the NDIA, led by commonwealth and state and territory ministers as part of national cabinet's work on improved care pathways, which will expedite hospital discharge for NDIS participants and relieve pressure on the hospital system.

Working in partnership with state and territory hospital and health services, the NDIA have undertaken significant operational improvements: including reducing national discharge delays from 160 to 36 days for participants medically ready for discharge; increasing the number of dedicated hospital discharge staff supporting each state and territory, including additional hospital liaison officers and NDIS hospital discharge

planners; increasing the delegation of those staff and streamlining processes to facilitate quicker decision-making; a commitment from the NDIA to contact every NDIS participant or their authorised representative or nominee within four days of being notified of their admission; a commitment from the NDIA that a NDIS discharge plan will be approved within 30 days; enhanced data collection and reporting to measure progress against these commitments and identify reasons for any delay; and NDIS remote community connections which identify and engage with people with disability and their representatives and connect them to services, support workers and the NDIA.

The commonwealth government also recently announced the establishment of the NDIS Fraud Fusion Taskforce. Co-chaired by the NDIA and Services Australia, the taskforce will work closely with commonwealth agencies and police from across states and territories to strengthen fraud detection and better safeguard the NDIS from serious and organised criminal entities. I am confident that the commonwealth public servants involved in this work will be doing their very best to ensure NDIS resources remain focused on supporting people with disability to have choice and control in their lives and are not misused by organised criminal entities. This will contribute to scheme efficacy and sustainability.

While it is early days in seeing the benefits of recent changes to the NDIS, the scope of reform has created a positive optimism for the disability community, NDIS participants, service providers and the community. We eagerly anticipate the findings and recommendations of the NDIS independent review and how we then adopt and reshape the NDIS for the better. That reshaping will be done by co-designing changes with the disability community. Not by one minister drafting changes that their state partners only find out about by reading the leaked copy in news media. Co-design was at the heart of the original design of the NDIS and I remain the strongest advocate at disability reform ministers' meetings for co-design to be the right way for the future of the NDIS.

I would also like to acknowledge the significant work undertaken towards delivery of Australia's Disability Strategy 2021-2031, which outlines a vision for a more inclusive and accessible Australian society where all people with disability can fulfil their potential as equal members of the community. The ACT Disability Strategy will be launched in 2023 providing our own blueprint to an inclusive ACT community.

In 2023 we also look forward to the final report and recommendations of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. While I expect the Royal Commission's findings will be shocking and challenging, I am also confident it will provide a national policy lever for meaningful change. The findings and recommendations will guide how we respond, adapt, innovate and collaborate to implement real reform in the disability sector in Australia.

Mr Assistant Speaker, the NDIS is at an important juncture where current and future reforms will deliver a scheme that lives up to and embodies the NDIS principles into the future. As always, I acknowledge the people with disability whose continued tenacity and advocacy ensure their voices and experiences shape and inform the scheme for the better.

I present the following paper:

Progress update and reflection on 2022 National Disability Insurance Scheme Policy Reforms—Ministerial statement, 8 February 2023.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Justice and Community Safety—Standing Committee Statement by chair

MR CAIN (Ginninderra) (11.16): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Justice and Community Safety relating to statutory appointments, in accordance with continuing resolution 5A. During the reporting period July 2022 to December 2022 the committee considered a total of 35 appointments and reappointments to the following bodies:

- Legal Aid Commission Board
- Official Visitor (Disability Services ACT)
- Public Interest Monitor Panel – Terrorism
- Victims Advisory Board
- Official Visitor (Aboriginal and Torres Strait Islander)
- ACT Civil and Administrative Tribunal (ACAT)

I now table a schedule of statutory appointments considered during this reporting period:

Justice and Community Safety—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 July to 31 December 2022.

Planning and Environment Legislation Amendment Bill 2023

Mr Gentleman, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (11.18): I move:

That this bill be agreed to in principle.

I am pleased to present the Planning and Environment Legislation Amendment Bill 2023. This bill is part of the government’s ongoing program of technical legislative amendments which keep the territory’s laws contemporary.

The bill prioritises the revitalisation of some of Canberra's iconic places and protecting the privacy of our citizens and ensuring their wellbeing. The bill makes several minor policy and administrative amendments to legislation administered by the Environment, Planning and Sustainable Development Directorate.

This bill amends the City Renewal Authority and Suburban Land Agency Act 2017, the Dangerous Substances Act 2004 and the Government Agencies (Land Acquisition Reporting) Act 2018.

These minor and technical amendments will enable the City Renewal Authority to undertake repairs and upgrades to the Sydney and Melbourne buildings, with the consent of the buildings' owners; clarify requirements for advice about the likely location of asbestos in buildings built or started before 1990; and ensure that the same privacy principles are extended to the occupants of community housing when the government acquires land from community housing providers.

As I have said, the bill amends the City Renewal Authority and Suburban Land Agency Act 2017 to enable the City Renewal Authority to undertake repairs and upgrades to the Sydney and Melbourne buildings. Unfortunately, a significant portion of the Sydney and Melbourne buildings, in the common areas, has deteriorated over the decades. This is not because of any action or inaction on the part of government or the properties' multiple private owners. Rather, this problem is largely connected to the buildings' unique tenure arrangements.

Due to the complexity of the tenure arrangements for the Sydney and Melbourne buildings, in 2020 the government established a legislative framework for the revitalisation of the Sydney and Melbourne buildings. Today, with the introduction of these minor technical amendments to the City Renewal Authority and Suburban Land Agency Act, as proposed in part 2 of the bill, the final piece of the legislative puzzle will be in place to enable the revitalisation work of the buildings to commence.

Revitalising the Sydney and Melbourne buildings directly contributes to the ACT government's statement of ambition and Planning Strategy, because protecting and preserving the city's heritage is just as important as investing in new infrastructure in our city. The Sydney and Melbourne buildings are landmark buildings. They are a significant element of Canberra's history and continue to be a defining feature of our city.

The buildings define the early character of Civic and continue to contribute to the urban realm experience of Civic today. Both buildings offer a valuable interpretive experience of early Canberra to pass on to future generations. It is important that we continue to preserve our city's heritage and character while ensuring that our city continues to be a great place to live and visit.

These landmark buildings can, and should, reflect Canberra's world-renowned legacy as a planned national capital and our commitment to ensuring that our city continues to grow in a way that is characterised by the high quality architecture, public spaces and streetscapes that strengthen sustainability, connectivity and, most importantly, liveability. Canberrans recognise the significance of the Sydney and Melbourne buildings and support efforts to realise their full potential.

The next amendment in the bill relates to homes affected by loose-fill asbestos. Today, with this bill, the government will keep our statute book up to date by amending section 47M of the Dangerous Substances Act 2004 to align it with the revised nationally agreed approach to the registration and notification of homes that may contain loose-fill asbestos.

Currently, under section 47M of the Dangerous Substances Act, the responsible minister must prepare an advice about the likely location of asbestos in buildings built or buildings started before 1985. To align with the national approach, it is proposed to amend section 47M to replace 1985 with 1990. As such, ACT notifications and advice will be updated so that asbestos awareness messaging will apply to homes built or renovated before 1990.

While the Loose Fill Asbestos Coordination team within the Environment, Planning and Sustainable Development Directorate consulted with key industry stakeholders on this amendment as part of its continued community education program, the commencement of this part of the bill will be delayed until 1 July 2023 to allow sufficient time for industry stakeholders to update their documentation.

The last of the amendments relates to section 10 of the Government Agencies (Land Acquisition Reporting) Act 2018. The land acquisition reporting act requires that at the end of each quarter the responsible minister for a government agency must publish on an ACT government website, as soon as practicable, a report about land acquisitions made. While the land acquisition reporting act is primarily concerned with the openness, transparency and accountability of the government's acquisition of land, the act also balances these core principles with an individual's right to privacy and reputation, as provided for in the Human Rights Act 2004.

The land acquisition reporting act promotes an individual's right to privacy and reputation by specifying that certain personal and location-related information must not be disclosed in reports where land is subject to a land rent lease or acquired to be developed or used as a housing assistance property—in other words, land which is acquired for public housing.

The amendment in part 4 of the bill extends this privacy provision to land acquired from registered community housing providers. This will mean that the occupants of community housing properties themselves will have the same privacy protections as public housing tenants and land rent lessees, and the government's acquisition of the land will not be required to be reported.

In summary, the bill makes amendments that enable two of Canberra's most iconic buildings to be revitalised so that they can continue to be enjoyed by future generations of Canberrans. The bill continues to assist the community and the government to realise the goal of eliminating the scourge of Mr Fluffy loose-fill asbestos from Canberra suburbs, with the change to notification requirements for likely asbestos-affected properties. The amendments also continue to promote and protect the privacy and reputation of future tenants of community housing. These are commendable improvements to the ACT statute book. I commend the bill to the Assembly.

Debate (on motion by **Mr Cain**) adjourned to the next sitting.

Aboriginals and Torres Strait Islanders—Voice to Parliament

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (11.25): I move:

That this Assembly:

- (1) notes the collective support of all state and territory first ministers, through the Council for the Australian Federation, for enshrining an Aboriginal and Torres Strait Islander Voice to Parliament in the Australian Constitution;
- (2) reaffirms its support for enshrining a Voice to Parliament, as one of the key actions sought in the *Uluru Statement from the Heart*;
- (3) recognises that there must also be a commitment to deliver Treaty and Truth, as sought in the *Uluru Statement from the Heart*, and that sovereignty was never ceded; and
- (4) calls on the ACT Government to develop a community awareness campaign about the impending referendum on a constitutionally enshrined Aboriginal and Torres Strait Islander Voice to Parliament to ensure the Canberra community is informed and engaged with this significant issue prior to the national vote.

I am pleased to bring forward this motion today seeking Assembly support for enshrining an Aboriginal and Torres Strait Islander Voice to Parliament in the Australian Constitution. Constitutional recognition of a First Nations voice is a key action sought in the *Uluru Statement from the Heart*.

Members will recall Dr Paterson's motion last year calling on the Assembly to endorse the *Uluru* statement, including the referendum campaign for an Aboriginal and Torres Strait Islander Voice to Parliament. Today's executive motion builds on Dr Paterson's work. Now is the time to begin raising awareness in our community so that people are informed, engaged and understand the proposition that will be put to the nation this year.

Since November of last year the discussion around constitutional change has progressed, with the Prime Minister announcing that a referendum will be held before the end of this year. Put simply, the referendum will propose adding new sentences to the Australian Constitution in recognition of Aboriginal and Torres Strait Islander peoples as the first peoples of Australia. The Prime Minister has already outlined in draft form what these additions will look like and, while they may be refined before the final question is set, they form a good starting point.

Australia is home to the oldest continuing living culture on Earth. Constitutional reform is a step in the right direction to building a better future for all Australians, including First Nations people. Appropriate recognition of Aboriginal and Torres Strait Islander people in our most important document of governance is critical. It reflects our maturity as a nation and it is well overdue.

As the Prime Minister said, as part of an address at the National Press Club over the weekend:

6 years after the Uluru Statement from the Heart.
56 years after the 1967 referendum.
122 years after Federation.
If not now, when?

If not now, then when?

We know there are some in politics, in the media and in the broader community who are against constitutional change. I respect that there is possibly nothing that will change their minds. But, unfortunately, what we are seeing is some commentators wilfully misinterpreting the purpose and process of establishing a voice. We have seen suggestions that the voice would be the establishment of a third chamber in federal parliament. This has been comprehensively debunked and is clearly disingenuous. The government has been very clear that this is not what is being proposed.

As the Prime Minister said over the weekend:

There are always those who want to create confusion and provoke division, to try and stall progress.

But moments of national decision, such as this referendum, are also an opportunity for our people to show their best qualities: their generosity, their sense of fairness, their optimism for the future.

A Voice to Parliament is exactly that: a voice on the policies that directly affect Aboriginal and Torres Strait Islander Australians.

Every state Premier and territory Chief Minister around Australia, from both sides of politics, was able to come together last Friday to indicate our collective support for a Voice to Parliament, recognising it as an appropriate step towards reconciliation. I was proud to sign that statement, on behalf of the ACT, last week at the Council for the Australian Federation and to be joined by the Prime Minister, with all nine first ministers, all members of the National Cabinet, Labor and Liberal, unanimous in support for the voice.

I want to also acknowledge the incredible work of the ACT Senior Australian of the Year and Senior Australian of the Year, and the chancellor of our own university, the University of Canberra, Professor Tom Calma, who spoke eloquently about this issue as part of his acceptance speech at the national Australian of the Year Awards, held at the National Arboretum just last month. He said:

... the referendum is not a choice between improving people's lives or amending the constitution, we can do both, but it will require bipartisanship, all levels of governments working together, and it must involve those most affected, namely Aboriginal and Torres Strait Islander peoples.

We need to do both. I am sure that others who will contribute to the debate, including Minister Stephen-Smith, will outline some of the important local projects, programs and reforms that are underway in our jurisdiction, delivered in collaboration with our

Aboriginal and Torres Strait Islander communities. I have to be clear that it is absolutely false to frame this as a choice between recognition and practical action. Rather, constitutional recognition and a voice is an essential component of our journey towards true reconciliation and to close the gap.

There is an enormous amount of detail available on models for the voice. I encourage Canberrans to respectfully engage with this issue over the course of this year, in the lead-up to the national vote. Later this month the yes campaign will kick off with a week of action, beginning on 20 February. This will be a significant opportunity to learn more about the voice and what it will entail.

It is for this reason that my motion is calling on the Assembly to not only reaffirm its support for an Aboriginal and Torres Strait Islander Voice to Parliament but also support the development of an appropriate, factual community awareness campaign in the lead-up to the national vote—a campaign that both encourages and supports Canberrans to have a clear understanding of what the process of establishing a Voice to Parliament involves and why this is an important issue.

For many Canberrans this will be the first referendum that they have participated in. My hope for our territory is that we record the highest yes vote, the highest vote in favour of enshrining an Aboriginal and Torres Strait Islander Voice to Parliament in the Australian Constitution when we go to vote later this year. The ACT has done this before, with the marriage equality vote in 2017 and the republic referendum in 1999.

As we know, changing the Australian Constitution is difficult. It requires a majority of voters in the majority of states. Our Constitution was framed in a way to make constitutional change difficult, but no-one underestimates the challenge ahead. That is as it should be, but it is my view that the majority of Canberrans will support this change, and it is my hope that the majority of Australians will join with the Australian Capital Territory in voting yes.

Regardless of how many members of our community choose to vote yes, I hope Canberrans will approach this issue with the consideration and respect that it deserves. My hope is that, over the course of the year, regardless of whether you support yes or no, everyone in this place will be able to constructively contribute to this debate in the best interests of Aboriginal and Torres Strait Islander Canberrans. This is a pivotal moment in Australian history. I am confident in this jurisdiction, based on all of the public research that has been available over the past five years, and concentrated particularly in opinion polls now nearly every couple of weeks. There is majority support in Australia at the moment and there is even stronger support in the ACT.

I am in no doubt about what the majority of Canberrans believe on this issue. That is why I am bringing this motion forward today. It is consistent with the terms of the agreement signed at the Council for the Australian Federation and National Cabinet last week. Whilst I acknowledge that not everyone will agree and there will be a substantial minority who will vote no, even in the ACT, the overwhelming majority of Canberrans support a voice. That will be reflected, I believe—it is my understanding—in the vote today, although we wait to hear from the Leader of the Opposition on the position of her party. We are striving for a unanimous outcome

today and we certainly will be striving for the highest possible yes vote when it comes to voting day later this year. I commend the motion to the Assembly.

MS LEE (Kurrajong—Leader of the Opposition) (11.36): I move:

Omit paragraphs (2) and (3), substitute:

“(2) notes that there is a diverse range of views on an Aboriginal and Torres Strait Islander Voice to Parliament within the ACT’s Aboriginal and Torres Strait Islander community;

(3) calls on the ACT Government to consult and listen to the ACT’s Aboriginal and Torres Strait Islander community and to report back to the Assembly by the first sitting day in June 2023; and”.

Before I start, I acknowledge Billy and Leah, who are joining us in the chamber today. Welcome to your Assembly and thank you for being here.

As I have previously stated publicly, I am open to any and all initiatives that will go to improving the lives of our Aboriginal and Torres Strait Islander peoples and I look forward to continuing to engage with our community, including our Aboriginal and Torres Strait Islander communities, on issues that are of concern to them, including the voice. What has become clear is that there are a range of views amongst Canberra’s Aboriginal and Torres Strait Islander communities about the voice, from those who are firmly in favour of it to those who are firmly against it, to those who are still considering this important question. That is okay. We all process and think about important issues differently, and different people will come to a decision in a different way and at a different time.

The purpose of a referendum on the voice is to provide every single Australian with the opportunity to have their say, to have their vote on this important issue. We know that the federal working group is still discussing and debating what this will look like. We know that whilst the federal Labor government has confirmed that the referendum will take place this year, no date has yet been set. I join the Chief Minister in encouraging all Canberrans to give this issue the very, very careful consideration that it deserves and to think very carefully and deeply about their vote and the importance of it to our nation.

I am, however, extremely concerned to hear that the Barr-Rattenbury government has not properly consulted with its own Aboriginal and Torres Strait Islander Elected Body about this motion today. This is an advisory body with the express purpose of providing direct advice to the ACT government to improve the lives of Aboriginal and Torres Strait Islander Canberrans and to take genuine steps towards reconciliation. So it is incredibly disappointing and, I have to say, frankly somewhat surprising for us to hear that members are telling us that they were not even aware of this motion today, let alone their views and advice being sought on something as important as the voice.

My amendment is very straightforward. It is what I would presume is a very sensible approach, calling on Mr Barr, calling on Mr Rattenbury and calling on the executive to proactively consult with our diverse Aboriginal and Torres Strait Islander communities on the proposed referendum on the Voice to Parliament and report back to the Assembly by the first sitting day of June this year.

This is an incredibly important issue for our Aboriginal and Torres Strait Islander communities but also for all Canberrans. I urge the ACT government to start by proactively seeking the advice and views from its own elected body. How incredibly sad it would be for the ACT, which prides itself on having its own voice, to bypass our own elected body and our own community on an issue as important as this debate.

It is clear that there is a long way to go for Aboriginal and Torres Strait Islander communities and people in Canberra, as we have raised concern about for years. But on this very important issue of the voice, starting with genuine and proper consultation with, and listening proactively and genuinely to, the Aboriginal and Torres Strait Islander Elected Body and our community will hold the ACT, the Assembly and our entire community in good stead for what we know will be a very important topic for debate on the national stage. I commend my amendment to the Assembly.

MS VASSAROTTI (Kurrajong) (11.41): I, too, would like to acknowledge Billy and Leah in the gallery. The Greens are proud to support this motion today. The ACT Greens are strongly committed to justice for the First Nations peoples of Australia. We are committed to truth, treaty and voice, the three actions sought in the Uluru Statement of the Heart.

Enshrining a First Nations Voice to Parliament in the Constitution is an important step in this process, but we are keenly aware that the Voice to Parliament in itself will not be enough. First Nation groups were Australia's first sovereign nations and this sovereignty was never ceded. This land was forcibly taken from First Nations peoples and this injustice has not yet been addressed. As a nation, we have unfinished business. The initial action set in train ongoing damage. We continue to collectively deal with the consequences of colonisation, dispossession, systemic racism and discrimination—no more than our First Nations peoples, who continue to experience unacceptable rates of poverty, incarceration, child removal and poor health outcomes.

To respond to this injustice, the Statement from the Heart emphasises the need for reshaping our relationships and being truthful about our history, alongside implementing major constitutional and structural reforms. The statement calls for a process of agreement making, working towards treaty, and of truth telling about our history. It invites non-Indigenous and First Nations peoples to come together to deal with our past and forge a new path together.

The discussion on establishing a Voice to Parliament does provide a unique opportunity for us to start an important conversation about what we need to do to change the story of our nation, to right the wrongs in the establishment of our nation. But this is the beginning of the discussion rather than the end. A Voice to Parliament cannot be implemented in isolation and must be progressed in conjunction with efforts to further the goals of treaty and truth telling. Realising these goals is a way for us to build a new foundation, for us to move together as a healed nation.

These issues are complex and, as you would expect, there is diversity of views in the community about the best way forward. The Australian Greens this week confirmed their support for a Voice to Parliament, but we are all aware that this was not an easy

decision. This is because the Greens have listened to the truth of the diverse views in the community and understand these different perspectives.

Some First Nations peoples strongly believe that a Voice to Parliament should not be progressed until there is a treaty and that the offer of an advisory role is not enough, while others believe a Voice to Parliament is an important first step towards treaty. Of course, there are a range of views in between. It is no surprise that there are such different views, given the level of complexity and the trauma and mistrust that run deep after centuries of structural racism and dispossession.

We are proud to support this motion today, as we see a Voice to Parliament as a step in the right direction. However, we will continue to highlight the need for truth and for treaty. These broad actions cannot be forgotten or compromised because they are more challenging. The work we need to do as a community is to meet the generosity of First Nations peoples with our own generosity, to drop our defences and our deflections, to own our unearned privilege, to acknowledge the devastating and the intergenerational impact of a nation built on the lie of terra nullius, and to acknowledge the unacknowledged frontier wars and the ongoing dispossession and denial of human rights for those who were here first.

Truth telling means that we will hear truths that are difficult to hear. Truth telling means that we will need to respond to these difficult truths. The delivery of the Uluru Statement of the Heart in 2017 was a major milestone for First Nations justice. It provides us with an invaluable opportunity to listen to First Nations peoples and to support a transformative process that can help our nation heal from our troubled history.

Because the statement is so critical in the discussion and because I think it is important that we listen to First Nations peoples, rather than fill the discussion with our own opinions I will end by reading the Uluru Statement from the Heart.

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:

Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from ‘time immemorial’, and according to science more than 60,000 years ago.

This sovereignty is a spiritual notion: the ancestral tie between the land, or ‘mother nature’, and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return hither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.

How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood.

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

The dimensions of this crisis tell plainly the structural nature of our problem. This is *the torment of our powerlessness*.

We seek constitutional reforms to empower our people and take *a rightful place* in our own country. When we have the power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.

Makarrata is the culmination of our agenda: *the coming together after a struggle*. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination.

We seek a Makarrata Commission to supervise the process of agreement-making between governments and First Nations and truth-telling about our history.

In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.

We take up that invitation.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (11.50): I want to start by acknowledging that this is, was and always will be Aboriginal land and that sovereignty was never ceded. This is not in question. I want to acknowledge those who are in the gallery today to hear this debate as traditional custodians of this land here in the ACT.

This year, in 2023, we will all have the opportunity to vote in a historic referendum. We will follow 44 referenda that have been put to Australian electors since Federation, of which only eight have been successful. The question to be put to the Australian public is a simple one that carries within it the hopes of hundreds of thousands of Aboriginal and Torres Strait Islander people and reflects decades of advocacy on appropriate constitutional recognition and the rightful place of our First People in the structure of our national democracy.

I am pleased to support the Chief Minister's executive motion today and to support the ACT government putting our collective effort behind the Yes Campaign. In doing

so, we have an opportunity to amplify the voices of Aboriginal and Torres Strait Islander leaders and activists who have long pushed for constitutional recognition and who have worked through the deep and broad process to develop the Uluru Statement from the Heart.

It is the aspiration of ACT Labor and of this government that we see Australians vote to alter our Constitution for a ninth time to enshrine an Aboriginal and Torres Strait Islander voice to the federal parliament. This, of course, is an aspiration we share with all governments across Australia now, including the Liberal-National governments of New South Wales and Tasmania. I quote the Premier of New South Wales, Dominic Perrottet: “It should be above politics. It should be a moment which unites the country and does not divide the country.”

These Liberal Premiers joined with our Chief Minister and all other state and territory leaders in signing a unanimous statement of intent, affirming that we recognise this significant opportunity to recognise in our Constitution Aboriginal and Torres Strait Islanders as the First Peoples of Australia. All state and territory governments support the Australian government in ensuring that Australians are afforded a free and fair referendum process. This is leadership.

We had, of course, hoped to share this aspiration for a successful referendum with all our colleagues in this place. There is an opportunity for all parties here to work together to see that the ACT achieves the highest yes vote in the country, to assist in achieving a successful referendum and to send a clear message to Aboriginal and Torres Strait Islander Canberrans that this is a community that supports their political and institutional advancement.

Unfortunately, it seems that the Leader of the Opposition is more closely aligned with the position of the federal Liberal Leader, the Hon. Peter Dutton MP, than with her colleagues who are actually in government. Both Mr Dutton and Ms Lee continue to hold their cards close to their chest, saying they await further detail before making their position on the voice clear.

But I would note that the former commonwealth government, of which Mr Dutton was a senior cabinet minister, produced meaningful and detailed co-design work to support the development of a voice—a voice that, in their model, would have been implemented by parliament. So are they awaiting further information or are they simply awaiting further direction from their conservative bases.

The Hon. Ken Wyatt AM, the former commonwealth Minister for Indigenous Australians and the first Aboriginal or Torres Strait Islander member of the federal cabinet, worked towards the establishment of what was then called the Indigenous voice. This was not to be a constitutionally enshrined model envisaged by the Uluru statement, but it was a genuine effort by the former government to establish a body that was in line with many of the same principles. I quote former Minister Wyatt:

Our Government is committed to working in genuine partnership with Aboriginal and Torres Strait Islander Australians—because we know that the best outcomes occur when governments and Indigenous Australians work together.

From the landmark National Agreement on Closing the Gap [to] the ongoing work to empower Indigenous Australians through the Indigenous Voice co-design process ...

And I can attest to the power of the Coalition of Peaks sitting at the table in the Joint Council on Closing the Gap and the difference that that has made to the conversations that we have and the impetus behind that work and the National Agreement on Closing the Gap.

The work continues to inform the constitutionally enshrined model being pursued by the Albanese Labor government and Mr Wyatt himself, who is no longer a member of parliament but remains involved in this work through the Australian government's Referendum Working Group.

A September 2022 communique of the working group noted that it:

... discussed common principles for the Voice drawn from the work already done to define the Voice. Those principles identify the Voice as a body that:

- provides independent advice to the Parliament and Government
- is chosen by First Nations people based on the wishes of local communities
- is representative of Aboriginal and Torres Strait Islander communities
- is empowering, community led, inclusive, respectful, culturally informed and gender balanced, and includes youth
- is accountable and transparent
- works alongside existing organisations and traditional structures.

The communique went on to clarify that:

The Voice would:

- not have a program delivery function
- not have a veto power.

This is just some of the detail drawn from the 269-page final report to the Australian government on the Indigenous voice co-design process, which I again stress was released under the previous Liberal-National government.

Professor Tom Calma, the now Senior Australian of the Year, who co-authored the report, has urged all politicians who are awaiting further detail on the voice to read this report. He has said of those politicians who promulgate this position:

I think that they ... should know better, politicians should know better and anybody that follows politics should know better.

What they are doing is mischievous, and you've got to ask what sort of malice is involved in this sort of practice that they're promoting.

The commonwealth government has been clear that there is more work to do, both before and after a successful referendum, to design the detail of the voice model.

The communique from the February 2023 meeting of the Referendum Working Group, a meeting Mr Dutton attended, notes:

The model of the Voice will be determined by the Parliament after the referendum, and after consultations.

In particular, the Working Group agreed broad and inclusive consultation with First Nations peoples and communities is critical to ensure the final Voice model reflects the views of First Nations communities.

There seem to be two pillars to both Mr Dutton's position and the position of those politicians who follow his lead: that there is not enough detail for Australians to consider the voice at a referendum, and that establishing a voice comes at the expense of direct action to address the needs of Aboriginal and Torres Strait Islander people—and Mr Barr has spoken eloquently to this.

But I agree with Mr Dutton that we should not be afraid of having a national conversation, that we should be doing more and that we should not be afraid of Aboriginal and Torres Strait Islander people having a voice in that conversation. That is exactly how the Joint Council on Closing the Gap works. It is exactly how we have worked with the community through the Our Booris, Our Way committee when looking at the over-representation of Aboriginal and Torres Strait Islander children in our child protection system and through the Dhawura Ngunnawal Caring for Country Committee and so many other examples.

I do want to come to Ms Lee's point about the Elected Body. It is a body that I value very highly. I do want to emphasise that I have had a number of conversations with the Elected Body about the voice process, as I have also with the ACT Reconciliation Council. The Elected body is self-determined in the work that it does and the conversations it has with the community. It is, in fact, required to undertake consultation with the Aboriginal and Torres Strait Islander community.

If the Elected Body is concerned that this process has not been as engaging as it might otherwise, I would strongly encourage them to consider undertaking those consultations. They are the best placed to, in a culturally safe way, to undertake consultations with the wider Aboriginal and Torres Strait Islander community and put a position to the ACT government in relation to that. Of course, we will continue to support the Elected Body to undertake those consultations with the broader Aboriginal and Torres Strait Islander community, and we continue to respect those voices.

We are also working through the \$20 million Healing and Reconciliation Fund on a wider consultation process, which we will have more to say about tomorrow. I have talked to the Elected Body a number of times in my meetings with them about both the principle of what we are intending to do and some of the detail that I will be announcing tomorrow. The Elected Body has been briefed and will continue to be briefed on that matter.

I am running out of time, but I want to address the issue of treaty. ACT Labor also continues to support all three elements of the Uluru statement: voice, treaty and truth. I believe—as the leaders that have put this forward believe—that a voice is, in fact, the best pathway to truth and treaty. We know from interstate and international

experiences that treaties take 10, 15 and 20 years to negotiate. Are we really saying that we will deny Aboriginal and Torres Strait Islander people a constitutionally enshrined voice while we undertake that process? The voice is the pathway to truth and treaty.

MR PARTON (Brindabella) (12.01): I stand today as a descendant of the Noongar people of Western Australia and as the only member of this parliament with known ancestral connections to our First Nations people. As a consequence, I would say that I find this debate extremely emotional, as I think all Australians should.

Although the “calls on” part of this original motion seems relatively measured in that it does not call within the “calls ons” in the motion for this government to push Canberrans in any particular direction on the voice referendum.

Mr Barr has spoken in this chamber today and he certainly posted on social media. Indeed, on social media he said—and he echoed these words in the chamber earlier: “My hope is that the Assembly will work together to encourage ACT voters to record the highest yes vote in the nation in the referendum.”

I absolutely respect that view, and I absolutely respect the view of Minister Stephen-Smith. But, as a descendant of the Noongar people of Western Australia, I would say to the Chief Minister: how dare you tell me how to think about this issue. That is the problem that I have with it.

I think that public figures and elected members should be extremely free to communicate their feelings and to communicate their position, and do so really strongly, on this referendum. But I, in my heart, do not believe that it is for elected members to instruct people how to vote. Australians should not be bullied into voting in any specific way on this question.

This motion is not quite as blatant as we thought it may be, but I still think it crosses a line in its support of one position over another. Nobody should be trying to bully other Australians into a position on a matter that has been considered so important by the Prime Minister that we are set to ask every individual adult Australian what their personal opinion is on this matter.

Referenda are for the purpose of determining what Australians think about an issue and not for corralling them into a predetermined outcome. We are not voting on the referendum tomorrow. It is not on on the weekend. There is some time. There is plenty of time.

So between now and the time that we do vote as a nation, we are certainly hoping to get more information from the powers that be on exactly what we are voting on. I am for the development of community awareness, but I just do not know that it is the job of this territory government to undertake that task.

The Chief Minister spoke about—let us call them—the national cabinet that came together and signed off on that. So I understand that and I respect it. But, personally, I just do not think it is the job of the territory government to undertake that task. So, although I support enhancing community awareness, I am just not sure that

I support a financial contribution from this government to achieve that, because I just do not know that that is our job.

How am I voting in the referendum? I do not know yet. Like so many Australians, I do not know. I am still seeking more information. I am seeking guidance from people whom I respect. So I am going through a process.

I had a half hour conversation last week with a man whom I respect enormously from my mob. I did not tell him that I would name him in this place, but I do not think he would mind me mentioning his name, and that is David Collard from Perth. He made some very compelling points in support of the yes vote. I certainly take them on board and appreciate his guidance.

I would also note that Mr Collard is one of many who have experienced a genuine journey on this topic in that, even as one who has been at the coalface of this process, he expressed to me that he has transitioned from a sceptic to a supporter. It was a fascinating conversation.

I have also had long conversations with Senator Jacinta Price about this issue. I think she has made her views abundantly clear. I am set to meet with Warren Mundine in coming days. And I continue to have conversations with local Aboriginal people and with connections from the Noongar mob in Western Australia.

I note the negative vibe from some opposite at the mention of Warren Mundine and Senator Price. I sense that their view is that Australians should seek advice from Aboriginal people on the issue of the Voice to Parliament but they should seek advice only from those Aboriginal people who agree with their position, and I just cannot subscribe to that. I cannot subscribe to it.

I would also have to mention the Chief Minister's comments in a recent media article, which was about my colleague, the Leader of the Opposition, Ms Lee's openness with regard to her final position on this matter. Mr Barr said—in what I thought was just bizarre—that: “Canberra Liberals' conservative majority was once again flexing its muscles.” What does that mean?

Does this mean that Senator Lidia Thorpe was also hijacked by conservatives? Is that what it means? As a go-to, for someone who has not yet formed a position, it just seemed bizarre, particularly when the Chief Minister has come in here and suggested that he fears that we will end up with divisive language.

Clearly, this is not a left and right debate, as Mr Barr would like it to be. Although we all understand that Mr Barr has made an art form out of extreme virtue signalling over a long period of time, I would think that this debate is far too important to be used by the Chief Minister as a political wedge. I think we can expect more divisive language from Mr Barr as the year progresses. I hope that is not the case.

This debate should be about outcomes for Aboriginal and Torres Strait Islander peoples. I would say that, if the proof is in the pudding, based on their track record with regard to those outcomes, this Labor-Greens government does not appear to care about Aboriginal people. On so many measures they are failing. It is not good enough

to just acknowledge traditional owners ad nauseam and to pat each other on the back for being noble, progressive and caring, if you are not actually landing positive outcomes.

I recall having a conversation around a campfire in the wheatbelt of Western Australia with one of my mob, who said to me, and I quote, “It makes me laugh when white fellas think that, as long as they read a prepared acknowledgement of traditional custodians, as long as they pay lip service to that, then they are off the hook in terms of actually doing anything for Aboriginal people.” This fella remarked that most of those who were outraged about Australia Day falling on January 26 had much lighter skin than he did and lived in big cities far away from him.

So, as we move forward, let us all be respectful, open-minded, considered and kind. I support the amendment from Ms Lee.

DR PATERSON (Murrumbidgee) (12.09): Thank you, Chief Minister, for bringing forward an executive motion to support the voice campaign, something that I am deeply passionate about.

It was really great to see all the state and territory leaders, regardless of their political affiliation, come together last week to pledge their support for constitutional recognition and a Voice to Parliament.

Firstly today, I would like to acknowledge that Aboriginal and Torres Strait Islander peoples are the traditional owners of this country, pay my respects to their ongoing spiritual and cultural connections and honour their custodianship and care for country. I would like to acknowledge any Aboriginal and Torres Strait Islander people in the chamber today and extend my respect to them. Always was, always will be Aboriginal land.

The reason that I got into politics was that I wanted to contribute to influencing shifts in our society—to see Canberra, and Australia more broadly, become a more equal, inclusive and fair place to live. I see the voice referendum as a critical step that Australia needs to take for a fairer, reconciled future.

Last year I passed a motion calling for the support of the Uluru Statement from the Heart, including the voice referendum. I am glad to be here today to support the Chief Minister’s ongoing call for this support.

The current status quo is not okay. As a country, we need to be constantly evolving. We can always do things better. The current statistics regarding First Nations peoples and communities paint a picture of disadvantage, of systemic and institutional discrimination, the intergenerational impacts of colonisation and historical injustice. We know in the ACT we have a long way to go. We have the highest youth incarceration rate of Aboriginals and Torres Strait Islanders in the country.

Only last week, the Productivity Commission’s report on government services highlighted this disadvantage. The data collected represents only part of the picture of the ongoing injustices faced by First Nations people. These gaps cannot and will not be closed without Aboriginal and Torres Strait Islander people leading this work and

making the decisions about issues that affect their lives and about what is important to them and how to go about it.

The path to justice is one I know that we, as a government, are deeply committed to, and one that the Labor Party have always championed. I commend the work of colleagues in this Assembly, including Minister Stephen-Smith and her work in her portfolio responsibility, including the ACT Aboriginal and Torres Strait Islander agreement and impact statement, as well as actions toward treaty.

For all my adult working life, I have been working in remote Aboriginal communities with Aboriginal people who have taught me so much. As many in this Assembly will recall from my speech last year, I moved to a remote Aboriginal community in 2006 called Maningrida, in Arnhem Land. I lived in Maningrida for nearly two years and happened to be there when the Northern Territory emergency intervention was implemented. I have spoken about this experience multiple times, and I want to again highlight the impact that the intervention had on me and my understanding of the impact of policy and political decisions.

The Northern Territory emergency intervention should never have happened. Like most policy in Australian Indigenous affairs, it should never have happened. The Racial Discrimination Act was suspended to enact the intervention. This was racist policy. I saw the Army trucks roll down the Arnhem Highway and into the community. I saw the terror in the eyes of people who believed the Army, the government, was coming to take their children. These were not irrational fears. They were well founded because it had happened before.

I would like to speak to Ms Lee's amendment to Mr Barr's motion, and I would like to put on the record that it deletes sections 2 and 3 of Mr Barr's motion. Just for the record, these two points in the motion are reaffirming the Assembly's support for enshrining a Voice to Parliament and recognising that there must also be a commitment to deliver treaty truth, as sought from the Uluru Statement from the Heart.

The Canberra Liberals want more talk. For 250 years there has been talk; however, there has not been any listening. This is why the voice is critical. As a nation, we have to start listening. We have to boldly and bravely start listening.

The path to reconciliation and recognition requires us all to be working together. With the help of everyone in this place, we can harness the goodwill and support of the ACT people. Mobilising our networks will be key to spreading support for the voice referendum and listening to the different views in our community.

We must do all we can to realise a change that not only empowers Aboriginal and Torres Strait Islander people but will also improve both the ACT and our country as a whole. In the words of the now Senior Australian of the Year 2023, Professor Tom Calma:

I want to say the referendum is not a choice between improving people's lives or amending the constitution, we can do both but it will require bipartisanship, all levels of governments working together and it must involve those most affected, namely Aboriginal and Torres Strait Islander peoples.

Enshrining the Voice to Parliament in the Constitution will ensure that Aboriginal and Torres Strait Islander peoples are always a part of the conversations that affect them.

I invite members of the Murrumbidgee community to contact my office if they would like to get involved in activities around the voice campaign. We have a chance to build a better future for our nation, a future with healing and reconciliation at its heart. I hope that the answer when the referendum happens is yes, and I implore colleagues to support the Voice to Parliament.

MR PETTERSSON (Yerrabi) (12.16): I would like to thank the Chief Minister for bringing this important motion to the attention of the Assembly today, and I, too, acknowledge those in the gallery. I rise today to lend my support for the upcoming Voice to Parliament referendum, to take place later this year. It is my hope that everyone here today will do the same. As our Prime Minister says, this is a gracious and generous offer to recognise Aboriginal and Torres Strait Islander peoples as our first peoples.

As we know, when the Uluru Statement of the Heart was developed in May 2017, Aboriginal and Torres Strait Islander delegates from 13 regional areas put their signatures on this historic petition. They called for the establishment of a First Nations voice, enshrined in the Australian Constitution. A Voice to Parliament will allow Indigenous Australians to advise the parliament on the legislation and policies that affect Aboriginals and Torres Strait Islanders. It will give the Australian government the opportunity to make policies with Aboriginal and Torres Strait Islander peoples, rather than for Aboriginal and Torres Strait Islander peoples.

Last year we got a glimpse of what the draft words and a referendum question might look like. The alterations to the Constitution will sound something like this. It is not radical:

1. There shall be a body, to be called the Aboriginal and Torres Strait Islander Voice.
2. The Aboriginal and Torres Strait Islander Voice may make representations to Parliament and the Executive Government on matters relating to Aboriginal and Torres Strait Islander peoples.
3. The Parliament shall, subject to this Constitution, have power to make laws with respect to the composition, functions, powers and procedures of the Aboriginal and Torres Strait Islander Voice.

Australians will be simply asked, “Do you support an alteration to the Constitution that establishes an Aboriginal and Torres Strait Islander Voice?”

This is a chance to come together as a nation. This is a chance to move forward together. That is why I was so glad to see every Chief Minister and Premier come together last week and commit to supporting the Voice to Parliament. Collaboration and cooperation between state and territory political leaders will be crucial in ensuring that the vote gets over the line. To see the Liberal premiers Dominic Perrottet and Jeremy Rockliff get on board is a fantastic demonstration of bipartisanship. Labor,

Liberal and now the Greens and independents are coming together to do what is right, and this is right. This will be a unifying moment for our nation.

A recent poll found that nearly 80 per cent of Canberrans are planning to vote yes. Earlier this week the *Australian* found that a large majority of Australians support the proposal. When we hear conservatives ask for more detail or more information, we know that specifics are not what they seek. This is a stalling tactic, an attempt to delay and obfuscate. Their famed indecisiveness is actually a bold statement of support for the status quo. The time is now, because if not now, when? It was 15 years ago that Indigenous Australians were first promised constitutional recognition. They have been waiting too long.

I listened very closely to Ms Lee's speech, as well as Mr Parton's. I found Ms Lee's speech lacking, and the amendment even more so, but I thank Dr Paterson for putting on the record just what it is that Ms Lee is seeking to remove. Ms Lee is seeking to remove support for enshrining a Voice to Parliament. That is remarkable. Furthermore, the Canberra Liberals want to remove a commitment to delivering treaty and truth, as sought in the Uluru Statement from the Heart.

I think it is imperative that we listen to the Uluru Statement from the Heart. Do the Canberra Liberals even support treaty? Do they support a voice? There is a real question that I think is worthy of asking: should the voice be constitutionally recognised or should we have a voice that is not constitutionally recognised? That is a valid debate. What I find very frustrating from conservative voices in this country is that conservatives cannot even bring themselves to support a voice in the Constitution or not. I think it is very obvious to everyone what their true feelings are.

I find Ms Lee's amendment itself troubling as well, because she seeks to insert into this motion that there is a diverse range of views on an Aboriginal and Torres Strait Islander Voice to Parliament. That is correct, in a sense. There are diverse views on this and there are lots of racist views. In recent times, like all members, I have seen the hate that has started to spew out in our community. To acknowledge that there is a diverse range of views seeks to put out that all views may be equal and worthy of consideration. That is just not true, because some views are not worthy of consideration. Not all views are equal. Some views are racist, and it is important for public officials, people in positions of prominence, to show moral leadership.

I acknowledge Mr Parton's contribution to this debate and the very specific experiences that he has had and the communities that he represents and comes from. I think that is very important, but there is a role for public officials to stand up against hate. It is important that we do it, because there are vulnerable members of our community right now that are experiencing a campaign of hatred. I believe that it is an important role for this Assembly and for all of us, as individuals, to stand up and say that is not acceptable.

The voices that seek to utilise that hatred to further their conservative campaigns, their disingenuous campaigns, that seek more information to muddy the water as to what a voice would be, are not acceptable, in my opinion. So I find unacceptable the inclusion in Ms Lee's amendment that we acknowledge the diverse range of views without also simultaneously condemning that within that diversity there is a range of very racist and troubling views.

There is also a train of thought that I think is worth acknowledging, and that is that there are some who claim that the voice is tokenistic. To them I say: establishing a Voice to Parliament and continuing to work to improve the lives of Indigenous Australians is not mutually exclusive. The voice is something that Aboriginal and Torres Strait Islander Australians have designed and are graciously asking for. We should listen to them. The voice is a proposal that has been created from the ground up. It is not being imposed down. If the overwhelming majority of Aboriginals and Torres Strait Islanders believe that a voice will improve the lives of Indigenous Australians in this country, we must hear them and we must act.

I would like to acknowledge all Canberrans. Once again we have proved to be an overwhelmingly compassionate city. I am so proud of our community already. I implore this Assembly to vote yes today and everyone out there to vote yes in this year's referendum.

MS DAVIDSON (Murrumbidgee) (12.24): This always was and always will be Aboriginal land. Sovereignty was never ceded and it never will be. I also want to acknowledge Leah and Billy, here in the gallery, and Dr Tjanara Goreng Goreng.

Canberra is a very special place. It always has been. We know Canberra today as a city that attracts people from all over Australia, and indeed the world, who want to work in public policy and our non-government sector, but for thousands of years this was a place where Aboriginal people from many different places came together during the bogong moth migration into Ngarigo Country. Those times of coming together for the annual feast were also opportunities to listen and connect. Because of the impacts of climate change and colonisation, we do not see the bogong moth migration into the Snowy Mountains in the numbers that we used to.

What we need now, more than ever, is to take the time to listen and connect. To become a truly reconciled nation we must listen to, understand and support First Nations people. Part of that understanding is knowing that caring for Country and caring for people are interconnected. Looking after the wellbeing of people also means looking after the wellbeing of the earth, sky and waters, and the life that is intertwined with those things. Listening to and learning from our First Peoples, in whatever part of the country each of us is living and working, on unceded Aboriginal or Torres Strait Islander land, can help all of us understand how to care for Country and community and put it into practice.

The truth about our history is important. Understanding what has come before us and what is still going on now helps us integrate that knowledge into who we want to become. We need truth and treaty and voice. That is what the Statement from the Heart calls for, and it is why I support a referendum for a Voice to Parliament, as well as the work of truth telling and treaties. That healing and reconciliation through truth telling and treaty is something that we are committed to working on here in the ACT. I would so love to see that work progress across all Aboriginal and Torres Strait Islander lands around the country. The ACT government and the Reconciliation Council are doing difficult and very much needed work towards this here in Canberra, and I am keen to support their work.

I want to acknowledge that we are talking today about acknowledging identity, and about human rights. It is vitally important that at every moment during these conversations we are mindful of that and we are respectful of the fact that we are talking about the human rights and the identity of the oldest continuing living culture on this planet. We have a responsibility to lift up and celebrate our Aboriginal and Torres Strait Islander peoples, to highlight their strengths and their skills and their survival, to truly value their knowledge and culture. The fact that we are even debating their human rights at all takes a toll on people's mental wellbeing. As mental health minister, I am looking for ways to support the community through this and to ensure that we are walking with them.

I want to share a story with you about the first thing I did after being elected. I know some of you have heard this before. Before I joined my Greens colleagues in negotiating the parliamentary and governing agreement, I went for a proper long walk on Bangerang Country. I am not from here, so I needed to go and walk my grandfather's stock route—he started out as a drover on the Hay plains when he was not much younger than I was when I first moved to Canberra—and listen to what that place was telling me about what I should do.

While I was out there I saw gunugudhula, the broлга, flying with gurranyin, which is not something that happens unless everything is very healthy and everyone is getting along. We know gurranyin's cousin here as mulliyan, the little eagle. That told me that it is okay to come back here and do this work, but only if I am listening to the Elders here. That was the moment in which I made the decision, for the first time, to put my name forward as someone who would be interested in being a minister in this government. We need to keep ourselves healthy and make sure Country is healthy so that we can fly together peacefully.

Listening and taking the time to reflect on what we are hearing is something we all need to do more. It will help all of us in our work and in our connections to community, not just on Reconciliation Day but every day, even when what we have to hear is hard. This is what truth and treaty and voice is about. We are doing the work on truth and treaty here in the ACT. I want to also say, "Yes, I will listen to the voice, and I will act on it." Voting yes in the referendum gives me that opportunity to act in accordance with my heart. I support the Chief Minister's motion, without amendment.

MRS KIKKERT (Ginninderra) (12.29): I first wish to respectfully acknowledge Billy and Leah, who are in the gallery today. I am grateful that you are here with us for this very important debate.

In this motion the head of government calls on his own government to support a community awareness campaign that he has already publicly promised to deliver. One could speculate why exactly Mr Barr feels that it is necessary or useful to go through with this performance. Instead, I would like to highlight an irony. The stated goal of the Chief Minister's motion is to inform and engage the community. When I heard him foreshadow this motion in his ministerial statement yesterday, I immediately began reaching out to my friends in the Aboriginal and Torres Strait Islander communities, including elected community members and high profile stakeholders.

To a person, their response was quite a surprise. Not one of them had been informed that Mr Barr would be moving this motion; nor had they been engaged in any way to provide input into the content of this motion. This is an embarrassment for the Chief Minister—one for which he should apologise. Indigenous Australians are at the centre of the voice referendum, and it is essential that this Labor-Greens government engage better with them when it comes to referendum-related matters. There is a very important rule that has been ignored here: “Nothing about us without us.”

I understand that we are dealing with a government that has a long and rich history of steamrolling over anything that gets in the way of its predetermined agenda or anyone who dares raise a voice of opposition or even concern. On this matter, however, it is time to find the humility to properly listen to the wonderfully diverse Aboriginal and Torres Strait Islander community and their equally diverse opinions.

Mr Barr, of course, is seeking endorsement for his decision to spend public funds on his community awareness campaign. So why not fund the Aboriginal and Torres Strait Islander communities who are advocating against it? Why not make it equal? Indigenous community members find it interesting what Labor and the Greens prioritise for funding. Since July 2020 community leaders have been asking the ACT government for a fully independent board of inquiry into the territory’s justice and corrections systems, regarding their contact with Aboriginal and Torres Strait Islander peoples. To date, the government, which Dr Paterson is part of—and she says we must listen now—although we have done that for centuries—and this time we must listen—has refused this unanimous and persistent request, with one of the excuses being the expense of it. The message is clear: this government is quite willing to spend money on what it thinks is important.

I remind everyone that, according to documents released under the Freedom of Information Act in the lead-up to a roundtable with these community leaders, Minister Stephen-Smith encouraged the Office of Aboriginal and Torres Strait Islander Affairs to provide JACS with some guidance. The first piece of advice provided was: “The meeting needs to have modest goals for what will be achieved by government.” The message to Aboriginal and Torres Strait Islander people is very clear: “Don’t expect too much from us, the government.” This government is keen to spend public money on a community awareness campaign; but when it comes to a heartfelt request from community leaders for a board of inquiry, its internal agenda is: “Don’t expect too much from us.” Many community members have received this message loud and clear, based on the reality of this government’s shockingly bad outcomes.

I provide a short list of areas that are of great concern to community members. According to the Closing the Gap information repository, there has been no improvement in the ACT in the number of Aboriginal and Torres Strait Islander children who are born healthy and strong. The latest Australian early development census found that Canberra has the nation’s second lowest rate of Indigenous children who are on track across all five domains—only 27.3 per cent.

According to data released by the Australian Bureau of Statistics in its latest *Prisoners in Australia* report, Aboriginal and Torres Strait Islander men in the ACT are in prison at a rate 19.6 times greater than non-Indigenous males. That is 17.5 times greater if

age standardised data are used. In any case, this is the worst rate of any state or territory. So why not use some public funding to achieve reducing that rate? The ACT government refuses to do that and would rather spend it on campaigning instead.

Aboriginal and Torres Strait Islander females in the ACT are imprisoned at a rate 47.4 times greater than non-Indigenous females. This is not only the worst ratio in Australia but more than double the national average. Whilst the incarceration of Aboriginal and Torres Strait Islander peoples has increased right across Australia over the past decade, it has increased faster here in Canberra than anywhere else, where admissions of First Nations peoples into prison have ballooned by an average of 5.7 per cent each year. According to the ABS's most recent *Prisoners in Australia* report, the Aboriginal and Torres Strait Islander recidivism rate here is, likewise, the worst in the nation, with 94 per cent of Indigenous detainees at the AMC having a prior conviction.

The ACT government locks Aboriginal and Torres Strait Islander peoples up but then fails to provide the support and services necessary to help most of them stay safe once they are freed. Detainees have had no access to structured education for almost two years now. Diversity of employment opportunities remains limited, as does access to computers and higher education. The promised reintegration centre still has not been funded. Years after it was created, the Transitional Release Centre has not been optimised. And on it goes. Why is this government not investing more in these areas to support our Aboriginal and Torres Strait Islander community?

I was pleased some years ago when the government agreed to an Aboriginal and Torres Strait Islander-led review into the territory's child protection system. It has now been 4½ years since the Our Booris, Our Way Review Steering Committee released their first recommendations to reduce the over-representation of Aboriginal and Torres Strait Islander children and young people in out of home care, with the intention that those first recommendations could be implemented with urgency. But very few recommendations have been fully implemented so far. The latest *The Family Matters Report*, released near the end of last year, raises the local community's concerns that this process has been far too slow.

Then there is the question of how well recommendations have been implemented. As I have noted before, one of the recommendations is that Aboriginal and Torres Strait Islander families have universal access to family group conferences to help reduce child removals. In response, the government wrote this recommendation into the policy. The impact of this on families is real. In December I was contacted by a family who asked me for assistance. They are Aboriginal and so should have been offered access to a family group conference when faced with the removal of their children last winter. But no-one from the government even raised this possibility with them.

Thankfully, another Indigenous community member helped push that onwards. Even then, it took four months for the conference to happen. The happy outcome was that the children were safely placed with kin. Now the family are concerned that the agreed-to plan that resulted from their family group conference is not completely being honoured. This is not what it looks like when an important recommendation is implemented correctly.

It is shameful and embarrassing that the ACT government wants a campaign to raise awareness with the broader community, yet when it comes to a program designed to help vulnerable Aboriginal and Torres Strait Islander families when facing child removal, it fails to inform them that the program even exists. Who and what are they most concerned about: the Indigenous community or buying votes? (*Time expired.*)

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (12.39): I thank all colleagues for their contribution to the debate and acknowledge that there is a diversity of views on this issue, as I indicated in my opening remarks. To Ms Lee's amendment: the government will not be supporting that amendment. Further rounds of consultation on this issue are not required, because we have already had six years of debate and discussion.

The Uluru Statement from the Heart came as a result of a series of regional dialogues and meetings held around the country. That culminated in a National Constitutional Convention in Uluru in 2017. There was a Canberra dialogue held in May 2017, so our local Aboriginal and Torres Strait Islander communities have been engaged on this issue for many, many years. So it is somewhat insulting to suggest that at this point we have to go back and consult again on an issue where an already clear view has been expressed.

Following the Uluru statement there was then a voice co-design process that involved more than 100 meetings of co-design groups, working groups, member briefings for peak Aboriginal and Torres Strait Islander organisations, and design discussions, including meetings held here in the ACT. As has been made very clear in the Uluru statement, the purpose of the dialogues and regional meetings was to consult and educate, resulting in the most proportionally significant consultation of First Nations peoples that Australia has ever seen.

Ms Lee, with the greatest of respect, you and I have been at many events together over the past few years. We were at an event on Saturday night where a very clear statement was made as part of the welcome to country by Aunty Violet, an esteemed Ngunnawal elder. Aunty Violet does not have the only view, and no-one is suggesting that she does. But the implication of this amendment is that there is not overwhelming support within the ACT Aboriginal and Torres Strait Islander community for a voice. I do not accept that. That is just not true. There is, and it has been clear over years. It is not unanimous. There is no issue in the world that has the unanimous agreement of every single person. If the barometer or the benchmark here is that until there is unanimous agreement an issue cannot proceed, then nothing will ever happen. If not now, then when, on this issue?

We cannot support your amendment, and we particularly cannot support your deletion of points (2) and (3). I acknowledge that there is a diverse range of views, but I am also very clear about what the overwhelming majority believe. I think that has been reflected in years of consultation. It is reflected overwhelmingly in the views of Canberrans. It is my very firm view that the majority of Canberrans would want this Assembly to pass this motion today. I commend it to the Assembly and look forward to the processes that will follow.

I remind colleagues that what we are agreeing to is consistent with the statement signed last Friday at National Cabinet:

All State and Territory governments support the Australian Government in ensuring Australians are afforded a free and fair referendum process. We commit to support the Voice referendum by working together on national measures to:

- ensure the integrity and transparency of the referendum process, including by ensuring voters are informed about the Voice and referendum process,
- ensure the national conversation about the Voice, and the referendum process, are conducted in a respectful and informed manner, and
- consider steps for implementing the Voice following a successful referendum, including the design of the Voice and arrangements at the regional local levels.

That is what I signed up to, based upon a decision of this Assembly last year. I am now bringing forward that resolution, signed by every Premier and Chief Minister, and the Prime Minister, in the country. It is not often that you get absolute unanimity across big states and small states and across the political divide, but that was achieved last Friday. I am bringing that into this place today to progress this issue. If not now, then when? I encourage all members to support the motion unamended.

An incident having occurred in the gallery—

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 8

Mr Cain
Ms Castley
Mr Cocks
Mr Hanson
Mrs Kikkert
Ms Lee
Mr Milligan
Mr Parton

Noes 15

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

Amendment negatived.

Original question resolved in the affirmative.

Sitting suspended from 12.49 to 2.00 pm.

Ministerial arrangements

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (2.00): As members may have noticed, Minister Rattenbury is not with us today—at least not in question time. Questions in Minister Rattenbury’s portfolio of energy and water can be directed to me. Questions in Minister Rattenbury’s other portfolios, which include Attorney-General’s, consumer affairs and gaming, can be directed to Minister Cheyne.

Questions without notice

Government—land release

MS LEE: My question is to the Minister for Planning and Land Management. Minister, I refer to the government’s Indicative Land Release Program, which sets a target for the release of 799 single residential blocks in 2022-23. Minister, will this target be met?

MR GENTLEMAN: I thank Ms Lee for the question. It is important, of course, as we work up our indicative land program for the future that we provide, well in advance the land dwelling sizes, that are needed for population growth. We have of course taken into account the recent census figures within that. The devolution of those results is a matter for the SLA and the private sector as well as the government, but I am confident that those numbers will be taken up.

That is just one part of the Indicative Land Release Program. We continue to provide for a diverse mix of types and choices, including dedicating at least 15 per cent of the annual residential land release for affordable community and public housing dwellings as well. The land release program for the next five years targets the release of land for over 16,000 new homes. This consists of land releases to support 4,743 single residential dwellings and 11,674 multi-unit dwellings.

MS LEE: Minister, of the 799 single blocks, how many have been released up to now and how many will be released before 30 June?

MR GENTLEMAN: I will have to take that detail on notice and work with my colleagues in other directorates to get that figure for Ms Lee.

MR CAIN: Minister, what does the government say to the thousands of Canberrans who have missed out time and time again in securing a block of land?

MR GENTLEMAN: As I said the ILRP looks to future population growth and we provide the number of dwellings to support that population growth into the future. We do not, of course, support land banking, as previously used to occur in the ACT—I remember it vividly well—where you would see developers gather up large blocks of land when they went to market and sit on them for many years to look at the increased value of that land and then try to sell it to the public after that. We want to make sure that that does not occur, and that is why we have very good, solid rules around the Indicative Land Release Program.

Mr Hanson: A point of order on relevance. The question is: what does the government say to the thousands who have missed out in securing a block of land? This is not about developers and land banking. That is not relevant to the question that has been asked.

MADAM SPEAKER: To the question, Mr Gentleman.

MR GENTLEMAN: It is relevant because this is why we have such a process in the Indicative Land Release Program to stop that happening—because that is what used to happen before.

We encourage people to put their names forward for those single residential dwellings. We will try our best through our agencies to accommodate that growth.

Whitlam—land release

MS LEE: My question is to the Minister for Housing and Suburban Development. Minister, I refer to the government's latest land release at Whitlam. The median price in that land release is \$770,000, the average stamp duty bill is over \$23,000 and the median block size is 480 square metres. Canberrans buying in this release are looking at a price ticket of almost \$800,000 just to secure a block of land, before a single brick has even been laid. Minister, can you please explain for the Assembly how this housing release is improving housing affordability in Canberra?

MS BERRY: The question is irrelevant with regard to the blocks of land that have been put up for ballot in Whitlam. Those blocks of land are selling based on how the market is responding to a whole range of different issues that are affecting the community in Canberra but also across the country. That includes interest rates; that includes initiatives that were put in place by the former government; and, of course, that includes the impacts of COVID on our community.

The ACT government has a raft of measures now in place that we have announced through the appointment of a coordinator general for housing to bring all of the policies across all of government into one office. They will report to me to identify the range of different initiatives and innovation that needs to occur in this space, because we have to make sure we leave no rock unturned to address with our own initiatives the housing crisis that is affecting the ACT—and not just the ACT but the rest of the country.

Mr Hanson: So is that an admission of failure?

MS BERRY: No. Actually, it is an admission of innovation, and it is paying attention to what is happening across our community and working—

Ms Lee: It's what we've been calling for—for a year.

MS BERRY: Well, you have been calling for it, but your previous federal government was not listening. This federal government, under Anthony Albanese, is listening, and we now have a significant investment in housing that never ever occurred under the former federal Liberal government, which was clearly not listening to the Canberra Liberals when they were calling for change in this space.

MS LEE: Minister, is your government's reluctance or refusal to release affordable, single residential dwelling blocks more about raising revenue rather than fixing the Canberra housing crisis?

MS BERRY: No. We have responded to this question about the government's approach to housing a number of times in this place and our move to a change in housing supply to 70 per cent in brownfields and 30 per cent in green fields developments to ensure our community can cater for the growth in our city—to ensure our city has the green leafy suburbs we all love and that we can cater for the future growth of our city. We have to do that in a way that takes into account the finite land we have in the ACT and manage that appropriately to ensure that people who want to be in homes of their own have choice about where they want to live in this city, whether that is centrally in town or out into the suburbs.

MR COCKS: Minister what do you say to all the families who are still looking for affordable single detached housing?

MS BERRY: We understand. I understand that it is frustrating for some members of the community that they cannot get into homes immediately that suit their needs. That is why the ACT government is bringing forward a range of different initiatives: to ensure that no rock is left unturned and that we can work with our community to understand the kinds of things our community needs to make sure we meet the needs of everybody, regardless of where they want to live in our city. We want to build suburbs where people want to live.

Economy—cost-of-living

MR DAVIS: Chief Minister, I have been a member of this Assembly for more than two years now, so I can start to spot trends in my inbox, and a trend is appearing. My constituents are feeling the pinch. Inflation, increasingly expensive rents and another rate hike yesterday, pushing rates to a decade-high of 3.35 per cent, are putting real pressure on the budgets of households in Tuggeranong. What real and practical supports can the ACT government provide to help families who are struggling to meet the rising costs of living?

MR BARR: I thank Mr Davis for the question. In the available 120 seconds I will not be able to go through the more than 65 ways that the ACT government—

Opposition members interjecting—

MR BARR: provides direct support. They include financial support across housing and utilities, transport, education and training—

Opposition members interjecting—

MADAM SPEAKER: Members.

MR BARR: food, legal support and broadly for concession card holders. Some examples include the utilities concession for which around 31,000 households

benefitted to the tune of \$800 in this fiscal year. We provide 100 per cent discount on motor vehicle registration fees for 70,000 cars across the ACT. Pensioners receive a 50 per cent rebate, up to \$750 a year, in relation to the fire and emergency services levy.

Opposition members interjecting—

MADAM SPEAKER: Members!

MR BARR: With public transport concessions we provide concessional public transport for 5.5 million trips. We have a rental bond help scheme and of course we have a rent relief fund that we have run in the past and are running again.

There are a range of other health related concessions—everything from spectacles through to free health care across our community health care centres, which more than 70,000 Canberrans have utilised on an annual basis.

So there is a snapshot. If Mr Davis would like some further information, it is all consolidated on the ACT government website. Just go to www.act.gov.au/assistance.

MR DAVIS: Chief Minister, what advocacy have you made on behalf of Canberrans to the new federal government to ease those cost of living pressures that are within the federal governments control?

MR BARR: The most important project we are working on between the commonwealth and states and territories is an energy rebate scheme that will be part of this year's federal budget to come into effect in this calendar year. That work includes a co-contribution between the commonwealth and each state and territory based on the energy market circumstances in each state and territory. The ACT is in the fortunate position of having locked in long-term renewable electricity contracts at fixed price, hedging against future price increases.

Opposition members interjecting—

MADAM SPEAKER: Members.

MR BARR: We look forward to the conclusion of that work and some announcements that will be made in the lead up to the federal budget. That is one example. In other areas we have been working with the commonwealth in relation to strengthening Medicare to make access to primary health care more affordable. The commonwealth has of course already made medicines cheaper and put in place the mechanism to make child care cheaper from 1 July this year. These measures are combined to demonstrate that across the breadth—

Opposition members interjecting—

Mr Davis: Point of order, Madam Speaker. Something must be done. Two days in a row.

MADAM SPEAKER: Yes, Mr Davis. Members, interjections are unparliamentary. Please cease.

MR BARR: So there are some examples. There are other areas where the commonwealth and the states and territories will be working together to deliver cost of living relief across many different households and sectors of the community. We look forward to that process continuing over this year.

MR BRADDOCK: Chief Minister, do you support the campaign from the Australian Council of Social Service to immediately raise the rate of income support payments above the poverty line?

MR BARR: We have been supportive of efforts to continue to raise the rate and we have welcomed previous announcements from the federal government and, indeed, examples where that has occurred. There is an annual built-in indexation component to those particular commonwealth statutory payments so they are at least, in this high inflationary environment, keeping pace with CPI. I understand they are indexed once or twice a year reflecting prevailing CPI.

But beyond that, I think there is evidence to support the case that the single most significant thing you could do to support many thousands of households out of poverty is to raise the rate. For the period during the pandemic when that did occur it did lift thousands of ACT households above the poverty line.

Of course, we want the fewest number of people to be in receipt of job seeker payments. I am pleased that we have the lowest unemployment rate in Australia. At the moment we have more job vacancies in the ACT than we have unemployed people. So the challenge now is to match the skills of those who are unemployed with the needs within the job market. That is why free TAFE, for example, is an important initiative that we have partnered with the federal government to deliver. There are more job vacancies than there are unemployed people in the ACT at the moment. The jobs are there. We just need to support people to get the skills they need to be able to fill those jobs.

Housing—homelessness

MR PARTON: Madam Speaker, my question is to the Minister for Homelessness and Housing Services. Minister, the recent *Report on Government Services* once again highlighted the failures in the homelessness sector, with 42.9 per cent of the people experiencing homelessness in the ACT being long term. Minister, why does the rate of long-term homelessness continue to grow in the ACT?

MS VASSAROTTI: Thank you, Mr Parton, for the question. It is important that you noted the recent *Report on Government Services*. It is a useful report that comes out every 12 months. It gives us a picture of the issues. I will directly respond to the question, but I do want to note that there are some challenges in comparing data across jurisdictions, given the different ways that the service systems operate. But it does give us really important point-of-time information on particular measures.

In relation to the performance indicator on persistent homelessness, that is a rate that has increased in the ACT. We have the highest rate. It has been consistently quite high

over the last three years. That is the proportion of people who have been homeless for more than seven months in the past 24 months. That is a really concerning figure. It does not mean that people are not getting crisis support, however.

Mr Hanson: Madam Speaker, on a point of order: relevance.

MADAM SPEAKER: Minister, resume your seat, please.

Mr Hanson: The minister has given us a lovely expose on *RoGS* and the importance of *RoGS* and talking about what the figures are, but the question was very specifically: why has it grown? We know it has grown. Mr Parton outlined those facts. “Why?” is the question.

MADAM SPEAKER: She is getting to that point.

MS VASSAROTTI: I am trying to answer that question specifically. They are getting support. It is the lack of exit points out of homelessness services which is a key reason, and that is why we are continuing to see it. In the context of the ACT that is because we are seeing higher private rental rates and low vacancy rates. It means that public and community housing is often the only realistic exit point for people experiencing homelessness. This is an issue of supply.

MR PARTON: Minister, why is the long-term homelessness rate in the ACT so much higher than the national average?

MS VASSAROTTI: Thank you, Mr Parton, for the question. It is not an answer that you will particularly like, but we think a key reason why this is happening is the way that we manage homelessness services, particularly in the ACT and particularly through our central intake service. The way that we are identifying people within the homelessness sector and entering the homelessness sector is actually quite different to most other jurisdictions. That is a key reason.

We are also seeing an increase in demand for a whole range of reasons. We have talked about the issue of having some of the highest rents in Australia. We have talked about the issue of the broader context of how we deal with housing in Australia and here. We see the very high costs of housing in the ACT.

Mr Parton: Change the Residential Tenancies Act.

MS VASSAROTTI: We know what probably is not driving it, because we look at institutes like the Grattan Institute that say things like, “Increasing tenancy laws is actually a way of managing the costs of rental by putting upward pressure on them.”

MS LAWDER: Minister, why did you promise to end homelessness in the ACT when you very clearly cannot progress to that outcome?

MS VASSAROTTI: Homelessness is a wicked problem. What we went to the election with was a very ambitious vision to eliminate homelessness and provide a decent home for all. We did not say that that would happen in one term of government, but we did identify a range of initiatives and funded supply links.

Opposition members interjecting—

In my area of the portfolio there were some specific initiatives, such as funding for OneLink and funding for the Early Morning Centre. This has been delivered. We also identified the need to invest significantly in the homelessness sector. Over the last two years—

Opposition members interjecting—

Ms Clay: Point of order, Madam Speaker. I am finding it quite difficult to hear with the number of interjections.

MADAM SPEAKER: Members, the next one who cuts across the minister trying to respond will be warned. Ms Vassarotti.

MS VASSAROTTI: Over the last two years we have increased funding to the homelessness sector by 23 per cent. The *RoGS* data actually identified the level of investment that we have been putting in. Every budget has included additional funding for homelessness services.

I talked today about the work that we have been doing with the homelessness sector in terms of improving our performance and ensuring that we have the right services that are providing the right help at the right time. This is really challenging work. It takes time. But taking a co-design approach, which is working with people with lived experience, with those on the front line, is the best opportunity that we have to reach the vision that I still believe is shared—that we want homelessness to be rare, brief and non-recurring.

We have a long way to go. We recognise that housing affordability is a key issue. These are shared responsibilities that cut across a range of portfolio areas, which is why initiatives such as the office— (*Time expired.*)

Housing ACT—asset stock

MR PARTON: My question is to the Minister for Housing and Suburban Development. Minister, the recent *Report on Government Services* again highlighted the decline in public housing numbers. The ACT has a lower number of public housing dwellings now than we did a decade ago. Minister, why are you selling and demolishing more properties than you are buying and building, which is causing this rapid decline, given the current demand for housing?

MS BERRY: The last part of Mr Parton's question is simply untrue, and he knows it. We are replacing every single home that we are demolishing in the ACT with more and better public housing that is more sustainable and meets the needs of our community.

Mr Parton also knows that achieving the targets that we aim for, by replacing 1,000 as part of our public housing growth and renewal program, is not linear. It needs to be flexible because we are working very closely with tenants to ensure that they can be in

homes that best meet their needs. We are putting tenants who are living in public housing at the very front of this whole project, to ensure that, when they move into a newer home, it is a home that suits their needs. That comes about through a process of identifying properties for demolition or for sale. If homes are demolished, tenants have to move into a home that best suits their needs. We have to identify a home that meets their needs, move the tenant into that home, demolish their previous home and then build new ones.

I have explained this on numerous occasions in this place. We will now start to see, after the first part of the growth and renewal program, with the 1,000 properties, public housing numbers go up, and we will increase public housing by another 400 homes.

MR PARTON: Minister, on what date will the current figure of public housing dwellings be over 11,000, whether that be linear or non-linear?

MS BERRY: That is not a question; that is a bit more of a hypothetical. I do not think I could give a specific date, given some of the challenges that have been in place with building in the ACT. It is our plan; we have announced, during our growth and renewal program, that we will have completed this five years of the program by the 2025-26 financial year. We will be able to provide the exact numbers for housing, as we have renewed 1,000 properties and grown the number by 400 properties.

MS CASTLEY: Minister, what do you say to the thousands of individuals and families waiting for housing for years because of this decline?

MS BERRY: The ACT government, unlike the Canberra Liberals, has a commitment to public housing in the ACT. I know this frustrates Mr Parton, but I keep going back to the future regarding the thousand properties that the Canberra Liberals sold previously, but it is the only data that I have to go on. There are 1,000 less properties in public housing in the ACT.

Ms Lee: Over 22 years ago.

MS BERRY: It is the only data that I have to go by, Ms Lee; that is the only data that I can use at the moment. The other really important information that the Canberra Liberals need to be reminded of is that we have a federal Labor government that has committed to housing for the first time.

Mr Hanson: Madam Speaker, on a point of order.

MADAM SPEAKER: Resume your seat. A point of order?

Mr Hanson: The question is about what she says to families who are waiting, not what she says to the Canberra Liberals. I would ask her to be relevant regarding what she is going to say to families who are waiting for housing.

MADAM SPEAKER: Mr Hanson, please sit down. Ms Berry, you have the floor.

MS BERRY: I have completed my answer; thank you, Madam Speaker.

Housing ACT—waiting lists

MR PARTON: Madam Speaker, my question is to the Minister for Housing and Suburban Development. Minister, the recent *Report on Government Services* highlighted a significant increase in turnaround time for vacant dwellings to be allocated. The turnaround has gone from just 40 days to now almost 90 days, which is almost double all other states except the Northern Territory.

Constituents consistently ask the Canberra Liberals why there are such a large number of properties sitting vacant for months to years. How do you justify properties sitting empty for months when there are thousands waiting for homes?

MS BERRY: I thank Mr Parton for that question. Since the *RoGS* data has been provided, Housing ACT has had a significant reduction in turnaround times from 90 to 50 days, which is a significant improvement in the turnaround time for housing allocations. Of course, Mr Parton knows that when we are allocating homes to clients, Housing ACT makes sure that it takes a personalised approach to ensure that tenants are getting homes that best suit their needs, wherever they want to live across the city.

MR PARTON: Minister, what led to those turnaround times getting to that significant level of 90 days, as evidenced in the *RoGS* data?

MS BERRY: There could be a range of different reasons for that turnaround.

Mr Parton interjecting—

MADAM SPEAKER: Just ignore the interjections. Mr Parton, can you cease.

MS BERRY: I had not even finished the words in my sentence before he interjected, Madam Speaker. As I was saying, there could be a range of different reasons why turnaround times have increased over a period of time.

That could include the amount of work that might need to be done within an existing dwelling to ensure that it meets the needs of future tenants. There could be a range of modifications that need to take place to make sure that it meets the needs of future tenants or new tenants coming into that home.

It could also be the case that there are tenants moving into homes that also need other modifications moving them into different parts of their life, whether they need to age in place or whether they need to move into larger or smaller homes. Doing repairs and maintenance on public housing has been a priority for the ACT government, and some of those maintenance and repairs can take time in that turnaround period, but Housing ACT has been working with the contractors to ensure that turnaround time can be improved.

As I said, because we take a personalised approach and because we want to meet the needs of each individual tenant, that means finding a home specifically that meets the needs of each individual tenant.

DR PATERSON: Minister, I was wondering how important is it to the ACT government to see a reduction in waiting times and get people into appropriate housing?

MS VASSAROTTI: Thank you for the question, Dr Paterson. The issue of waiting times is an issue that the ACT government is really conscious of. We have seen an increase in demand, so that has also resulted in an increase in the numbers of people on the waiting list.

We are working really hard, primarily through the delivery of the growth and renewal program. As Minister Berry has spoken about, this is a significant program that will see not only the establishment of 400 new homes but the renewal of 1,000 new properties to ensure that they are more climate-wise, more adaptable and more fit for purpose for people that are requiring a new home.

Roads—maintenance

MR PETTERSSON: My question is to the Minister for Transport and City Services. Minister, can you please provide an update on the ACT government's Strategic Road Maintenance Program and how it will benefit Canberrans?

MR STEEL: I thank Mr Pettersson for his question. I know that he is interested in road maintenance, with some resurfacing happening in Gungahlin right at the moment.

In December last year, I was really pleased to announce the new Strategic Road Maintenance Program to repair and preserve Canberra's roads for a generation. The ACT government is increasing our road maintenance program investment by 52 per cent in expenditure. This represents an increase, in addition to Roads to Recovery funding from the commonwealth, to \$153 million over the next four years—a record level of funding increase for better, safer and smoother ACT roads.

It will see resurfacing on the network increase by 268,000 square metres a year to 1.26 million square metres resurfaced every year going forward. The focus of that investment will be on our arterial and collector roads, which we know thousands of Canberrans use each and every day. This will include a massive 150 per cent increase in asphaltting work, a high-quality and high-strength solution which can deliver up to 30 years of usable surface.

The key beneficiary of this program is Canberra's road users. The additional investment in our roads is far outweighed by a predicted reduction in user costs. Smoother and safer roads mean greater vehicle and fuel efficiency, reducing how much Canberra drivers will need to pay for fuel and vehicle maintenance, and, importantly, this will reduce emissions.

MR PETTERSSON: Minister, what evidence base was used to develop the new Strategic Road Maintenance Program?

MR STEEL: This is an evidence-based program. We have been working closely with the Australian Road Research Board for over a decade on creating innovative methods and putting them into practice for road maintenance, driven by science and driven by

the economics, including this new program. ARRB has undertaken a very significant volume of work to determine how the quality of the ACT's road network would change over time in response to different funding profiles and resurfacing treatments. Research considered a range of different levels of rutting, cracking and other forms of deterioration, and they examined low-, medium-, and high-cost options to address these issues and the resulting costs to both the ACT government and the community.

As I mentioned this morning, the benefits of the ACT's new Strategic Road Maintenance Program are very significant. ARRB has calculated that the marginal benefit cost ratio for the new Strategic Road Maintenance Program is 24. So, for every dollar spent, we get \$24 worth of benefits expected, which is a fantastic result and one that we hope will see improved roads over time in the long term. We have chosen the highest cost and highest quality option that ARRB put forward. That will deliver the greatest benefits for Canberrans.

MR BRADDOCK: Minister, do we apply the same evidence-based strategic process to the Active Travel Network resurfacing?

MR STEEL: I thank the member for his question, and I reference the previous question which I answered last year about the difference between the road pavement that obviously has to cater for heavier vehicles. We are seeing heavier vehicles over time as more people choose SUVs, in particular, but also electric vehicles. We also know the impact on our roads as the result of climate change. That is something that I know that ARRB will be undertaking further research on in coming years. We will also of course be looking at our path maintenance program. But there are much lighter vehicles on our paths, so they do not require the same treatment.

But, of course, cyclists also use our road network to travel around for on-road cycle lands as well. This road maintenance program will benefit all road users: cyclists on our roads and on-road cycle paths, which are very popular amongst our dedicated cycling community; public transport, because public transport in the form of buses does run on our roadways; private vehicles; and, importantly, freight.

I know that Mr Braddock would be interested, as would other members from Yerrabi, in the work that has been happening around places like Belconnen Way. Today our road crews are hard at work resurfacing Gungahlin Drive in Ngunnawal and undertaking neighbourhood resealing and asphalt works in a range of different places across the city. In coming weeks, they will commence further works resealing arterials in the south side of the city, on Cotter Road, Namatjira Drive, Hindmarsh Drive, Yarra Glen, Isabella, Drakeford Drive and Uriarra Road.

We will continue to have a focus on road maintenance as well as also investing in footpath maintenance. We have invested \$4 million in recent budgets for road maintenance and, of course, we have been consulting on a new Active Travel plan, which has, as part of its key objectives, a focus on road maintenance as well as improving safety to improve riding.

Hospitals—emergency department waiting times

MS CASTLEY: My question is to the health minister. The report on government services revealed that the ACT only saw 52.4 per cent of ED patients within four

hours, making the ACT the worst jurisdiction in Australia. The ACT's performance on this benchmark has declined from 73 per cent in 2016-17.

Two years ago, you promised that the ACT will meet national benchmarks for this indicator within nine months. On ABC radio you said, "We have tried a lot of things in ED that either haven't been sustained or we haven't seen the impact of those yet." You said they hadn't worked as you wanted. Minister, what changes have you implemented to the emergency department which have failed to reduce ED wait times?

MS STEPHEN-SMITH: I thank Ms Castley for the question. One of the things that we tried very early on in relation to this was having what is called a "multidisciplinary triage process", where we bring a doctor into the triage process to start the treatment time earlier—to get people started on treatment earlier. That was not successful. The reason for that was the extremely high level of demand we were seeing in our emergency department. We just could not sustain having a doctor in that position, and they were pulled back into the main floor. That is an example of where we have tried something, and it did not turn out to be a sustainable change.

What has turned out to be sustainable and is now becoming embedded, for example, in the Canberra Hospital emergency department, is what we call a "clinical initiative nurse position". That is having a nurse in the waiting area ensuring they are keeping an eye on people who are waiting to commence treatment, identifying anyone who might be deteriorating and providing a point of contact for people. One of the recent conversations is that having trialled that initiative, Canberra Hospital is looking to increase the level of that position to ensure there is someone in that position who will be able to commence more treatment and provide more proactive support to people who are waiting.

One of the other things that has been successful, and this goes directly to the question of bringing people through the emergency department more quickly, is a medical navigator position. We have both nurse navigators and medical navigators identifying where people are ready for admission and trying to work with the wards to find a bed and get people moving out of the emergency department more quickly. And, of course, we have funded some significant initiatives, including the acute medical unit, which I am happy to talk about in the next question if I get an opportunity.

MS CASTLEY: Minister, why has the ACT's ED performance fallen by 20 per cent since 2016-17?

MS STEPHEN-SMITH: I think if Ms Castley looks across the ROGs data at the other jurisdictions she will find that most of the other jurisdictions have experienced a very similar thing, and most of the hospitals have, particularly those large, busy hospitals. If she looks at the front pages of newspapers across major cities—

Ms Castley: Madam Speaker, I wish to raise a point of order. I am not asking about other jurisdictions, just the ACT.

MADAM SPEAKER: I think it is within context. I will listen. I believe you were in order Ms Stephen-Smith.

MS STEPHEN-SMITH: The point I was getting to is that all the jurisdictions have faced some significant demand pressures. They have faced workforce pressures in relation to COVID-19, where we have seen a workforce significantly affected by illness and by having to quarantine and isolate as a result of COVID-19. COVID has also increased workload in terms of managing people with respiratory illness and the amount of infection prevention and control measures that need to be put in place.

We have seen very high demand not only from people who may have COVID. In particular, we have seen very high levels of demand for quite acute complex care needs, including emergency surgery. That has been the case across all of our jurisdictions. As I was saying, that is reflected in other jurisdictions with front page stories about ambulance ramping. We do not ramp ambulances here in the ACT—and, in fact, other jurisdictions have talked to us about what we do in that regard—and that does influence our figures.

One of the points I would make to Ms Castley is, when she looks at our hospitals compared to their peers that data and that comparison is not the same. It is really important to recognise that other jurisdictions have small hospitals that have very different circumstances.

MR HANSON: Minister, how can Canberrans trust any promise you make to fix EDs, when the last promise you made was broken?

MS STEPHEN-SMITH: I completely reject the premise of that question. The Canberra Liberals for the last couple of years have consistently presented this as a promise. I had a long conversation with a journalist. What I said to her was that Canberra Health Services had a plan to address this issue—implementing a range of things over the next nine months with an objective to get to this target over the next nine months. They had a plan: some of those things, as I have talked about, worked; some of those things did not work as well as we expected; and there were other factors that influenced the performance of our emergency department. It is very difficult to drive change in a very busy 24/7 environment.

One of the things I said on radio the other day was recognising that our staff who work incredibly hard in that environment, when they are under pressure, will revert to the models of care they are familiar with. This is exactly why we have made such a significant commitment in our emergency department, including: ensuring recruitment is strong across the board so there is resilience through the system; implementing and expanding the acute medical unit that can move admitted patients out of the emergency department expeditiously; and considering all our opportunities to address capacity issues, including working really hard to move towards a seven-day-a-week hospital—with the additional recruitment of allied health staff, for example, enabling us to do more discharge over the weekend so that we do not come to Monday with a really significant number of people in our wards and difficulty getting people through the ED. Continuing workforce planning for the new emergency department for the critical services building—

Mr Hanson: Madam Speaker, I wish to raise a point of order. The point is: how can we actually trust the minister? She has laid out these plans before. They have not delivered—

MADAM SPEAKER: Resume your seat, Mr Hanson. There is no point order—

Mr Hanson: It's not relevant!

MADAM SPEAKER: If you want to challenge me, Mr Hanson, go right ahead. Otherwise, resume your seat.

Canberra Hospital—critical services building

MS ORR: My question is to the Minister for Health. Minister, you recently announced an investment in further state-of-the art enhancements for the new critical services building at Canberra Hospital. Can you provide an update to the Assembly about these enhancements?

MS STEPHEN-SMITH: I thank Ms Orr for the question and for her interest in the biggest health care infrastructure investment since self-government. This is infrastructure that is built for Canberra in partnership with Canberrans. The Canberra Hospital expansion project will grow Canberra's health care capacity with more operating theatres, more treatment spaces and more intensive care beds.

Ms Orr: Point of order. Madam Speaker. I just make the point of order: I have made it before but when ministers are addressing comments to you, I am quite far back in the Chamber and it is very hard to hear their points.

MADAM SPEAKER: Thank you. So to assist in that, please members keep their comments low. Ms Stephen-Smith.

MS STEPHEN-SMITH: It has been several years since we commenced the design of the critical services building. Since then we have lived through a world pandemic. We continue to consult extensively with the community, with health care consumers and with clinicians. We live in a world where technology is constantly evolving and we want to ensure the critical services building continues to offer the very latest state-of-the-art clinical technology. So on Monday, the Chief Minister and I announced we are investing almost \$17 million to include a pandemic management overlay, a new hybrid theatre and an expanded central sterilising service department in the Canberra Hospital expansion. This will further future-proof our new critical services building and ensure patients have access to state-of-the-art treatment. These changes, as for so many aspects of the design, reflect consultation and co-design processes with Canberra Health Services, with clinicians, with health care consumers and feedback received from the community.

I toured the ground floor of the critical services building on Monday, the new ED area and I can confirm that it is going very well. This is a very exciting time for the Canberra community as ACT Labor delivers on our commitment to complete the Canberra Hospital expansion next year. ACT Labor is delivering on meeting the acute care needs of the ACT region while remaining responsive to new opportunities.

MS ORR: Minister, how will the new pandemic management overlay and hybrid theatre benefit our health system and broader community?

MS STEPHEN-SMITH: I thank Ms Orr for the supplementary. As we all know, the past three years have been incredibly difficult for the health system and our entire community in the ACT as we met the challenges of the once-in-a-century—I hope!—COVID-19 pandemic. As a community and within the health system we have learned a lot about management of the pandemic as a pandemic that has enabled us to enhance the critical services building to deliver best-practice pandemic safe measures. We are investing more than \$8 million for this pandemic overlay to be delivered as part of the current design and fit out. It means the critical services building can transition its operations more efficiently during the current or any future pandemic. Measures include compartmentalisation of key parts of the building, additional airlocks and infection control stations, ventilation and air conditioning enhancements to stop the spread of airborne viruses and minimising touch points with new technologies.

The investment we announced on Monday also includes almost \$4 million to ensure the critical services building is equipped, as I said, with the latest state-of-the-art clinical equipment. This includes enhanced imaging facilities with a combined angio-CT machine in the hybrid theatre. This theatre will enhance patient safety outcomes and efficiency, reducing theatre downtimes so more patients can move through the theatres, reducing wait time and increasing capacity. The hybrid theatre will support critically unwell patients through an all-in-one theatre design which enables imaging of critically unwell patients in operating theatres in real time.

MS CASTLEY: Minister, will this infrastructure funding replace the 150 bed shortfall compared to the Capital Asset Development Plan?

MADAM SPEAKER: Ms Stephen-Smith. Do you need the question again?

MS STEPHEN-SMITH: Yes, that would be helpful. Thank you.

MS CASTLEY: Will this infrastructure funding replace the 150 bed shortfall compared to the Capital Asset Development Plan?

MS STEPHEN-SMITH: I thank Ms Castley for the question. I do not accept the premise of her question, however. The Capital Asset Development Plan was conducted a long time ago. Since then many different parts of the health system have expanded. We have indeed built the Centenary Hospital for Women and Children, built the Canberra Region Cancer Centre, built an entire new hospital at University of Canberra Hospital with 140 beds. We have expanded services at both Canberra Hospital and at Calvary Public Hospital Bruce. And now we have made the biggest health infrastructure investment since self-government in the critical services building, which will deliver many more treatment spaces in the emergency department, more beds, more theatres.

Of course we continue to plan. We now have the Canberra Hospital Master Plan, which is a genuine master plan for Canberra Hospital, taking account of the investments already made and thinking very deeply about what Canberra Hospital needs to look like as a tertiary trauma hospital but also as a hub for training the next generation of clinicians and for research and education as well. That is not all Madam Speaker. We are also planning for the northside hospital, building a complete new

northside hospital which ACT Labor has committed to and is working on. We have funded the development work for the northside hospital with the objective of commencing construction mid-decade.

Health—endoscopies and colonoscopies

MS CASTLEY: Madam Speaker, my question is to the Minister for Health. Minister, Bowel Cancer Australia state:

If wait times for a colonoscopy exceed 120 days, a prognosis can worsen if cancer is present.

In April 2021, the waiting list for endoscopies in Canberra was around 7,200 and at least two people had developed cancer while waiting more than a year to be seen. By October 2022 the waitlist had blown out to 9,085 patients waiting for an endoscopy and colonoscopy procedure. How many patients are currently waiting for a colonoscopy and endoscopy and how many are overdue?

MS STEPHEN-SMITH: I will take the detail of the numbers on notice. I note, again, that this is a challenge that we have seen across the board and a challenge that all jurisdictions are facing. This is partly because of the take-up in bowel screening programs. The National Bowel Cancer Screening Program has created significant demand for endoscopy procedures. That is not a bad thing in itself, but it is difficult for states and territories to keep up with that demand.

We need to continue to do that. That is why, again, we have made significant investments in growing the number of endoscopies that are able to be progressed in the public system in both Canberra Hospital and Calvary Hospital and also investing in the feasibility study for new endoscopy suites at Canberra Hospital. We are very well aware of this challenge. We have continued to invest to grow this service, but we also know that we are seeing demand for this service increase.

I should emphasise something regarding those people who are coming through the bowel screening program who require an endoscopy. I understand that, in addition to the waiting list that Ms Castley is talking about, there is a pathway for people to go straight into endoscopy, having been identified as requiring an urgent endoscopy or colonoscopy. Those people never even appear on the waitlist. That is my understanding. If I am incorrect about that, I will correct the record. It does also impact how that waitlist is managed.

MS CASTLEY: Minister, what is the average wait time to receive a colonoscopy and endoscopy in each triage category?

MS STEPHEN-SMITH: I regularly receive updates in relation to these numbers in my briefing. The opposition regularly FOI my briefs, so they will have seen these numbers themselves. That indicates that we do have a very strong focus on this. We have made significant investments, both in increasing the number of endoscopies that can be conducted but also in the infrastructure to support that. Indeed, just the other day I was talking to the team at Canberra Hospital about what more we can do

to invest in additional infrastructure, additional capacity, including options to partner with the private sector.

There is significant demand for health services and hospital services across the board. We grow our investment in health services very significantly each year and we will continue to prioritise the growth in endoscopy but also explore other options as well.

Mr Hanson: On a point of order, Madam Speaker.

MADAM SPEAKER: Point of order.

Mr Hanson: I understand that part of the question was: what are the wait times? If the minister does not have that available, she could take it on notice. But could she provide the wait times, as asked?

MADAM SPEAKER: In the time you have left, Ms Stephen-Smith.

MS STEPHEN-SMITH: Thank you, Madam Speaker. I will take that part of the question on notice.

MS LEE: How many overdue patients have developed cancer whilst waiting more than a year to receive a colonoscopy or an endoscopy?

MS STEPHEN-SMITH: I thank Ms Lee for the question. Of course you never want to see someone having an adverse outcome as a result of waiting for any kind of health care. I will take the question on notice, but I am not sure that we will actually be able to answer it because it is not necessarily going to be clear that someone developed a cancer during the particular period of time that they have been waiting for a service. I will take that on notice.

Of course that is something that we absolutely want to avoid. That is why encourage people to participate in the bowel screening program nationally and why we prioritise those who are identified through that program. I will come back to the chamber with some more information about how that whole process works. I am pretty sure that I have provided that before, but I am happy to do so again.

Transport—bus services

MS CLAY: My question is to the minister for transport. Minister, in May last year the Assembly passed my motion, with tripartisan support, calling for a return to the regular bus timetable in 2022 and hourly weekend services in 2023. What changes did your office and Transport Canberra make in order to deliver this?

MR STEEL: I thank Ms Clay for her question and her interest in public transport in Canberra. The ACT government, of course, responded to that resolution yesterday, and I also provided a very extensive and detailed ministerial statement outlining the changes that we have already made to the timetable that we announced in October last year, which responds to the period of disruption that we will experience in the first half of this year and beyond, and the disruption that it will cause not only for the road

traffic network but also for the public transport system. In order to make sure that we can continue to deliver reliable and frequent services, we have made changes to the timetable.

As I noted in October last year to Ms Clay's colleague Mr Braddock, the changes were accompanied by adjustments to the timetable that account for the time delays that we do expect through the network as a result of construction work on major infrastructure projects. These accommodations in the timetable have now been made, and they will utilise Transport Canberra's full bus fleet and all available staff, including the extra staff that we have recruited and onboarded, to ensure that we can deliver a full timetable for Canberrans. It will be a different timetable than people have experienced before, but it will be one that reflects the situation and environment that we are in this year, and also responds to community feedback. We have implemented that timetable as of 30 January.

I also provided an update yesterday on some extensive work that we have been doing in recruiting staff. We set out a target to recruit 60 staff by the end of last year. In fact we recruited 70, which was great news. Further recruitment rounds this year have already been very strong, attracting 207 prospective applications, and further rounds will be undertaken. (*Time expired.*)

MS CLAY: Minister, when will we return to what you describe as full services?

MR STEEL: Once we have a handle on what the disruption looks like across the transport network, we will look at what opportunities there are to improve services. We will be looking at that in the first half of the year, with a view to making some improvements in the second half of the year. Of course, we know that the construction program will change over time, not just with the raising London Circuit project but also with other projects. The National Capital Authority is yet to determine the construction methodology and road traffic changes that will need to be made to facilitate their projects. We will be working closely with them. We will then identify what changes need to be made to bus runs.

We have, of course, based the changes that we have made in the term 1 timetable on modelling. We will need to test that in the reality of the situation that we will face in the road network this year. Some routes may be affected more than others, based on the modelling, so we can make tweaks on that basis going forward, and look to make improvements as soon as we can. Very minimal changes have been made to the weekend timetable, which I know Ms Clay has an interest in. We will also look to see whether we can improve weekend services going forward.

I know that she has an interest in workforce diversity, and I am very pleased that Transport Canberra is developing a gender equity action plan, in consultation with employees and their representatives. I am looking forward to seeing, together with the focus that we have had on recruiting women, a better gender balance in the workforce going forward as well.

MR BRADDOCK: Minister, what steps do you plan to undertake to deliver on the commitment to have hourly weekend services?

MR STEEL: We have already outlined those steps in the Assembly; I did that yesterday. That includes continued discussions with the Transport Workers Union and employee representatives around a new enterprise agreement and what opportunities there might be to provide more reliable services on weekends, and working with the driver workforce to achieve that. That is obviously a discussion that is being had in good faith, and it has taken a little longer than we expected. But once that comes to a conclusion, we will be updating the Assembly and the broader public on what that means for public transport on weekends.

Of course, we will continue the work that we need to do to recruit more drivers into the workforce. We have had one round continuing into this year, with 207 applications received. We will work through those applications, and we are coming up with a further recruitment plan for this year, which will see more rolling recruitment rounds occurring, to make sure that we have the driver workforce to deliver the services that Canberrans expect.

ACT Health—elective surgery

MS CASTLEY: Madam Speaker, my question is to the health minister. Minister, two years ago you reiterated your target of completing 16,000 elective surgeries in 2020-2021. Only 15,324 were delivered and 773 patients waited longer than clinically recommended.

In 2021-22 the target was lower—to complete 14,800 elective surgeries—but there were only 14,011 completed and the number of patients waiting longer than clinically recommended almost doubled to 1,364. Now that the pandemic is easing and we are not in the lockdowns, the government's target for 2022-23 is still only at 14,800 elective surgeries. Why is the government aiming so low?

MS STEPHEN-SMITH: I thank Ms Castley for the question. The 16,000 target a few years ago was a very ambitious target to seek to catch up on those elective surgeries that had had to be deferred in the first shutdown of elective surgery as a result of the COVID-19 pandemic. We were one of the few jurisdictions—if not the only jurisdiction—that significantly managed to catch up on elective surgery during that 2020-21 year and performed far exceeding any previous number. More than 15,300 elective surgeries was far exceeding the previous highest number of elective surgeries that had been performed in the public system in the ACT of 14,015.

So 14,800 is a significant increase on that 14,015, which was the next highest number of public elective surgeries that had ever been performed. In terms of where we did not meet that target in the last financial year, Ms Castley would be aware that Calvary Public Hospital had to put non-urgent category 2 and 3 elective surgeries on hold as a result of the Omicron wave of COVID-19. That had a very significant impact on our capacity to reach the target.

More broadly, the impact of COVID-19 was significant. That impact was both around workforce but also around the number of patients—I am getting to the response to your actual question, Ms Castley; I have 30 seconds left—was also around the number of patients who could not come in to have their surgery because they had contracted COVID or they were in quarantine.

In terms of this year, 14,800 is actually still quite an ambitious target. This year, that target was not higher because we were implementing the digital health record, and we knew that we were going to have to slow down on some elective surgeries in order to do that, which successfully went live on 12 November last year.

MS CASTLEY: Minister, why does the government keep failing to meet the targets for elective surgery even after lowering the bar during COVID? I do not think you answered that.

MS STEPHEN-SMITH: I think I provided pretty comprehensive responses to why we have been unable to meet the target in the last couple of years. I should have said, if I had not have run out of time, that Ms Castley was actually well aware of why the target was 14,800 this year. She has had briefings on the Digital Health Record; it is one of the few matters that she has sought briefings on. She is very, very well aware. We have had many conversations about this.

There are always challenges in our system. We work incredibly hard with our private hospital partners as well, and I really want to thank our private hospital partners, but also Canberra Health Services and the staff at Calvary Public Hospital for the way that they have stepped up and been flexible in the wake of the most recent issue that we have encountered in our elective surgery delivery, which is of course the fire at Calvary Public Hospital in Bruce.

That will inevitably impact our capacity to meet our elective surgery target for 2022-23. I think that is clear, but we are working very hard, and Calvary was already working hard not only to meet its target but to catch up on the surgeries that it had missed in the previous financial year.

We are now having to do some very quick work to rethink how we deliver that, but I can assure Ms Castley and every member of this place and all the Canberrans who are waiting for elective surgery—which is, of course, not a circumstance that people want to be in—that the team is working incredibly hard to find a wide range of options to ensure that we can get as close to that target as possible, if not exceed it.

MR PARTON: Minister, how many elective surgery appointments have been cancelled because of the unavailability of staff and theatres each year since you have been the health minister?

MS STEPHEN-SMITH: I have absolutely no idea what Mr Parton is getting at, so I will refer him to my ministerial statement yesterday in relation to the Calvary fire, which is the only thing I am aware of in relation to the unavailability of theatres Calvary has, obviously.

Then there has been a significant impact on staffing, but it would not be possible, Madam Speaker, to quantify what surgeries have been unable to be performed because staff were unavailable for quarantine, staff were on unexpected leave, locum surgeons could not come from Sydney because of closed borders, et cetera, et cetera, et cetera. There are so many different factors.

Then, of course, as I said earlier, we have patients who have had to cancel surgery because they have been unavailable. Trying to unpick the reasons for each one of those surgeries not being able to proceed on a particular day is completely impossible and ridiculous.

Mr Hanson: Madam Speaker, on a point of order of relevance, it simply asked for when staff were unavailable. The question does not ask for why they were unavailable, just when they were unavailable. We did not ask were they on leave or were they—you are just making that up.

MADAM SPEAKER: Resume your seat. I believe the minister was in order in her answer.

MS STEPHEN-SMITH: For Mr Hanson's benefit, what I was trying to say is there are multiple reasons that surgeries may have to be postponed, and trying to pick apart which surgery was postponed for which reason would not be possible. What we report on regularly is how many surgeries have been completed against our target. We are very transparent about that and we are very transparent about the multiple reasons that surgeries may have to be postponed.

ACT Health—Digital Health Records system

MS CASTLEY: My question is to the Minister for Health. Minister, during an ABC interview on 20 January you were asked to provide up-to-date figures for outpatient waiting times, and you responded with: "I can't give you a time frame on when we can actually get the full up-to-date data on that. Pulling some of that data is quite a manual process at the moment through the Digital Health Record." ED wait times are no longer published on the ACT Health website and the reason cited was: "When DHR went live the way that the data was captured didn't make sense." Minister, how has a digital record information system that cost more than \$145 million ended up creating more manual processes to access critical data?

MS STEPHEN-SMITH: Well, it will not, but it is in the process of bedding down some of these issues. When you implement an electronic health medical records system, have to actually go live and you have to see how people are using it to understand where you might need to make some tweaks.

So, at the moment, to extract some of that data in a way that makes sense would be quite a manual process. But we are expecting that, as this process beds down—as we get more used to the system and staff get more used to using the system and everyone is ticking the same thing to mean the same thing—that data will actually flow through a lot more quickly and there will be a lot more automated processes in relation to that.

Of course, there is a motion on the notice paper for tomorrow to discuss some of these issues around data, and I look forward to having that conversation with Ms Castley. I can assure her that we are working in relation to the emergency department data through the ACT Health app to be able to provide those wait times in a much more meaningful way for people who are searching for that information.

Previously—and the opposition has, I think, made this point—the way that wait times were presented on the ACT Health app was not necessarily reflective of people's

experiences and it was not necessarily explained very well either. So the team has been going through a process of understanding what is going to be most meaningful in presenting those wait times. I think we have landed on “90 per cent of people who were seen in the last two hours were seen within this time frame”—something that people can pretty easily understand what that means to them. We are working through the processes of how that data will be captured through the Digital Health Record and fed into the ACT Health app.

MS CASTLEY: Minister, when will we have the figures?

MS STEPHEN-SMITH: I probably will not be able to meet the “calls on” in Ms Castley’s motion for tomorrow in relation to being able to table the outpatient data in the next sitting week. However, I am expecting that by the May sitting we should be able to have that. I am happy to commit to bringing forward that data then. We are obviously working as quickly as possible. The team is working as quickly as possible to address those data issues.

I have to say that the priority in terms of the Digital Health Record implementation has been to address the issues that directly affect frontline health care and potentially present some kind of clinical risk. Whenever you go live with an electronic medical records system, there are going to be things that have come up unexpectedly—the system did not quite work in the way that you expected—and those things that may present a clinical risk, where staff are having to work around that to address any clinical risk, are the most important things to prioritise.

So we have been prioritising those first. But the team is now well and truly onto addressing the data issues to make sure that we can report and continue to be transparent with Canberrans, as we have been through our quarterly performance report for a very long period of time.

MR COCKS: Minister, when will the Canberra Hospital and Calvary Public Hospital ED average wait times be publicly available online?

MS STEPHEN-SMITH: I thank Mr Cocks for the question. I cannot remember if I said in my previous answer that we are looking to have that process completed this month. I am hoping that by the end of this month the ACT Health app will be updated and that that data will be feeding through. I cannot guarantee that that process will be completed, but that is certainly what we are aiming for.

If Mr Cocks is talking about the kind of data that we produce in the quarterly performance report, again, we are doing that as quickly as we possibly can. We are certainly expecting we should have those issues resolved this month. I am not sure whether the data will start to become available this month or whether it will be next month, but it is my expectation that it will be within the next month or so.

Gungahlin—indoor sports facilities

MR BRADDOCK: My question is to the Minister for Sport and Recreation. The *Community and Recreational Facilities Assessment—Gungahlin District* dated March 2022 identified a gap for a multipurpose indoor sports facility in the Gungahlin district. When is Gungahlin going to see such a facility be constructed?

MS BERRY: As Mr Braddock would know, decisions on policy or funding for projects such as a facility like the one he has identified in Gungahlin are not made based on questions in question time; they are part of the budget processes of government. However, I do know that the Gungahlin community, like many other communities in the ACT, is growing and our sports participation is growing across the ACT.

As that occurs, we do need to make sure that we have the facilities that meet the needs of our community. For Gungahlin, the ACT government has committed to a new tennis facility, which the ACT Labor Party committed to and are delivering on. We consulted with the community on the design of that facility, and I know that Gungahlin and the broader tennis community will be looking forward to that facility being up and running.

One of the other ways we are meeting the needs of the Canberra community through indoor sports facilities, as well as with Gungahlin, is with public schools. Of course, they are a school's first, but they are important hubs for our community. So we make sure when we are building schools—particularly high schools for years 7 to 10—that they have multipurpose double gyms for the use of the community outside of school. The new high school in Kenny, for example, which is set to open for the 2024 school year will include a double gymnasium. That gymnasium will be suitable for a range of different indoor sports, including basketball, netball, futsal as well as volleyball. The markings will be included on that court to ensure that those sports can play there. The school will also include ovals for soccer, rugby union and rugby league.

MR BRADDOCK: What action has the ACT government undertaken following receipt of the *Community and Recreational Facilities Assessment—Gungahlin District*?

MS BERRY: The ACT government has been working with sports clubs across the ACT in the development of a strategy, and we are continuing to work with sports clubs to identify their needs.

MR HANSON: Minister, could you provide an update on the Olympic size swimming pool in Woden?

Mr Barr: I'm not sure how that is related to sports facilities in Gungahlin.

MR HANSON: I can say exactly how it is relevant. In the answer to her question, the minister said she was engaging with sporting organisations across the ACT. Obviously—

MADAM SPEAKER: Mr Hanson, I do not need your assistance. There was a broad response on sports facilities and accommodation of the growing demands of sport. Ms Berry?

MS BERRY: What I can provide an update on is on the existing pool within Phillip right now. As Mr Hanson may recall, that pool has been purchased by Geocon. I met with Geocon early this year or late last year—I will confirm that—after I wrote to the

former owners of the pool to ask them to clarify when the pool would be open. That letter was responded to by Geocon, and I met with Geocon to ask what their intentions were for the pool. As per the *Canberra Times* article, Geocon have said that it is their intention to have the pool open; however, the wet weather had meant that there were delays in painting the pool. But it is their intention to have their pool open for this summer period—even if it is for a short period. In the meantime, of course the Stromlo pool in Molonglo is available for residents' use.

Children and young people—Child Development Service

DR PATERSON: My question is to the Minister for Early Childhood Development. Minister, how is the ACT government delivering for the families of children experiencing developmental vulnerabilities or delays?

MS BERRY: I thank Dr Paterson for her question. The ACT government is offering free assistance to families with concerns about their child's development through the Child Development Service. For many years now the Child Development Service has offered assessments and referrals for children up to six years of age. This includes autism assessments for children up to 12 years of age. Last year I announced the ACT government is investing \$7 million to expand the Child Development Service offerings. As of this month families of children aged 24 to 36 months can now access early intervention therapy services through the Child Development Service. This includes services such as speech therapy, occupational therapy and physio. The ACT government is also supporting children and young people to access the physical supports they need to maximise their independence. In the 2022-23 budget the ACT government invested over \$400,000 to continue to deliver the Children and Young People Equipment Loan Service which lends out specialised equipment like wheelchairs, hoists and communication devices to children and young people.

DR PATERSON: Minister, what difference will the Child Development Service's new early intervention therapy service make to ACT families and children?

MS BERRY: Thank you Dr Paterson for the supplementary question. The new early intervention therapy service of the Child Development Service has only just begun but it is already making a real difference to families in the ACT. Over 20 children have accessed the service just this month. We know that early intervention and support is critical to ensure that every child meets their full potential. If families are supported early they are more likely to engage with the government and community services and children will be better prepared in the lead up to school and beyond. Our goal is to provide joined up holistic and early support for children and families. A co-location of the assessment and therapeutic services within the Child Development Service is an example of this vision coming to reality.

MR PETTERSSON: Minister, how does early intervention at the Child Development Service fit into the ACT government's comprehensive strategy for the early years?

MS BERRY: The ACT government is committed to giving every child a fair start to life. The Child Development Service supports families to feel confident in raising happy and healthy children, which is a key goal of the government's *Best start for*

Canberra's children: the first 1000 days strategy. I would like to thank my colleague Minister Stephen-Smith for her collaboration on this joint strategy. We also know that early childhood education and care is a key lever to ensuring that children get the best start in life. This is particularly the case where there are concerns relating to a child's development. The ACT government is working towards universal early childhood education for three-year-old children. Already over 600 priority children have been referred into our free three-year-old early learning initiative. By the end of 2024, every three-year-old child in the ACT will be able to access at least one day of free early learning. The ACT government also offers Koori pre-school at five ACT public schools to ensure that Aboriginal and Torres Strait Islander children have access to rich play-based experiences in a culturally safe environment.

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

Supplementary answers to questions without notice

Hospitals—emergency department waiting times

Health—endoscopies and colonoscopies

MS STEPHEN-SMITH: I want to correct something I said in question time. I said that I thought the methodology that the team had landed on for the ACT Health app for ED waiting times was the 90th percentile. In fact, the new ED wait time methodology will measure the 80th percentile. So it will tell people that four out of five people in the two hours before this point were seen within this time. That will be clearer information for people.

Also, in relation to a question that Ms Castley asked on endoscopy numbers, you will be shocked to hear, Madam Speaker, that Ms Castley has incorrectly interpreted the 9,085 waiting list number. Also—and I am pretty sure that this information was provided to her—Epic use waiting list entries, not the number of people on the waiting list. That means that people can be counted twice, as they might be undergoing both a colonoscopy and an endoscopy.

Also, this number is a combination of those who are booked for their procedure, patients who are appropriate for booking, and patients who have been contacted and are unable to be booked for procedures or consultations, in which case they will not, in fact, be waiting. There are several reasons that a patient may not be able to be contacted or booked. For example, they might decline a booking due to personal circumstances or other medical reasons.

I have also been advised that, as at November 2022, for the 2022-23 financial year, to that point, the median wait time for an endoscopy procedure was 131 days across all triage categories. Obviously I will proceed to try and get the more detailed information that I took on notice.

Housing ACT—asset stock

MS BERRY: I just wanted to provide some additional information with regard to the Growing and Renewing Public Housing Program and time frames, for the information

of the Assembly. So far we have been able to complete a total of 394 dwellings, which were delivered to 30 December 2022. That is 291 constructions as well as 103 purchases.

However, the construction sector, as people will know, is facing ongoing time and cost challenges driven by national and international booms. This has resulted in a disruption to supply chains. Significant wet weather has also impacted on construction and the supply of skilled labour, as well as the increase in materials and labour cost.

As a result, since 2019 the average construction time frame has almost doubled, and our Growing and Renewing Public Housing Program has been impacted by those time frames. As a result of those impacts, although all constructions will be in contract with builders or in progress by 2024-25, construction completion of some dwellings will extend until 2026-27.

Government—land release

MR GENTLEMAN: In relation to Ms Lee's question on individual single blocks released, SLA have advised that in 2022-23 they released 240 single blocks. The current forecast is 785 by 30 June 2023, which includes the 240 already released.

Legislative Assembly—unparliamentary language

Ms Stephen-Smith: Madam Speaker, this is not a matter arising from question time, but I seek your guidance. I believe that in the debate on the Chief Minister's motion just prior to lunch, at the very end of her contribution, Mrs Kikkert accused someone—I am not sure if it was the government or the Chief Minister—of buying votes. I request that maybe, if you think that would have been unparliamentary, you might want to review the *Hansard* in relation to that.

MADAM SPEAKER: Allow me to review *Hansard* and I will come back with advice.

Leave of absence

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

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

ACT Policing—online reporting system

DR PATERSON (Murrumbidgee) (3.25): I move:

That this Assembly:

(1) notes that:

- (a) ACT Policing works hard to ensure the safety of our community;
- (b) it is important that our community is safe and that ACT Policing is appropriately resourced to adequately respond to community needs;

- (c) if a Canberran is involved in a critical incident, police arrive two minutes faster than anywhere else in the country;
 - (d) according to the *Report on Government Services 2023*, Canberrans' perception of safety is higher than any other jurisdiction;
 - (e) ACT Policing are always looking at ways to innovate their practice and improve operations, which includes the introduction of the community-focused Police Services Model that is receiving a positive response from the community;
 - (f) ACT Policing's crime statistics show a decline in crime over the past decade;
 - (g) the ACT sits below the national average in all property crimes except for motor vehicle theft;
 - (h) ACT Policing continues to explore new and innovative ways of engaging with the public, making it easier for victims to report property crime, including resourcing its online interface with the community;
 - (i) ACT Policing announced in 2021 that it is looking to expand their online reporting system to include property-related crimes;
 - (j) it is expected people will be able to self-report incidents where there is little evidentiary material such as vandalism, minor property damage, minor burglaries, car thefts and other matters; and
 - (k) this progression to online reporting allows ACT Policing to allocate resources to more serious crimes in the community that may pose a greater threat of harm or threat to life; and
- (2) calls on the ACT Government to:
- (a) continue informing the community about:
 - (i) ways in which ACT Policing keeps our community safe and responds to crime;
 - (ii) how the community can engage with and support ACT Policing—including to record, report and provide evidence; and
 - (iii) how the information provided to police is used in their investigations;
 - (b) support ACT Policing to implement an online reporting mechanism; and
 - (c) report back to the Assembly by 30 January 2024 on the progress of online reporting.

To begin this speech, I would like to acknowledge the challenging and often high-risk work that ACT police do to ensure that our community is safe.

I would also like to acknowledge the victims of crime, with a particular lens on victims of property crime in the ACT. Property crime is not a victimless crime. While no personal injury may have occurred, victims of property crime can range from experiences of inconvenience and frustration to experiences of lasting detrimental impacts.

Property crime can have a negative impact on personal security, feelings of fear and a violation of personal space, and can sometimes have long-term impacts on lifestyle

and wellbeing. It is for this reason that it is important that our community is safe and that ACT Policing is appropriately resourced to adequately respond to community needs.

ACT Policing are always looking for ways to innovate their practice and improve operations, which includes the introduction of the community-focused Police Services Model. However, there are also advances in technology and reporting that can and should be taken advantage of to ensure ACT police personnel resources can be directed to the most appropriate situations, which is why today I am calling on the ACT government to support ACT Policing in the establishment of a new online reporting mechanism for property crime, where crime is considered minor and where there is little evidentiary material.

ACT Policing's crime statistics show a decline in crime over the past decade, something that is consistent across the country. While there is no single view on why this has happened, it is thought that increases in standards of living, education, low unemployment rates and improved social, drug and alcohol services have played a role. The ACT sits below the national average in all property crimes except for motor vehicle theft.

ACT Policing continues to explore new and innovative ways of engaging the public and making it easier for victims to report property crime, including resourcing its online interface with the community. In 2021 ACT Policing announced that they looked to expand their online reporting mechanism. It is expected that people will be able to self-report incidents where there is little evidentiary material such as vandalism, minor property damage, minor burglaries, car thefts or other matters.

Property crime is perhaps one of the most common crimes that people are affected by. It relates to the damage of homes, business, land, including graffiti, as well as theft of vehicles and of personal possessions. For the entirety of 2021, there were 3,476 offences related to property damage in the ACT. In the most recent reporting period, from October to December 2022, there were 733 property damage offences according to ACT Policing statistics. Of these, 89 incidents occurred in the Woden, Molonglo Valley and Weston regions of the ACT.

In comparison to other states and territories, the rate of property damage incidents in the ACT is about average. According to ABS data, nearly 400,000 people, or four per cent of the Australian population, experienced property damage in the 2020-21 reporting period. This is a decrease from 4.6 per cent the previous year. Whilst this is an improvement across the board in Australia, it is apparent that more must be done to reduce this and to empower victims of such crime.

Many victims of property crime do not report, which means it is likely that our statistics under-represent the levels and patterns of crime in the community. There is a clear need to do what we can to encourage reporting and to make it more accessible.

The experience of property crime can damage people's feelings of personal security, peace of mind and wellbeing. The loss of valuable items which link you to precious memories of family and friends can be especially upsetting. The emotional and psychological impact of a home burglary can be as significant as the financial cost.

Many people feel an unsettling sense of insecurity and discomfort due to the security of their home and privacy being compromised.

People may feel overwhelmed with these emotions, and many people find it helpful to speak about their experience and reactions with someone that they trust, such as a family member, friend or work colleague. From a government perspective there are various support programs that victims can access, especially in terms of re-securing their property.

The ACT has a home safety program, managed by SupportLink Australia, which aims to improve home security for households in the ACT that are vulnerable to property crime. The program is designed to assist ACT residents to improve the security of their home whilst also endeavouring to minimise other preventable risks. The program can mail out information advising residents of how to improve their home security and safety.

I would also like to acknowledge the work of the Property Crime Prevention Strategy, including the Outsmart the Offender campaign. The campaign raised awareness and provided educational materials so members of the community knew what steps they could take to protect their properties.

All of the materials for property damage relating to homes and businesses are available for access on the ACT Policing website. ACT residents can also access the Australian Institute of Criminology's website which has an array of tips for preventative measures against property crime. This includes useful links for practical prevention guides, including "burglar proof your home" and "tackle car theft", and provides information to mitigate graffiti crime, among others.

Whilst there are multiple programs in place to support and educate the public in prevention of property crime, the reporting process when people do become victims of property damage and crime can be complex and is a tangible burden on police personnel and resources.

In order to make a claim to an insurance company you must have evidence of a report, including a report number. Current processes need to be improved to be more accessible and flexible in reporting incidents related to property damage where victims assess there is limited evidence or reason for police to attend.

In the ACT there are a variety of ways that help to reduce crime and empower communities. Neighbourhood Watch is one such example. It is a community-based crime prevention program and a key strategic partner of ACT Policing. The Neighbourhood Watch program aims to reduce crime by encouraging the community to watch out for and report suspicious activity to police or Crime Stoppers to deter potential criminals. The program seeks to reduce crime, particularly property crime, and crimes against the community.

Crime Stoppers is another great way that individuals can help keep the community safe. Crime Stoppers has both a free number and an online form that allow community members to provide anonymous information about criminal activity without being directly involved in the investigation process.

This motion today seeks to complement existing support systems and reporting mechanisms by giving agency to the community when they are reporting crimes of property damage.

An online portal that is accessible to use would empower those who have been victims and enable to police to respond appropriately. In 2020 the ACT introduced an online reporting process for historic sexual assaults to make it more accessible for victims to report incidents and take control of the reporting process in a non-threatening way.

Furthermore, in the ACT there is also an online reporting process for reporting for reporting minor traffic incidents via an Access Canberra form and providing Crime Stoppers with information online. The process has been used for many years and it is now time to expand and improve the broader online mechanisms available to the community.

New South Wales, Queensland, Victoria and Western Australia all have these online reporting systems for property damage, among other crimes. The ACT should use this as an opportunity to modernise existing processes and implement a mechanism that allows victims to file a report in a straightforward and accessible manner.

Of course, by calling on the ACT government to implement an online reporting process, it must do so in a way that includes adequate community education and promotion. To make it fully accessible, there must also be options for people who do not speak English as their first language and those who do not have access to the internet. Reporting should be empowering process for victims and complement existing resources, not replace them.

Public safety does not look like it did 20 years ago. In 20 more years it will not look like it does today. Law enforcement agencies that take an active role in implementing new technologies will be in a better place and position to evolve with rapid changes while protecting both their officers and the citizens of the community from harm. Enabling online reporting for ACT residents helps make efficient use of resources and is just one step in an ongoing evolution of ACT Policing service to our ACT community.

MR HANSON (Murrumbidgee) (3.35): I must say that this motion is a bit of a strange one. Essentially, what has happened is the ACT government has cut police resources over the years. They have actually defunded the police! Mr Braddock probably thinks that is a good idea—though I do not think anyone else in the community does—but we have fewer police now than we previously did.

That has forced ACT Policing to implement this online reporting, which the government said is normally an operational matter anyway. So I do not know why the government is now directing operational matters within ACT Policing! We have a member here saying: “Aren’t we awesome? This is great. I congratulate the police on doing this and we should encourage them.” It is a bit of a tortured analogy, but they have essentially defunded and crippled the police; the police are hobbling around on crutches, and the government are saying, “Oh, fantastic; we love crutches.” It is a very

strange motion, I have to say, because there is a full story here and Dr Paterson is only painting a very small part of the story.

Policing did not go to online reporting because they wanted to; they went because they had to. You can have a look at what happened at the time. I go to ABC reporting from 2021. Under the heading “ACT police will soon no longer attend most home break-ins as reporting moves online”, it says:

Canberrans who have had their homes broken into may no longer be visited by a police officer — instead, they will be asked to report the crime online.

ACT Chief Police Officer Neil Gaughan said over the next 12 months, ACT Policing would be introducing an online reporting system in place of having an officer attend a person's home.

City News said:

Having a police officer inspect your home following a burglary or an instance of property damage may soon be a thing of the past in Canberra.

Over the next year ACT Policing is looking to expand their online reporting system to include property-related crimes in lieu of police attending the scene of the crime.

ACT Chief Police Officer, Neil Gaughan, told ABC Radio Canberra this morning officers will be “less responsive to some of the property crime we have been to in the past”.

And the government comes here and says, “Awesome, awesome. Online reporting.” Police officers will be less responsive, and somehow Dr Paterson thinks that is a good thing!

The Federal Police Association said at the time:

... this issue is a symptom of low officer numbers, a matter that has existed for “some time”.

Of concern to the AFPA is that ultimately, this is a resources issue.

So this mob has cut funding for police, which has forced police to develop some workaround measures, and then they come in here saying, “Isn’t that awesome! Let’s have a look at these workaround measures, this band-aid, and congratulate ourselves on that.” It is bizarre, to be honest.

In a letter from ACTCOSS to the Chief Police Officer and Minister Gentlemen, ACTCOSS said:

Whilst we appreciate the need for streamlining of crime response services, we are concerned by a lack of community consultation as well as the ramifications of digital reporting procedures on vulnerable community members, particularly low-income and older Canberrans.

This is not good news. Online reporting for vulnerable and older Canberrans is not good news.

The letter continues:

ACTCOSS is concerned that there are many people for whom digital reporting is inaccessible and exclusionary.

Where community members do not have the resources or ability to access the necessary technology and internet infrastructure for online reporting, they are essentially discouraged from reporting property crime at all. This is particularly the case for older Canberrans, people with disabilities, low-income households, survivors of domestic and family violence, culturally and linguistically diverse people and those experiencing homelessness.

Those who are most likely to be disadvantaged by online reporting are amongst the ACT's most vulnerable and are likely also those who already struggle to access a broader spectrum of available reporting options.

But Dr Paterson thinks that is awesome. This is ACTCOSS saying this in a letter to the minister; it is not the opposition. But she thinks that that is awesome. It is bizarre.

If you think that police are not struggling from low numbers let us have a look at what the data says. From the latest *RoGS* data: “The lowest number of police per capita in Australia”; “The lowest funding per person for police in Australia”; “The lowest clearance rates for property crime in Australia”; and:

The ACT is the only jurisdiction in Australia to record a negative annual growth rate in real recurrent expenditure from 2016-17 to 2020-21.

By defunding the police, which is what has happened, we have a fewer police now than you had a decade ago, despite population growth. That is defunding. I quote from an article entitled “A workforce that is clearly suffering”:

The ACT Chief Police Officer again has pitched strongly for an increase in extra funding and more police numbers, expressing his concern for how workload demands are resulting in health impacts on his officers.

But there was nothing from Dr Paterson here today saying, “Hey, the Chief Police Officer says that his officers are being impacted unfairly and they are spread too thin. Let's have more police”. No, she is in here talking about their workaround, an operational measure of online reporting, which we know is causing problems with vulnerable Canberrans and saying, “Let's pat ourselves on the back for that.” It is bizarre!

The Chief Police Officer said that his biggest concern was how the “pressure of an understrength workforce was causing internal health and welfare stress issues”. There was no mention of that from Dr Paterson today—silence, just patting herself on the back for the stopgap measures that police have taken. The Chief Police Officer went on to say:

For me not only is it an issue of demand and supply, we have also got a workforce that is clearly suffering.

But there was no mention of the suffering of our police force because of the decisions to defund the police by Mr Gentleman and his mates. There was none of that; it was just: “Brilliant; they have done a workaround. Let’s pat ourselves on the back.”

Another article, entitled “A thinning blue line is crumbling, warns Chief Police Officer” says:

The ACT’s top police officer says the Territory is at a tipping point when it comes to the number of police required to maintain safety and order.

It’s not the first time Deputy Commissioner Gaughan has questioned the resources at his disposal, but the *RoGS* figures add urgency to the issue.

... the figures show that police numbers had clearly not kept pace with the Territory’s growing population.

On the issue of total police numbers, we see that, despite Canberra’s population growing by around 70,000 people, the number of police has actually fallen. Again, from the CPO:

In the last 10 years, the population of the ACT has grown 19 per cent. Police numbers in raw data have gone down by 0.7 per cent ... so we’ve actually gone backwards. We need to do something about that.

And what is the response from Dr Paterson? “Oh, we will just say, ‘You have done online reporting. That is a good thing.’” No mention of the suffering and no mention of the defunding. That is the response from the government. It is a bizarre response. You are leading with your chin, I have to say!

On the police resourcing matter, the CPO said:

There is not just needed to be a conversation about numbers, but also about equipment and resources.

There was nothing from Dr Paterson about the equipment and resources they need. As the Chief Police Officer said:

The City Police Station was built in 1966; we need to ensure that we have fit for purpose infrastructure.

There was just silence on that matter. Online reporting is the great step forward that this government thinks has been taken by police.

Finally, when the AFP did do their own modelling and commissioned their own report, this report showed:

Research shows police need greater numbers in force

Demand for police services has exceeded supply in the ACT, spurring the territory's Chief Police Officer to go public on the dire need for more officers as rising family violence and mental health-related cases put the squeeze on available resources.

There was no mention of any of this.

The report goes on:

Chief Police Officer Neil Gaughan will lead the charge backed by independent modelling, which will call for boosted staffing numbers to match the rapid growth in the territory's population.

“It’s a demand and supply issue. At the moment, demand [for police services] is exceeding supply and we need to balance that up.”

“It’s become clear to me that the number of police we have currently needs to be increased to meet current and future demand.”

The number “needs to be increased”. But there was no mention of that. There was no mention of what the Chief Police Officer actually wants. There was just: “This is the workaround he has done with the reporting online. so let us just sort of talk about his workaround.” It is weird.

I have circulated an amendment to Dr Paterson’s motion. I move:

Omit all text after (1)(k), substitute:

- “(l) the Chief Police Officer (CPO) stated in 2021 that in relation to online reporting that police will be “less responsive to some of the property crime we have been to in the past”;
 - (m) the President of the Australian Federal Police Association (AFPA) stated in 2021 in relation to online reporting that “of concern to the AFPA is that ultimately, this is a resources issue”; and
 - (n) ACT Council of Social Service stated in a letter to the CPO in 2022 that “Those who are most likely to be disadvantaged by online reporting are amongst the ACT’s most vulnerable and are likely also those who already struggle to access a broader spectrum of reporting options”;
- (2) further notes that:
- (a) the 2023 *Report on Government Services* from the Productivity Commission shows that the ACT has:
 - (i) the lowest number of police per-capita in Australia;
 - (ii) the lowest funding per person for police in Australia; and
 - (iii) the lowest clearance rates for property crime in Australia;
 - (b) the ACT is the only jurisdiction in Australia to record a negative average annual growth rate in real recurrent expenditure from 2016-17 to 2020-21;
 - (c) the 2022 ACT Policing Annual Report shows that ACT Policing numbers have declined since 2012 despite population growth of over 70 000 during the same period; and

- (d) the CPO has stated that “It’s become clear to me that the number of police we have currently needs to be increased to meet current and future demand.”;
- (3) calls on the ACT Government to:
 - (a) continue informing the community about:
 - (i) ways in which ACT Policing keeps our community safe and responds to crime;
 - (ii) how the community can engage with and support ACT Policing—including to record, report and provide evidence; and
 - (iii) how the information provided to police is used in their investigations;
 - (b) support ACT Policing to implement an online reporting mechanism; and
 - (c) report back to the Assembly by 30 January 2024 on the progress of online reporting.”.

It is a pretty simple amendment in that it does not actually remove anything that Dr Paterson is saying.

Dr Paterson is saying that there is a whole bunch of stats from *RoGS* and notes that police are doing this workaround of online reporting and we should support ACT police to implement online reporting mechanism. There is no mention of how they are to be supported. I am not sure how.

I will be interested to hear from the minister how he is going to support that, because it is an internal policing matter and, previously, when it comes to these sorts of things, the minister says, “Oh, no; that is an internal policing matter. We do not get involved in telling them how to do their job.” This seems to be some sort of change of policy. He will not be able to hide behind that anymore when it comes to internal policing matters. We are going to have motions telling them how to do their business.

My amendment actually puts on the record some of the truths that have been omitted from Dr Paterson’s motion. It goes to the *2023 Report on Government Services* and sets out some facts. This is factual. This is not an opinion; this is fact. My amendment says that the ACT has the lowest number of police per capita in Australia, a fact; the ACT has the lowest funding per person for police in Australia, a fact; and that the ACT has the lowest clearance rates for property crime in Australia, a fact. It states that the ACT is the only jurisdiction to record a negative average annual growth rate in real recurrent expenditure from 2016 to 2020, a fact; that the 2022 police annual report shows that police numbers have declined since 2012, a fact; and that the CPO has stated, “It has become clear to me that the number of police we currently need needs to be increased to meet current and future demands,” a fact.

So all I have done is put some facts in there that put into context what Dr Paterson is saying—that is, the online reporting is not something that is being done because everything is hunky-dory within ACT Policing. It has been taken as a measure. This is going to mean that policing is less responsive, in the words of the Chief Police Officer,

and it is being done because of the lack of resources, and that is both from the Chief Police Officer and the Australian Federal Police Association.

So, if we are going to say we are going to do online reporting and we are going to support them doing that, I do not have a problem with that, because it is driven by necessity. They have to do online reporting. It has a problem—and listen to ACTCOSS and what they have to say on its impact on vulnerable people—but the Chief Police Officer has clearly made a decision that, with so few numbers, he has to develop a workaround.

This is his workaround. I accept that. I do not like it. I do not think it is good for Canberra. I do not think it is good for our whole community, but particularly for vulnerable Canberrans—for older people, for people with disabilities and for people who are surviving domestic and family violence. But it is a necessity driven by the cuts made by this government—cuts that are on the record in *RoGS*, are in annual reports and are articulated clearly by the Chief Police Officer. So my amendment simply puts this online reporting into context.

I commend my amendment to this chamber. I look for its support, because let us not have a one-sided debate here. That is disrespectful, to be honest. It is disrespectful to the Chief Police Officer and our police to suggest that online reporting has not been driven by the necessity due to the lack of resources from this government.

Dr Paterson's motion is strange. We will support it if it is amended. If you support my amendment, we will support the motion. I am not going to say, "Do not do online reporting," because they have to. But what I say, and what I will be saying in my motion tomorrow, is: fix the problem—not just the band-aid of online reporting, which is what you seem to like. You love the band-aid. What I am saying is: fix the problem; treat the underlying problem, not just the symptom. The underlying problem is we do not have enough numbers.

So I will support this today. I will support your band-aid, which is what this is, and hopefully you will then support my motion tomorrow, which actually calls to fix the underlying problem, which is that we need more police.

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) (3.49): I thank Dr Paterson for bringing this motion to the Assembly today. It is an opportunity to reiterate the merits of the online reporting platform, its benefits for the community and additional innovations and successes that are a result of the police service model.

As the Minister for Police and Emergency Services, it is a privilege and honour to work with Canberra's dedicated emergency response agencies that are committed to providing around-the-clock care and support to Canberrans in their times of need. ACT Policing has been one of these important agencies since 1979. Prior to that, it was the Territory Police. We have seen quite a lot of changes in the population, in the landscape and in the provision of services to the community in that time. As a former PSO, I can attest to the vast improvements in technology services and support offered by ACT Policing.

The new online reporting platform is another way that ACT Policing is planning to expand its online services, giving Canberrans the opportunity to report certain non-urgent crime types to police. Online reporting will not replace the existing ways for the community to engage with the police for non-urgent matters. This new tool has always been envisaged as an additional and complementary way of contacting police. The community can still use the traditional methods of reporting crime by calling 131 444 or triple-0 in emergencies, or attending a police station.

Other police jurisdictions have adopted online reporting with significant success, and I am confident that, in time, the same will be in place in the ACT. I have seen this firsthand in Birmingham, where the West Midlands Police are more advanced in their transition to a community-focused model. Let me say again that online reporting is a complementary tool that assists the community and our police. Reports to Crime Stoppers across the country can be made online, in addition to their dedicated 1800 phone number. Reports are already able to be made online for traffic collisions in the ACT.

Through its interactions with the local community, ACT Policing understands that Canberrans are fast becoming more technologically savvy, as a population which is seeking further to engage with police via online channels. That is one of the significant benefits of having an online reporting option. We know that there are people who might not want to pick up the phone or go into a police station to make a report. These people could have some very important information that will benefit police and their investigations but do not feel comfortable contacting police within the existing reporting options.

Adding online reporting as an option for certain crime types means there is an extra way that people can contact police. It will mean more information and intelligence is coming through to police, and that can only be a good thing for the ACT community. The features of non-urgent online crime reporting will also include it being a web-based service that is optimal for mobile phone and desktop services. Reports can be completed at a time and location convenient to those reporting.

The benefits for ACT Policing include providing better police decision-making opportunities in the assessment, triage and dispatch of resources, improving the efficiency in responding to crime and incidents in the ACT. Online reporting will also increase workforce efficiencies by minimising data duplication and manual entry of crime reports by ACT Policing members.

In August 2020 ACT Policing launched its online sexual assault reporting platform for historical sexual assault offences that have occurred more than six months from the reporting of the incident. This platform allows victim survivors to make a report from the comfort of their own home, at a time when they choose, via the ACT Policing website. This platform complements existing reporting avenues and enables victim-survivors to make informed decisions about their options.

The platform also breaks down geographical barriers for victim-survivors who may not reside in the ACT and because of this do not feel comfortable or confident to make the report to police. The option to use the online platform in this instance will

ensure that appropriate support is offered through the reporting process no matter where the victim-survivor currently resides. Any online reporting platform is created only to add convenience and accessibility to those who may require it, not to replace any processes that are already available for police assistance.

Canberrans are known to look out for each other, and ACT Policing appreciates the time members of the public continue to take to report anything out of the ordinary or dangerous that could detract from the high liveability standards for which Canberra is renowned. A public willingness to contact police and report crime or suspicious behaviour is crucial for ACT Policing to continue to provide the high quality service to which Canberrans have become accustomed and should continue to expect from their police force.

While ACT Policing enjoys a strong relationship with the community, maintaining community confidence in the police remains extremely important. Since restrictions eased early last year, ACT Policing has been prioritising its engagement activities. Events such as Cop Pop-Up days, like the one recently hosted by the City Police Station in Garema Place, and the very successful Project Safe Plate and Coffee With a Cop have helped to promote the approachability of police and their commitment to building positive relationships with people of all demographics and cultures.

I understand that ACT Policing is also gearing up to host interactive stalls at both the Canberra Show and the Multicultural Festival this month. I encourage all Canberrans to stop by and say hello and have a chat with an officer. Their primary role while at these booths is to interact with the public in a relaxed setting and ensure that everyone attending these events is able to enjoy themselves safely.

In conclusion, I never want to shy away from telling people how proud I am of the hard work of ACT Policing. Its members constantly face a challenging and dangerous work environment—an inherent feature of policing. The last few years have tested their resilience, their professionalism and dedication in new ways. They have overcome these challenges and have at all times continued to keep our community safe. With continued support from me and the ACT government, we will see many more innovations and advancements made by ACT Policing to accommodate community expectations and increasing demand for their services. This will ensure that Canberra remains a safe city, not just now but for future generations to come.

MR BRADDOCK (Yerrabi) (3.57): I would like to thank Dr Paterson for bringing forward this motion. As I have previously stated in this Assembly, the ACT Greens believe that everyone has a right to live in a safe, peaceful community, free from crime and fear of violence. We sincerely appreciate our police officers for the important and difficult role they play in protecting our community, and we thank them for their services.

The Greens' policies state that we need ACT Policing to be well resourced, well supported and skilled, to have close relationships with the ACT's diverse community and to be able to respond to the community's diverse needs. However, we do not believe this goal of a safe and peaceful community can be simply met through ever-increasing police numbers.

The police services model outlines what we are trying to achieve here in the ACT. The model supports ACT Policing to target resources where they are most effective; to conduct focused crime prevention activities; and to work across the broader justice system, with our government and non-government partners, to address the root causes of crime. Continued work on a community-focused online reporting portal so that members of the community have access to alternative reporting options when they encounter a non-urgent crime is part of this policing services model.

I would also like to take this opportunity to applaud the PACER model, a classic “work smarter, not harder” approach. This approach shows that we provide a diversity of skills and capabilities that meets the needs of a community member and where they are at, rather than simplistically adding more boots on the ground. I would like to see a similar style model expanded to family violence call-outs, which are a massive chunk of ACT Policing’s work.

In the last financial year, 3,073 family violence incidents were attended by ACT Policing, averaging over eight incidents per day. Whilst there is existing collaboration, for which I applaud ACT Policing and their partners—who include the Domestic Violence Crisis Service, Child and Youth Protection Services, Victim Support ACT and the office of family safety—I think there is opportunity in the family violence sphere to include a model in the style of PACER.

To do this, we need inter-agency coordination to address the social and economic circumstances that increase people’s risk of both committing a crime and becoming a victim of crime. By addressing the social determinants of crime, we stop people becoming involved in crime in the first place. By advocating for more police without a specific evidence-based strategy, we risk repeating the mistakes of the past. Often what is needed is peer support, restorative justice, social workers, drug and alcohol counsellors, and rehabilitation programs. These are the evidence-based paths to reduce crime, reduce recidivism and increase community safety.

In particular, we should prioritise investment in the progress of people exiting detention, to support their transition back into the community and to reduce rates of recidivism. The point of justice reinvestment is to make sure that our money is invested in programs and approaches that we know reduce crime. We must work to target and solve the problems in people’s lives that lead them to interact with the police in the first place. This means we work together as a community to build support around those who are in the justice system, because we know this is a way you can reduce crime.

Similarly, I would be interested to understand what investments could be made to upgrade the information systems utilised by ACT Policing. This not only would reduce the burden on individual police officers but could potentially facilitate cross-service support—for example, through mental health and drug and alcohol services. These are investments that we would like to see going into ACT Policing to support them into the future.

The ACT Greens will not be supporting Mr Hanson’s amendment. This is something that we can debate tomorrow, when Mr Hanson has his own private member’s motion to be debated by this Assembly. Thank you.

DR PATERSON (Murrumbidgee) (4.02): I would like to thank members for their contribution today to this motion. I will not be supporting Mr Hanson's amendment, which I will explain in a minute. I make no apology for the focused nature of this motion, highlighting, firstly, how property crime impacts our community but also improving the community's ability to report crime. I think this is a really nice motion.

Contrary to what Mr Hanson said—that my motion was weird—I think his amendment is weird! I think that he is just trying to work his motion from tomorrow into mine, which is a bit of a compliment, really. I think it is weird how he has very selectively picked some of the data that he has tried to insert. There is no mention of the very high level of community confidence that we have in police in the ACT, the very low numbers of complaints against police nor the fact that if a Canberran is involved in a critical incident in the ACT they will get police attending two minutes faster than anywhere else in the country.

I would like to thank ACTCOSS and the Australian Federal Police Association for their discussions with me on this motion. I would like to make it really clear that this is not an online reporting system to replace police attending. This is another opportunity for the community, who perhaps do not need police to attend, to report their crime, to receive a report number, to engage with their insurance companies and to improve the crime statistics that we have in the ACT.

I think it is important to point out, as the minister did, that if a Canberran requires ACT Policing to attend then they can call 131 444 and engage with ACT Policing. To every vulnerable person and to elderly people: please continue to call ACT Policing. Again, I would like to thank ACT Policing for their contribution and service to our community. I would like to continue to work with them and with the minister to improve innovation in our policing practice in the ACT. Thank you.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 8

Mr Cain
Ms Castley
Mr Cocks
Mr Hanson
Mrs Kikkert
Ms Lawder
Mr Milligan
Mr Parton

Noes 15

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

Amendment negatived.

Original question resolved in the affirmative.

Mental health—federal funding

MR COCKS (Murrumbidgee) (4.09): I move:

That this Assembly:

(1) notes:

- (a) from 1 January 2023, the Albanese Government has cut access to, and funding for, mental health care under the Medicare Benefits Schedule (MBS) by halving the number of psychological services available to those who need them;
- (b) MBS funding for psychological services was originally introduced by the Howard Government before being cut by the Gillard Labor Government on two occasions;
- (c) the Coalition Government increased the number of sessions, informed by the Productivity Commission's report on mental health services, to help combat the mental health issues brought on by the COVID-19 pandemic;
- (d) COVID-19 remains a significant concern for many Australians, including those living in the ACT, who now also face increased mental health pressures due to deteriorating economic conditions, rising inflation, and associated cost of living pressures;
- (e) need for mental health services and supports remains high, after seeing demand for many services increase by at least 50 per cent, and the underlying prevalence of mental health issues double during the pandemic;
- (f) cuts to MBS services are likely to increase pressure on state and territory health systems; and
- (g) the ACT mental health system was under pressure before the Albanese Government announcement, and there is no excess capacity to absorb federal cuts to health and mental health services;

(2) further notes:

- (a) a trial increase in the number of mental health sessions to 20, with a view to long-term implementation if effective, was recommended by both the Productivity Commission's landmark inquiry into mental health, and the House of Representatives' Select Committee on Mental Health;
- (b) an independent expert evaluation of Better Access commissioned by the Government stated "... the additional 10 sessions should continue to be made available and should be targeted towards those with more complex mental health needs";
- (c) no clinical rationale has been presented to justify the cuts to MBS services;
- (d) the independent evaluation did not recommend cutting access to services; and
- (e) health and mental health professionals, including the Australian Psychological Society (APS), the Australian Clinical Psychology

Association and Mental Health Australia have condemned the cuts to MBS services, with the APS President stating “By cutting to 10 sessions, we’re creating a revolving door of mental health issues that are half-treated and going to be returning six months later, with probably much worsening symptoms ... the Australian Psychological Society stated that these extra sessions should be a permanent feature of the Better Access program.”; and

- (3) calls on the leaders of all parties represented in the Assembly to:
 - (a) write to the Prime Minister and Minister for Health and ask for reversal of cuts to mental health, increasing sessions to be funded by Medicare; and
 - (b) table those letters in the Assembly by the close of the last day of this sitting week.

During the federal election campaign last year the then opposition leader and now Prime Minister committed to increasing Medicare funding for mental health treatment, stating:

We should regard people’s access to mental health care as no different from if someone breaks an arm.

It is a great line and it is one plagiarised from decades of mental health advocates who have fought to make sure that policymakers and the community understand that mental health conditions are health conditions and we should think of them as such.

Mental health conditions, mental health disorders, can afflict any of us. Indeed, they do impact many of us. They are treatable, they are manageable, and there is no need for mental health to be the subject of stigma or shame. But the broken arm analogy is only useful if you want to make that very valid point. That is about the extent of it. Really, in the spectrum of health conditions, mental health rarely looks anything like a broken arm.

You see, breaking an arm tends to be relatively short term. I know; both of my children managed to break theirs last year, each in a different way. To them, recovery from the break probably felt like an eternity but, except for a couple of brief visits to the fracture clinic, it was largely—if you will forgive the pun—“set and forget”. Mental health is not like that.

Mental health conditions, and especially diagnosable mental illness, tend to be chronic. They are hard to treat. Recovery often feels more like management. You get up; you fall back down. You can have to face or relive past hurts, past trauma. It is definitely anything but set and forget, and being cured is not guaranteed. Mental health is not a broken arm, and using the analogy in the way that the Prime Minister did might have been a warning sign that perhaps he does not understand mental health that well.

That lack of understanding has been underscored by the federal Labor government’s decision, announced during the Christmas period, to backflip on its commitment to support MBS funding for mental health care, cutting access to psychological care by half, under the MBS Better Access initiative. In the shadow of the pandemic, as

Canberrans face a cost of living crisis and a housing affordability crisis, and with all Australians facing inflation and uncertainty not seen for decades, Labor's mental health cut is a bad call.

In the face of documented rising mental health need, with some services hit by 50 per cent increases in demand, and rising rates of mental health issues, it is a bad call. It is a bad call and it is a betrayal of trust. The federal Labor government's cut to mental health access is a betrayal of trust for everyone who depends on those services. Federal Labor's cut to mental health access is a betrayal of everyone with a loved one who needs or may need that level of professional mental health support.

Labor's cut runs directly against a decade of evidence and advocacy, including the recommendations of the National Mental Health Commission's 2014 review; the Productivity Commission's inquiry into mental health; the House of Representatives select committee on mental health; the expert evaluation of MBS Better Access; and the MBS Review Mental Health Advisory Group. All of these groups, all of these really critical reviews, evaluations and analyses, recommended expanding—not reducing—the Better Access initiative.

If Labor allow this bad call to stand then, in my opinion, their actions demonstrate far louder than my words that they do not actually believe in Medicare. The initiative that has been cut by federal Labor is the Better Access initiative, a suite of Medicare Benefits Schedule, or MBS, items which enable universal access to rebates for mental health care provided by mental health professionals under the stewardship of a doctor. The items are flexible and adaptable, and they are effective both in improving mental health outcomes and expanding access to and use of psychological care, with the greatest benefit occurring to people with more complex mental health issues and those who would otherwise face the greatest barriers to care.

The Better Access initiative was introduced all the way back in 2006 by the Howard Liberal government. At the outset it covered up to 18 evidence-based mental health sessions per year, with robust GP oversight and reviews to make sure that people were receiving the care which would help them the most. The first evaluation of Better Access found that the initiative was successful. In the words of Professor Lyn Littlefield OAM, Better Access allowed people who could not previously afford access to mental health services to seek assistance.

The evaluation demonstrated that Better Access improved treatment rates for people with mental health disorders and appeared to be the sole driver of increased treatment rates. Better Access reached people who were previously left out. Better Access is used by people with high or very high levels of psychological distress—that is, the people who need it most. Better Access provides cost-effective treatment that is cheaper than expected. In fact, the latest evaluation highlighted that in 2021 Better Access helped record numbers of people, providing an average benefit of \$618 per person treated, and cost Australians just \$31 per capita.

There is no clinical justification for federal Labor's mental health cut. It is a bad call and it is a betrayal. Mental health care is important and Better Access works. It is the heart of the primary mental health system that the ACT government knows we are so

reliant on for mental health care in the community—intervening early and keeping people’s mental health from declining further. Make no mistake: federal Labor’s mental health cut will hurt people here in the ACT. Our territory’s system simply does not have the capacity to cover the services people will lose if federal Labor does not reverse its bad decision.

Our mental health services are already stretched. I have heard from really important service providers that have already been forced to tighten eligibility criteria because they cannot meet demand. The ACT government system is already short of mental health workers, nurses, psychologists, psychiatrists and peer workers. We depend on a system integrated with private providers supported by Medicare.

If federal Labor stand by their mental health cut, people will be cut loose. Federal Labor have made a bad call. I know it is probably just about impossible to persuade the Chief Minister and his Labor colleagues to stand up to the federal government, so I would like to direct my next comments directly to my Greens colleagues in this Assembly. Colleagues, I have no doubt that supporting a Liberal motion is difficult. I acknowledge that it may well be difficult for the Greens Minister for Mental Health to support a motion brought on by a member who has so recently levelled such significant and strong criticism at her performance. But I believe this is an area we should agree on. The MBS Better Access initiative is critical for mental health care for Canberrans and we all know it.

The minister herself has distributed this flyer, which I seek leave to table, campaigning for unlimited mental health care via Medicare at a federal level.

Leave granted.

MR COCKS: I table the following paper:

Emma Davidson—Your Local Greens MLA for Murrumbidgee—Pamphlet, undated.

Federal Labor made a bad call when it decided to cut access to mental health care under the Better Access initiative. The minister has campaigned on expanding MBS items for mental health. Greens members have made public statements aligned with this motion. No matter the colour of the team which brought on this motion, you have a chance to put people before politics today. Supporting this motion is the compassionate call. Supporting this motion is the fair call. Supporting this motion is the right call. I commend the motion 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) (4.20): I move:

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

“(1) notes:

- (a) the former Australian Government announced a temporary and time limited initiative would provide 10 additional individual therapy sessions from 9 October 2020 and ceasing on 31 December 2022 intended to

- support the mental health of people who had been adversely impacted by COVID-19;
- (b) the Australian Government released the independent *Evaluation of Better Access Initiative Final Report* in December 2022, which included an evaluation of the 10 additional individual therapy sessions;
 - (c) in releasing the *Evaluation of Better Access Initiative Final Report*, the Minister for Health and Aged Care noted that the report shows Better Access is failing some Australians, including that:
 - (i) gap fees and wait times make it inaccessible and unaffordable for too many and the temporary expansion in additional appointments reduced access to new entrants, in particular disadvantaged and vulnerable communities; and
 - (ii) the most disadvantaged Australians—those among us with the greatest need—have the least access to mental health services;
 - (d) since 1 January 2023, eligible patients can receive services up to a combined limit of 10 individual or group services in a calendar year to ensure more people who need care can get access to the care they need;
 - (e) in the 2022-23 October Budget, the Australian Government provided an additional \$114 million for mental health services, including \$48 million to reinstate a loading to make telehealth psychiatry more affordable for people in rural and regional areas;
 - (f) the ACT Government will continue to collaborate with the Commonwealth and mental health sector stakeholders to ensure that the Better Access program and the mental health system meets consumers needs and supports improved mental health outcomes;
 - (g) the ACT Government is committed to supporting people living with a mental illness or mental disorder;
 - (h) the ACT Government aims to provide services along the entire mental health continuum and will work to ensure that people experiencing poor mental health can access the most appropriate services and supports at the right place at the right time;
 - (i) access to psychologist support is an important component of modern mental health services, although it is not the only thing that helps communities;
 - (j) the 2022-23 ACT Budget included an additional \$70 million over four years for mental health and community health care support, building on over \$80 million already provided to support mental health this term of Government including:
 - (i) continuing and expanding the Home Assessment Acute Response Team;
 - (ii) extending operation of the Mental Health Consultation Liaison position at the Calvary Public Hospital Bruce Emergency Department to 16-hours per day/7 days per week;
 - (iii) implementing an Adult Dialectical Behaviour Therapy Program; and
 - (iv) establishing a permanent Homeless Outreach Team; and
 - (k) the ACT Government is continuing to work with the Australian

Government to implement our shared bilateral investment, which includes:

- (i) the development of Kids Head to Health mental health supports;
- (ii) the establishment of an ACT multidisciplinary Youth at Risk of developing ill health program;
- (iii) suicide aftercare supports and services;
- (iv) residential and early intervention eating disorders services;
- (v) perinatal mental health;
- (vi) MindMap Youth Navigation portal; and
- (vii) the *Youth Aware of Mental Health* resilience building program in high schools; and

(2) calls on:

- (a) the Minister for Mental Health to write to the Australian Government Minister for Health and Assistant Minister for Mental Health and Suicide Prevention to seek a commitment to continue working together to appropriately fund mental health services ensuring that access is prioritised for underserved populations in the ACT; and
- (b) the Minister for Mental Health to table the correspondence in the Assembly no later than the last sitting day in May 2023.”.

Before I address the substantive matter, I would like to acknowledge the difficulties faced by Canberrans experiencing mental illness. I commend and acknowledge the work of the mental health workforce, and of the many carers who support family and loved ones during periods of mental ill health.

I am grateful for the opportunity to talk about what we are doing to ensure that all Canberrans in need of mental health treatment receive the help they need, when they need it and how we are improving services to support the wellbeing of our citizens, through early intervention and prevention.

We are all aware of the impact of COVID-19 and how it has affected people’s mental health and wellbeing. While public conversations around wellbeing during the pandemic have opened up opportunities to share stories of lived experience, COVID has also placed additional demands on the mental health system.

Building a mental health system that delivers the right care, when it is needed, is complex. For people for whom the best treatment is with a psychologist, Medicare-subsidised psychology appointments reduce the financial barrier to access, and I can understand why there are people in the community who want to see a return to 20 subsidised psychologist appointments in mental health plans. As a Green, I want all mental health care to be universally publicly funded, and that is not just psychologists.

The suggestion that additional Medicare-funded psychology appointments is the only answer demonstrates a lack of understanding of the diversity of clinical services needed to address mental health conditions. For example, more funded appointments would not only fail to increase the number of psychologists and psychiatrists offering

services in Canberra but also make appointments harder to access by increasing demand.

It will not change the number of psychologists and psychiatrists who are practising in Canberra or anywhere else in Australia. We also know that this lack of supply in appointments would disproportionately affect those people most at risk of chronic mental health conditions. I did not think that I would have to explain supply and demand to the Canberra Liberals, but I am very happy to do so if that is what is required.

I am sure that Mr Cocks is aware that mental health care is about much more than psychology appointments. To quote Professor Ian Hickie, co-director at the University of Sydney's Brain and Mind Centre:

Simply arguing for more cash for selected programs, or increasing Medicare rebates for private practitioners, deflects attention from the more serious questions about what system-level reforms would actually improve the mental health and productivity of all Australians.

Given that successive Liberal governments oversaw a decade of mismanagement of commonwealth health policy, I am far from convinced that I should be taking health policy lessons from the Liberals.

But please do not take my word for it, let us look at the words of Stephen Duckett, a former Secretary of the commonwealth Department of Health and leader of the Grattan Institute's health policy program, in the Saturday paper on 28 Jan 2023:

The previous government wasn't in the least bit interested in policy and they were asleep at the wheel.

Given that the Prime Minister, premiers and chief ministers met in Canberra only last week to discuss, amongst other things, urgent Medicare reform, perhaps we should reflect on the reasons why that reform is so urgent.

The ACT government is responding to community needs for mental health services. We are continuing to work with the Commonwealth to implement our shared bilateral investment, which includes the development of Kids Head to Health mental health supports; the Youth at Risk trauma service; suicide aftercare supports and services; residential and early intervention eating disorder services; perinatal mental health; the MindMap Youth Navigation portal; greater access to dialectical behaviour therapy programs; and the Youth Aware of Mental Health resilience building program in high schools—to name just a few.

These programs are providing immediate support for Canberrans in need of mental health support. For example, our funding for Safe Havens means that people who need immediate support can access that support from peer mental health workers outside of a hospital setting. These services supplement the provision of federal Medicare funding for shorter-term psychiatric appointments, ensuring the type of ongoing care in the community needed to sustain positive mental health outcomes over the longer term.

Additionally, through the national agreement, the ACT government are working with the commonwealth and other states and territories to address mental health system reform priorities. Importantly, this work includes the review of psychosocial support services for people with moderate to severe mental illness. The moderate to severe end of the spectrum has had several successful schemes for coordinating and partnering in care.

Workforce is another key priority under the national agreement. Supporting, growing and diversifying our mental health workforce is essential to providing people with accessible evidence-based support and care. The needs of the mental health workforce are being addressed through a range of actions, including the development and implementation of the National Mental Health Workforce Strategy and the ACT Mental Health Workforce Strategy.

The ACT government is already undertaking a range of actions, such as innovative recruitment and partnerships with tertiary training organisations, to build a stronger workforce. This will be enhanced with the development of a set of three-year action plans under the ACT Mental Health Workforce Strategy. The first plan will be launched later this year. These plans also fit within the context of broader health workforce planning at a national and ACT level.

Our work to develop and grow a mental health workforce that can meet the demand for services sustainably is complemented by our focus on early intervention and community-based support for those in need of mental health treatment. By providing early and ongoing connection to services, including those delivered by peer workers with lived experience, we are reducing pressure on the limited workforce of psychiatrists and psychologists and providing options to each Canberran for the type of care that is most suitable.

The ACT government will continue to collaborate with the commonwealth and mental health sector stakeholders to ensure that the mental health system meets consumers' needs and supports improved mental health outcomes.

We acknowledge that the need for mental health support is growing and that we need to do more to build on and improve existing services. We are committed to doing the hard work needed to make sure that all Canberrans can access the help they need when they need it and in the long term to ensure their wellbeing and improve their mental health.

While funding for psychiatry and psychologists is an important part of the system, we are dedicated to working with the commonwealth to ensure that we are delivering a holistic mental health system that provides options and longer-term, community-based programs to support Canberrans in need of acute services but also when seeking early intervention and longer-term treatment.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.27): I am pleased to rise to talk about this important issue and to support Ms Davidson's amendment to Mr Cocks's motion.

I think it is interesting that Mr Cocks has somewhat led with his chin here, moving a motion calling for the reinstatement of a program that, if you read the review, quite literally led to fewer new people having access to vital mental health services and that favoured the rich over the poor.

I wonder if this is the first policy that the opposition is proposing in this term, and less health care for those who need it most. It is, I guess, refreshingly transparent, and I applaud Mr Cocks's bravery in being this transparent to the Canberra Liberals priorities. But, obviously, that does not align with this government's priorities, nor I expect the community's.

We on this side support equitable access and increased access to health services free at the point of care for those who need it most. So, clearly, Labor will be supporting the sensible amendment that has been moved by my colleague the Minister for Mental Health, Ms Davidson, which prioritises continued collaboration between the new commonwealth and the ACT governments to start undoing a decade of neglect in healthcare funding that the Liberal Party oversaw, to ensure that those who need care are able to access it.

The challenges we have all faced over the past few years—the uncertainty, the changing nature of peoples' lives at work, at home, at study and education—have affected the mental health of many in our community. Being able to access the right mental health care and support when we need it influences our overall wellbeing.

The ACT government is committed to supporting people living with a mental illness or disorder. We are also committed to working with their families, friends, carers and service providers to provide the highest standard of professional treatment and care. This includes providing services along the entire mental health continuum, and we invest to realise this vision.

The 2022-23 budget included an additional \$70 million over four years for mental health and community healthcare support, building on more than \$80 million already provided to support mental health in this term of government.

I note that Minister Davidson's proposed amendment details some of these excellent initiatives the ACT government has invested in—investment that she has advocated for, and I know she has provided some more details. So I will not duplicate that in entirety, except to make the point that our government has focused our resources on ensuring that more care is provided in the community for those who need it most, whether it be the adolescent mobile outreach service funded through the 2020-21 budget; funding the rollout of Origin Digital's moderated online social therapy program, MOST, to deliver better support for young people accessing clinical care and peer support through the 2021-22 budget; or the funding of a dedicated homelessness outreach team through the 2022-23 budget. The ACT government is making significant investments into mental health and targeting these in consultation with the community and experts.

In the mental health service system, people require holistic care which incorporates their mental and physical health or ill health, alcohol and drug issues, housing, education and employment. The initiatives I have just referred to demonstrate the

government's commitment to providing services along this entire mental health continuum.

The government also remains committed to continuing to collaborate with the commonwealth and with mental health sector stakeholders to ensure that the mental health system meets consumer's needs and supports improved mental health outcomes.

We have reviewed with interest the independent evaluation of the commonwealth's Better Access initiative, released in December last year. On releasing the independent evaluation of the Better Access initiative, the Australian government noted that, while it showed that the scheme has broadened access to mental health services, it is not delivering for Australians equally. Those on the lowest incomes are least likely or able to access services.

As Minister Butler stated in the House of Representatives just this week—and I would recommend that Mr Cocks watch this response in the House of Representatives—the additional 10 services led to a seven per cent reduction in new entrants into the scheme; that is, fewer people who need help being able to access help.

Not only that, but the independent evaluation also found that, overwhelmingly, the additional services went to wealthier parts of the community, while poorer Australians went backwards in their access to services.

The Better Access evaluation acknowledged that consideration should be given to how best to serve the needs of different consumer groups and whether better access is the ideal avenue for all of them.

Better Access continues to deliver care to people with a range of needs, providing treatment to consumers with varying levels of depression and anxiety symptoms, psychological distress, functioning and quality of life. However, it is important that the program is providing the right care to the right people at the right time.

The ACT government looks forward to continued engagement with the Australian government to partner and grow investment in mental health services through effective investment that increases access to those who need it most.

I note that the Albanese government, through the commonwealth October 2022-23 budget, announced a suite of new mental health and related investments, including \$26.2 million for a new national network of perinatal mental health and wellbeing centres; \$13.9 million to better support families bereaved by stillbirth; \$23.5 million to expand the Headspace network; and, of course, \$750 million to begin fixing the primary care system.

I want to focus on that final point for a moment. Just last week, the Health Ministers' Meeting in national cabinet met to discuss the long, difficult road ahead to fix the mess made of primary care by a decade of neglect that the Liberal Party oversaw.

Primary care is most people's entry point to health care in Australia, including mental health care. I have sat with our local GPs who have an interest in providing mental

health care, who want to be there to effectively coordinate the care that their patients need. But, due to the former Liberal government's priorities—in fact, the former Liberal government's neglect—this has become almost impossible. Cuts, cuts and more cuts to Medicare have made this type of complex care very, very difficult to deliver. Effectively, it needs to be cross-subsidised from other services, because it is simply not funded appropriately.

We know that the federal Liberal Party cannot be trusted with health care. We know that they do not have a plan for the delivery of health care. Minister Davidson quoted Steven Duckett, a premier expert, and I have heard other stakeholders just in the past week also talking.

I think they now feel freed up, because they do not have to worry about the Liberals still being in government and about being punished for speaking out. Lots more stakeholders are recognising the 10 years of neglect that they saw under the federal Liberal Party of our health system, and particularly primary care, which is very clearly commonwealth responsibility.

We know that the federal Liberals did not have and do not have a plan for the delivery of health care when and where people need it. And, by the looks of this motion proposed by Mr Cocks, the local Liberal opposition are probably cut from the same cloth: fewer services and for those services to prioritise the wealthy.

I commend Minister Davidson's amendment to the Assembly, the work and focus of the Albanese Labor government to begin fixing the mess of the former federal Liberal government, and our government's ongoing focus on delivering better mental health services when and where people need them.

I look forward to continuing that work with my colleague, Minister Davidson, who is absolutely committed to this area of service delivery and reform and is doing an outstanding job in delivering for Canberrans. I commend Ms Davidson's amendment.

MR COCKS (Murrumbidgee) (4.36): As the Greens minister sat there grinning through my speech, I guess I should have known something was up. But to circulate a two-page amendment—which was clearly prepared well in advance—midway through the mover's speech is low, even for her. It is a dirty trick. It is a dirty trick because the Greens know that they are not on the same page as their colleagues. They are not even on the same page as themselves.

I have tabled what the minister was saying in the election campaign. Let us be very clear that a vote for this minister's amendment today is a vote for Labor's cuts to MBS mental health services. It is—flat out!

Let me just address a few of the quite creative interpretations that we have just heard. I am sorry, Minister, but the most recent evaluation of Better Access recommended in no way reducing services. Never did it recommend this cut that your federal Labor colleagues are taking. Never did the evidence-based approach recommend a slash-and-burn approach—just cut the top off the precise part of this initiative which helped those at most risk. Never did it recommend any of those things.

Your federal colleagues, as you well know if you have read that report, had the option to look at the Better Access scheme and tailor it to make sure that those extra services were going where they needed—more so than just an open approach. They had that option. They rejected it. And they have elected to just slash the top off it, make a saving and somehow try to pretend that they still back Medicare.

You have made the argument that somehow this cut actually helps people. You have made the argument that, because there are not enough psychologists—because your workforce plan is a plan on a page and because you have failed to actually get the people here that we need to provide the service—we need to ration mental health care. You are making an argument for rationing health care when it is a critical area for the people of Canberra.

Let us be clear about this. You talked about those areas that are well off doing disproportionately well out of those extra sessions. Canberra is amongst them. That is what you say. You say that those areas that benefit are the ones that should be cut. That is Canberra.

By voting for this amendment, you are voting against benefits for the people of Canberra. It is very clear that it is more important to you to hurt the rich, even if that means hurting everyone else.

I am extremely disappointed in the Greens minister. If the Greens vote with their minister, I would be extremely disappointed in them. There are public statements on the record and, if you back this amendment, you will have to tell the people of Canberra which occasion was the occasion on which you lied.

I commend the original motion because Canberrans deserve to be treated with respect—and nothing about the debate from the other side has been conducted with respect.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 15

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

Noes 8

Mr Cain
Ms Castley
Mr Cocks
Mr Hanson
Mrs Kikkert
Ms Lawder
Mr Milligan
Mr Parton

Question resolved in the affirmative.

Original question, as amended, resolved in the affirmative.

Animal Management and Welfare Legislation Amendment Bill 2022

Debate resumed from 11 October 2022, on motion by **Mr Steel**:

That this bill be agreed to in principle.

MS LAWDER (Brindabella) (4.45): I rise today to speak on the Animal Management and Welfare Legislation Amendment Bill 2022. This bill makes minor updates to the territory's animal management and welfare legislation, specifically to the Domestic Animals Act 2000, Animal Welfare Act 1992 and Animal Welfare Regulation 2001.

These are largely technical amendments that seek to better align dog and cat management requirements and responsibilities; enhance administrative processes; make minor reflections of best practice welfare; and make the legislation consistent with existing policies and practices.

The amendments relating to the Domestic Animals Act 2000 relate to multiple cat and dog licences; illegal breeding and desexing; advertising dogs and cats; and assistance animal accreditation. With respect to multiple cat and dog licences which allow a person to keep four or more dogs or cats, the amendments replace the annual dog licence duration with a two-year duration and applies a two-year duration to multiple cat licences, which currently do not have a set duration. The amendments align multiple cat licence requirements with those for dogs where relevant, in relation to the requirement for registration numbers and the name and address to be provided. They also exempt foster carers from the requirements to provide registration numbers.

The amendments also remove the female specific wording from an illegal breeding offence to make it consistent with a similar illegal breeding offence to better reflect existing policy and accepted practice that owners of male or female cats and dogs must not breed their cats or dogs without a breeding licence. They clarify that registered assistance animal trainers must also be registered as assessors to test and accredit assistance animals, again to better reflect current practice. The amendments include a technical amendment to the requirements for advertising dogs and cats to better align with the original policy intent of the legislation and current practice which alters the scope of the offence by no longer requiring both the rehoming identifier and microchip number to be displayed. Instead, only one of the two will be required to be displayed on an advertisement.

The amendments also clarify the definition of desex so that it reflects newer methods of surgical sterilisation. In doing so this does not change the scope of any offences related to desexing, as the definition is inclusive as opposed to exclusive, meaning that it serves an explanatory purpose without constricting how related offences apply.

The final amendments to the Domestic Animals Act 2000 are technical in nature and update headings and definitions, in line with standard drafting practice. This is also the case with the amendments to both the Animal Welfare Act 1992 and the Animal Welfare Regulation 2001, with the amendments updating headings and notes linking to definitions, in line with standard drafting practice.

I would like to thank officials from the directorate and Minister Steel's office that provided me with the briefing on this amendment bill and answered all my questions and queries succinctly. Canberra Liberals are happy to support this bill today and I thank the minister for bringing it forward for debate.

MS CLAY (Ginninderra) (4.49): The ACT Greens are happy to support this bill. I thank the minister for the briefing provided by his office and we are pleased to see these technical and operational amendments coming along.

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (4.49), in reply: I thank members for their support for the Animal Management and Welfare Legislation Amendment Bill 2022 in the Assembly today. While minor in scope, the bill is an important step in ensuring that all existing cat and dog licensing frameworks are robust, consistent and accurately reflect on-the-ground operations so they can support the ongoing implementation and maintenance of these important domestic animal reforms. The bill will ensure that animal management and welfare legislation is clear to understand, reflects existing service delivery and aligns with community expectations by properly reflecting our environmental and animal welfare principles.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Guardianship and Management of Property Amendment Bill 2022

Debate resumed from 21 September 2022 on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MR CAIN (Ginninderra) (4.50): This bill amends the Guardianship and Management of Property Act 1991 to introduce the concept of supported decision-making. Supported decision-making is a framework within which a person with cognitive disability or impairment can be provided support to assist in making decisions and exercise their legal decision-making rights. It is based on the premise that all individuals, including persons with disabilities, have the right to make their own decisions and to receive the support they require to do so.

The purpose of the bill is to explicitly introduce the concept of supported decision-making as a consideration taken into account when making a decision relating to the appointment of a guardian or a manager. The bill encourages the use of supported decision-making where possible as a general principle of decision-making for guardians and managers. This enhances existing principles in the GMP act, which require a decision-maker to give effect to the person's wishes as far as possible without adversely affecting the protected person's interests and, if required, to act in that person's best interests.

The bill will amend the GMP act to require that before making a guardianship or management order, the ACT Civil and Administrative Tribunal must consider whether a person is able to make their own decisions with available supports. Though supported decision-making is already often considered by the ACAT under existing legislation, consultation with a supported decision-making steering group claimed the lack of explicit requirements in the law can impact outcomes in guardianship and management applications. The codification of these legal rights is in accordance with the United Nations Convention on the Rights of Persons with Disabilities and also in line with the Australian Law Reform Commission's set of national decision-making principles released in 2014 in ALRC Report 124: *Equality, Capacity and Disability in Commonwealth Laws*.

I want to thank the Attorney-General's office for a briefing with officials on 27 October last year. The Canberra Liberals will be supporting this bill.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.53): The government presented the Guardianship and Management of Property Amendment Bill to the Assembly on 21 September 2022. I can obviously confirm that ACT Labor will be supporting the bill. I would like to flag that, on behalf of the Attorney-General, at the conclusion of this debate in the detail stage I will be moving a minor and technical amendment to the bill to amend the commencement date. The bill as currently drafted has a commencement date of 1 January 2023. This was originally intended to allow for a somewhat delayed implementation when it was introduced. However, as debate was delayed, this date has now been superseded. This minor government amendment is simply introduced to avoid a retrospective commencement date.

In 2019, as the then Minister for Disability, I had the pleasure of launching the Disability Justice Strategy 2019-2029. This remains something that I count as one of my proudest achievements from my first term in this place. The strategy aims to address issues of systemic ableism and to ensure that our justice system is equitable, inclusive and supportive of people with disability.

A key goal set out in the Disability Justice Strategy is for people with disability to feel safe and have their rights respected when interacting with the justice system. This includes ensuring that people with disability are able to participate in decision-making and that their wishes and preferences are considered and respected. Action item 4.8 of the strategy specifically called for the government to examine the guardianship system with a view to promoting supported decision-making, thereby improving the autonomy of people with disability. That is exactly what this bill does. The bill amends the Guardianship and Management of Property Act 1991 and seeks to achieve two important objectives. Firstly, to promote the human rights of people with disabilities and older people who require support with decision-making. Secondly, to expressly recognise and promote awareness of supported decision-making principles in the ACT guardianship and management framework.

So what is supported decision-making? We all make decisions every day. Big decisions about our values and identities; what we do for work; how we serve our community; choices we make for our families, our friends and our loved ones.

We make small decisions about what we wear, what we have for dinner, how we want to spend our time and money. It is normal for us to seek support and get advice on decisions. We might chat to friends and family. We might seek the advice of professionals like a doctor or a bank.

Some members of our community, particularly those with impaired decision-making capacity or an intellectual disability, need more support than others. That is why we are shifting the way that guardians and property managers are appointed and how they make decisions for a person under the Guardianship and Management of Property Act. This will move the ACT towards a supported decision-making framework. A supported decision-making framework recognises that adults with impaired decision-making ability should be provided with the appropriate assistance to make decisions and exercise their will, preferences and rights and to be protected by appropriate safeguards.

Supported decision-making is consistent with the UN Convention on the Rights of Persons with Disabilities and the right to equality before the law under the ACT's Human Rights Act. Supported decision-making can ensure that a person retains autonomy and independence in their lives to the greatest possible extent. Importantly, it is a human rights-centred approach that helps people with decision-making disabilities to access the tools they need to make and participate in their own decisions.

Currently the Guardianship and Management of Property Act's legislative settings are based on a substitute decision-making model. Under a substitute decision-making model a guardian or property manager is appointed to make decisions for a person. The reforms introduced in this bill are a critical first step in the journey towards the ACT adopting a supported decision-making model. Moving towards a supported decision-making model will mean that everyone has the right to make and participate in their own decisions and receive the support they need to do so rather than have decisions made for them by a substitute decision-maker.

There are two key reforms in this bill that support this transition. The first of these reforms involves changes to how ACAT decides whether to appoint a guardian or property manager for a person. Under changes in this bill ACAT will be required to specifically consider whether a person could access supports that would allow them to make, communicate and participate in relevant decisions before ACAT determines whether to appoint a guardian or property manager. If the person's needs could be met and their interests protected, if they could access these supports to make decisions themselves, then this would be a factor that may lead the ACAT not to appoint a guardian or manager.

The second of these reforms will change how a guardian or property manager provides support to the person. Guardians and managers will be required to provide or facilitate decision-making support for the person as far as practicable. The purpose of this support is to assist the person who is subject to a guardianship or property management order to understand the decisions to be made, to participate in these decisions and to communicate their wishes.

These changes will embed supported decision-making in our Guardianship and Management of Property Act. Elevating and emphasising supported decision-making

is intended to achieve two outcomes. Firstly, changing the way the ACAT decides whether to appoint guardians and property managers and specifically requiring ACAT to consider the availability of decision-making supports will focus more attention on this model of decision-making. It is hoped that this may reduce the need to appoint guardians or property managers. Secondly, making supported decision-making a clear principle for guardians and managers to follow will mean that people will receive more support to participate in decisions that affect their lives and wellbeing.

We know that the role of guardian or property manager will often be taken on by caring family members. In most cases it is those who take on the responsibility out of love for their child, friend or relative who will be the best guardians and managers. Although all guardians and managers will be required to facilitate supported decision-making, the bill does not impose an unreasonable burden on guardians and property managers. Guardians and managers will be required to provide supports only as far as is reasonably practicable. This will look different in every circumstance.

We also know that in many institutional settings substitute decision-making may still be necessary. For example, financial institutions, private health services and other service providers may require a guardian or manager to formally make decisions regarding consent for medical procedures or significant financial transactions. That is one of the reasons why the ACT government is taking an incremental approach to these larger guardianship reforms. The bill preserves ACAT's ability to make guardianship and management orders in circumstances where that is required. Even where a guardian needs to formally make those decisions, hopefully this broader reform will encourage and support them to engage the person about whom the decision is made or for whom the decision is made, to have a say in that decision.

As I noted earlier, the bill progresses action 4.8 of the Disability Justice Strategy. The strategy aims to achieve equity and inclusion for people with disability in the justice system. In doing so, it recognises that equality before the law is not the current reality for too many ACT residents with disability. With this bill we take one step towards changing that. Many passionate advocates have contributed to the development of these reforms, particularly from the Office for Disability, ACAT, the ACT Human Rights Commission, the ACT Public Trustee and Guardian and, of course, disability advocacy organisations and disabled people's organisations. I would like to thank all of those participants for all their dedication and service to the Canberra community, for having their say on these reforms and supporting the government to make this important change and for the many, many other contributions they make.

This bill is an important step to facilitating supported decision-making in the ACT. The promotion of supported decision-making encapsulated in this bill is then an important step in recognising the capacity of people with disability to make decisions and to protect their right to exercise decision-making and individual autonomy.

There are opportunities for further reform, particularly those that achieve a shift in culture and a change in practice to reduce reliance on substitute decision-making. These next steps will be taken after further policy work and consultation. They will reflect the principles of equity and inclusion, which are cornerstone values of the ACT government.

Our vision is for the ACT to be an inclusive, welcoming society where everyone has the opportunity to reach their full potential. This bill is part of that commitment. ACT Labor has always supported the rights of people with disability and we will continue to do so. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.03): Pursuant to standing order 182A(b), I seek leave to move an amendment to this bill that is minor and technical in nature.

I also seek leave to move this amendment on behalf of Minister Rattenbury, who is not able to be here today.

Leave granted.

MS STEPHEN-SMITH: I move amendment No 1 circulated in Minister Rattenbury's name [*see schedule 1 at page 251*] and table a supplementary explanatory statement to the Government amendment.

Amendment agreed to.

Bill, as a whole, as amended, agreed to.

Adjournment

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

That the Assembly do now adjourn.

Question resolved in the affirmative.

The Assembly adjourned at 5.05 pm.

Schedule of amendments

Schedule 1

Guardianship and Management of Property Amendment Bill 2022

Amendment circulated by the Attorney-General

1

Clause 2

Page 2, line 5—

omit

1 January 2023

substitute

the day after its notification day
