



# Debates

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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.

**Inspector of Correctional Services—Healthy prison review—  
government response  
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) (10.01): I present the following papers:

Inspector of Correctional Services Act—Report of a Review of a Correctional Centre by the ACT Inspector of Correctional Services—Healthy Prison Review of the Alexander Maconochie Centre 2022—Government response—

Government response, dated June 2023.

Ministerial statement, 29 June 2023.

I welcome the *Report of a review of a correctional centre by the ACT Inspector of Correctional Services—Healthy prison review of the Alexander Maconochie Centre 2022* that was tabled in the ACT Legislative Assembly on 24 November 2022. The report presents a whole-of-centre review of the Alexander Maconochie Centre, the AMC, using the healthy prison test devised by the World Health Organization. It makes 63 findings and 29 recommendations and identifies strengths and areas for improvement to lead sustainable change towards best practice in corrections management. These findings and recommendations broadly relate to the four pillars used by the healthy prison test to assess performance: pillar 1, safety; pillar 2, respect and dignity; pillar 3, purposeful activity; and pillar 4, rehabilitation and preparation for release.

In December 2021, the inspector initiated this review under section 18(1)(a) of the Inspector of Correctional Services Act 2017. This section of the act provides that the inspector must examine and review a correctional centre at least once every three years. This requirement of the act ensures the systemic and preventative approach to

the oversight of these centres. This was the second healthy prison review that the inspector conducted. ACT Corrective Services, ACTCS, have carefully considered all the findings and recommendations made in the report.

The government response to this report addresses each of the 29 recommendations and provides the government position on these recommendations. It also indicates actions and time frames for the completion of actions being undertaken, where appropriate. Many of the recommendations made in the report identify areas in which ACTCS has a significant change program already underway. It was reassuring for me to hear from the ACTCS commissioner that there were no surprises in the results and that ACTCS had already identified or started to address many of these recommendations. For example, many recommendations require the review or engagement of additional services, programs or supports.

As discussed at the annual report hearings, ACTCS are implementing the Integrated Offender Management Framework, including a restructure of supports for detainees with mental health needs and greater access to rehabilitative programs. As such, many of the recommendations made in the healthy prison review are in the process of being addressed through this ongoing work. This includes the amalgamation of the Specialist Communities Team and Specialist Interventions Team to form the Supports and Interventions Unit, allowing an increased breadth of service provision across the AMC, and providing support and therapeutic interventions to detainees with a disability, complex care and mental health-related needs. Two additional activities officer positions have been agreed and were filled in January this year—the roles operate 12 hours a day, seven days a week to improve the level of organised activities available for detainees—as well as a full-time senior education officer to better support distance education students. ACTCS will continue incorporating recommendations from the healthy prison review while further reviewing and developing programs and other supports.

Other recommendations that are currently in progress include the recent introduction of induction videos and the creation of induction products in easy English formats to meet the needs of detainees with a disability; continuing to amend and introduce new policies to address changing needs, most recently in relation to the introduction of the X-ray body scanners; investigating options to expand the use of telehealth for specialist health service consultations; changes to increase detainee privacy while requesting self-referrals to Justice Health Services; and upgrades to the infrastructure to support the introduction of Voice over Internet Protocol telephone calls, which will enable greater flexibility in setting call changes for detainees.

Furthermore, several other recommendations have already been completed. These include completion of the notified X-ray body scanner operating procedure to support the introduction of the scanners; completion of works on the Hume Health Centre to refurbish and expand capacity; review of the weekly detainee self-catering allowance; review of the way medication is transported around the centre; and the establishment and engagement of a new Aboriginal identified SOGA Cultural Services senior director to lead and drive policy and operational approaches to reduce disadvantage of Aboriginal and Torres Strait Islander detainees. Finally, various funding submissions have been prepared to assist ACTCS in meeting recommendations in relation to the *Blueprint for change* recommendations and asset and facility maintenance.

Two recommendations out of the 29 were not agreed with by the ACT government. The first recommendation that the ACT government does not agree with pertains to defining what a cohort is and developing a strategy to reduce the number of cohorts to increase detainees being able to mix. Limitations on detainees mixing exist to maintain safety, security and good order. ACTCS considers non-associations imposed by sentencing authorities or as requested by detainees; sex; classification; and the applicability of relevant policies, such as the incentives and earned privileges policy and the discipline policy. The circumstances and assessments made of detainee behaviour and classification are subject to change over time and are reflected in operational decisions concerning which detainees can mix.

The second recommendation not agreed is that ACTCS report publicly on a quarterly basis on the current occupancy of the Transitional Release Centre and Transitional Release Program against capacity, starting in January 2023. The ACT government recognises the recommendation aims to promote transparency but does not agree that it addresses the issues raised in the report. The recommendation will not improve either the number of detainees eligible for the program or the program uptake, and reporting already occurs regularly through various hearings across the year.

The ACT government also notes several recommendations, including a restatement of a recommendation from the HPR 2019 that ACTCS engage an independent Aboriginal or Torres Strait Islander expert to review the security rating system and ensure that it is free of any cultural bias that could result in Aboriginal and Torres Strait Islanders being overclassified. In the absence of being able to identify an independent Indigenous expert in security classification tools, ACTCS conducted an internal review. The review involved consultation with the Aboriginal and Torres Strait Islander Services Unit at the Alexander Maconochie Centre—a review of the current literature and a cross-jurisdictional scan of tools used, both nationally and internationally. This work was led by ACTCS staff who identify as an Aboriginal person. An updated classification tool and offence severity scale were introduced in 2022. As such, the ACT government believes sufficient work has been undertaken on the tool at the present time.

Regarding the Blueprint for Change Oversight Committee or relevant part of the Justice and Community Safety Directorate consult with the Office of the Inspector of Correctional Services about the nature and funding of monitoring of the committee's recommendations, given the comprehensive governance structure implemented, the ACT government does not see a need for the inspector to undertake an oversight role in relation to the Blueprint for Change work.

Regarding that dialogue be initiated between detainee representatives and senior operational staff, facilitated by an appropriately independent individual, to identify factors contributing to a decline in detainee-staff relationships and opportunities for improving it, the process of maintaining good staff-detainee relationships has many elements. Work undertaken over the past 12 months, including changes to the detainee delegates meetings, introduction of the five-minute interventions, and the incentives and earned privileges program, aims to improve staff-detainee relations. This work has progressed past the point where such a meeting would have value.

Several infrastructure-related recommendations were made, including for an expansion of the women's accommodation, a new multipurpose industries building and expansion of the visits area. While the ACT government agrees that there is a need to expand these areas, the planning and development initially requires an analysis of the needs and use, which will be undertaken as part of broader planning.

The final recommendation noted is that ACTCS fund the expansion of the contracted health and recreation provider hours of operation to allow for programs and activities to be scheduled on weekends and afternoons. There is no need to increase contracted services, given the two additional activities officers already engaged in response to recommendation 22. The activities officers provide greater flexibility in providing programs and activities on weekends and afternoons.

The ACT government agrees in principle with nine recommendations, including the redesign and use of the admissions area to ensure intake interviews with detainees can be done in privacy and detainees are not able to observe officers' computer screens in the officer area. ACTCS will examine options to improve privacy in the admissions area and implement solutions that can be undertaken within current resourcing.

Regarding the amendment to relevant policies and procedures to ensure that there is a caution on the use of prone position restraint and other high-risk positions, and that use of force training adequately reflects this, advice in line with training on the prone position will be included in the revised use of force and restraints policy. Other high-risk positions are not taught or used by ACTCS.

Another recommendation is to consult with key stakeholders to develop a strategy to prevent, track and respond to incidents of sexual coercion and violence in the AMC. ACTCS will investigate the learnings from the Sexual Assault Prevention and Response Program and will work with Canberra Health Services and other stakeholders to raise awareness of sexual coercion and violence and will promote reporting by detainees.

Regarding the creation of a senior-level Aboriginal-identified head office position to lead and drive policy and operational approaches to reduce the disadvantages of Aboriginal and Torres Strait Islander detainees, and potentially those people under community based orders, and to report directly to the ACTCS Commissioner, the ACTCS has established a new Aboriginal-identified SOG A Cultural Services senior director. The position is currently filled on a temporary basis for six months, pending permanent recruitment to be undertaken in mid-2023. The position reports to the Assistant Commissioner, Offender Reintegration.

Another recommendation is that condoms, water-based lubricants and dental dams be made freely available in the units so that detainees can access them without having to make a request to staff. ACTCS will identify how these products can be issued in accommodation areas while maintaining privacy and dignity. Justice Health Services have added dental dams to the bleach and condoms that are available in the Hume Health Centre, and these can be accessed without a request to staff.

Another recommendation is that the government engage an independent third party to convene and chair an urgent senior-level working group between Justice Health,

Winnunga and ACT Corrective Services to address the working relationships between the three entities in relation to the provision of culturally appropriate health care in the Alexander Maconochie Centre. The intent of this recommendation will be addressed through the implementation of recommendation 6 of the *ACT Auditor-General's report—Management of detainee mental health services in the Alexander Maconochie Centre—Report No. 1/2022*, which was agreed in principle by Canberra Health Services.

Another recommendation is that ACTCS and Justice Health commission an independent joint review of the Crisis Support Unit, the CSU, that addresses multiple aspects of the unit, including the purpose, placement and administration and removal criteria; staffing; and clinical or therapeutic interventions provided. ACTCS and the Forensic Mental Health Service are already implementing programs of therapeutic support reforms that will impact the use and practices of the CSU. This work will also consider other Australian jurisdictions' approaches to placement and review criteria, processes, and custodial officer training at equivalent units. Any changes to the model of service, staffing and training will be considered in that context.

Another recommendation was to, as a priority, devise and implement a strategy to remove barriers for meaningful participation in distance tertiary education, with time frames for implementation. The strategy should also include immediate or interim steps that are able to be taken so that detainees enrolled in education currently can access course requirements. ACTCS has recruited a full-time senior education officer to support distance education students. ACTCS will revise and update the detainee access to education, library and ICT policy and associated materials to clearly explain the process for distance education enrolment and levels of support available.

Another recommendation is for an independent audit of AMC's paper mail system to be conducted to determine if mail services for detainees—for example, timeliness, reliability and costs—are as close as equivalent to those in the community as possible for a custodial environment. ACTCS agrees a review of the system is required and will approach other jurisdictional correctional services or other appropriate organisations to undertake a review.

Finally, I was pleased by the inspector's recognition of the significant improvements in the delivery of recreational services at the AMC, the increased use of the multipurpose recreation building and the services provided by Corporate Health Management to provide health and wellness services to detainees. The addition of the two activities officers will only improve this situation. Similarly, recognition of the good practice by the Specialist Interventions Team and the Assisted Care Unit was also pleasing to see.

I would like to acknowledge that various concerns expressed in the healthy prison review have previously been identified, including in the healthy prison review of 2019 and in various critical incident reviews by the inspector. These recurring issues mostly relate to highly complex matters, including the management of a range of different sentenced groups within one correctional facility, as well as the situation of women and the Aboriginal and Torres Strait Islander peoples' over-representation in the justice system. I wish to assure the Assembly that a significant amount of work is being done to address these matters and hope that my overview of ACTCS actions has demonstrated this.



In particular, I wish to assure the Assembly and the community that the over-representation of Aboriginal and Torres Strait Islander people in the justice system is a significant concern for the ACT government and that we are committed to addressing issues that disproportionately impact on Indigenous people. As such, I note actions completed, some of which were based on previous recommendations made by the inspector, including the healthy prison review of 2019. These include significant work to develop new security classification tools to address cultural bias that could result in Indigenous detainees being over-classified in the older tool that was in use during the inspector's 2022 review; in addition to the new SOG A identified position, redevelopment of the Aboriginal and Torres Strait Islander Services Unit to work to expand the scope and work of the unit with Aboriginal and Torres Strait Islander detainees; and establishing the Indigenous Justice Branch, IJB, in JACS in 2022 to help reduce the over-representation of Aboriginal and Torres Strait Islander people in our justice system. This branch supports the delivery of programs and initiatives, and works collaboratively across other areas of JACS, including ACTCS, to coordinate the efforts on this important agenda.

A recommendation was to be mindful of the spiritual significance of art before decisions are made that could affect detainees' access to their artworks and materials. This is being addressed in the detainee property policy, updated in 2022, and with recent additions in cultural awareness and cultural appreciation training now available to staff. There was the development of the Be the Change We Seek Aboriginal framework, which is a guide to better practice in the development and delivery of programs, supports and services that are culturally appropriate and safe. They are trauma informed and are developed with Aboriginal and Torres Strait Islander people. Development of the framework for ACTCS was led by Curijo Pty Ltd, an Aboriginal organisation, and is nearing release.

Finally, I would like to note that, despite the inspector's position that, overall, conditions have declined since the 2019 healthy prison review, progress is being made that was not recognised in this report, largely due to the use of the 2021 data and the point in time of 30 June 2022 used for the report. I am confident that ACTCS will continue to devote themselves to implementing the recommendations of the healthy prison review.

In conclusion, I am confident that the implementation of the recommendations, combined with the initiatives under Building Communities Not Prisons, will improve performance in each of the healthy prison test pillars in subsequent healthy prison reviews.

I take this opportunity to thank the previous inspector for his report. The independent oversight provided by the Inspector of Correctional Services is crucial to build and maintain public confidence in the ACT's correctional system and helps contribute to the continuous improvement of the care, treatment and safety of all detainees.

I would like to acknowledge that the term of the Inspector for Correctional Services, Neil McAllister, ended on 13 March 2023. Mr McAllister fulfilled his statutory role with diligence and candour and undoubtedly contributed to improving correctional services in the ACT. I wish him well for the future.

I now welcome Ms Rebecca Minty, who commenced in the role as Inspector for Correctional Services on 14 March this year. Ms Minty has worked with OICS as deputy inspector since 2018, in close partnership with Mr McAllister. I look forward to Ms Minty's contributions to the work of building and maintaining public confidence in the ACT's correctional system.

I move:

That the Assembly take note of the ministerial statement.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health and Minister for Veterans and Seniors) (10.24): I speak today to the justice health element of the government response to the *Healthy prison review of the Alexander Maconochie Centre* by the ACT Inspector of Correctional Services.

To begin, I would like to thank both the former and the current ACT Inspector of Correctional Services, Neil McAllister and Rebecca Minty, and all those involved in providing their feedback to form the basis of the review. We welcome your advice and your expertise on ways to improve the overall wellbeing of people in the Alexander Maconochie Centre, the AMC.

We know that providing health care to meet the needs of people in prison is challenging. Here in the ACT, community advocates, including ACTCOSS and Women's Health Matters, have noted in their reports and submissions over the years that many people in prison have health and social support needs, including drug and alcohol use, mental health, disability, housing, experiences of violence, and family support. The 2016 ACT Detainee Health and Wellbeing Survey reported that 54 per cent—more than half—of the surveyed detainees had been diagnosed with a mental illness, many of which were first diagnosed while in prison.

Providing health care in a correctional environment is an added challenge. The AMC is home to people of all genders who may be sentenced or on remand and includes a mix of security classifications, which range from minimum protection to maximum security. As such, the provision of health care at the AMC requires careful logistical planning by both correctional officers and Justice Health staff to safeguard the wellbeing of all people and minimise risks, which places additional constraints on how many people can be attended to in a single day.

The 2022 healthy prison review raised some key issues relating to the provision of health care within the AMC, to which seven recommendations were made relating to Justice Health Services. One of these issues is space. The Hume Health Centre, which provides comprehensive primary and mental health care services to people in custody, was built to cater for the health needs of a population much smaller than the one we currently have. As noted by the inspector, while the size of the centre places a limit on its effectiveness, the hours for healthcare provision are very good. I would like to acknowledge both Justice Health and Winnunga staff, who work extremely hard and are passionate about providing high quality care to people in the AMC.

Works to improve the capability of the Hume Health Centre and Winnunga were completed in March 2022, which has made the space more fit for purpose, in line with the review's recommendation. Key reconfigurations undertaken at the Hume Health Centre include: repurposing a room to provide Winnunga with a fit-for-purpose treatment space; repurposing a room to provide greater treatment and allied health space; repurposing an office into a third waiting room to increase detainee throughput and provide more options to manage separate security classifications; altering the entry way to create better flow between reception and the new waiting room, which has also improved staff security; and the construction of a new administration building. This is a great first step in addressing the limitations of the size of the Hume Health Centre and the effect that this has on the efficient and effective provision of health care. I look forward to future conversations with Minister Gentleman and Corrections on how the Hume Health Centre can be further modified to meet the needs of the growing population of the AMC.

The review also made a series of important findings regarding how to better support the mental health of people in the AMC. The review notes that there are service gaps to help people with mild to moderate mental health conditions and psychosocial disability. Staffing shortages, which are consistent with such shortages across the community, are part of the reason for the unmet need for subacute mental health services for people in the AMC. This important finding will help us to better target services for those in the AMC to ensure that emerging mental health challenges can be identified and treated sooner. Recent changes to services at the AMC, including the establishment of the Supports and Interventions Unit in late 2022, will help to address some of the challenges by providing support and therapeutic interventions for people with disability, complex care and mental health-related needs.

Another key issue highlighted in the review is the clarity of purpose of the Crisis Support Unit, or CSU. This is an area within AMC intended to accommodate, support and treat people for short periods when they are chronically unwell or at risk of harm. The review has recommended an independent review of the CSU to ensure that its purpose is clear, to which the government has agreed in principle. It is important to note that the unit is designed as a short-term facility and not intended for medium- or long-term accommodation. The people accommodated in the unit are acutely unwell and at risk and, where possible, are transferred to hospital. Corrections and the CHS Forensic Mental Health Service are already implementing program and therapeutic support reforms that will impact the use and practices of the CSU. This work will also consider other Australian jurisdictions' approaches to placement and review criteria, processes and custodial officer training at equivalent units. Any changes to the CSU's model of service, staffing and training will take into account what we learn through this process.

I would also like to highlight my support for some of the findings and recommendations outside of the remit of Justice Health Services which I believe will have a positive impact on the general wellbeing of all people in the AMC, which will in turn make AMC a safer place for everyone. This includes recommendations to improve the availability of meaningful activities and recreation and greater opportunities for education and training for people in the AMC.

In closing, I would like to again thank all those involved in the development of this review. This review was a major task, and I am grateful for the expertise and hard work that went into ensuring that we understand how well the AMC is operating and how it can be improved for the health and wellbeing of people in there, their staff and visitors.

The ACT Detainee Health and Wellbeing Strategy, which will be released shortly, will outline the ACT government's vision for meeting the current and future health needs of people in the ACT. All three parties—Corrections, Winnunga, and Justice Health—have been working collaboratively to develop this shared vision of care. I know that each agency is committed to delivering the best available services to detainees now and into the future, and I am grateful for their ongoing collaboration. I look forward to sharing this strategy with all members in due course.

Quality health care is a fundamental human right. We have an opportunity to provide high quality health and wellbeing care to people while they are in custody and then return them as healthier people to communities. I strongly believe that improving the health and wellbeing of people in the AMC is a critical part of improving the health and wellbeing of the ACT as a whole, and I look forward to continuing to make the AMC a safer and healthier place for all.

**MR BRADDOCK (Yerrabi) (10.31):** The ACT Inspector of Correctional Services is crucial to building and maintaining public confidence in the ACT's correctional system and helps to contribute to the continuous improvement of the care, treatment and safety of all detainees. It also has a vital role for ensuring that we meet our obligations under the Optional Protocol to the Convention against Torture.

I would like to profoundly thank Mr Neil McAllister for his commitment to his role in providing unflinching analysis on the state of our corrections system. I wish him all the best in his retirement. I would also like to publicly congratulate Ms Rebecca Minty on her appointment to the role after working as the deputy inspector for the past five years. I look forward to her work as the inspector and I am sure she will perform admirably.

I will not attempt to respond to the specifics contained in the government's response to the healthy prison review until I have had the opportunity to read it in detail. I do, however, want to take the opportunity to make some broader comments.

I take this opportunity to thank the previous inspector for his report. The resourcing of the Office of the Inspector of Correctional Services has been a repeated issue raised in a variety of committee inquiries and reports, to such an extent that the Justice and Community Safety Committee, in its report on the 2021-22 annual reports, stated:

The Committee has significant concerns regarding the ICS' ability to perform sufficient legislative oversight due to lack of staffing and resources.

The Committee considers that greater separation between the Minister for Corrections and the ICS is necessary to facilitate appropriate oversight and recommendation implementation evaluation. The Committee is of the view that in order to ensure adequate funding and resourcing on an ongoing basis, ICS should be made an Officer of the Legislative Assembly through legislation.

With the statutory review of the Inspector of Correctional Services Act 2017 now underway, I would again commend this recommendation. A well-resourced inspector is in the interests of the ACT, providing the oversight required and ensuring that the ACT government treats detainees with dignity and in accordance with their human rights. Failure to do so will make the ACT liable for further breaches of the human rights of our detainees.

The inspector has struggled to obtain the necessary resources to fulfill his functions. Making this role an officer of the Assembly would cement the independence of the role, separate from the executive, while also providing the transparency and oversight of budget decisions concerning this office.

I will now take the time to read the government response and will provide a more detailed comment to the Assembly in the future.

Question resolved in the affirmative.

## **Canberra Hospital—paediatric emergency department— update Ministerial statement**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.34): I rise today to provide the Assembly with an update on the actions being taken in response to two resolutions passed by the Legislative Assembly about public paediatric services in the ACT.

On 21 September 2022, the Assembly passed a resolution noting a number of items in relation to the Paediatric Early Warning System and the Call and Respond Early for Patient Safety program. This motion also acknowledged that I would be convening a Child and Adolescent Clinical Services Expert Panel to support the finalisation of the territory-wide Child and Adolescent Clinical Services Plan. The resolution called on the ACT government to report to the Legislative Assembly on the work of the expert panel and the development of the Child and Adolescent Clinical Services Plan by 30 June 2023.

On 12 October 2022, the Assembly passed a resolution which noted the dedicated paediatric service for children attending the emergency department at the Canberra Hospital. It was noted that, due to the impacts of COVID-19 and other respiratory illnesses among the health workforce at that time, Canberra Hospital's emergency department had been required to operate on a consolidated footprint during periods of staffing pressure. It was also noted that the new critical services building emergency department will include an enhanced paediatric treatment area and an expanded paediatric waiting area for children requiring emergency treatment. This resolution called on the ACT government to continue to safely optimise use of the paediatric emergency department space at Canberra Hospital.

Madam Speaker, significant work has progressed to consider the range of health needs of children and adolescents in the ACT. The ACT government remains committed to

the provision of safe and high-quality integrated clinical services for children, adolescents and their families.

Effective planning for investment in clinical services for children and adolescents is critical to the evolution of service provision. We know the population of children and adolescents in the ACT and the surrounding region is increasing, and more treatment options are becoming available.

Many of the good things that are expected of health systems for children and their families already exist or have commenced in the ACT and provide a sound basis for building upon these health services in the future. We know that there are areas and services where further development is needed, as there are in many regions across Australia.

As committed to in this Assembly on 21 September, I established the Child and Adolescent Clinical Services Expert Panel. The panel provides oversight for the finalisation of health system planning for children and adolescents, especially the most vulnerable. It is making recommendations to me on key priorities for clinical services in the ACT.

The panel is chaired by an independent expert, Professor Michael Brydon, and includes interstate medical and nursing paediatric experts, a consumer representative, the ACT Health Services Commissioner, and executive staff from Canberra Health Services and the ACT Health Directorate. The expert panel first met in November 2022 and has been meeting regularly since then. I attended that first meeting, and more recently the panel meeting in April 2023.

The panel has provided high level oversight and independent expertise to support work already underway in the ACT to plan and enhance healthcare services for children and adolescents. A significant amount of research, engagement and consultation with service experts and stakeholders has been undertaken, to date.

The panel has considered a wide range of data and background information, as well as feedback from consultation with key stakeholders, including: demographic data and population projections; health service utilisation data showing the clinical services that Canberra's children and adolescents use, and where and how those services are provided; analyses of health status and service needs; recent reviews of paediatric clinical services, with actions and recommendations from these reviews being incorporated into the draft Child and Adolescent Clinical Services Plan, where assessed as still being a priority; the 2020 report of the ACT Health Care Consumers' Association, *Consumer and family experiences and expectations of accessing interstate specialist care: the kids interstate shared care project*; and feedback from health service executives and clinicians from both the hospital and community health settings, First Nations consumers and community-controlled organisations, the Community Services Directorate, Sydney Children's Hospitals Network and other subject matter experts.

Members visited the Weston Creek Walk-in Centre, paediatric areas at the Centenary Hospital for Women and Children and the Canberra Hospital emergency department, where they spoke with frontline staff to gain an understanding of how things work on

the ground. The panel also established subgroups to focus on key areas of clinical service planning and delivery, including: the services required on the north side of Canberra; integration of health and other services delivered for children and adolescents in the community; critical and high acuity care; digital and virtual care; sub-specialty areas of need, and service leadership and governance.

I have been assured that the panel has considered workforce needs and challenges as a matter critical to future service delivery. Consideration of the workforce needs in this speciality area complements the ACT Health Workforce Strategy 2023-2032, released in May 2023. The strategy aspires to workforce reform that will futureproof health services in the ACT and promotes a workplace culture of excellence.

Madam Speaker, the draft Child and Adolescent Clinical Services Plan has been enhanced and updated as the panel's research, findings and recommended actions have developed. The panel recommended that a targeted consultation on the draft plan be undertaken in May and June, and consultation commenced on 15 May.

The draft plan includes a series of recommended actions to 2030 that will build on the good things happening in our health system to improve the health outcomes of the children and adolescents in the ACT and surrounding areas. The plan is the outcome of research and analysis, as well as engagement with health services, partner organisations in the community, consumers and carers. It draws on research and best practice, along with an assessment of priority areas of need.

A key recommendation is the establishment of a child and family continuous improvement network that uses a learning health system model. This model was highlighted in *Better together: a strategic plan for research in the ACT health system 2022-2030*. A learning health system:

... builds on real-time access to evidence to guide health protection, promotion, prevention and care while simultaneously capturing information about the consumer experience to improve policy, initiatives, services and health outcomes, built on effective partnerships between clinicians, consumers and other stakeholders ...

The proposed network would focus in the first instance on the actions identified in the Child and Adolescent Clinical Services Plan and the Best Start for Canberra's Children: The First 1000 Days Strategy. When consultation concludes at the end of June, the expert panel will meet again to consider stakeholder feedback and evidence and to finalise the plan.

As part of the work of the expert panel, it is considering the use of the Paediatric Early Warning System that is currently in use at Canberra Health Services. This is part of the panel's work to continue reviewing the evidence-based literature and clinical practices within ACT public health services, regarding the emergency management of children and adolescents.

A formal recommendation regarding the early warning system has not been made at this time. Early advice from the April 2023 meeting of the expert panel is that there is no single paediatric emergency scoring system that is more effective than the range of others available. The panel confirmed to me that the most important part of detecting deterioration with an early warning system is how it is implemented in practice.

I have appreciated the deliberate and thoughtful work of the expert panel, which is ensuring that it considers the best evidence and speaking with clinicians on this matter. I look forward to continuing to discuss this with them to ensure that we are providing the best care possible to children and adolescents who need acute and critical care in the ACT.

Madam Speaker, in regard to the Canberra Hospital emergency department, I am pleased to report to the Assembly that a guidance document for ED service provision at Canberra Health Services was finalised in December 2022. This document provides guidance to the organisation, after-hours managers, and the ED clinical coordinator and medical navigator, or consultant, in charge of each shift, regarding safe service access, continuous service provision and pathways of escalation should issues arise.

Canberra Hospital's ED has recently undergone several successful recruitment rounds to ensure that all areas of the department are operational. Should staffing shortages arise, the stand-alone paediatric space is prioritised so that this area is not closed. This has safely optimised the paediatric area as we have moved out of the critical phases of the COVID-19 pandemic and its impact on our health services. I can advise the Assembly that the Canberra Hospital ED has not closed beds in the paediatric zone since 16 January 2023.

Further work has continued on the models that will support the new dedicated paediatric ED in the new critical services building. A significant program of work has been undertaken as part of the operational commissioning for the critical services building, which will open in 2024. To improve the care of children, the critical services building contains a purpose-built paediatric ED and paediatric external courtyard for children to allow access to fresh air while waiting or receiving treatment. The paediatric ED service will also offer a rapid assessment unit with recliners and beds for patients who are more unwell and may benefit from lying down. The design and services have been informed by extensive consultations with healthcare consumers and the local community, as well as with our highly experienced clinicians.

Madam Speaker, as the expert panel finalises the draft Child and Adolescent Clinical Services Plan, I would like to acknowledge the significant work that is currently being undertaken for children, adolescents and their families, and the investments that the ACT government is already making.

The Paediatric Liaison and Navigation Service, or PLaNS, commenced in September 2022 and has formed the basis of a number of recommendations by the expert panel to build on the success of this service. PLaNS is a new referral-based service that provides child and family-centred navigation, support and the coordination of care for children with complex healthcare needs.

PLaNS was developed through a co-design process with the Health Care Consumers' Association and a dedicated consumer reference group that comprised representatives of community organisations and, importantly, parents and carers. The service has been designed to anticipate and reduce the challenges that children, young people and their families can face when they are accessing health services both in the ACT and interstate. Since its inception in September, PLaNS has received great feedback from



families, health professionals and other services on the positive impact that being involved with PLaNS has had on the experiences of children and families.

Canberra Health Services is now seeing families who feel less pressure to carry around vast quantities of health information. They are confident that care plans are centred on the child's goals and needs and that they are clearly documented and accessible to all providers. Parents and carers are feeling more confident that when they present to health services, there is a clear, agreed plan on the healthcare needs of their child. PLaNS is an excellent example of the kind of innovative service we can deliver when we undertake co-design with consumers.

Madam Speaker, as part of the record level of investment in frontline health services in the 2023-24 budget, we announced a further significant investment of more than \$15.8 million in paediatric services to continue our work of expanding these services for the community. Priority areas for investment include expansion of the overall paediatric medical and nursing workforce and the establishment of a paediatric "hospital in the home" service. The package will also expand and upskill paediatric emergency department staff as Canberra Health Services prepares to open the new state-of-the-art critical services building.

The boost will also grow the paediatric nursing workforce, complementing the significant investment in allied health professionals at Centenary Hospital for Women and Children funded through the 2022-23 budget. The initiative also delivers a new dedicated paediatric gender service, responding to the feedback we have heard from the community and ensuring that those who need specialist care can receive it closer to home.

These are important initiatives in our public health services and will expand nurse-led service provision and increase the medical and allied health workforce. These measures build on our previous investments in specialist health services for children. They will help us to ensure that the right care is being provided at the right time and in the right place for children, adolescents and their families.

Madam Speaker, I would like to finish this statement today by acknowledging that while this considerable work is being completed, there are coronial proceedings underway that will be impacting members of our community. My thoughts continue to be with everyone who has been touched by the tragic loss of a child. Most particularly, of course, their family and friends, but also the dedicated health professionals who experience the trauma of such a terrible event.

I can assure the ACT community, as I did in 2022, that the government is committed to fully participating in this process, and ensuring that our work to expand and continually improve our paediatric services is a priority. I commend the statement to the Assembly.

I present the following paper:

Paediatric services in the ACT—Assembly resolutions of 21 September and 12 October 2022—Government response—Ministerial statement, 29 June 2023.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Voluntary assisted dying—listening report 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) (10.48): I rise today to provide to the Assembly and the Canberra community an update on the progress made to legalise voluntary assisted dying in the ACT and to present to the Assembly a listening report detailing what we heard from the community in our recent public consultations, as well as five snapshots summarising our key stakeholder engagements.

Since the federal parliament restored the territory's power to legislate on this matter with the passing of the Restoring Territory Rights Act 2022, the government has made voluntary assisted dying one of our key priorities to enhance compassionate end-of-life choices and outcomes for Canberrans.

We know that voluntary assisted dying is widely supported in the ACT and in Australia more broadly. Because of this, we undertook an eight-week consultation process between 7 February and 6 April this year to understand what the community and stakeholders wanted from voluntary assisted dying laws in the ACT.

We received over 106 formal submissions from organisations and individuals, 366 short answer submissions from individuals, and held round tables and workshops with key stakeholder groups. The consultation process reached more than 7,400 people via our YourSay Conversations website; nearly 3,000 members of the YourSay panel completed our survey; and over 32,000 people were reached through ACT government social media channels. We are especially grateful for the personal stories shared by all those involved in this process: especially from the people who have cared for loved ones at the end of their lives, those living with terminal illnesses and the health professionals who have cared for these people. We have now compiled all this feedback into a listening report, which will be available on the YourSay website.

I am pleased to also present five snapshots that summarise our key voluntary assisted dying round tables and workshops: a round table for disability and mental health communities; a round table for health professionals; a round table for private health and aged-care organisations; a round table for First Nations communities; and a grand rounds session at Canberra Hospital with Canberra Health Services clinicians. These snapshots summarise the key themes and reflections from these important stakeholders, who shared their expertise and lived experience with us. These themes are incorporated into the listening report as well, and the snapshots will also be provided separately on the YourSay website.

Madam Speaker, the feedback we received was generally in favour of building upon the protections of the Australian model—that is, the general approach that has been

taken in all states in Australia. Specific aspects of the Australian model that were emphasised by contributors were the need for strict eligibility requirements; a thorough request and assessment process; and the provision of support and information through a care navigator service, pharmacy service and an independent oversight body.

The consultation process also revealed strong support for building upon several aspects of the Australian model. We heard strong support for removing arbitrary limits as to time frames to access the voluntary assisted dying process. These recommendations were raised from community concerns about the difficulties in estimating time frames for people nearing the end of life and how navigating the process of end-of-life care becomes increasingly difficult as these illnesses continue.

We heard some strong support for allowing access to voluntary assisted dying for mature and capable young people who are similarly suffering. Support was particularly strong from those with lived experience of young people suffering with incurable, terminal diseases, including parents and clinicians. Many contributors noted that limiting voluntary assisted dying to those over the age of 18 was an arbitrary limit. And given that young people under the age of 18 also experience intolerable end-of-life suffering through terminal illnesses, they should have the same end-of-life choices as adults. Health professionals noted that, if pursued, this would need to be carefully implemented. I thank the Canberra community for the very considered and calm way that this issue and others were contemplated in the consultation, and this is reflected in the listening report.

Many contributors also were open to suitably qualified, experienced and trained nurses having a significant role in the voluntary assisted dying process, potentially including a consulting or coordinating role to meet the demands of our community. We heard almost unanimously that health practitioners should be able to conscientiously object to being involved in the voluntary assisted dying process, as long as this does not hinder a patient's access to quality end-of-life care.

While contributors noted that faith-based service providers in health and aged care should be able to operate in accordance with their values, most contributors with views on the matter noted that these service providers should be required to facilitate an eligible patient's access to voluntary assisted dying. We also heard the need to consider the access of residents of regional New South Wales and our border communities, as well as the specific needs of First Nations communities, throughout this process.

We heard strong support from a diverse range of contributors that voluntary assisted dying must not detract from the important role that a compassionate and well-resourced palliative care system must continue to play for our community. The ACT government is committed to the ongoing provision of quality, accessible palliative care in the ACT to ensure that voluntary assisted dying is a genuine choice for those who wish to have it as an option.

We also heard from a significant number of contributors that there was support for incorporating voluntary assisted dying as part of advanced care planning so that voluntary assisted dying can be available once a person has lost capacity—for example, in advanced dementia.

The ACT government will be maintaining the position outlined in our discussion paper, and throughout our consultation, that voluntary assisted dying will be available only to those people who retain decision-making capacity throughout the entire process. This is because, in addition to support for voluntary assisted dying to be part of advanced care planning, our consultation also revealed considerable complexity in the matter, not least of which is that the voluntary nature of voluntary assisted dying can be seen to be compromised if the administration of the voluntary assisted dying substance is not truly voluntary.

While some other Australian jurisdictions have explored, in a preliminary way, what allowing voluntary assisted dying for persons who have lost capacity might look like, none have yet proceeded along these lines. Some of the policy complexities explored in other Australian jurisdictions include that it is difficult for advanced care planning documents to resolve exactly when a voluntary assisted dying substance should be administered. Further, determining a person's subjective experience of suffering is difficult if the person loses decision-making capacity.

However, noting the strength of the support in the ACT, and more broadly—indeed, nationally—we will commit to considering this issue further once our voluntary assisted dying scheme has been in operation for several years. This will allow us to assess how the scheme is working for our community and to learn from expansive consultation and research on the matter.

Madam Speaker, we are grateful for the time and expertise shared by stakeholders, community members and those who have cared for people near the end of their lives. The insights from all involved in the consultation process are now being used to shape how voluntary assisted dying will work in the ACT, and a bill is still on track to be introduced in the Legislative Assembly later this year.

These reforms will take time to practically implement. Australian states have taken about 18 months, after the passage of their voluntary assisted dying laws, to set up safeguards, to educate and train health professionals and to develop guidance for the community and health services. I expect our legislation in the ACT to allow for an appropriate time for the necessary systems to be put in place so that voluntary assisted dying is accessible for people who are eligible to choose it and safeguarded from people who are not. To support this process, Tuesday's budget includes funding to establish a cross-directorate voluntary assisted dying team to support policy design and legislation.

I am pleased to present the listening report and snapshots and encourage anyone in our community who is interested in reading them to visit [YourSay.act.gov.au/VAD](https://YourSay.act.gov.au/VAD).

I present the following papers:

Voluntary assisted dying—

Conversation Snapshot: Voluntary Assisted Dying Stakeholder Roundtables, dated March and April 2023.

In the ACT—Report on what we heard, dated June 2023.

Listening Report—Update—Ministerial statement, 29 June 2023.

I move:

That the Assembly take note of the ministerial statement.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health and Minister for Veterans and Seniors) (10.59): I would like to thank Minister Cheyne for updating the Assembly on the government's consultation on voluntary assisted dying laws and the listening report.

As the minister with responsibilities for disability, seniors, carers and mental health, it has been really good to see the government has held targeted consultations with these groups in the community and that the wide range of community experiences and perspectives are captured in the listening report and in the conversation snapshots.

It is particularly good to see reflected in the listening report the key issues that the disability community have talked to me about around the need for a person-centred approach and for really strong eligibility and decision-making capacity.

As the minister for carers it has also been great to see that the listening report captures the need for adequate support and communication for families and friends and for carers. So, I want to thank the disability, seniors, mental health and carers community and advocates for their engagement with the government on this work, and I would encourage everyone to continue to engage and to provide feedback as we develop these laws to legislate voluntary assisted dying.

Question resolved in the affirmative.

## **Planning (Consequential Amendments) 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) (11.00): I move:

That this bill be agreed to in principle.

This bill represents another key milestone in implementing a new planning system for Canberra. This delivers on the ACT government's commitment in the Parliamentary and Governing Agreement for the 10th Legislative Assembly to review and improve Canberra's planning system. In conducting the review of the planning system, we had a number of key aims to deliver the best possible outcomes for our environment, our city and its citizens and visitors. We wanted to simplify the planning system, facilitate residential development and housing supply, while making sure that Canberra remains sustainable, liveable and attractive; that it maintains the characteristics that make Canberra unique.

We want to improve community confidence through system clarity; incorporate character, context and design as key elements of the system; enable greater flexibility in the assessment of varying development types; and provide a pathway to achieve net zero emissions. These commitments have largely been delivered through the passage of the Planning Act 2023. The passage of this bill that I am introducing today will support the Planning Act by giving effect to the planning system reforms. The bill makes amendments to over 70 pieces of ACT legislation as a result of the Planning Act 2023 and associated regulations to make sure that all ACT laws align with the reformed planning system.

The majority of the amendments contained in the bill are technical in nature and amend and replace redundant references. This includes:

- (a) replacing references to the Planning and Development Act 2007 with the Planning Act 2023;
- (b) amending the Planning and Development Regulation 2008 to either the Planning (General) Regulation 2023 or the Planning (Exempt Development) Regulation 2023 to account for the two new regulations to be made under the Planning Act;
- (c) replacing the Planning and Land Authority with the Territory Planning Authority to reflect the new name of the planning authority;
- (d) replacing Chief Planning Executive with Chief Planner;
- (e) including the new Territory Plan terminology, for example, minor plan amendment and proponent-initiated amendment; and
- (f) updating new sections, schedules, notes, examples, et cetera to correspond to the correct terminology in the new planning system.

Madam Speaker, despite the significant volume of acts and regulations amended through this bill, the amendments proposed are all relatively straightforward, minor and technical. As you will see, the planning system is complex; by its nature, the planning system interacts with a large number of other government legislation, policies and processes. For this reason, I am extremely proud of the work that has been done to improve the planning system. I am confident that the outcomes focused planning system will deliver better outcomes not just for those who use the system on a day-to-day basis but also for members of government and the community whose work intersects in some way with the planning system. A better planning system will support the rollout of infrastructure or facilities and achieve a major government policy outcome that is of significant benefit to the people of the ACT.

Lastly, I would like to thank the community, industry and members of the Assembly for their input during the conduct of the review of the planning system. While a wide range of views were put forward during the review, I am confident the revised system gets the balance right with what we have heard. The reforms will deliver once-in-a-generation changes to our planning system and lead to better outcomes for people and their community, with improved wellbeing, environment, culture and community. I commend the bill to the Assembly

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

## **Electoral and Road Safety Legislation Amendment Bill 2023**

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

Title read by Clerk.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.06): I move:

That this bill be agreed to in principle.

Madam Speaker, I am pleased to present the Electoral and Road Safety Legislation Amendment Bill 2023 to the Assembly today. This legislation will strengthen the territory's electoral laws by making voting more accessible, ensuring public confidence in our local elections and improving road safety. This bill delivers on commitments in the Parliamentary and Governing Agreement of the 10th Legislative Assembly and also implements key commitments agreed to by the government in its response to the Standing Committee on Justice and Community Safety's Inquiry into the 2020 ACT Election and the Electoral Act, and reflects recent changes made by the commonwealth to the Commonwealth Electoral Act 1918.

Mr Deputy Speaker, the importance of ensuring the integrity and public confidence in the ACT's voting system cannot be overstated. It is core to our democracy and the right of every voter to know how candidates, politicians and political parties are funded and that they are not being influenced by foreign actors. One of the major reforms in the bill is the introduction of new bans on donations from foreign entities. The government recognises that any actual or perceived influence by foreign entities on government decisions across Australia is a concern.

There is strong interest from the public in being certain that there is no risk of elections being unduly influenced by foreign entities. Several other jurisdictions in Australia, including the Commonwealth, New South Wales, Queensland and Victoria, have banned donations from foreign entities over recent years. To ensure the bill does not unnecessarily restrict the ability for individuals, corporations or other entities to make political donations in the ACT, people and organisations who are legitimately living, working or doing business in the ACT, including, for example, on work or study visas, will not be prohibited from making political donations.

Criminal offences are being introduced to make it an offence for a foreign entity to give political donations of \$250 or more. If the donation is under \$250 in value, this will not be captured by an offence, but the amount of the donation will be payable as a debt to the territory, by both the giver and the receiver. Political entities, including Members of the Legislative Assembly, political parties and candidates for election, will also be prohibited from accepting any donations from foreign entities but the political entities will be required to take reasonable steps to ensure they are not receiving donations from foreign entities.

This bill also meets the Government's commitment to enhance transparency by introducing real time political donation reporting. The amendments will require political entities to disclose any donation received that is over \$100 in value within seven days of receiving the donation. These amendments will allow for much faster public visibility of donations and greater transparency throughout an entire electoral term, whilst reducing administrative burden for reporting entities under the current, higher thresholds. A small donation exemption will apply for donations under \$100 in value. However, if a political entity receives 13 or more donations from the same person, all of which are under \$100 in value, the political entity will be required to report each of those donations, and any subsequent donations from that same person, from that point in time onwards.

The bill also includes a number of amendments which will better enfranchise voters so they can fully participate in elections by making voting more accessible and inclusive.

Firstly, the bill permanently introduces electronic voting for ACT voters who are overseas during election times. Importantly, all electors will be able to vote during the early polling period, which will now be around two weeks before the election, from the second Monday before election day and they will not have to provide an excuse to vote early. Postal voting and electronic voting for overseas electors requires a slightly longer period for voting and this will be able to be undertaken three weeks before election day.

We are also finding ways to better engage with Canberra's multicultural community on elections and to be more inclusive. To allow for this, candidates and political parties will be allowed to spend up to approximately \$5,000 on translated materials without this contributing to the electoral expenditure cap.

The bill will also allow Elections ACT to undertake telephone voting and mobile polling to provide for a more inclusive voting system. Telephone voting will now be available for any voters who are blind or vision impaired and who would otherwise need assistance to complete a secret ballot.

People experiencing homelessness are another cohort that may face obstacles when voting, and we know that they turn out at much lower rates to vote. To better enfranchise this vulnerable cohort and ensure our system is inclusive, this bill will enable Elections ACT to undertake mobile polling at locations across Canberra where people who are experiencing homelessness may gather or attend.

The bill also makes changes to tighten the rules around authorisation statements for electoral matter. The law currently requires that if a person or organisation disseminates electoral matter, they must include an authorisation statement so that people can identify the source of the information. To ensure that freedom of political communication is not unduly restricted, the law also currently provides for an exception, so that authorisation statements are not required where people disseminate their own unpaid personal political views on social media.



To improve transparency regarding electoral matter disseminated on social media and to reduce the risks of misinformation, this bill will clarify that this exception only applies where: a person disseminates electoral matter on social media; the person is not paid; the person is acting in a private capacity and expressing their own personal political views; and they are not using a social media account created for the dominant purpose of disseminating electoral matter, unless the account is in their name. These strengthened rules will ensure that the requirements for authorisation statements cannot be evaded, while still protecting the right of individuals to express their own views in a private capacity.

This bill provides a broad range of strengthened powers and improvements for the ACT Electoral Commission. These changes come from the recommendations of the select committee and have been developed in consultation with the commissioner and closely reflect recent changes made by the commonwealth to the Commonwealth Electoral Act 1918.

New section 93 will help to ensure that party names are not misleading or confusing. Applications to register a party name will have to be refused if they incorrectly suggest a relationship to other parties already registered. Parties will be able to make objections to the commissioner about the continued use of misleading names under these new provisions.

A series of new provisions will support the commissioner to make arrangements for secure electronic voting. These provisions ensure that arrangements for electronic voting, including the devices used and backups of the data produced by those devices, are clear, transparent and secure.

The ACT government is committed to achieving Vision Zero: zero deaths and zero injuries on our road network. We gave our commitment to Vision Zero in the ACT Road Safety Strategy because we want to ensure everyone that uses our roads gets home safely. The bill also responds to and builds on the PAGA commitment to introduce restrictions on roadside advertising using illegally parked and idling vehicles for commercial or political purposes.

Driver distraction is one of the key focus areas of the ACT Road Safety Action Plan 2020-2023. This bill responds to the distraction from advertising on stationary vehicles. Drivers are already processing complex driving tasks necessary for safe driving decisions and are maintaining an active awareness of the road environment. Roadside advertising can encourage the driver to gaze away from the task at hand and affect their concentration.

Frequently stopping vehicles and parked vehicles also pose a collision hazard, particularly on higher speed roads. Unfortunately, we do see some vehicles that are effectively being used as large signs or billboards, moving around our city, frequently parking on arterial roads, often at peak times, to commercially or politically advertise on the side of ACT roads.

Today's bill introduces a strict liability offence for vehicles parked in designated places that have a sign displaying advertising or electoral matter. To deter and prevent

driver distraction from these vehicles, the offence carries a penalty of \$640 infringement or 20 penalty units, a court ordered penalty of \$3200.

The bill also increases the infringement notice penalty by \$50 for illegally parked or stopped vehicles where the vehicle displays an advertisement or electoral matter. This offence recognises driver distraction from these vehicles as a problem and supports the existing policy intent of prohibiting or limiting parking in certain locations, for road safety, accessibility and availability, as well as proportionality with other road safety offences.

The bill allows for disallowable instruments to define what is and is not advertising on vehicles and for declared places to be defined by a notifiable instrument. These provide flexibility for the offence to target areas of significant concern, such as areas predominantly being used for roadside advertising that are complex or have a high crash risk, or vehicles with advertising that is particularly distracting to passing drivers.

The amendments will apply to all advertising, as there is no practical difference between commercial, political or community advertising from a road safety perspective. However, the definitions will exempt bumper stickers, recognising their insignificant impact to driver distraction from passing vehicles and allow for messages on trailers during roadworks to safely guide traffic. Other exemptions will be provided for certain vehicles and advertising in the new aggravated infringements and designated parking offences through a disallowable instrument.

The bill will deliver further road safety measures through amendments addressing roadside signage including electoral corflutes on public land. The ACT government recognises that signs identifying and promoting the candidates for an election are recognised as a mechanism by which the electorate is informed, or communicates, about the available alternative candidates for public office.

Currently, movable electoral signs are regulated under the Electoral Act which requires authorisation information to be published. They are also regulated under the Movable Signs Code of Practice, which limits when electoral signs may be displayed, and other requirements such as size and distance from the kerb under the Public Unleased Land Act 2013.

New restrictions will be timed and implemented with this bill to set a maximum cap of 250 signs per candidate and prevent their placement along roads at or exceeding 90km/h. These new restrictions will be included in the movable signs code, giving effect to the PAGA commitment to further regulate electoral corflutes, and bring substantial road safety and environmental benefits compared to the existing requirements.

It is clear that Canberrans experience a jump in the number of corflute signs on public land during election periods and this can cause safety risks such as driver distraction, signs blowing into oncoming traffic, vehicles frequently stopping to unload corflutes on arterial roads which poses a collision hazard, not to mention the pollution and unnecessary waste brought about by excess electoral corflutes. Whilst a corflute recycling trial was in place at the last election, which will be continued, reducing waste in the first place is still preferred under circular economy principles.

This bill introduces offences into the Public Unleased Land Act 2013 to support these new electoral corflute restrictions. The penalty for breaching the existing requirements of the code is 10 penalty units, or a fine of \$220, which is not considered an effective deterrent for the most serious nature of the new restrictions. This is why a higher penalty of 20 penalty units or a \$440 fine is proposed for the new restrictions. The higher penalty makes it clear that excessive numbers of corflute signs being placed in high-speed traffic at any one time will no longer be an accepted practice. However, signs will still be able to be placed within the restrictions to also maintain candidates' freedom of political communication.

I want to conclude by thanking the Standing Committee on Justice and Community Safety, and all of those individuals and organisations who contributed to the Inquiry into the 2020 ACT Election and Electoral Act. Their engagement has shaped this bill and resulted in many amendments to strengthen the transparency, integrity and inclusivity of our elections.

I would also like to thank the ACT Electoral Commission for their expert advice and constructive engagement on the bill, as well as officers from the Justice and Community Safety Directorate and the Transport Canberra and City Services Directorate for their work in delivering these amendments.

The ACT has a strong and vibrant democracy and this bill will enhance and support fairness, transparency and accessibility, as well as road safety. I commend the bill to the Assembly.

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

## **Justice and Community Safety—Standing Committee Reporting date**

**MR CAIN** (Ginninderra) (11.21): I move:

That, notwithstanding the provisions of the resolution of the Assembly of 2 December 2020, as amended, that established general purpose standing committees, the Standing Committee on Justice and Community Safety shall present its report on the Justice (Age of Criminal Responsibility) Legislation Amendment Bill 2023 by 14 July 2023.

My motion calls for a one-week extension to the reporting date, from 9 July to 14 July for this inquiry into raising the age of criminal responsibility. It is a minor extension and I trust that members here will support it.

Question resolved in the affirmative.

## **Executive business—precedence**

*Ordered that executive business be called on.*

## Work Health and Safety Amendment Bill 2022

Debate resumed from 20 October 2022, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MR HANSON** (Murrumbidgee) (11.23): The opposition will be supporting this bill. It will amend the Work Health and Safety Act 2011 to clarify that the work undertaken by members of this place and the work undertaken by any people to support a member is covered by the act.

We are all very familiar with the circumstances that led us here, those being the actions of WorkSafe ACT in issuing the prohibition notice in relation to last year's estimates hearing, which was unprecedented. The Select Committee on Privileges, which was established to inquire into whether there had been a breach of privilege in relation to the actions of the WHS Commissioner and any other persons, found that the first WorkSafe ACT prohibition notice improperly interfered with the free exercise of the Assembly and its committees.

It is a very serious matter, obviously, but I note that the report goes on to say in its findings that the phone call and the email from the minister's office, for advice, was open to the perception of intentionally influencing those actions. While no breach of privilege was found in relation to the actions of the minister, the committee recommended that all ministers take care in their interactions with independent regulators so that they are not open to the perception of improperly influencing or directing a particular investigation or regulatory action.

In addition, the committee recommended that ministers ensure that they and their officers keep appropriate records, and that all ministers should take care to provide accurate information to the media and to the public. Indeed, it was a pretty extraordinary series of events, with pretty extraordinary recommendations and evidence provided to that committee. A committee having to instruct ministers to take care in their interactions with independent regulators and having to remind ministers and their officers to keep appropriate records is somewhat disappointing. Canberrans should be, rightly, concerned about that.

As the Chief Minister said, quite rightly, every Canberran has a right to be safe at work and to return home safely from work every day. We agree with that, and we support any ambiguity being removed from the act to protect the safety of workers. We, the Canberra Liberals, remain very committed to protecting the important work that the Assembly does and believe that the privileges, immunities and powers of the Assembly and its committees must be protected. We do not believe that the two are mutually exclusive. In this regard, we acknowledge the amendments that Madam Speaker has circulated. I can signal that the Canberra Liberals will be supporting those amendments.

**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) (11.26): I rise to speak in support of the Work Health and Safety

Amendment Bill 2022. The bill presents an important opportunity for the government to place on the record and reconfirm our commitment to safety for all Canberra workers. The ACT's legislative framework for work health and safety is guided by the fundamental principle that a consistent standard be applied across all workplaces. All workers should be able to expect that their health and safety is being looked after when at work. This is what our community, workers and good employers expect.

Work health and safety is everyone's responsibility, at all levels. This means government, employers and workers actively participating in securing a healthy and safe workplace. Our Work Health and Safety Council, made up of representatives of government, employer and employee interests, has expressed similar views. In August 2022 they noted that the principles of the WHS laws apply to all persons conducting a business or undertaking to comply with their duties, and that the territory acting as a model PCBU in securing work health and safety for its workers is important. Being a model PCBU signals a transparent and accountable government to the Canberra community.

In fact, in 2022 a healthy and safe working environment was declared to be a fundamental right by the International Labour Organization member states, including Australia, furthering Australia's commitment to healthy and safe working environments. In doing so, the ILO also elevated the Promotional Framework for Occupational Safety and Health Convention 2006, No 187, to fundamental status, triggering work at the national level in Australia to consider progressing its ratification. It signals our commitment that everyone is responsible for health and safety at work. Everyone has the right to expect that their health and safety will be protected at work. Health and safety risks must, where possible, be eliminated or minimised as far as is reasonably practical.

Over the last few years, we have seen a justified focus on the prevalence of workplace risks, especially psychosocial hazards such as sexual harassment and bullying. It is important to maintain accountability in all workplaces to ensure that safety risks are appropriately controlled, including in parliamentary workplaces. This bill operates to clarify and reconfirm that members of this place have a duty to uphold health and safety in the Assembly—and this Assembly, of course, is a workplace. Where any doubt may arise in relation to the consistent application of safety standards, it is our responsibility, as an Assembly, to remove this doubt that the Work Health and Safety Act applies. As Minister for Industrial Relations and Workplace Safety, having portfolio responsibility for workplace safety, I support the amendment bill.

**MR BRADDOCK** (Yerrabi) (11.29): Every worker has a right to be safe at work. There has been no disagreement with that point in this place. No ACT workplace, including our own, is above the obligations set out in the act. These principles are fundamental, and we, as representatives and legislators, need to hold ourselves to the highest standard in this regard. I would like to applaud Madam Speaker for repeatedly making this point in this chamber and in front of the committee. Assertions to the contrary are unfounded and unhelpful.

It is also possible for two things to be true at the same time. The parliamentary privileges and immunities of this place are also important to ensuring the ongoing effective role of the legislature. I welcome the statement that this bill does not

derogate from the important functions or the proceedings of the Assembly and its committees. I welcome the Speaker's amendments to help clarify those very privileges and immunities that apply here in the Assembly, because it is possible for us, as representatives, to walk and chew gum at the same time, managing the two issues that might be correct and in opposition. The unique nature of parliamentary work calls for absolute integrity and responsibility. That is the expectation of the Canberra community.

I note the ongoing difference in points of view between the Chief Minister and the scrutiny committee regarding the retrospectivity aspect of the bill. With all due respect to the Chief Minister, I do not share his view. If the bill were a mere clarification, with no meaningful change, there would be no need to resort to retrospectivity. If the bill is so significant as to require retrospective application then it could not be a clarification. Fortunately, in passing this bill today we can move on from this unproductive exchange. It is crucial for us, as representatives, to remain accountable to workplace safety standards and to lead with honesty and integrity. I commend this bill to the Assembly.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (11.31), in reply: I thank members for their contribution to the debate. I thank the Speaker for her engagement with the process and for bringing forward further clarifying amendments, which I signal the government will support. The government's foundational position is one that has guided our industrial relations policies, our election platform and this bill. That every worker has the right to be safe at work appears to have universal support in this place.

The territory government will always protect the health and safety of workers. This bill continues that commitment, in line with shared expectations of a consistent standard of safety. Our laws operate to give workers the highest level of protection from harm to their health, safety and welfare in every workplace in the territory. They provide a framework for continuous improvement and progressively higher standards in work, health and safety. This framework includes an independent regulator tasked with regulating compliance with work, health and safety laws. No ACT workplace, including our own, is above the obligations set out in the act. These principles are fundamental.

This amendment bill became necessary to remove any doubt that existed in the context of legal advice that was publicly released on the Assembly's website on 4 October 2022, as part of the privileges committee inquiry. This bill is clarifying in nature and does not alter or expand existing obligations under the WHS Act in relation to the Assembly. It does not affect existing personal rights or liberties.

I also acknowledge the importance of respecting and adhering to parliamentary privileges and immunities. This bill clearly does not derogate from those important functions or the proceedings of the Assembly and its committees—in fact, it is prevented from doing so by federal legislation. Instead, this bill simply clarifies that the same standards of safety required in all workplaces in the territory apply to workers at the ACT Legislative Assembly. It does not alter or expand existing workplace safety obligations.

The Work, Health and Safety Act has always operated with the intention of coverage in the Assembly, as understood by all parties. Despite the unique and wide-ranging work undertaken in this place, it is still a workplace and it is still subject to the same work, health and safety laws as all other territory workplaces. Importantly, I appreciate the clear recognition from Madam Speaker that MLAs and workers in the Assembly are covered by the Work, Health and Safety Act, as set out in the Speaker's submission to the Select Committee on Privileges.

I take this opportunity to thank the scrutiny committee for their interest in this bill. I note that, as Mr Braddock referred to, there have been particular concerns raised that retrospective commencement of the bill is not yet sufficiently justified. Respectfully, Mr Braddock, the government does not share this view. It has been sufficiently justified on multiple occasions, including before the Standing Committee on Public Accounts, when they inquired into the bill and supported its passing. Indeed, in turning their minds specifically to the issue of retrospectivity, the public accounts committee recommended that the bill be passed. In doing so, they noted that the territory's legislature and executive both understand the Legislative Assembly to have "always operated on the principle that the WHS Act applies to the Assembly, its members and its staff". Consequently, the bar for justifying retrospectivity is set accordingly and has been met.

We all agree that workers in this building have the right to the same level of safety as other workers. This bill remedies any doubt as to whether these standards continue to apply. We have an obligation to ensure the reasonable protection of everyone who works in, and visits, our workplace. It is crucial for governments to remain accountable to workplace safety standards, no matter the workplace. I commend the bill to the Assembly. I thank members for their contribution and I indicate our support for the Speaker's amendments that will come in the detail stage.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Bill, by leave, taken as a whole.

**MS BURCH** (Brindabella) (11.37), by leave: I move amendments Nos 1 and 2 circulated in my name together [*see schedule 1 at page 2191*]. I am very pleased to see that we are all in agreement in this place, bar one minor matter between Mr Barr and Mr Braddock. It is right and proper that we have this agreement and recognise that all workers are entitled to have a safe workplace. I believe the Assembly provides that, but, to put any doubt aside, both the Chief Minister's and my amendments provide that clarity.

The amendments I have put forward complement Mr Barr's amendment bill, as I have said in a number of committee hearings. They are like bookends of the same clarification on what already occurs in this place. They simply further articulate

OLA's commitment to WHS safety. They clearly put into the public domain what happens here and articulate the commitment to that by the members and all those who work here.

I am pleased with the support. For the information of members, there was also a recommendation that an MOU be developed with the Work Health and Safety Commissioner. For information, the Office of the Legislative Assembly has provided a draft MOU to the commission and we look forward to receiving their feedback and working on that project. Again, it is good to see common agreement.

**MR HANSON** (Murrumbidgee) (11.39): I agree with Madam Speaker that it is good to see that we are unified on this, for the most part. I have to confess that there is a little part of me that did quite enjoy the spectacle of the barney between Madam Speaker and Mr Gentleman! But today, as a parliamentarian, I think it is important that we agree. It is good that that is behind us, that we march on together and that we are joined in this place on what are very important matters: upholding not just the safety of this place but the democratic principles as well. Although, from the Acting Leader of the Opposition's point of view, it was entertaining, I do not think that it was edifying; nor was it a good thing for parliamentary process. I am glad that it is behind us.

Amendments agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

## **Financial Management Amendment Bill 2021 (No 2)**

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

That this bill be agreed to in principle.

**MR CAIN** (Ginninderra) (11.40): I want to thank the Minister for Industrial Relations and Workplace Safety for bringing this bill to the chamber today. I will be seeking leave later, on behalf of the Canberra Liberals, to amend this bill to ensure the independence of key statutory officers.

The Canberra Liberals have several issues with the original bill. The original bill would have provided directive powers to the Chief Minister giving oversight, via a notifiable instrument, of departments or, more broadly, public sector entities to fulfil the insourcing framework. It would have permitted the Chief Minister to interfere with the performance of the Office of the Legislative Assembly, the ACT Auditor-General, the ACT Integrity Commissioner, the ACT Electoral Commissioner and the ACT Ombudsman. Under the original bill, the Speaker, the Clerk and the Deputy Clerk, who are in this room now, would have been directed by the executive on matters pertaining to staff arrangements, the procurement of services and office management. I have grave concerns as to why the minister believed oversight of these office holders via notifiable instrument would be appropriate. Is it really an implied criticism of the staffing arrangements of this Assembly?



The Labor-Greens government were seeking to legislate material powers contrary to the independence of key statutory officers—pillars of our democratic system. Fortunately, the Chief Minister and the Minister for Industrial Relations and Workplace Safety have realised, in part, their unnecessary overreach and the poorly justified nature of such directive powers. They will move, as we will see, amendments to the bill omitting new section 129A, which would have allowed the Chief Minister, via a notifiable instrument, to direct public sector entities on hiring practices, which would have included key independent statutory officers.

However, the Labor-Greens government still seek to conflate independent office holders of the ACT as public sector entities—something I am resisting via my amendments. As an example of such disregard for the independence of this Assembly, it was found last year that the Minister for Industrial Relations and Workplace Safety was involved in a dispute where an entity under his direction breached the privileges of this Assembly in the form of a work prohibition notice! This was a grave infringement. We saw firsthand the minister's exercise of poor governance and his lack of restraint in this improper interference in estimates proceedings. The Labor-Greens government do not seem to have any concern for the rule of law or for democratic principles when it does not suit them.

This is not the only dimension of this proposed legislation that I find problematic, even in its amended form. The bill proposed today fails to delineate, in the form of criteria or a set of conditions, how public sector works and services will be enhanced by a legislated insourcing framework. Make no mistake: service delivery is strained. We see this in things as simple as potholes, cracked pavements, untrimmed hedges and uncut grass. I have spoken in detail and have heard from my constituents of the neglect in west Belconnen. Strained service delivery also manifests at a higher level, in FOIs that never meet their statutory time frames or in under-resourced and overworked nursing and policing cohorts. To remedy these deficiencies we absolutely need support for an innovative, transparent and efficient public service, but I am not sure this government is up to that task.

The broader provisions in this bill, in providing for an insourcing framework, are informed by well-intentioned principles—principles which the Canberra Liberals support—to provide a framework to strengthen the public sector, ensuring stable and secure public service jobs and efficient services for Canberrans. The bill, as proposed, does not come close to achieving these objectives. The scrutiny committee found:

... there is no requirement in the Bill that the framework encourage greater use of public servants in the carrying out of services or works.

The bill contains no logical detail or modelling to support how the provisions for this framework will achieve its objectives. It is ad hoc and superficial. We do not even have the detail of an insourcing framework yet. It contains no substance as to how it will enhance transparency, value for money and efficiency, as key values of service delivery in the public sector. I am alarmed, as well, that the minister did not publish economic modelling of the ACT job market and the financial implications of a framework for insourcing in drafting this bill. There is no real clarity on how these prescriptions will interact with the ACT labour market.

One can only conclude that the bill serves as a tick-box exercise for this government to ensure that it has nominally fulfilled its election commitments while codifying legislation that is ambiguous and over-reaching. It is another symptom, in my opinion, of this government's poor track record in governance. I have spent a significant portion of my tenure as assistant shadow treasurer advocating for whole-of-government reform in building a package of efficient and value-for-money services across the territory. One integral component of this is a robust and capable public service, supported by a procurement program that is competitive and fair. I will have more to say about that towards the end.

Good policy addresses the root causes of problems and works with substance. I am deeply disappointed in the lost opportunity in this bill to advance our public sector with substance. Once again, the bill does not take innovation, the bureaucracy or transparency seriously. Essential services are the responsibility of our public service, and it is the responsibility of government and government ministers to ensure safe and secure employment for our territory workforce.

While there are several dimensions to this bill that I have identified as problematic or lacking rigor, the amendments I will move in my name capture a sensible approach. My amendments are informed by the objections raised by independent office holders of the ACT who were heard at the inquiry undertaken by the Standing Committee on Public Accounts. Concerns were raised regarding the Chief Minister's expanded powers, for example. I want to thank my colleague, and chair of the public accounts committee, Mrs Elizabeth Kikkert for her considered approach in providing a discerning report on the inquiry into the bill and recommending that the bill not be supported in its current form. It seems the government has listened.

The committee also recommended that the bill be amended so as to explicitly state within proposed new part 9A that the Office of the Legislative Assembly and officers of the Legislative Assembly are exempt from the operation of the part. My amendments support that and go a little bit further. My amendments are pragmatic and reasonable. They ensure that we show respect for significant independent statutory officers under territory law. I do hope that Labor-Greens members today, particularly my Greens colleagues, will support my amendments to ensure that ACT independent office holders remain independent of the executive under Chief Minister Barr.

I want to speak to a particular part of the bill that will not be amended by Mr Gentleman, and that is proposed section 128:

The Chief Minister must determine a framework ... for evaluating whether services or works required by a public sector entity should be provided by the public sector or an external provider.

That is extremely relevant to discussions in this Assembly yesterday about the botched \$76 million project on a new human resources and payments system. That was \$76 million of taxpayers' money wasted, of which \$44.5 million went to 23 different contractors. I am very tempted to call this bill the "Steel Amendment Bill" because perhaps it is Minister Steel who needs a framework on how to hire staff and get jobs done! We also had the debacle of the CIT contractor arrangements,

where nearly \$9 million was spent on one contracting arrangement for change management, mentoring and other questionable activities. It is tempting to think that this framework has been inspired by such terrible use of public funds and hiring practices that do not produce outcomes that are for the good of the ACT.

As I have said, I will be seeking leave in the detail stage to move my amendments. I am very, very hopeful that there will be some members in this place who will support my amendments that ensure and entrench the independence of important statutory officers in this city. Thank you.

**MR BRADDOCK** (Yerrabi) (11.51): Prior to the election, the Greens made a commitment to the Community and Public Sector Union. We committed to supporting a legislative framework that will protect public services; supporting a framework which ensures that a public interest test is applied before any privatisation is considered; maintaining the pay and conditions of employment for any privatised jobs; and guaranteeing the ongoing public accountability and transparency of any privatised services.

This commitment was, and is, consistent with our belief that the outsourcing of service delivery to the private sector should only occur where there are long-term community benefits. This stands in contrast to the evidence that conservative governments have very little regard for the value of public services being provided by the public sector. One could simply refer to PricewaterhouseCoopers. It should be enough to drive this point home. The scandal demonstrates how easy it is for outsourced contract holders to get comfy and cocky and to wilfully neglect the public. It proves that an end to outsourcing itself is not enough. We actively need to insource things back into the public sector. The government needs to reduce its dependency on consultants to do core public service work.

The Greens support this legislation because it delivers on our commitment and goes further to repair the damage. Part of me, however, actually wonders whether it goes far enough. Excluding government-owned corporations is something I have been wondering about.

However, as the minister pointed out to me during question time the other day, the design and legislation around government-owned corporations presents some complications—mainly, by my understanding, that corporations are mandated to focus on delivering a return to government in accordance with their obligations to shareholders under the Corporations Act, and that this seems to take precedence over their obligation to deliver a public good. These are certainly not grounds for opposing this bill. There are some more baseline issues around the corporatisation of public services to think about here, and I will be keen to come back to those issues at another time.

I want to stress this point once again: the ACT Greens strongly support public services being delivered by the public sector and for the public good. We therefore support this bill.

**MR PETTERSSON** (Yerrabi) (11.53): I am pleased to contribute to the debate on the Financial Management Amendment Bill 2021 (No 2), which is the secure

employment bill. As members are aware, this bill is part of the government's commitment to secure employment.

The insourcing framework will see offices across the ACT public sector evaluate, prior to procurements, whether required services or works be provided internally by the public sector or by an external provider. The insourcing framework provides a balanced and comprehensive assessment to enable decisions that takes into consideration not only financial factors but also industrial relations considerations, workforce supply and demand and talent acquisition. The insourcing framework will also consider economic costs and benefits, social costs and benefits, environmental costs and benefits, the government's ground-breaking wellbeing indicators and the public interests.

Members will be very aware of the community's concern about the appropriate use of professional consulting services. The insourcing framework addresses these concerns by requiring that all consulting valued at more than \$200,000 be assessed. This government recognises that, whilst there are times when the use of professional consultancy is appropriate, this bill will require careful consideration of such use before proceeding with a procurement.

Members will also be aware of community concern about vulnerable workers across the territory. Again, the insourcing framework will require that contracts with a value of more \$200,000 which involve the procurement of work that will be undertaken by vulnerable workers to be considered for insourcing. The insourcing framework will be implemented within six months of the passing of the bill, at which time implementation will commence.

This government's commitment to insourcing demonstrates the value we place on both our public service and secure employment. We should always seek to prioritise these values in our work. I commend the bill to the Assembly.

**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) (11.56), in reply: I thank members for a productive debate and for their support on this small but critical piece of legislation that will change the way we do business in the ACT government.

The government has recognised the impact that the brain drain has had on our public service, and the government has recognised the risk that is posed to the public by an overreliance on outsourcing and privatisation. This government has recognised the long-term consequences that privatisation can have on our public service, and the government is taking action.

In recent weeks we have seen exactly why this change is so critical. The PwC tax scandal perfectly illustrates the problem that an overreliance on outsourcing has created. And make no mistake: this may be a high-profile example but it certainly is not the only one. The passing of this bill is the next step in delivering the government's secure employment framework.

I am proud today to be delivering on yet another strong Labor commitment. I am pleased to deliver on two commitments that this government made in the Parliamentary and Governing Agreement, these being to legislate to prevent the outsourcing or privatisation of public sector jobs and to implement a whole-of-government policy that government services will not be contracted out where they could be performed by public servants.

This bill today will introduce a requirement that the public service must use the insourcing framework when considering procurements valued at over \$200,000 that do not relate to an existing outsourced arrangement to a not-for-profit organisation and involve a vulnerable workforce consultancy service, municipal service or security service. These sectors have been prioritised by the insourcing framework as they represent sectors with high work in security or workforces who may have a greater risk of vulnerability in understanding their workplace rights and entitlements.

The insourcing framework will require public sector entities to evaluate whether required services or works should be provided by the public sector or by an external provider. The framework provides a balanced and comprehensive rubric to enable decisions that deliver the best outcomes for the ACT community.

The framework considers a range of factors, such as industrial relations considerations, workforce supply and demand, the government's ability to recruit certain skill sets, capital procurements, and infrastructure and technology requirements. However, unlike previous evaluation models, the insourcing framework has widened its scope and provides a lens which also considers economic, social and environmental costs and benefits, the government's nation-leading wellbeing indicators, and the public interest.

As a proud member of the Labor Party, I understand the damage that is done to our public service when we outsource service delivery. I remember when I was growing up in Canberra the way services used to operate. I remember when road maintenance was done by the government and the public housing was maintained by the government, and I have lived to see the impact that selling these services off to the private sector has had on our city. It has resulted in subpar services across Canberra and in public money being used to drive up the profits of private companies.

For a long time, the prevailing wisdom has been that the market will fix everything. This attitude has been to let the market decide which contractor will do the best job. I think it is clear to most Canberrans that this approach as not worked. Insourcing will ensure that we deliver better outcomes for Canberra workers and the government is a model employer, with generous remuneration, entitlements and conditions.

Many of the industries that are ideal candidates for insourcing are areas that involve vulnerable groups of workers who can sometimes be exploited in their workplaces. Employing these workers directly ensures that when we spend taxpayer money on services, the workers doing that work are fairly treated and remunerated. This also gives these workers job security and, in turn, the ability to build a life in this city knowing that they will be employed in secure work over the long term.

This is where another part of the government's secure employment framework feeds in. We are continuing our successful secure workforce conversion program, offering permanency to all our public service workers after a period of service. So far, over 1,200 employees have been converted from non-ongoing positions to permanent employment. My expectation is that, the more services are insourced, this number will continue to grow.

But insourcing is not just good for workers; it is good for the government as well. Less outsourcing and privatisation means more incentive to upskill our own workforce and retain or recruit workers with unique and specialised skillsets. The more expertise and knowledge we have within the public service, the more effectively it will operate to deliver for our community, and we can guarantee that the advice being provided by public servants is genuinely in the public's best interest, rather than in the interests of a multinational corporation.

Finally, in many cases insourcing just makes economic sense. In a number of cases—for example, our cleaning workforce—economies of scale means that it can be cheaper and administratively easier to have a centralised workforce employed by the government, rather than multiple contracts with multiple companies managed separately by different directorates. When we insource a service or consultancy, we cut out the middle-man. Why should the government and the ACT taxpayer be paying the salaries of executives in the consultancy firms when we could be paying our own public service for the same work? To me, insourcing just makes sense.

Over the last few years, some areas of government have been proactively insourcing certain services. In 2020, the ACT government insourced our school cleaners and just a few weeks ago new insourced cleaners started work in 220 London Circuit. The new model of insourcing this service has been hugely successful.

We have also trialled the insourcing framework within my own portfolio area, using the framework to assess our own work rehabilitation services. Through this process, the decision was made to create five new public sector roles to provide these work rehabilitation services to government employees. Previously, these services were provided by a third party. However, the move to bring some of these roles inhouse has given us the opportunity to develop an insourcing model to deliver improved services to ill and injured workers and employees. We are also anticipating that through time this more streamlined approach to service provision will result in reduced costs for government and better outcomes for employees.

However, it is important to recognise that it is not an all-or-nothing approach. There are certain skills that we do not yet have in the public service and that are not easy for us to recruit. Over time, as we continue to increase the number of contracts insourced, the level of expertise within the public service is likely to grow. However, we recognise that this will not be an instant thing, and that is why the insourcing framework is structured the way it is. It gives the decision-maker the ability to decide not to insource a certain service if it does not make sense at the time. This is a crucial part of the framework and of the scope of the bill, and it will be important as the implementation of the new policy develops.

Additionally, the government recognises that sometimes having services provided by the community organisations outside of government is important in ensuring that those services can be accessed by all that need them. That is why we have chosen to exclude existing outsourced arrangements to not-for-profit organisations.

I would like to take this opportunity to thank the public accounts and scrutiny committees for their careful consideration of the bill, as well as the input from a number of key stakeholders, especially our statutory officeholders. As a result of feedback from the JACS committee regarding the initial proposal to determine the framework by a notifiable instrument, the framework will now be determined by a disallowable instrument to improve Legislative Assembly oversight and accountability.

In addition, feedback from both committees and a number of stakeholders have suggested that the inclusion of the ability for the Chief Minister to direct any public sector entity may inadvertently impinge on the autonomy of the independent statutory officeholders. This section will be removed to ensure their independence and autonomy is protected. These statutory officeholders will be asked to utilise the framework; however, the officeholder will be the decision-maker rather than any minister. A decision of whether to insource a service or not is entirely at the discretion of the officer. Finally, we have introduced a clarifying example to illustrate that commonwealth entities such as the Office of the Ombudsman, will not be subject to the requirements of this bill.

This piece of legislation and subsequent switching-on of the insourcing framework will change the way that this government procures services. It will change the way that we think about contracts and service delivery—but, make no mistake, this change will not happen overnight. It does need to be accompanied by a systematic culture shift within the public service. Decision-makers need to be proactively thinking about whether or not a service can be insourced. The assumption should not be that outsourcing is business as usual. This shift in thinking will take time but it is possible, and the passing of this bill will enable the framework for these changes to take place.

I would like to take this opportunity to thank all those involved in the 18-month long process that we have been through since the introduction of the bill. I would like to thank my union colleagues for their engagement and support on the development of the policy, and I would like to especially thank the public sector employment team, in particular Russell, Emma and Alex, for their hard work over many months to ensure this bill achieves what we set out to do over two years ago.

I am optimistic for the future of the public service under these changes and I am optimistic for what this shift will mean for our public servants and for the Canberra community more broadly, because, when the government can provide a service, we should be providing it. This must be unequivocal. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

## Detail stage

Clauses 1 to 3, by leave, taken together and agreed to.

Clause 4.

**MR CAIN** (Ginninderra) (12.08), by leave: I move amendments Nos 1 to 3 circulated in my name together [see schedule 2 at page 2191].

My amendments are very simple. In fact, they are actually entirely consistent with a statement the minister has just made. My amendments remove proposed section 129A whereby the Chief Minister may direct a public sector entity on its obligations under this framework. The minister has said he was taking this out, as we will see, to ensure the independence and autonomy of independent statutory officeholders like the Assembly, like the Electoral Commissioner, like the Integrity Commissioner and like the Auditor-General. So my amendments are actually consistent with that very sentiment, by excluding from the definition of “public sector entity” those important independent officers.

Can I say this is not just a nominal thing; it is not just signalling their independence. If they remain in the definition of “public sector entity” I think there is reason for concern. Under proposed section 128, it says:

- (1) The Chief Minister must determine a framework (the *insourcing framework*) for evaluating whether services or works required by a public sector entity should be provided by the public sector or an external provider.

In proposed section 129(3):

- (3) The public sector entity—

And at the moment that will include the Office of the Legislative Assembly and other independent offices—

must evaluate whether the required services or works should be provided by the public sector or an external provider in accordance with the insourcing framework.

They must! The Assembly must consider this framework.

Who is to decide whether they have done that? This is really an interesting question. Who is going to judge whether the Office of the Legislative Assembly has appropriately considered this insourcing framework? Who is going to make that call? That is a bit unclear. Is it really another way—a backdoor way—for this Chief Minister to control the hiring practices of this Assembly and other independent officers?

That is why my amendments deserve support—because they specifically exclude from the definition of “public sector entity” those key statutory officers.



**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) (12.11): The government will not be supporting these amendments today, as we believe the government’s amendments sufficiently address the concerns raised by public accounts and the JACS scrutiny committees regarding the independence and autonomy of statutory officeholders. The OLA and officers of the Legislative Assembly are public sector members and are subject to the requirements of the Financial Management Act 1996. The position of the government is that the OLA and officers of the Legislative Assembly should not be subject to executive direction. In order to achieve this, the government will be amending the bill to remove section 129A.

Once again, I would like to reiterate that the statutory officeholders for these entities will be the decision-makers when it comes to insourcing. They are required to apply the framework; however, they are not required to insource anything. That decision is solely at the discretion of the officeholder.

**MR BRADDOCK** (Yerrabi) (12.12): I would like to thank the minister for bringing forward the amendments that address the recommendations from the Public Accounts Committee. The omission of the proposed new section 129A, whilst not immediately obvious, creates a situation where officers of the Assembly are in a position to consider the insourcing framework but are not directed to implement it, preserving their independence. This responds to the committee recommendations, and so the Greens are comfortable with supporting the government’s amendments.

Question put:

That the amendments be agreed to.

The Assembly voted—

Ayes 7

Noes 15

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

Ms Berry  
Mr Braddock  
Ms Burch  
Ms Cheyne  
Ms Clay  
Ms Davidson  
Mr Davis  
Mr Gentleman

Ms Orr  
Dr Paterson  
Mr Pettersson  
Mr Rattenbury  
Mr Steel  
Ms Stephen-Smith  
Ms Vassarotti

Question resolved in the negative.

Amendments negatived.

**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 (12.18), by leave: I move amendments Nos 1 to 5 circulated in my name together and table a supplementary explanatory statement to the government amendments [*see schedule 3 at page 2192*].

Amendments 1 and 4 are minor and technical and ensure the use of consistent terminology throughout the bill. Amendment 2 amends the determination of the framework from being a notifiable instrument to the determination being a disallowable instrument. This amendment is made in response to the recommendations from the JACS Scrutiny Committee. Amendment 3 inserts a new example illustrating that commonwealth entities are not subject to the requirements of the bill. Amendment 5 omits the proposed new section 192A. This amendment is made in response to the comment from the JACS Committee (legislative scrutiny role) that this section may impinge on the autonomy of independent statutory officeholders.

Amendments agreed to.

Clause 4, as amended, agreed to.

Clause 5 agreed to.

Title agreed to.

Bill, as amended, agreed to.

**Sitting suspended from 12.20 to 2 pm.**

## **Questions without notice**

### **Government—human resources and information management system**

**MR HANSON:** My question is to the Special Minister of State. Minister, I refer to your radio interview this morning on ABC Canberra with Adam Shirley. In the interview, you emphasised the point that you were not the minister responsible for the delivery of this project until you became Special Minister of State in October 2020. In fact, you even named that it was either the Chief Minister or Ms Stephen-Smith who were the ones who may have been responsible. Minister, are you blaming your predecessor for the mismanagement of the delivery of this program?

**MR STEEL:** No. What I went on to say was that, at the beginning of this process, we certainly acknowledged that due diligence was not done to the extent that it could have been and that the technical advice provided by the public service about the range of options to be able to manage human resources and payroll functions in government and the reviews that we put in place following the non-deliverables of the project have since revealed that the option to upgrade the existing CRIS21 and HR21 systems was not properly considered and was discounted at the early stages of the project. That is now what we are pursuing with the announcement that we made in the budget.

**MR HANSON:** Minister, did the lack of due diligence that you refer to occur under Ms Stephen-Smith or under the Chief Minister?

**MR STEEL:** I thank the member for his question. It was in the early stages of the project. This long-running project has been going since 2017. I want to correct the record from yesterday as well. I believe the *Hansard* said 2007. I am not sure whether that was me or the transcription. There was a business case prepared once some early analysis had been done, and that was being considered in the budget at that time, and that is available in the previous budget papers.

**Mr Hanson:** On a point of order, on relevance: the supplementary was very clear about who was the minister at the time that the lack of due diligence that the minister has referred to occurred. Who was the minister responsible?

**MADAM SPEAKER:** You have a minute, and it was an early—

**MR STEEL:** Thank you, Madam Speaker. It should be obvious from the budget initiatives that are in the previous budget papers.

**MR CAIN:** Minister, why were you not made aware of the issues facing the delivery of the HRIMS program when you assumed the position of Special Minister of State?

**MR STEEL:** I said yesterday that I was. I became Special Minister of State in November 2020 and I was briefed at that time that the project was not going to meet its deliverable time frame of December 2020, and, as a result of that, we changed the responsibility of the project over to the Chief Digital Officer and then Digital, Data and Technology Solutions within the CMTEED Directorate, with a view to looking at resetting the program, but we then paused the program and undertook multiple technical and non-technical reviews into the program. That has led us to the position we are at today, where the options were not identified, and we have decided to pursue a different direction that was highlighted through the review that we undertook. So we have taken action and we will continue to look to improve governance on ICT projects going forward.

### **Government—human resources and information management system**

**MR CAIN:** My question is to the Special Minister of State. The Chief Minister was also interviewed on ABC radio this morning and said that the HRIMS wastage “was a bad mistake, that is clear,” and that it would not happen again.

Minister, if you do not know what went wrong—and that is pretty clear from what you have been saying so far—how could you possibly stop it from happening again?

**MR STEEL:** I reject the premise of the question, because we put in place multiple reviews looking at what the issues with the project were, and those are clearly identified in the reviews.

*Opposition members interjecting—*

**MADAM SPEAKER:** Resume your seat, Minister.

**Mr Rattenbury:** Madam Speaker, I can barely hear the minister, and I am sitting right next to him.

**MADAM SPEAKER:** Yes. Members, please! You have asked the question; allow the minister to reply.

**MR STEEL:** And the issues with the project have been clearly identified by the reviews that we have undertaken and that we have released for the public to see what those issues were. It was around governance. There were also issues that related to COVID-19 and the difficulty during the COVID-19 pandemic period of directorates engaging with the project. Because this was not just an ICT project; it was a people project. It was about change management of trying to translate business processes, many of which were highly customised across 18 different enterprise agreements and 14 different platforms, into one integrated solution.

*Mr Hanson interjecting—*

*Mr Cain interjecting—*

**MADAM SPEAKER:** Members!

**MR STEEL:** It is clear through the reviews that it was a very optimistic approach that was taken, and the complexity, size and scale of this challenge was clearly underestimated. That is why, as a result of the reviews, we are now taking a different direction on upgrading the existing systems at far less risk and cost to the territory.

**MR CAIN:** How much more will it cost the ACT taxpayer to remedy this situation?

**MR STEEL:** I thank the member for his question. We have clearly made the decision in the budget not to progress with the HRIMS solution, so we are not going to be spending more on that solution. We are not going to throw good money after bad. We are going to undertake an upgrade of the existing system—

**Mr Hanson:** And how much does that cost?

**MR STEEL:** That is in the budget. It is clearly outlined in the budget, and I refer the member there: \$17.1 million of investment in the first year to undertake the upgrades to HR21 and Chris21; and then we will also be going through procurement to upgrade and deliver a new time-in-attendance system, which is another key component that we need to deliver as well. We will go through the procurement process to deliver that, and we will test the market and see what can be delivered.

**MR PARTON:** What level of wastage would be the threshold for you to resign as minister? Would it be \$100 million? \$150 million? What would it be?

**MR STEEL:** I reject the premise of the question, because our priority is making sure that we improve governance on our ICT projects.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members! You have asked a question.

**MR STEEL:** When we saw issues with this HRIMS project, we immediately stepped in to remedy the situation and undertook multiple reviews to address the issues that were being experienced. What we have now determined is that there was another option that was not considered at the early stage of the project, which is at less risk to the territory and less cost to the territory, and that is what we are pursuing. We are taking responsibility for that and making sure that we get the best outcomes, because it is important that we invest in upgrading our payroll systems, which are aging—

*Opposition members interjecting—*

**Dr Paterson:** Point of order. Madam Speaker, I cannot hear over the interjections from the opposition.

**MADAM SPEAKER:** Members, you have been asked to be quiet. You may be enthusiastic about this, but it cannot be to the disadvantage of (1) the minister answering and (2) others being able to hear.

**MR STEEL:** It is important that we continue to make investments in upgrading our ICT systems, particularly when they support important things like payroll, which goes towards paying ACT public services so they can continue to deliver the services Canberrans expect. This project has not gone as intended, but we are not going to throw good money after bad. We are going to invest in a different direction based on detailed reviews that have been undertaken into the project.

### **National Multicultural Festival—funding**

**DR PATERSON:** My question is to the Minister for Multicultural Affairs. Minister, what is the government doing to build on the record-breaking success of this year's National Multicultural Festival?

**MS CHEYNE:** I thank Dr Paterson for the question. The ACT government is investing in the future of the National Multicultural Festival through this budget by committing an additional \$3.3 million over the next two years. This funding will support the ongoing delivery and future growth of the festival, continuing the standard set by the record-breaking success of this year's 25th anniversary festival. The additional funding will enable enhanced sustainability and public safety measures appropriate for an event of this scale and profile, provide additional staff and operational resources, and fund an upgrade of the event's digital platform as well as additional investment in accessibility.

**DR PATERSON:** Minister, what is the government doing to support the participation of multicultural groups and organisations at the festival?

**MS CHEYNE:** The National Multicultural Festival is proudly community led and it will continue to be. The 25th anniversary festival this year featured 266 organisations who participated as stallholders and more than 325 performance groups. With the organisation of our fantastic community coordinators, in partnership with the festival team, this year's festival featured a record-breaking 30 cultural showcases. To continue to support the participation of multicultural groups and organisations, this budget will increase the festival's grants program funding pool to \$200,000, its largest

ever. Additionally, stallholder fees, which have been frozen since 2018, will remain the same. These decisions will help promote even greater participation across the festival's footprint and will attract new and emerging communities.

**MR PETTERSSON:** Minister, when and where will the 2024 festival take place?

**MS CHEYNE:** I thank Mr Pettersson for the question. Well, save the date! The 2024 festival will be held from 16 to 18 February 2024. This year's anniversary festival set a new standard. Following the incredible community response and feedback we received, the funding in this budget allows us to continue the expanded festival footprint in the city and into Glebe Park. It will enable us to continue the well-received additions to the cultural program that were introduced in this anniversary year, which included the 34 hands-on workshops and 16 cooking demonstrations. Canberra is a proudly multicultural and inclusive city, and the festival is the embodiment of this. I look forward to seeing you all at the 2024 festival.

### **Government—human resources and information management system**

**MR CAIN:** Madam Speaker, my question is to the Special Minister of State. Minister, in budget estimates hearings last year, Dr Paterson asked you whether you were confident that the government would either get or was getting value for money out of the HRIMS system. You responded by saying that this system may enable the government to generate savings in the longer term. Minister, what are the expected savings from the HRIMS project?

**MR STEEL:** I thank the member for the question. To address the specific question, and the background: the budget measure of \$17.1 million that I mentioned earlier in question time, in the first year, I believe, includes around \$3 million of savings that were expected to be generated from the HRIMS that have obviously not been realised because we are not continuing with the project. However, it is still anticipated that, with the implementation of an upgrade of our existing systems, there will be efficiencies in business processes through greater automation.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members!

**MR STEEL:** In the future, and in particularly in the long term, which is what I said during estimates previously, there will be savings generated by improvements to our HR, payroll, time and attendance systems. Also, by providing a—

**Mr Cain:** Point of order, Madam Speaker.

**MADAM SPEAKER:** Resume your seat, Minister.

**Mr Cain:** The minister has mentioned savings. Can he put a figure on that?

**MADAM SPEAKER:** I cannot direct the minister how to answer. There is no point of order. Minister.

**MR STEEL:** I have very specifically answered the question, Madam Speaker. We still anticipate that there could be savings, whether they be through an upgrade of the existing Chris21 and HR21 systems, time and attendance, or looking at how we can provide an HR self-service system so that we can reduce the amount of manual processing that is required.

**Mr Hanson:** Point of order, Madam Speaker.

**MADAM SPEAKER:** Resume your seat, Minister.

**Mr Hanson:** The question was about the HRIMS project and the savings that the minister said were going to come from that project. He is talking about a completely different project. I ask him to be specifically relevant: what are the expected savings of the HRIMS project that he was spruiking in estimates?

**MADAM SPEAKER:** Thank you. Minister, within the 10 seconds—

**MR STEEL:** Thank you. I have answered the question.

**MR CAIN:** Minister, did you mislead the committee with your answer to Dr Paterson's question in budget estimates last year?

**MR STEEL:** No, I did not. The intention of the program was to deliver long-term savings, and we still believe that there will be efficiencies and potential savings that can be gained through the upgrade of the existing system, which is a different approach that is being undertaken.

**MR PARTON:** Minister, how can Canberrans trust you to roll out any project, considering your track record as a minister?

*Opposition members interjecting—*

**MADAM SPEAKER:** Members! The next one will be warned. You have been asked a number of times. Members on my right have stood and asked for silence. Minister, in response.

**MR STEEL:** Because when we identified issues with this project, we took immediate action, transferring the responsibilities of the project, pausing the project, undertaking multiple reviews into what went wrong to find out and ask those hard questions about what could be improved with the project. Then, when options were identified that were better, lower cost and lower risk to the territory, we brought those forward. We are now implementing those.

The findings from the reviews will go into making sure that these sorts of issues do not happen again on other ICT projects of this scale and complexity. The governance issues will have already been improved and will continue to be improved in future ICT projects because of the work that we initiated as a result of this project not meeting its milestones during the COVID-19 pandemic.

### **Municipal services—Monash shops**

**MR DAVIS:** My question is to the Minister for Transport and City Services. Minister, over the last year I have been engaging with a lot of residents in Monash, who are interested in the recent development application to redevelop their shopping precinct. What they have been concerned about is that the ACT government has also announced funding to redevelop some of the shops. I was hoping you could update the Assembly on some specificity about what is intended to be updated at the shops and how that investment will interact with the new development proposed for the site.

**MR STEEL:** The ACT government is undertaking a range of public realm upgrades, as part of the biggest ever “little build”—an investment in suburban infrastructure and upgrades at local shops around the ACT. That does include Monash, which was an election commitment. It is a small, local shopping centre. I understand that they are looking at the provision of early childhood services at that shops. There has been some development activity. The ACT government’s focus is on the public realm, so public unleased land often surrounding local shopping centres. We have undertaken a range of upgrades at Monash shops over the years, and indeed during the pandemic, as part of the fast-track infrastructure program and other programs to bring forward infrastructure spending to address local issues.

We have undertaken a range of path works and crossing works around Monash shops. The latest proposed upgrades there are now available; the designs are available for the public to view on the Your Say website, together with shop upgrades in a range of areas. There is an opportunity, we think, at Monash shops to improve some of the public space next to it, which will be complementary to the potential uses of the shops, based on the development application that has been proposed. Certainly, with things like bins and seating, we are interested in improving those at that shopping centre, so that it can be better utilised not only by everyone in the community but also by those who are using the shops in the new development.

**MR DAVIS:** Minister, in addition to election commitments, how does the government determine which local and group centres it will fix up and how much money it will allocate to the renovations?

**MR STEEL:** I thank the member for his question. Obviously, the ACT government, through the Transport Canberra and City Services Directorate, has undertaken a range of condition audits of public assets, including local shopping centres. That informed, together with community feedback, the specific shop upgrades that are being undertaken around the ACT, including at the Monash shops.

**MR BRADDOCK:** Minister, what analysis has the ACT government done to determine the future viability and longevity of local community shopping precincts like the Monash shops?

**MR STEEL:** I thank the member for his question. We think that local shopping centres do play an important role in Canberra. They are unique compared to many other cities around Australia. We consider this from a variety of different angles.



We have talked about this regarding play spaces. We know that play spaces can often play a role in enhancing local shops. We have seen that take place at a range of different shops in Canberra. Chifley, for example, I think has provided a very good model where we have drawn people in and reinvigorated the shops. We are looking to do that at a range of other shopping centres, as we undertake upgrades there.

Some of the local shopping centres in Canberra often have been vacant. The ACT government has still undertaken upgrades there because it is a little bit of chicken and egg: when you get public realm upgrades, it often attracts businesses back into the centre so that they can become thriving local community hubs.

We undertake the upgrades based on the condition of the assets. Many of those shops are aging, and it is often the shops that are aging where those infrastructure upgrades will be focused. As well as getting community feedback about safety concerns and other issues, it is often about adding extra elements to shopping centres.

We have heard, certainly, at a number of shopping centres about the need to have toilets, so we have been trying to address those issues as well, to make sure that they remain thriving community hubs. But each one of them is different; each one of them has different businesses. Some of them, as we have discussed in Monash's case, may not even have a shop. It may be a different service that is offered there, compared to other shops. We want to support local communities, and those uses will change over time as well.

### **Government—human resources and information management system**

**MR CAIN:** My question is to the Special Minister of State. Minister, among the 23 contractors engaged at a cost of \$44½ million to deliver the HRIMS project was one who provided “provision of change and communication services for the HRIMS program”. That contractor was paid a total of \$320,000, including a variation—an increase of \$121,000 for six months work. Why were such extensive changes in communication services needed for an IT project that was not even complete?

**MR STEEL:** I thank Mr Cain for his question. As I said earlier in question time, this was not just a technology project; it was a project that was focused on people, on process and on technology. Unfortunately, during the pandemic, there was a very significant challenge in being able to engage with officials across directorates who were contributing to this project when their priorities were elsewhere in supporting the ACT government's response to the public health emergency.

What we are talking about here is a very significant number of business processes, which was perhaps underestimated at the beginning of the project, across 18 different enterprise agreements and 14 different platforms and trying to translate that into a single, integrated system.

When there were difficulties with engaging with the necessary officials during the pandemic, that made it a very difficult process. There were also governance issues which compounded the problem in being able to get the project level decisions made on some of those business processes and what needed to change in order to translate them into the new HRIMS.

These are some of the challenges that have been identified in the reviews. We have also taken a lot of work that has been undertaken throughout the HRIMS process forward into what will be a completely different direction in terms of upgrading the existing system. So a lot of the work that has been done on some of those business processes, and understanding the challenges and complexity of the people change elements of the project, will be utilised as part of the next stage, which is to upgrade the existing systems.

**MR CAIN:** Minister, what was this significant variation for?

**MR STEEL:** I will take that on notice.

**MR PARTON:** Minister, how many quotes were sourced prior to awarding this contract alluded to in the first question?

**MR STEEL:** I will take that on notice.

### **Government procurement—banking**

**MS CLAY:** My question is for the Special Minister of State. Minister, Market Forces just released a report showing that Westpac loaned \$8 billion to fossil fuel companies from 2016 to 2022 and has active loans with Whitehaven Coal, Woodside, Santos and the Pluto 2 LNG project, which is tied to Woodside's new Scarborough gas field. I understand the ACT government banks with Westpac. Can you tell me how the ACT government considers the climate impact of banks when deciding the provider of government banking services?

**MR BARR:** The responsibility for the territory's banking contract and the procurement of that sits with me as Treasurer. I can advise Ms Clay that there is an assessment of, amongst other things, the social outcomes and corporate social responsibility in a request for information from each of the banks that tendered for our business, and that forms part of our approach to market. The whole-of-government banking service contract is one that, in reality, there are only four banks in Australia that can compete for. There are only four banks in Australia that will provide the range of services that the government requires.

I do note from that Market Forces report—in the relatively short term from the graph I can see and in the reporting period over the longer term from Market Forces—that ANZ and NAB are Australia's climate laggards, so they are the worst in terms of the banks under the criteria you assess, and that the Commonwealth Bank has improved recently, but Westpac generally was regarded, of the big four, as the one that had lent the most to renewable energy and the least to fossil fuels.

**MS CLAY:** Treasurer, why is it that no other bank, such as Bendigo Bank, would be able to take the government contract outside of those big four banks?

**MR BARR:** Because of the breadth of services that the ACT government requires. That we have a somewhat constrained level of competition within the Australian banking sector is a reflection on the size of our nation and the size of our economy.

It is not the only area, Ms Clay, where there are very large corporates that make it almost impossible for other competitors to grow to a sufficient size. Our banking contract would be in the top 10 in Australia, in terms of its value, particularly in the public sector. Aside from the commonwealth and the six states—and we would probably be on par with Tasmania—there is not going to be many bigger contracts. The services that we require essentially can only be delivered by one of the big four.

### **Government—human resources and information management system**

**MR CAIN:** My question is to the Special Minister of State. According to your response to question on notice 1146, the ACT public service has spent \$31,200,372 towards the program on staffing; the HRIMS program spent that much money on staffing, labour hire, hospitality and advertising.

Why was the ACT public service spending money on hospitality and advertising for development of a failed HR and payroll system?

**MR STEEL:** I will take the question on notice, but I assume it is in relation to advertising for roles. It was a large program. There were large numbers of staff working on this program. I will come back on notice with some more information.

**MR CAIN:** Minister, could you detail what was wrong with the previous HR system that it was so necessary to spend, and spend badly, \$76 million on this new one?

**MR STEEL:** I think that was previously outlined by the Auditor-General in a report that they handed down previously on the existing services. They are aging platforms. The reality with ICT systems is that they only last for a period of time. They need to be upgraded for a range of different reasons: whether it be for cybersecurity reasons; whether it is improved functionality and making sure that we deliver an efficient range of HR services, payroll services and learning management services.

That was what was being attempted to be achieved through the HRIMS system and solution. Now we are looking at pursuing a different approach, which is to upgrade the existing systems to their latest version, which will address many of the issues that I just mentioned, while also being at less risk and less cost to the territory.

**MR PARTON:** Minister, how and why is it so difficult to deliver a human resources system, when most companies and governments in the country have functioning systems?

**MR STEEL:** I thank the member for his question. Even a basic Google search about payroll systems would lead him to see several articles about previous difficulties that governments have had in implementing payroll systems across government. It is a challenge, particularly when you are looking at delivering a shared service through a single, integrated human resource management system. Indeed, I believe Tasmania is currently in the process of also looking at upgrading their system in relation to using the SAP SuccessFactors platform, and they may be experiencing some issues as well.

A range of different governments in the past have tried and been challenged by the complexity and the scale of having to translate so many different bespoke business

processes that come from a range of different enterprise agreements, and views in directorates about how those enterprise agreements should be translated into ICT systems. Being able to bring them together into one system is complex, and it is one of the reasons this program has faced issues, particularly when we were also faced with the complications that came with the pandemic and the ability to engage staff in working through that complexity at a time when their priorities were elsewhere.

### **Budget 2023-2024—municipal services**

**MR PETTERSSON:** My question is to the Minister for Transport and City Services. Minister, how does the 2023-24 ACT budget deliver more mowing, tree maintenance and better city services?

**MR STEEL:** I thank Mr Pettersson for his question, and I am very pleased to inform the Assembly that we are making significant investments as part of the budget handed down this week in better city services for all Canberrans. That includes supporting our mowing teams to get to areas in need of extra attention between regular mowing rounds, by continuing the rapid response mowing team that has been keeping our city looking good. This team proved very successful in the last year, and we are pleased that they will continue to support mowing and maintenance in the year ahead. In the winter period, this includes quite a lot of weeding work and that extra detailed work as well, when the grass is not growing quite as quickly.

We are also making investments to ensure that our mowers are better protected when at work, so they can spend more time focused on mowing, especially when mowing on the side of major arterial roads. The budget makes significant investments to support more tree inspections and more tree maintenance, as well as removing end-of-life trees and planting new ones.

As I informed the Assembly this week, we continue to make investments in street lighting, improved footpath maintenance and improving public spaces. This includes improvements to the stormwater system as well, including at the Kippax Group Centre, to strengthen flood resilience in a changing climate.

**MR PETTERSSON:** Minister, what does this new funding do to support Canberra's urban forest?

**MR STEEL:** As members are well aware, the Urban Forest Bill 2022 was passed by the Legislative Assembly on 30 March and will come into effect on 1 January. The legislation will ensure that our city and trees are protected as Canberra continues to grow, so they can be enjoyed by generations to come. It creates a sound framework to reach our ambitious target of 30 per cent canopy cover or equivalent by 2045. The legislation covers more trees, with the reduction in the height of a protected tree from 12 metres down to eight metres, which has, effectively, doubled the number of trees that are currently protected.

The ACT government will invest accordingly, with over \$24 million to protect Canberra's trees by supporting more tree planting, deep watering across our city and more tree maintenance. The budget initiative provides funding for additional staff to support the implementation of the act. They will support the assessment of more tree

damaging activity applications, which are expected through the new act; tree inspections; administration of the new canopy contribution agreements; tree maintenance, including the removal of end-of-life trees, which we know are occurring as our urban forest ages; as well as planting and watering new trees, so they can grow up into maturity.

This will be supported by approved customers service supports to make sure our community requests get to the right team and the right people. This funding will also support the continued operation of the Tree Advisory Panel and cultural tree assessments.

**MS ORR:** Minister, what does this investment do to manage the impacts of climate change?

**MR STEEL:** Climate is changing, and this does have an impact on our forest, but the forest has an impact on making our suburbs and our people more resilient. Our investments need to respond to the impact of our climate, particularly around living infrastructure. Last year, I announced we had an increase in funding to \$153 million to support road maintenance, in acknowledgement that climate change and extreme weather events will continue to pose challenges in managing infrastructure.

Members will recall the very wet years that we have had as a result of La Niña. We expect a drier spring and summer in 2023, which will be a relief to some. This has had big impacts on our mowing program and has formed a key part of our decision-making in continuing our rapid response mowing team, even as we go into a drier period.

Climate change leads to more frequent and more extreme weather events, and the government has been making steady investments in upgrading stormwater infrastructure to respond to increasing flood risk. This has included upgrades in Narrabundah at Sprent Street park, which will soon begin construction, and there are also the investments in the budget at Kippax. We are also investigating what other stormwater improvements may be needed across our city in the future to support more buildings, which we know do have an impact on the flow of water around our city and need to be managed. Our investment also supports more tree planting, which will help us to also manage that flooding risk. I look forward to seeing more trees planted right across the city in the coming financial year.

### **Budget 2023-2024—health**

**MS CASTLEY:** Madam Speaker, my question is to the Minister for Health. Minister, in this year's budget I have counted at least 19 major health projects that are delayed, between CHS and ACT Health. In last year's budget there were at least 17 projects delayed. Capital works also show that CHS and ACT Health only spent \$96 million out of the \$185 million budgeted for the 2022-23 period. On Tuesday Mr Cain asked why you have failed to deliver on your budget promises and underspent on your initiatives, and you rejected the premise of the question. Minister, why did you reject the premise of the question when it is clear that you have failed to meet your own budget commitments?

**MS STEPHEN-SMITH:** That is not the correct interpretation of this. We see in every budget and in every capital works update that the Chief Minister provides—frustratingly for the Chief Minister and Treasurer, and for all of us, as ministers—that often capital works projects, ICT and other capital projects are delayed. That does not mean they fail to be delivered. An example of that is that we have experienced some delays in the expansion of the Centenary Hospital for Women and Children, but last week Minister Davidson opened the day service for mental health. We will soon be opening the adolescent mental health inpatient service. This has been frustratingly delayed, but it has been delivered because we do, when we make a commitment, deliver on it.

**MS CASTLEY:** Minister, do you accept that you have failed to spend a significant portion of the money budgeted last year, because it rolls over and rolls over, even though you announce it as new, to great fanfare?

**MS STEPHEN-SMITH:** Again, I think Ms Castley is completely misrepresenting how the budget works.

**MRS KIKKERT:** Minister, why should Canberrans trust that you will deliver on any of your budget announcements when projects are consistently delayed each year?

**MS STEPHEN-SMITH:** Experiencing delays in capital projects is not unique to the health portfolio. Frustratingly, it happens across all portfolios.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members!

**MS STEPHEN-SMITH:** And delays can happen at a number of points in the process. There can be a delay in receiving a development application. There can be a delay in the procurement process. There can be weather conditions that delay the completion of construction. But I tell you what, Madam Speaker: we have delivered on a number of these projects and we will continue to do so.

The largest one, the single biggest investment in health infrastructure since self-government, to date—the critical services building at Canberra Hospital—is well and truly on its way. I invite any member of the opposition to drive past the hospital and have a look at that building. It is topped out and will be opening next year to deliver more beds, more operating theatres, a bigger emergency department and more health services for Canberrans.

### **ACT Policing—report by PwC**

**MR BRADDOCK:** My question is to the minister for police. Minister, questions have been raised in Senate estimates about the potential conflict of interest between the AFP Commissioner and PwC partner and “mate” Nick Fullerton. Will the ACT government be releasing the PwC report that was developed relating to ACT Policing, given these questions about a conflict of interest?

**MR GENTLEMAN:** I thank Mr Braddock for the question. The report was commissioned by the AFP Commissioner and it is not my intention to publicly release the report at this time.

**MR BRADDOCK:** Minister, does the ACT government support the contents of the report?

**MR GENTLEMAN:** The government has received it and is currently considering the report. If any concerns arise in that consideration, we will take them up with the AFP Commissioner.

**MS CLAY:** Minister, to what extent did the government rely on this report to support its decision to increase funding to ACT Policing in the budget?

**MR GENTLEMAN:** I will not speculate about the degree that the report may have influenced ACT Policing's advice to government on the budget process. I can say that, by making the largest single investment ever made in ACT Policing, as part of this budget, the ACT government has continued its commitment to enhance community safety, building on the additional 60 personnel provided through the 2019-20 budget.

### **Budget 2023-2024—disability services**

**MR MILLIGAN:** My question is to the Minister for Disability. I am referring to the news release by ACTCOSS and the joint release by many disability groups through Advocacy for Inclusion, who are reporting that the Treasurer on Tuesday delivered a “disappointing budget for people with disability”, as the Disability Strategy and the Disability Health Strategy, co-designed with people with a disability, are again unfunded in this budget.

Minister, what impact will the lack of funding have on the development and, especially, the implementation of the strategies in the ACT?

**MS DAVIDSON:** I thank the member for the question. The ACT Disability Strategy, which will cover a 10-year period and has been the result of really extensive consultation that resulted in a listening report that was published earlier this year, is still being co-designed with the community, including Advocacy for Inclusion and many other stakeholders in our community who are real experts in what it is that people with disability need in their lives.

Making sure that we are creating a strategy that includes the voices of people with disability is how we get the right things into our actions plans over the next decade. It is very important that we know what those things are before we assign funding to those things.

We will continue with the normal process of establishing what is in the strategy and what the right actions are with the community and then making sure that we fund those appropriately. But we are not quite at that point yet. We are continuing to work on that.

I thank Advocacy for Inclusion as well as ADACAS, our Disability Reference Group and many other stakeholders for their ongoing engagement with government on this and their very valuable expertise and knowledge that they are contributing to that work.

**MR MILLIGAN:** Minister, when will you begin to recognise the investment, time and expertise of those who have worked hard with the government on the co-design of the strategy and start putting some funds behind this strategy?

**MS DAVIDSON:** Thank you for the question. I absolutely recognise the expertise, knowledge and skills of people with disability in designing reforms and changes across government that will have a real impact on making our city more accessible and more inclusive, which is what we all want it to be.

We see this through the way that we support and develop members of the Disability Reference Group, who have done some fantastic work during the consultation on the ACT Disability Strategy over the past year. We see that through the increases in the funding that have been provided in ACT budgets for organisations like Advocacy for Inclusion and ADACAS to continue the work that they do in advocacy for people with disability in our community. We also see that through the inclusion of real actions and real changes in strategies across health, education and whole of government as well as our justice system. And we will continue to see that happening.

As for funding for the ACT's Disability Strategy, as I was saying, once we actually have the strategy and we know what those actions are, we will be able to more accurately determine how much it will cost and how much funding we are going to need to deliver those things. I am sure the Treasurer is very much looking forward to the conversations we are going to have about that.

**MRS KIKKERT:** Minister, how will the ongoing lack of funding impact on the improvement of diagnostic services, accessible equipment, information, infrastructure and cultural change towards people with disability in the health sector?

**MS DAVIDSON:** I thank the member for the question. There is an increase in funding in the budget this year for a range of health services that will support people with disability. There is a real diversity of chronic conditions and disabilities in our community for which we need really well-supported and well-resourced health services. I thank the Minister for Health for her ongoing work in making sure that we continue to build on and develop our health system in the ACT.

In terms of what is in the ACT Disability Strategy, it will go far more broadly than health services. We will be looking at how we can support people with disability who are trying to access inclusive, accessible housing that is secure and affordable, how we can make sure that they have access to lifelong education opportunities, how we can engage employers in better supporting people with disability for employment opportunities and a range of other things that people with disability are really looking to do in our community.

Some of the really important things that people with disability talk to me about regularly is wanting more people in our community to have an awareness and



understanding of what disability means and to understand what the social model of disability is and for our whole community to take pride in the diversity of ways that bodies and minds work—that disability is seen as a part of the normal human condition; that bodies and minds will work differently. As an accessible and inclusive community, we want to be able to support people to engage and live their best life.

That is the kind of work that we will be seeking to do through the ACT Disability Strategy, which will have funded actions once we have completed the process of working through with the community what will be in that strategy. I would encourage them to continue to engage with us, and I thank Advocacy for Inclusion, ADACAS, our Disability Reference Group and many individuals in the community who have been engaging with government on that work so far.

### **Budget 2023-2024—domestic and family violence**

**MS ORR:** My question is to the Minister for the Prevention of Domestic and Family Violence. Minister, demand for domestic, family and sexual violence services have been exacerbated by the pandemic. Can you please highlight the investments the government is making to address this demand?

**MS BERRY:** I thank Ms Orr for her question. This year's budget invests over \$9 million for frontline domestic, family and sexual violence services. The funding will enable these services to expand and for more women at risk or subject to domestic and family violence to be assisted through case management, safety planning and outreach support. The government is investing to ensure that frontline services can provide culturally appropriate responses to support victim-survivors of different backgrounds, enabling service provision to multicultural communities on a full-time basis across the ACT. We also fund a frontline service system review to inform service gaps and ongoing responsiveness to victim-survivor needs.

In addition, the government is investing over \$6 million in the perpetrator behaviour change program. This program will ensure critical frontline support is provided to the ACT community and that perpetrators are held accountable. This budget also allocates more than \$3 million to extend the Health Justice Partnership program, providing women with free and confidential legal advice by embedding lawyers in health and family services settings.

**MS ORR:** Minister, can you outline how the ACT government will ensure frontline workers have the skills to provide top-quality services to victim-survivors?

**MS BERRY:** The community sector in the ACT is a professional, skilled and experienced sector. Frontline workers go above and beyond to support their communities, particularly during the tough few years that we have recently endured. The ACT government is committed to supporting frontline workers to do what they do best. As part of the increased funding, we are ensuring practice lead roles to provide best practice, evidence based domestic and family violence services to support frontline workers. This role will also support the sector to be more responsive to the intersectional needs of victim-survivors by building and fostering relationships with multidisciplinary services and agencies in the sector. The ACT government will

also fund the upskilling of workers in the youth sector with tailored training. This training will support youth workers to better recognise, respond to and refer young people who are impacted by domestic and family violence.

**DR PATERSON:** Minister, what initiatives has the government invested in to ensure the needs of children and young people who are victim-survivors of domestic and family violence are supported?

**MS BERRY:** Children and young people are recognised as victim-survivors of domestic and family violence in their own right in the ACT. Additionally, it is not often reflected in service responses, which are usually focused on supporting adult victim-survivors. As the impact of domestic and family violence on children and young people becomes better understood and responded to, I am pleased to say that this budget provides funding to ensure children's specialist and professional roles continue to support child-specific case management services.

**Mr Barr:** All further questions can be placed on the notice paper. And there is no award for witty interjections in question time today.

## **Supplementary answers to questions without notice**

### **Budget 2023-2024—disability services**

**MS STEPHEN-SMITH:** On indulgence, I just want to let Mr Milligan know that the Disability Health Strategy draft is currently out for consultation, and I encourage all members to encourage people to participate in that consultation on YourSay.

### **Crime—youth**

**MS DAVIDSON:** On Tuesday, Mrs Kikkert asked a question of the Attorney-General about youth justice matters. In his answer to one of her questions, Minister Rattenbury said:

The answer is to seek to intervene in a way that changes the trajectory of these young people's lives and addresses the factors that see them involved in respect of criminal offences.

Mrs Kikkert went on to ask what the top three programs that have been running are. As the youth justice programs she was talking about there fall within my administrative arrangements, I thought I might provide her with an answer so she does not have to wait for it to come through in questions on notice.

The first of these is the CHART, the Changing Habits and Reaching Targets program. This is a cognitive behavioural program for young people who are on supervised orders in the community, but it can also be delivered in Bimberi. It is evidence-based. There are six core modules and then six additional modules that are used on a case-by-case basis depending on the individual young person's needs and on what will help them best with behaviour change. It involves the staff member engaging with the young person in planning casework, interventions and activities that will help them to change the trajectory that they are on.

The Murrumbidgee School at Bimberi is also a really wonderful experience for a lot of the young people who are in there, based on the feedback that they provide to me. There is a 100 per cent participation rate. They can engage in programs to complete things like their year 10 or year 12 certificate as well as CIT qualifications. The young people say that it is one of the most positive things that they engage in during their time there.

The Functional Family Therapy Youth Justice Program, for which OzChild ran a pilot in 2021-22, has now been evaluated by Youth Coalition ACT. This is an evidence-based program that has been delivered in more than 350 sites worldwide. The program is for young people aged 11 to 17 years and it takes a whole-of-family approach for young people who are either engaged in youth justice or at risk of engagement in youth justice. That “at risk” is really important because we would really like to be able to support young people to change their situation before they are actually engaged in the system.

We are now going through the process to procure a provider for this program in an ongoing way as part of the 2023-24 budget announcements. I would have loved to have stood up and given this answer on Tuesday, but I needed to wait for the budget papers to actually come out first. So I am very happy to be able to tell you about that now.

In addition, we also have some programs that are funded in the 2023-23 budget that go to that kind of behaviour change and intervening to change a family’s circumstances. These are related to the work that we are doing around raising the minimum age of criminal responsibility and includes establishing a therapeutic support panel with intensive case management and supports, including accommodation. There is \$10.4 million over four years to do this work. One of the really key things about this work is it will engage with the community sector on service gaps and capacity building across a range of areas that impact on young people’s lives.

We will also be co-designing a new youth justice strategy that includes engagement from community experts as well as Aboriginal and Torres Strait Islander people.

I hope that provides you with some more information.

## **Correction to the record**

**MR DAVIS** (Brindabella) (2.55), by leave: Yesterday in the Assembly, I moved amendments to a motion from Ms Castley. In my amendments to subsection 1(b), I said:

- (b) e-Petition 19-22 received 2,697 signatures, the largest petition to date in the 10th Assembly;

It has since been brought to my attention that that is incorrect—that, while it was the largest petition presented to the Assembly at the time, a larger petition has since been lodged on 11 October last year. E-petition 2022-25 received 3,093 signatures. I apologise for the error.

## Papers

**Madam Speaker** presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General’s Report No 3/2023—Financial Management Services for Protected Persons, dated 28 June 2023.

Standing order 191—Amendments to the Climate Change and Greenhouse Gas Reduction (Natural Gas Transition) Amendment Bill 2022, dated 28 June 2023.

**Mr Gentleman** presented the following papers:

Co-operatives and alternative business models—Assembly resolution of 7 April 2022—Government response.

Freedom of Information Act—

Freedom of Information (Accessibility of Government Information) Statement 2023 (No 1)—Notifiable Instrument NI2023-292, dated 1 June 2023.

Pursuant to section 39—Copies of notices provided to the Ombudsman—Freedom of Information requests—Decisions not made in time—Community Services Directorate—

FOI-CSD-22/23, dated 12 December 2022.

FOI-HOU-22/24, dated 18 November 2022.

Household Waste Management—Assembly resolution of 5 April 2022—Government response, dated June 2023.

Justice and Community Safety—Standing Committee—Report 15—Inquiry into Annual and Financial Reports 2021-22—Government response, dated June 2023.

Ministerial Trade Missions to Singapore (February 2023), Republic of Korea and Japan (April 2023), dated 29 June 2023.

Public Accounts—Standing Committee—

Report 13—Inquiry into Annual and Financial Reports 2021-2022—Government response, dated June 2023.

Report 14—Inquiry into Auditor-General’s Performance Audit Reports January 2022 – June 2022—Government response, dated June 2023.

Report 15—Inquiry into Auditor-General’s Report No 8 of 2021: Canberra Light Rail Stage 2A: Economic Analysis—Government response, dated June 2023.

Remuneration Tribunal Act, pursuant to subsection 12(2)—Determinations together with accompanying statements for:

Head of Service, Directors-General and Executives—Determination 3 of 2023, dated 16 June 2023.

Full-Time Statutory Office Holders—Determination 5 of 2023, dated 16 June 2023.

Full-time Statutory Office Holders:—

Auditor-General, Clerk of the Legislative Assembly, Electoral Commissioner—Determination 4 of 2023, dated 16 June 2023.

Chief Executive Officer, City Renewal Authority and Chief Executive Officer, Suburban Land Agency—Determination 6 of 2023, dated 16 June 2023.

Members of the ACT Legislative Assembly—Determination 7 of 2023, dated 16 June 2023.

Part-time Public Office Holder—Chair and Members, Renewable Energy Innovation Fund Industry Advisory Board—Part-time Public Office Holder—Chair and Members, Child and Family Reform Ministerial Advisory Council—Determination 8 of 2023, 16 June 2023.

Territory-owned Corporations Act, pursuant to subsection 19(3)—Icon Water Limited—Our Statement of Corporate Intent—2023-24 to 2026-27 Business Strategy.

### **Business—alternative business models—update**

**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) (2.56): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Co-operatives and alternative business models—Assembly resolution of 7 April 2022—Government response.

**MR DAVIS** (Brindabella) (2.56): I would like to thank Minister Cheyne for her response to my motion calling for support for the growth of Canberra's cooperative sector. Cooperatives can play a vital role in enhancing the economic, social and environmental fabric of our community. They promote local development, empower workers and contribute to a more inclusive sustainable and interconnected community. We have a wonderful opportunity right now in this city to foster the building of healthy small businesses that thrive under the cooperative model. They benefit their workers and the community as a whole.

If Canberra wholeheartedly embraced cooperatives as the model for small businesses, the cityscape would transform into a vibrant tapestry of collective ventures. Cooperative grocery stores would dot the neighbourhoods, offering not just fresh produce but also a sense of comradery and shared values. Shoppers would enjoy knowing that their purchases directly support local farmers and sustainable agriculture. Food cooperatives could organise educational programs on nutrition and cooking, empowering residents to make health choices while fostering a deeper understanding of our food system.

A cooperative spirit would infuse every corner of this city, with local artisans coming together to establish shared workshops and galleries. Picture an artistic district where cooperative art studios flourish, fostering creativity and enabling artists to collectively

showcase their diverse talents. As the cooperative models thrive, small businesses would come together to form cooperative networks. Imagine innovative co-working spaces where entrepreneurs, freelancers and small business owners converge, sharing their resources, their ideas and their expertise.

This vibrant ecosystem of cooperation would fuel creativity. It would nurture innovation and foster cross-pollination of ideas, resulting in a flourishing start up culture here in the capital. Cooperative housing initiatives would flourish, offering affordable and sustainable living options. Community members would actively participate in the decision-making, creating neighbourhoods that prioritise inclusivity, sustainability and social cohesion. Cooperative housing complexes would feature shared amenities and communal spaces, helping to foster a strong sense of community and interdependence with our neighbours.

In this cooperative driven Canberra, the community's vitality would stem from the shared excitement, the mutual support and collectively shared prosperity. The city would become a shining example of how collaboration, inclusivity and cooperation can transform not just small businesses but also the very fabric of a community, creating a more harmonious and fulfilling way of life for all in the territory.

The ACT Greens have been working with the local cooperative sector to advocate for greater support and recognition of the cooperative business model and encourage even more small business people in the territory to take up the cause of cooperatives. It is gratifying to see that some thought has been given to how the government can better support and promote the uptake of the cooperative business model, in response to my motion.

I again thank Minister Cheyne and the good team in her office for providing me a briefing about the government's response to my motion earlier in the week. While it may not be ground-breaking, the government's response is an important step forward, a step in the right direction. I would extend that appreciation to the staff of Access Canberra for their efforts thus far.

The government response says that a refreshed business hub website will include clear and accessible information relating to the cooperative business model. I am also very pleased to hear that the ACT government is committed to promoting business models that deliver social outcomes and, to reflect this, will be establishing a social enterprise grant program.

One specific example worth mentioning is the existing four-hour free business consultation advice service, which is funded by the ACT government. I am pleased that this valuable resource is available for those interested in starting cooperatives here in the ACT. This demonstrates the government's commitment to fostering a cooperative friendly environment and providing the necessary assistance to those who seek to work within it.

While we recognise that there is so much more work to be done, this is a great starting point. We will continue to consult with stakeholders and engage in constructive dialogue to further refine and enhance the government's initiatives.

I think further future work could involve building even deeper relationships with other cities and towns around the world that already have thriving cooperative cultures and creating dedicated and specialised government supports and officials that actively encourage people to start cooperatives. Then the exciting work can begin.

Once these small businesses start and begin flourishing, we can start to actively encourage all of our constituents in our shared community to flex the buying power of their wallets and support sustainable, socially cohesive businesses that generate profit, that look after the planet and that look after people.

Question resolved in the affirmative.

## **Government—business enterprise board appointments**

**MR CAIN** (Ginninderra) (3.02): I move:

That this Assembly:

(1) notes:

- (a) it is essential for good governance and the healthy functioning of democracy that public trust in politics and public offices is strong and deserved;
- (b) many federal and state government boards, tribunals, and agencies are stacked with people who have worked in politics or have strong associations to ministers – almost always for the party that was in government when they got the job; and
- (c) Government Business Enterprise boards and other government entities are important and powerful bodies that should be non-partisan and committed to serving the public good;

(2) further notes:

- (a) the Grattan Institute's *New Politics: A better process for public appointments* report was published in July 2022;
- (b) the report defines an appointee as having a political connection if they are or have previously worked in politics – as a politician, candidate, political advisor, or employee of a political party;
- (c) the ACT has the equal-highest most politically affiliated Government Business Enterprise board members from the same side of politics as the government that appointed them, all of whom are or were affiliated to ACT Labor;
- (d) the report shows, on pages 12 and 13, the breakdown between states and territories of Government Business Enterprise board appointments with political affiliations as of May 2022:
  - (i) Australian Capital Territory – 14 percent;
  - (ii) Queensland – 14 percent;
  - (iii) Northern Territory – 11 percent;
  - (iv) Victoria – 10 percent;

- (v) Western Australia – 9 percent;
  - (vi) New South Wales – 4 percent;
  - (vii) Tasmania – 2 percent; and
  - (viii) South Australia – 0 percent;
- (e) the ACT has the equal-lowest number of Government Business Enterprises analysed in the report;
- (f) the report provides, on page 31, the number of state and territory Government Business Enterprises included in the analysis:
- (i) Australian Capital Territory – 3;
  - (ii) Northern Territory – 3;
  - (iii) South Australia – 3;
  - (iv) New South Wales – 8;
  - (v) Queensland – 13;
  - (vi) Western Australia – 14;
  - (vii) Tasmania – 14; and
  - (viii) Victoria – 26;
- (g) the report assessed three ACT Government Business Enterprises:
- (i) ActewAGL;
  - (ii) Cultural Facilities Corporation; and
  - (iii) Icon Water; and
- (h) the Grattan Institute’s report does not provide analysis on the myriad of other government appointments made by the ACT Government that may have political affiliations;
- (3) refers a review of current Government Business Enterprise board and other government appointments to the ACT Auditor-General to ensure appointments are in line with community expectations of merit and integrity; and
- (4) invites the ACT Auditor-General to provide recommendations to improve the principles of merit and integrity in future Government Business Enterprise board and other government appointments.

As the motion mentions, a study was published by the Grattan Institute in July last year, entitled, *New politics: A better process for public appointments*. This report from the Grattan Institute found that the ACT has the equal-highest number of politically affiliated government business enterprise board members from the same side of politics as the government that appointed them, all of whom are or were affiliated with ACT Labor.

I stand here to say that we should be doing better than this, because it is essential for the healthy functioning of our democracy that we have people in these important roles that are there for the public interest and the public good.



So what is the problem with appointing political mates to these boards? Firstly, are we missing out on the best people for the job? Merit still stands for something, does it not? Are we missing out on the best people for these jobs?

Secondly, it puts at risk the decisions of such boards that may make decisions that have benefit for a particular side of politics, as opposed to the benefit of the actual functions of that board.

Thirdly, it is very tempting for people involved in politics, whether as a member, a candidate or a political adviser, to not be frank in their advice to their own party because they might have an eye on a juicy appointment after that political role is over.

So I stand behind my motion—and I will be speaking later to the Chief Minister’s amendments—for the ACT Auditor-General to have a look at all government appointments. It is vital to ensure that these important and powerful bodies and these statutory positions are made up of members who are appointed in line with community expectations, based on merit and integrity.

Skirting a merits-based appointment process in favour of directly appointing a political ally or friend to the board of a government business enterprise or other role, abuses the public interest and trust and undermines our democracy.

The Grattan Institute’s report defines an appointee as having a political connection if they are or have previously worked in politics as a politician, candidate, political adviser or employee of a political party. Interestingly, their definition could have gone as broad as “member of a political party”—it would be interesting to see what the results of their findings would be if that were included—or “close associates of members”.

Make no mistake: these findings are certainly incriminating. The ACT has the equal lowest number of government business enterprises that were assessed, this being three: ActewAGL, Icon Water and the Cultural Facilities Corporation—three very significant enterprises important to the ACT community and to our economy.

In the same report, the Northern Territory and South Australia, which both also had only three boards investigated, had fewer board appointees with political affiliations. In fact, as you can see, South Australia had zero. Meanwhile, Tasmania and New South Wales, which had 14 and eight government business enterprises assessed respectively, recorded just two per cent and four per cent of board appointments with political affiliations. Again, the ACT was equal highest at 14 per cent.

The ACT is on the wrong side of this pendulum amongst the states and territories. In fact, we are on level with Queensland, whose recent issues with integrity and transparency were well documented in the Coledrake review

I do find it interesting that the three jurisdictions with the highest recordings of GBE board appointments with political affiliations are all unicameral parliaments with long-term Labor governments. There seems to be a bit of pattern across the nation. Unicameral parliaments are, of course, parliaments without a second house, without a

strong check and balance. So is it that these governments are giving in to the temptation to do whatever the heck they like because they cannot be stopped?

While my motion is informed by the findings of the Grattan Institute report, it speaks to an issue much greater. Unfortunately, we have seen a declining trust in our democracy, our political parties and our politicians. It is a real privilege to live in such a country as ours, to enjoy the political freedoms at the federal, state and territory levels and to work in the interests of constituents. Generally speaking, we have free, open and peaceful elections. That is a remarkable achievement and something to be celebrated.

However, the health of democracy is challenged by parties and governments who feel entitled to power and who do not exercise that power appropriately. That is why a review of the appointments and appointment methods is so important in our jurisdiction, which is more susceptible to the misuse of power than other jurisdictions due to our unicameral parliament and long-term single-party government.

You do not need to look far to find examples of this entitlement in the territory. We saw a bill today where the government, though drawing back a little, has sought to extend its executive powers over independent statutory officeholders in the ACT. Unfortunately, the amendments that I moved that would have emphasised the importance of such independence were not supported by Labor or the Greens.

In May this year the government felt it within their powers to takeover Calvary Public Hospital with zero consultation or notice to staff and owners, many of whom have been there since before self-government. The passing of the Planning Bill earlier this month greatly expanded the government's discretionary powers, materially limiting the role of parliament and the community in planning. I can go on with examples, all of which highlight concerns with this government's track record on governance, transparency and integrity.

It is the job of elected representatives to ensure that the public service and public officeholders are working at maximum efficiency and integrity in both improving public trust in democracy and working for the public good.

All evidence, both in the Grattan Institute's report and by example, suggests that this is not an emphasis enough of this government. I look forward to the residents of the ACT holding them to account at next year's election. Until then, I bring forward this motion today to ensure that the public service does exactly that—work for the public and ensure public trust in our democracy.

That board members and government officials are appointed based on merit and their worthiness for the role by an appointment process with integrity is of utmost importance. While I recognise that there are processes in place, but the outcomes that we are getting from that process seem to suggest that there is room for improvement.

We do not want people appointed to significant roles on these boards or in significant statutory roles because they used to be a mate in politics. I do not think Canberrans will feel this passes the pub test. Fourteen per cent of business enterprise board

member positions at ActewAGL, the Cultural Facilities Corporation and Icon Water are former ACT Labor politicians, candidates, advisers or party employees. This is what the Grattan Institute discovered. I challenge the Chief Minister, or any minister in this government, to find someone in this territory who thinks that is appropriate.

If this 14 per cent figure is replicated in other government appointments, whether it is a statutory office, a statutory board or a tribunal, then we have a very serious problem that needs addressing.

We cannot expect the lack of transparency and internal corruption to be solved overnight; however, it is past time we stopped ignoring these abuses of public interest/ Hence, my motion should be supported—and I will be speaking to the amendments again later.

For the sake of accountability and the pursuit of integrity, all current government appointments and the protocols in place for future appointments must be referred to the ACT Auditor-General for review, and I commend my motion to the Assembly.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (3.11), by leave, I move:

1. Omit paragraph (1)(b), substitute:
 

“(b) many federal, state and territory government boards, tribunals, and agencies include members who have previously worked in politics or have associations with Government; and”.
2. Omit paragraph (2)(c).
3. Omit all words after paragraph (2)(g), substitute:
 

“(h) the report recommendations include:

  - (i) all public board, tribunals, and statutory appointments should be advertised, along with the selection criteria for each position;
  - (ii) an independent panel, including the relevant departmental secretary and a new public appointments Commissioner, or their representatives, should assess applications against the selection criteria and provide a shortlist of suitable candidates to the minister; and
  - (iii) the minister should choose from the shortlist, or redefine and republish the selection criteria, but should not directly select any candidate not shortlisted;

(i) the ACT Government appointment process is available publicly and outlines the procedures for Ministerial and Executive appointments, including for boards and committees which include:

  - (i) public advertising of the position;
  - (ii) setting up of a selection panel consisting of a minimum of three members, with at least one independent member from outside the directorate or sponsoring entity, with appropriate gender representation;

- (iii) appointments that seek to represent a broad cross section of the community. For boards and committees with female representation below 50 per cent, the selection process takes into account the need to improve the gender representation. Selection processes are structured in a way that seeks to identify appropriate candidates in line with the Government's diversity and representation objectives;
- (iv) consultation having to be undertaken with the Office for Aboriginal and Torres Strait Islander Affairs, Office for Disability, Office for Lesbian, Gay, Bisexual, Transgender, Intersex and Queer Affairs, Office of Multicultural Affairs and Office for Women;
- (v) the selection panel providing a list of the suitable candidates, to the Minister; and
- (vi) Cabinet providing approval on the preferred candidate;
- (j) all ACT Statutory Appointments are provided to the relevant ACT Legislative Assembly Standing Committee for consideration for 30 days prior to appointment;
- (k) the Auditor-General consults with:
  - (i) the Standing Committee on Public Accounts;
  - (ii) members of the ACT Legislative Assembly;
  - (iii) the Head of Service, ACT Government Directors-General and Chief Executive Officers (or their equivalents);
  - (iv) statutory office holders of various ACT Government agencies and other stakeholders including the consideration of suggestions from members of the public; and
- (l) information from these consultations by the Auditor-General and any suggestions provided for potential topics are included in a strategic analysis of potential audit topics and that this is used by the Auditor-General to inform the forward performance audit program; and
- (3) invites the ACT Auditor-General to:
  - (a) review current Government Business Enterprise board and other government appointments to ensure appointments are in line with community expectations of merit and integrity; and
  - (b) provide recommendations to improve the principles of merit and integrity in future Government Business Enterprise board and other government appointments.”.

I thank Mr Cain for bringing the motion forward. I have tabled a set of amendments which outline the principles and processes associated with making appointments.

I agree with Mr Cain that appointments, boards and committees play an essential role in providing advice, assistance and guidance to both the government and the public. All appointees have a role in ensuring public confidence in the policies and decisions of government. An appointment should be made with a view to representing and serving the community.

But I make the point that having held elected office should not disqualify you for the rest of your life from ever being considered for any board appointment in the future. I note that at least two of my predecessors on the other side of politics, former Liberal Chief Ministers Kate Carnell and Gary Humphries, were appointed by federal Liberal governments to the role of Small Business Commissioner and to the Administrative Appeals Tribunal.

I note that former Chief Minister Rosemary Follett was appointed by Kate Carnell to the Human Rights Commission. I note that former opposition leader and Canberra Liberals leader Bill Stefaniak was appointed by Chief Minister Jon Stanhope and cabinet to a role on the ACT Civil and Administrative Tribunal. I also note that former members of this place, Brendan Smyth and Caroline Le Couteur, have been appointed to various boards or roles. I acknowledge that their experience in this place, their connection to community and their past experiences provide unique skills and perspectives that have made them the best candidates for the roles that they were appointed to.

I also thank Mr Cain for bringing the Grattan report to the attention of the Assembly, and I welcome the opportunity to talk about the former coalition government's approach to appointments and the abject politicisation of boards and the award of positions to manifestly unqualified and unsuitable people.

Mr Cain's motion fails to mention some of the key aspects of the Grattan report, including that, amongst the most desirable federal government appointments—those that are well paid, powerful or prestigious—21 per cent of appointees had political connections to the federal Liberal Party, and that for boards such as Australia Post and the NBN, 93 per cent were linked to the former coalition government. Amongst the most powerful federal boards, 20 per cent of board members appointed by the coalition had previously worked for the coalition as a politician, a staffer or a party official and, in the cases of the Productivity Commission and the Commonwealth Grants Commission, 50 per cent of the members had a connection to the former coalition government.

The Grattan report itself provides some key recommendations for government appointments, including that all public board, tribunals and statutory appointments should be advertised along with selection criteria for each position; that an independent panel, including the relevant departmental secretary and new public appointments commissioner, or their representatives, should assess applications against the selection criteria and provide a shortlist list of suitable candidates to the minister; and that the minister should choose from the shortlist list or redefine and republish the selection criteria, but should not directly select any candidate not shortlisted.

The recommendations made in the Grattan Institute report reflect current ACT government appointment processes. The government has endorsed a whole-of-government policy, the *Governance Principles—Appointments, Boards and Committees* policy, which contains the expectation that a merit process is conducted for all appointments by ministers and by the executive. Appointments to statutory offices are also governed by requirements set out in their enabling legislation. The governance principles policy affirms the government's commitment to merit and

equity as the best practice principle for all ministerial and executive appointments. When recommending appointments, the government and the executive are guided by the following principles under the policy.

Firstly, conducting merit based decisions. Appointments should be based on a transparent, fair process designed to select the best candidate for each position; secondly, maintaining 50 per cent representation of women on boards and committees overall in addition to encouraging gender balance across individual boards and committees that may historically be dominated by a particular gender, wherever possible; thirdly—and I think very importantly—encouraging greater participation of Aboriginal and Torres Strait Islander people, people from culturally and linguistically diverse backgrounds, people who identify as lesbian, gay, bisexual, transgender, intersex and queer, and people with disability; and, fourthly, promoting representation from a broad cross-section of the community, including community organisations. A fifth principle is refreshing membership on a periodic basis—that effort should be made to regularly refresh board and committee appointments.

When a vacancy is identified, including the upcoming expiry of a term or plan commencement of a new position, the governance principles policy states that merit selection based on public advertising and interviews should occur. This principle applies to ministerial and executive appointments in the territory. Vacancies are advised through the ACT government's diversity register. This process enables circulation of opportunities to the general public, including people with diverse backgrounds and life experience, through community organisations and networks.

In addition, during the selection process, the policy states that nominees and applicants should be contacted to obtain assurances that there no apparent impediments to their appointment, such as, of course, a fit-and-proper test or a conflict-of-interest test, for example—noting that they will be required to complete a declaration of private interests form upon appointment. Following an open and competitive recruitment process, a list of suitable candidates is provided to the minister by the recruitment selection committee. The minister then makes their decision about who they will appoint, after consultation with cabinet.

The Grattan report analysed three government enterprise businesses. I think it is important to note, Mr Cain, that ActewAGL is not a government-owned entity, nor is it a government business enterprise. It is a joint venture: 50 per cent owned by Icon Water and the remaining 50 per cent owned by two private companies, Jemena and AGL. There are six ActewAGL JV board member positions. Three are appointed from the Icon Water board and the other three are appointed by AGL and Jemena. The ACT government—neither ministers nor the executive—has no role in appointing the board members to the ActewAGL JV board.

I take this opportunity to point out the appointment process of the other two boards mentioned in the report. I will go firstly to the Cultural Facilities Corporation. The Cultural Facilities Corporation advertise vacancies through a public expression of interest process. They are advertised on the Diversity Register, with the exception of the ex officio member, who is the CEO, per section 10 of the Cultural Facilities Corporation Act 1997. Following an assessment by a panel, recommendations against the criteria set out in the position description, those who are recommended for appointment were sent to the government for approval.

In relation to Icon Water, the Territory-owned Corporations Act 1990 and the Icon Water Constitution govern the appointment of directors to the boards of Icon Water Limited and its two subsidiary companies, Icon Retail Investments Limited and Icon Distribution Investments Limited. Icon board director appointments have been subject to an advertising and selection process with criteria based on identified needs of the board for particular skills and experience. A recruitment selection panel is established and a report containing the panel's recommendations is prepared by the selection panel and sent to the shareholders. The shareholders consider the report and make a recommendation to government.

I also want to point out that Mr Cain's motion fails to recognise the role that the Legislative Assembly itself has in government appointments. As I am sure members are aware, all statutory appointments in the territory are provided to the relevant Assembly standing committee for consideration for 30 days prior to appointment. This process allows members of this place to raise questions and to seek further information in relation to any statutory appointments made by the government. Appointments should be made with the view to representing and serving the community.

The ACT government process for appointments absolutely ensures that this is the case. I do, though, welcome any Auditor-General consideration of reviewing the current process. As I noted, our appointment process concurs with the recommendations made in the Grattan report. The error in the Grattan report was in relation to the ActewAGL board, for the reasons that I have outlined. I am sure that, given the opportunity, they would correct that and acknowledge that that board is not covered under the terms of their assessment. On the off-chance that they do read this transcript, they would do well to amend their report with regard to that board.

But I do acknowledge the issues that are raised in the report, and I think I have comprehensively outlined the process that we have here. It stands in marked contrast to what we saw in relation to appointments made by the previous coalition government at a federal level. I commend my amendments to the Assembly.

**MR BRADDOCK** (Yerrabi) (3.23): The Greens will be supporting this motion. We will also be supporting Labor's amendments, which provide further detail on the processes in place for appointing board members. For the sake of the record, we would also still be supporting this motion even if those amendments were not in place.

External scrutiny of the ACT boards appointments, decisions and processes is something we will always welcome. If the Canberra Liberals believe there is sufficient reason for the Auditor-General to take a closer look, we would welcome that. If the Auditor-General, in their opinion, agrees that a closer look is warranted, we would equally welcome that too. Members and those observing might have noticed that Mr Cain's motion makes no reference to the ACT Greens. Neither does the Grattan Institute report, which the motion draws upon.

I would also like to note that the appointments process that the Grattan Institute has called for is largely already in place within the ACT government. The ACT

government's processes seem to be pretty good. Despite this, despite having many of those elements called for in the Grattan Institute report, it was found that the ACT government has still appointed a significant number of politically affiliated peoples to its boards. If we are inviting the Auditor-General to review ACT appointments for integrity and alignment to best practice, it is a positive step. If the Auditor-General believes it is a worthwhile exercise to examine this, that also would be welcome. Of course, the Auditor-General's independence is important. I do also note that Mr Cain could have easily written to the Auditor-General with his concerns.

One of the reasons we are having this debate is because the potential for corruption is evidently there. Despite the processes in place here in the ACT, a significant number of board appointments have political affiliations. We need only to look at the federal arena to see what can happen when an oversight is lacking—or, dare I say, completely absent!

There are a couple of federal government appointments that are probably worth pointing out. In April 2019, not long before the federal election, then minister Zed Seselja appointed a former Liberal senator, Karen Synon, as an independent director of the Australian Housing and Urban Research Institute. That same month, he also appointed the former Liberal federal MP, Phillip Barresi and a former ACT Liberal MLA, Tony De Domenico, to the National Housing Finance and Investment Corporation. Given the federal government's handling of housing affordability over the past few decades, these are the sorts of appointments I would love to talk about some more. And that is before we even start talking about how gas company executives ended up dominating government boards for what has appeared to be the express purpose of advocating for a so-called gas-fired recovery!

Fortunately or not, depending on your perspective, dealing with most of those problems is a job for our colleagues in the house on the hill. But what we can do here in the ACT is model good behaviours, good systems and good processes with defensible merit-based outcomes—all that boring stuff that keeps things boring. Once again, we in the Greens would welcome scrutiny because no one in this chamber should allow themselves to get too comfortable.

If the opposition would like, we can also talk about the wealth of other things the Grattan Institute's report invites us to unpack, including public perceptions of corruption, appointment to tribunals, grants being issued conveniently close to elections and ensuring government advertising that is not politicised. These are all things we would be very happy to have a debate about!

**MR PARTON** (Brindabella) (3.28): I stand to support my colleague, Mr Cain, but more so to support Canberrans, members of the public, who are often horribly annoyed and upset by the way that this government goes about its business.

It is about perception. I think that has been to some extent acknowledged by the Chief Minister. There is a perception that sometimes it is not a government but a club, and that if you are not a member of this club then you can expect to be on the outer. If you are not in the circle you can expect to be left out of things. You can expect that



important decisions would be discussed by the people in the club, in secret, behind closed doors and that those decisions would benefit the people in the club. They would not benefit most Canberrans.

It is not surprising that that perception exists, particularly based on the findings of the Grattan Institute report from last year. I would acknowledge that all political parties are not immune to this, and that has been pointed out. Mr Cain is correct when he asserts that this motion has at its core the pursuit of healthy democracy. We have seen in recent weeks that healthy democracy is not the theme that tends to exist in a number of aspects of the way this government goes about its business. We need things to be better in this space.

This motion calls for a review of government enterprise boards and other government appointments, because this stuff is actually genuinely important to the people of Canberra. All we are calling for today is that members who are appointed to those bodies are done so on the basis of merit, of integrity and of community expectation. What we have seen go on in this city is I think one of the most unfortunate aspects of having a long-term government in place—that is, when you have one side of politics with their hand on the steering wheel for a long time, as is the case in this city, you set up a scenario whereby the appointment of political allies, I think, becomes much more likely.

In regards to the amendments from the Chief Minister, I will allow Mr Cain to respond fully to those amendments in his closing speech but I think I would say that we were not dismayed by the amendments. We are pleased to see that Mr Barr's amendments have left many key elements of the original motion in place, and I genuinely note Mr Barr's sensible, measured response as contained in his speech to this motion. I would say that the tone of the Chief Minister's response has led me to drastically modify my speech. The other speech was a lot more entertaining, can I say? Mr Barr may be somewhat disappointed because the other one was a cracker but no-one is going to hear it. I might deliver it to the kelpies when I get home, because—

**Mr Barr:** They haven't suffered enough?

**MR PARTON:** They are fans of speeches—particularly those sorts of speeches! Look, it is pleasing that we are having a sensible discussion about this and it is pleasing that all three parties are going to arrive at the same conclusion. I will just have to leave that bluster for another event! Thank you.

**MR CAIN (Ginninderra) (3.31):** I want to touch on a few things that Mr Barr and Mr Braddock have mentioned. Obviously, by saying how bad the previous coalition government was, they are really just saying, "Well, they are just a bit worse than us." Let us keep the focus on the things that we can actually do something about. How is that as an approach? Not saying, "Look over there instead," but fixing what we can fix. I think that is really what the motion is addressing. Let us fix what we can fix, not look elsewhere.

I certainly take the point that there are appointments made from different sides of politics as well. It does beg the question though: despite all these processes, as

Mr Barr has outlined in his amendment, the ACT still comes out one of the worst in the country. There has to be some reason for that and that is what I am hoping will spur the Auditor-General into looking into it. There has to be a reason why we have the highest number of political appointments. So let the Auditor-General find out.

Mr Braddock mentioned why did I not write myself, which obviously is open to any MLA. I am pleased to say that, because of the calls-ons being almost identical, I am happy to support these calls-ons in Mr Barr's amendments and the amendments themselves, because to me that adds to the weight of the argument for the Attorney-General to take this on board.

**Mr Barr:** I think you mean the Auditor-General, don't you?

**MR CAIN:** Yes, the Auditor-General. If I had just written—well, maybe I would have an influence, but if we all are going to agree, that is even a stronger message, is it not, for the Auditor-General?

I do want to though step through why some of the changes Mr Barr has proposed are made. His first amendment is to (1)(b) of my motion, and he is removing the bit that says these appointments, as described by the Grattan report, are almost always linked to the party that was in government when they got the job. I note that Mr Barr's proposed (1)(b) takes that phrase out. I wonder if it hurts too much!

The second amendment is to delete (2)(c). I am possibly not being as pleasant as Mr Parton has chosen to be, because I like my motion. I just like it, you know? Can I not fight for my motion? I just like it. I am going to stand for the things I like. How is that! I actually think it reflects the spirit of it more closely. What Mr Barr is not comfortable with in my motion, and this comes straight out of the Grattan report, Madam Speaker, is:

The ACT has the equal-highest most politically affiliated Government Business Enterprise board members from the same side of politics as the government that appointed them, all of whom are or were affiliated to ACT Labor.

Just pointing it out. That is an uncomfortable paragraph, for some reason. That is an uncomfortable paragraph for the Chief Minister. Maybe he can explain why he is not comfortable with that paragraph, because it actually just describes the reality.

Then there is the longer amendment, which does include the same call-ons as in my original motion, and that is appreciated. The longer amendment basically describes the process. On behalf of the Canberra Liberals, I will be supporting Mr Barr's amendment to keep those calls-ons, to hopefully make a persuasive argument as much as we can as Assembly members. This Assembly will agree that we want the Auditor-General to really look into this. Perhaps the processes are okay but we will let him find out. I would certainly like him to see if he can find an answer to why we have the worst outcomes in the country, despite the processes. I will be supporting Mr Barr's amendments.

Amendments agreed to.

Original question, as amended, resolved in the affirmative.

## Health—bulk billing

MR DAVIS (Brindabella) (3.37): I move:

That this Assembly:

- (1) notes that:
  - (a) general practitioners (GPs) are the most used healthcare service by Australians;
  - (b) the ACT has a lower rate of bulk billing GPs than other Australian states and territories;
  - (c) data for 2021-22 from the Federal Department of Health and Aged Care shows that the ACT has:
    - (i) the lowest proportion of patients that are always bulk billed at 37.6 percent, compared to a national average of 64.3 percent;
    - (ii) the highest proportion of patients who are never bulk billed at 20.6 percent, compared to a national average of 7.1 percent; and
    - (iii) a higher than national average proportion of patients who are sometimes bulk billed, at 18.7 percent, compared to 8.2 percent;
  - (d) a higher than average proportion of patients bulk billed “sometimes” may indicate that patients in the ACT are more likely to be bulk billed at the discretion of their general practitioner (GP) depending on their particular circumstances—many patients rely on a GP’s good will and understanding of their individual circumstances, such as poverty or financial hardship, in order to access services at a bulk billed or an affordable reduced rate;
  - (e) data from Cleanbill shows that the ACT has the lowest proportion of clinics who bulk bill all patients at 5.5 percent and the highest out of pocket costs, compared to other states and territories;
  - (f) the ACT and other jurisdictions are experiencing a cost of living crisis that is exacerbating existing inequalities and seeing an increasing number of people slipping into precarity and poverty;
  - (g) across Australia, data from the Australian Bureau of Statistics from 2021-22 showed that of people who felt they needed to see a GP, 28 percent delayed or did not see a GP:
    - (i) 3.5 percent of people delayed or did not seek care because of cost;
    - (ii) other reasons include that services required were not available, wait times were too long, and people experienced a dislike or fear of the service; and
    - (iii) 80 percent of people have a preferred GP but 33 percent of people could not see their preferred GP on one or more occasion; and
  - (h) increasing access to primary healthcare such as general practice decreases pressure on, and the cost of managing, public tertiary healthcare, such as emergency hospital presentations;

- (2) further notes that:
  - (a) transparent and centralised sources of information can help people identify and access services that are affordable and appropriate for their needs;
  - (b) a number of online resources provide centralised and transparent information to healthcare consumers:
    - (i) Cleanbill is a free consumer directory of general practice clinics and includes information such as price, comparison to average cost in the area, clinic billing practices, and whether clinics are taking new patients;
    - (ii) Health Direct includes a service finding feature for GPs and other health services, billing practice and practitioner names; and
    - (iii) Hot Doc includes information on clinic billing practices, practitioner names, specialties and languages spoken, and includes an online booking feature; and
  - (c) increasing the use of platforms that provide transparent and centralised information could improve access to healthcare for people in the ACT, particularly vulnerable cohorts, by making it easier for people to find services that fit their needs; and
- (3) calls on the ACT Government to:
  - (a) continue working with the Federal Government to improve access to bulk billing general practice services in the ACT;
  - (b) explore the value of services, including but not limited to Health Direct, Cleanbill and Hot Doc, that provide varying degrees of centralised and transparent information about healthcare services, including by raising these services with health ministers from other states and territories;
  - (c) consider ways to:
    - (i) promote the use of these services;
    - (ii) increase healthcare consumer use of these services; and
    - (iii) increase general practice clinic participation in these services; and
  - (d) report back to the Assembly by the last sitting week in February 2024.

General practitioners, or GPs, are regularly the first point of contact that people have with the healthcare system. You may connect with a GP for any number of reasons, such as seeking a referral to a specialist, for an infection, for an updated pharmacy script, or seeking help with your mental health.

GPs are generally highly trusted roles in our society and fill an important coordination role with other health services for people. They are the most used health service by Australians; therefore, general practice is a critical component of our primary health care system. As said by the Australian Institute of Health and Welfare, timely access to health care professionals and services when a person needs it is critical to preventing and managing health conditions.

Primary health care helps people prevent, diagnosis and treat health concerns in their community. A good primary health network, including general practitioners, leads to improved health outcomes and reduced pressure on our emergency departments. GPs can play an important role in determining who needs emergency care and which health challenges can be managed outside a hospital setting. Research shows that where GPs refer people to the emergency department they are much more likely to be admitted.

Our public health insurance scheme, Medicare, provides Australians with access to free or subsidised health care, but GPs essentially operate as a private business, with GPs able to determine the fees they want to charge patients. GPs can also choose to charge Medicare for patients visits. When this occurs and there is no additional cost to the patient, it is called bulk billing. Alternatively, the GP can choose to charge the patient a fee that is higher than what they would receive from Medicare. If so, patients receive the Medicare rebate for the services received, subsidising the cost of their service. The cost paid to the GP after the Medicare rebate is paid to the patient is called our out-of-pocket cost.

The ACT has the lowest rate of bulk billing GPs in Australia. The latest data from the federal Department of Health and Aged Care shows that the ACT is an outlier nationally when it comes to access to bulk billing general practitioners. The ACT has the lowest proportion of patients that are always bulk billed, at 37.6 per cent, compared to a national average of 64.3 per cent. We have the highest proportion of patients that are never bulk billed, at 20.6 per cent, compared to a national average of 7.1 per cent. Data from Cleanbill, which identified 92 general practice clinics here in the ACT, shows that the ACT has the lowest proportion of clinics that bulk bill, at only 5.5 per cent—that is, five clinics out of 92 in the whole territory.

The latest ABS statistics show that of people across Australia who felt that they needed to see a GP, 28 per cent delayed or did not see a GP, and 3.5 per cent of those people did so because of the cost. Patients who are not bulk billed now pay on average \$45 in out of pocket costs. That is up 20 per cent in real terms over the last decade. Cleanbill puts the ACT's average out of pocket cost as the highest in the country at \$49. The federal electorate of Bean, which in large part covers my electorate of Brindabella, has even higher average out of pocket costs at \$52.

When people delay or do not seek a GP when they need to, their health is likely at an increased risk. I do not want anyone in this city or in this country to put their health at risk because of money. That deeply worries me and should concern all of us in this place. The Greens believe that everyone deserves to live a happy and healthy life and that includes good physical, mental and social wellbeing. The Greens want to keep people out of hospital by enabling people to prevent sickness and ensure everyone has the best opportunity to treat sickness in the community as soon as they can.

My constituents regularly come up to me saying that they are having trouble accessing general practitioners. People are concerned about the lack of bulk billing practices. For many people in the ACT there are no bulk billing clinics nearby that they can access easily. For clinics that do bulk bill, most simply cannot keep up with the demand. In August 2022 the federal government's health minister, Mark Butler, said that primary care was "In worse shape than it has ever been in the entire Medicare era." Madam Speaker, it is worth noting Medicare was founded in 1984.

While acknowledging that Medicare and other incentives for bulk billing general practitioners do fall under the purview of the federal government, the ACT government and sub-national governments around the country still have important roles to play.

Measures from a recent federal budget increased the incentive for bulk billing particular cohorts, including pensioners, children and healthcare card holders. However, these cohorts were likely already being bulk billed and there is some concern among health policy experts that the increased incentives will not see considerable changes to bulk billing rates. Some GPs have also said that the new measures in the federal budget do not necessarily keep pace with the cost of providing care. Importantly, these measures will not make any difference for people outside of these cohorts. As noted in the recent Select Committee into Cost of Living Pressures, more and more people in our city are slipping into financial precarity and poverty and they are struggling with the rising cost of living. In an apparently wealthy city like ours, we do not have distinct areas of poverty and precarity, but cost of living pressures still manifest as an inequality crisis. It is less visible here than it is in some other places, but it exists, it is real and it is not too far below the surface for those who are interested in taking a look.

The coalition of Deep End GPs of the Canberra Region work with disadvantaged and at-risk cohorts such as low income groups, people with substance dependence issues, sexually and gender diverse people, prisoners and detainees, refugees, and Aboriginal and Torres Strait Islander people. It was during the aforementioned cost of living inquiry public hearings, that Deep End GPs said that the Medicare model of care does not support GPs to provide complex care to those who need it. Meanwhile, more than three quarters of Australians had at least one long-term health condition in 2021 and nearly half of Australians have at least one chronic condition.

I understand there is some nuance in the rates of bulk billing which is worth exploring. Many GP clinics and individual GPs operate under what is known as mixed billing practices. It is common for GPs to only bulk bill the previously mentioned cohorts, for example children, pensioners and healthcare card holders. It is not uncommon for GPs to be willing to have a discussion with their patient about their financial situation and establish their capacity to pay, either in general or at that particular appointment. This can result in the patient being fully bulk billed or paying a negotiated reduced out of pocket cost that the patient can afford.

It is possible that we are seeing this in the data. The ACT has a higher than national average proportion of patients who are sometimes bulk billed, at 18.7 per cent compared to a national average of 8.2 per cent. A higher than average proportion of patients that are bulk billed sometimes may indicate that patients in the ACT are more likely to be bulk billed at the discretion of their GP, depending on their particular circumstances.

I absolutely do not want to discount the desire for GPs to help their patients and in turn the broader community. Nobody should deny that general practitioners want everyone to access healthcare, that they want everyone to live happy and healthy lives, and that they want to use their services to keep people out of hospital.

My concern with expecting people to rely on those conversations with their GP in order to access healthcare is twofold. Firstly, consistently having to declare your poverty is unfair. It wears you down. It feels disempowering and it hurts your pride. People also may not feel comfortable discussing their finances with a doctor, especially if it is a new doctor. Secondly, as Deep End GP Tania Robertson said in the recent cost of living inquiry public hearings:

That one-to-one with the GP is usually where that conversation happens—once you are already through the door. But if you did not know that when you came through the door, the option might be there for the GP to give you a reduced rate or to bulk bill you on that particular occasion. That is very difficult, and it is hard for the receptionists to make that decision on behalf of the doctor when they also do not know the long-term circumstances for people.

That is why it is so important that GPs and GP clinics provide transparent information. When people are trying to find information about GPs they might check their website, but information is often not listed there. Many people are likely to call clinics in their area to ask them about their billing practices, whether they are taking new patients and a variety of other information to help inform their healthcare choices. You have to have time on your hands and other capabilities to be able to do that.

That is why online services that provide centralised and transparent information are an extremely useful tool for healthcare consumers. There are a number of these platforms, though each one is slightly different. Healthdirect, which I note is funded by governments right across the country, includes a service-finding feature for GPs and other types of health practitioners, billing practice and practitioner names. Cleanbill is a free consumer directory of general practice clinics and includes information such as price, comparison to average cost in the area, clinics' billing practices and whether the clinic is taking new patients. HotDoc, another private provider, includes information on clinic billing practices, practitioner names, specialities and languages spoken and includes an online booking feature.

Data shows that 80 per cent of people have a preferred GP but 33 per cent of people could not see their preferred GP on more than one occasion. This makes these services even more useful and important for people who cannot access their regular GP, people who do not have one, or people who are looking for a new GP for other reasons. Increasing the use of platforms like these which provide transparent and centralised information could improve access to healthcare for people in the ACT, particularly vulnerable cohorts, by making it easier for people to find services that fit with their needs. It would help people maintain their dignity while also accessing services they need and can afford. Access to good primary healthcare is a cornerstone to living a healthy life. I want everyone who feels like they need to see a GP to be able to, without hesitation and without wondering whether or not they can afford it.

My motion calls on the ACT government to continue the work that is ongoing with the federal government to improve access to bulk billing general practice services here in the ACT. Additionally, it calls on the ACT government to explore the value of these transparency services, including healthdirect, Cleanbill and HotDoc, by raising

these services with other health ministers from other states and territories, considering ways to promote and increase the use of these services and increase GP participation in them.

Madam Speaker, knowledge is power, and healthcare consumers having knowledge at their fingertips, available and accessible in real-world language helps them make better decisions. If you are struggling with the rising cost of living, if you are trying to determine whether or not to fill the pantry, fill the car or see a doctor, and the doctor is coming out last, that is unacceptable to me. That is unacceptable to the ACT Greens and everybody in this place should be doing everything they can to help our constituents and our broader community see a doctor when they need it, where they need it. I commend my motion to the Assembly.

**MS CASTLEY (Yerrabi) (3.49):** The Canberra Liberals will not oppose this motion brought forward by Mr Davis. It is unobjectionable, as far as it goes. The trouble is that it hardly goes anywhere at all. It calls on the ACT government to consider ways to promote a number of existing government and private tools to assist healthcare consumers to find GPs. The problem with this motion is that it sidesteps the biggest hit to bulk billing and out-of-pocket costs that is within the Barr-Rattenbury government's power to fix—namely, its decision to impose a sick tax on GP clinics.

Mr Davis is dead right when he says that the ACT is experiencing a cost-of-living crisis that is exacerbating existing inequalities and seeing an increasing number of people slipping into precarity and poverty. It is the Labor-Greens government which is exacerbating this by levying payroll tax on medical clinics who contract GPs. Recently, someone I know contacted eight GP practices, all of which said that they were not accepting new patients. A couple had messages on their answering machines about contacting your local parliamentarian if the costs were too high. That is eight clinics.

So, with the situation in Canberra critical, this motion proposes a number of pretty lame measures. Let us look at the calls in turn. The motion calls on the government to continue working with the federal government to improve access to bulk billing GP services in the ACT. I am not sure the federal government takes account of individual jurisdictions when it comes to lifting bulk billing rates. This is, as it should be, business as usual.

The motion also calls on the government to explore the value of services like healthdirect, Cleanbill and HotDoc, including by raising these with health ministers from other jurisdictions. Healthdirect is actually an initiative of the commonwealth, state and territory governments, so I do not think that gets us far. Such tools are useful, but consumers should also be encouraged to maintain an ongoing relationship with a trusted GP in general practice.

Finally, the motion calls on the government to consider ways to promote these services. The thing is: the government cannot even maintain its own tools for monitoring access to health care in the ACT. Take the many datasets on the government's wellbeing dashboard which have not been updated since 1 April 2021. It is using data from 2019 or even back to 2018.



The dashboard was announced with great fanfare by the Chief Minister in March 2020, as part of the Wellbeing Framework. It was stated that comprehensive data reporting was expected every two years for health services datasets such as access to GP services. The dashboard still uses figures from 2019, when 5.5 per cent of Canberrans reported that it was hard to access a GP. An updated survey released in 2022 showed that in December 2020 10.7 per cent of Canberrans were finding it hard to access a GP. This is still not on the wellbeing dashboard, despite the Chief Minister telling me six weeks ago that the wellbeing team in CMTEDD were currently working to update it.

Who knows what the figure is now? I bet it is well over 10 per cent. The wellbeing dashboard is just another case of the government being all about the announceable and hopeless on follow-through. If the government think that the level is still at 5.5 per cent, it is no wonder they are trying to slug medical clinics with their sick tax.

So I say to Mr Davis, given his government's record of over-promising and under-delivering on almost everything it does: good luck with your motion. Mr Davis would be better served reversing his support for the government's default decision to extend ACT payroll tax to the income of doctors contracted to ACT medical practices. This sick tax will impose further costs on Canberra medical practices, and this cost will be transferred to patients. The sick tax is expected to add around \$15 per consult and will put more pressure on public hospitals.

This increase in payroll tax is firmly in the Chief Minister's control. In the ACT the rate of payroll tax is 6.85 per cent, which is applied on payrolls in excess of \$2 million per annum. The sick tax will push many medical practices above this threshold and dramatically increase the payroll tax liability of those already paying payroll tax. I note that in this week's budget payroll tax receipts are estimated to increase by 49 per cent on the 2022-23 budget figure by 2026-27, from \$705 million, going up to over a billion dollars—a result which will be achieved on the back of Canberra's sick and aged.

It would be relatively simple for the government to amend the ACT Payroll Tax Act to provide a carve-out for medical practices, to cover these new circumstances, but, no. What we get is this ineffectual motion from Mr Davis, which will no doubt be supported by the government. When we debated the sick tax nearly seven weeks ago, Mr Davis said:

There are still many unanswered questions which I will continue to work on with the Chief Minister's office, such as how many GPs and clinics in the ACT would the potential charges apply to; how do we anticipate the new costs will be managed by general practitioners and their clinics ...

In his reply, since he is so interested in data on Canberra GPs, I ask Mr Davis to tell us how many GPs and clinics in the ACT will the charges apply to and how will the new costs be managed by general practitioners and their clinics? If Mr Davis and this Labor-Greens government were serious about increasing bulk billing and restraining out-of-pocket costs, they could be doing better with this motion. They would not be imposing their sick tax.

I have circulated an amendment from the Canberra Liberals. I move the amendment circulated in my name:

Add new paragraph (3)(e):

“(e) task CMTEDD to model the impact on Canberran health consumers (including impacts on bulk billing rates, consultation fees, out of pocket costs, and clinic closures) of the extension of ACT payroll tax to GP’s contracted by ACT medical clinics and to release this modelling by 17 July 2023.”.

Because the Canberra Liberals have already called on the ACT government not to impose the sick tax, we are prevented by standing orders from seeking to amend the motion to do exactly that. We are therefore seeking to amend this motion to call on the ACT government to have CMTEDD model the impact on Canberra health consumers of the extension of this ACT payroll tax to GPs contracted by ACT medical clinics, and to release this modelling by 17 July 2023. Since this amendment is in line with Mr Davis’s sentiments when we debated the sick tax back in May, I would expect and hope that he would support my amendment today.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.56): The Labor members in this chamber will not be supporting Ms Castley’s amendment—and I will come to that at the end. I will start by speaking to Mr Davis’s motion, which I think is an important one about improving access to bulk billing general practice services in the ACT, including by exploring ways to improve consumer information.

As Mr Davis notes, the ACT has the lowest bulk billing rate in the country for general practitioners. As members know, primary care and funding for general practice are not the responsibility of state and territory governments; they are the policy and funding responsibility of the commonwealth government.

Unfortunately, due to a decade of inaction on and neglect of Medicare on the part of the previous federal Liberal-National government, the gap between the Medicare rebate and what GPs can sustainably charge grew substantially over the last 10 years. In real terms, this has resulted in the support that GPs receive from the commonwealth being significantly reduced over time.

As the federal Liberals continued to undermine primary health care across the country, the ACT government stepped in to fill some of these gaps in our own jurisdiction. The ACT government has targeted primary care services to disadvantaged populations who face challenges in accessing the mainstream public health system with \$5.75 million in funding under the 2019-20 and the 2022-23 budget initiatives for delivering better care for Canberrans with complex needs.

This funding has delivered targeted, vital support for people who need it most through specialised services to provide accessible and affordable primary care, particularly for those experiencing adversity, such as people who are homeless, people who have alcohol and drug related dependencies, and young people at risk, through services like

Directions Health Services, The Junction service for young people and Companion House for refugees and asylum seekers. We also support after-hours primary care through the Canberra After Hours Locum Medical Service, better known as CALMS.

Over the last decade, we have in fact provided more than \$12 million in incentives to support the GP workforce, including implementing programs to increase the GP to population ration, encourage bulk billing, expand the GP workforce and develop primary care infrastructure.

Nonetheless, for many general practices, the commonwealth Medicare rebate has been insufficient to support sustainable delivery of general practice services, and many GPs have been facing the constant difficult choice between bulk billing and ongoing financial viability. We have seen that in some of the very difficult decisions that our general practices have made.

I want to acknowledge, as Mr Davis has, the Deep End GPs, who work with some of the most marginalised and complex consumers in the ACT. More broadly—again, as Mr Davis has—I want to acknowledge the excellent job that general practitioners in the ACT do. Many of them do bulk bill their patients who need it, including people who are on low incomes, those who have chronic and complex conditions, pensioners and children.

But, for others in the ACT who are also experiencing cost-of-living pressures or who are trying to find a new GP, trying to find a general practice that bulk bills is very difficult. This creates barriers to accessing primary care, meaning that people are not getting the health care they need at an appropriate time and leaving them to end up accessing other health services, including hospital services.

To try to reduce the number of people attending hospital emergency departments when they actually just need care for minor injuries and illness, the ACT government has built a network of five nurse-led walk-in centres providing free nurse-led care as an alternative for non-urgent or non-life threatening injury and illness that can be treated in the community. In the 2023-24 budget, the ACT government also invested a further \$16.5 million to expand community health services to further enhance the free care that Canberrans can receive in the community.

The ACT government is boosting the range of services that can be delivered in our walk in centres, including funding more nurse practitioners to be able to do more for consumers who have come to walk-in centres so that they can access free public health services closer to home.

Since September 2022, walk-in centres have been able to treat children from one-year-old and up, providing more options for families with young children to seek local, free treatment for minor injuries and illness, while continuing to divert young children from our emergency departments where appropriate. I know that initiative has been very widely welcomed by families with young children.

I am very pleased that the new commonwealth Labor government, the Albanese Labor government, will be providing greater support for GP bulk billing. The most recent commonwealth budget announced an investment of \$3.5 billion over five years to make it easier and cheaper to see a doctor.

The bulk billing incentive will be tripled for the most common consultations with children under the age of 16, for pensioners and other commonwealth concession card holders. This includes face-to-face, telehealth and video conference consultations. This increase to the bulk billing incentive will support GPs to bulk bill up to 157,000 eligible people at the 105 general practices already providing bulk billing in the ACT. It will support eligible patients to receive the care they need without any out-of-pocket costs.

But we know that more needs to be done. The federal health minister, Minister Butler, has very clearly indicated that it will take more than this to undo the decade of neglect and mismanagement by the federal coalition government.

But the federal Labor government's focus on better management of chronic disease, improved access to GP multidisciplinary teams and greater affordability will integrate well with the work that the ACT government is doing. This work will shift the management of complex care into the community, where our health system can support and work with GP teams to deliver better outcomes and better care closer to home.

In collaboration with funding from the commonwealth, the ACT is in the process of finalising the model for commonwealth supported urgent care clinics and the primary care pilot program. The urgent care clinics initiatives aims to reduce pressure on hospital emergency departments by making it easier for patients to receive care for urgent but non-life threatening conditions.

The government is working with the commonwealth to finalise the urgent care clinic model in the ACT and, importantly, to ensure that it builds on the highly successful walk-in centre model—which, of course, the Canberra Liberals have opposed for many years and have lately come to the party to recognising how much it is supported by the Canberra community. We have already been improving community-based access to medical imaging services, with the recent opening of the Weston Creek Medical Imaging Service.

We have also been working with the commonwealth to co-design a primary care pilot to test innovative models of care that reduce pressure on hospital emergency departments, including options like diverting non-emergency presentations from emergency departments, supporting patient navigation of urgent and primary care services and providing accessible primary care options that support patients in avoiding potentially preventable hospitalisations. This model could also include enhancing care in the community setting or other initiatives that bolster the capacity of the primary care system, including general practice. I anticipate that the ACT pilot will contain all of these elements in some form and look forward to announcing the details of the pilot in due course.

I appreciate and the government appreciates that Canberrans face difficulties in being able to find reliable information about how to find a GP and what their fees are. Indeed, my own office has had the same experience as Ms Castley's constituent, calling around, at one point, every general practice in the inner north to find not a single one willing to take on a new patient who requires to be bulk billed. That is why

the Albanese Labor government's investment is so important in starting with process of reversing the decade of neglect.

Mr Davis mentions in his motion a few different services that provide information. Two of them, Cleanbill and HotDoc, are privately run services, and it would be my preference to invest in enhancing the existing government service.

As Ms Castley has noted, Healthdirect are a government funded service that provide quality, approved health information advice and a nurse triage service. Their 24-hour free-call services is operated by registered nurses and provides health advice to the public. The website and mobile application offer a symptom check, a service provider and information about medicines and health topics.

Currently, all Australian jurisdictions are shareholders and joint funders of Healthdirect, which includes the Health Information and Advisory Service and the National Health Services Directory. The ACT Health Directorate works closely with Healthdirect to help address key priorities and challenges across the health, ageing and social services sectors and provides data services and information to healthcare consumers.

I will be very happy to advocate with my health minister colleagues to explore ways to expand the service offerings of Healthdirect and to consider the place of the other private services to ensure that consumers can access more information about the services that are available and the fees they might expect, including seeing what we can learn from these private service providers. Indeed, it will not be the first time that health ministers have discussed Healthdirect. It is a regular topic of conversation to ensure that it is meeting the needs of Australians including, of course, Canberrans.

The GP workforce and bulk billing challenges are not specific to the ACT, although we are specifically affected by them. I am pleased that the commonwealth is now willing to work with state and territory governments to support patients going forward by investing more in Medicare. These initiatives that I have talked about are just some examples of how a federal Labor government will benefit us here in the ACT.

To Ms Castley's amendment, as I indicated at the beginning, Labor members will not be supporting this amendment. We draw attention to the fact that this issue was debated in May, which I think Ms Castley has talked about. When it was debated in May, the Assembly called on the ACT government to investigate how payroll tax applies to various models of general practitioner clinic arrangements with respect to engaging general practitioners and their payment arrangements; consult with key stakeholders in general practice and other potentially impacted industries with relevant contractor provisions before changing the application of existing payroll legislation; explore the risks of retrospective application of payroll tax on general practice clinics owing on wages for general practitioners who fall under the contract of provisions raised in the New South Wales and Victorian tribunal cases; and to update the Assembly on any changes to the implantation of payroll tax by the last sitting day of August 2023.

I am sure that the Chief Minister will be coming back in August to provide an update to Ms Castley. But, during the debate, the Chief Minister made the point that we have

in fact made no change to the ACT's payroll tax arrangements. Ms Castley keeps talking about this as if it is a new initiative on the part of the government—a change to payroll tax. That is fundamentally untrue.

Payments to contractors who provide service to a business are considered taxable wages under the Payroll Tax Act. But, again, here in the territory we have an exemption on any payroll tax applying to the first \$2 million of payroll—not a revenue or turnover but of payroll. The rate is 6.5 per cent of the payroll above that \$2 million, but the first \$2 million is tax free. The extent of payroll tax liability for general practice in the ACT, because of that \$2 million threshold, is expected to be quite low—in fact, a handful of taxpayers in total, who have obviously quite large payrolls and are indeed larger corporate entities.

I am aware, having spoken with the Chief Minister about this fairly recently, that the Revenue Office are working directly with general practices to understand the potential impact of this issue. The Revenue Office are not going out and sending bills to general practice. They are working collaboratively with the sector to understand what the potential impact of this is, so that it can be further considered. The Chief Minister will report back, as required by the previous motion, to the Assembly in August.

So I would advise Ms Castley to wait for that analysis, which is currently being done, on what the potential impact is of the New South Wales and Victorian tribunal decisions before calling on further actions.

I emphasise, as the Chief Minister did, that the current issues in relation to payroll tax have arisen from a specific matter in another jurisdiction. There is no change to our payroll tax arrangements here in the ACT. We are investigating the application of the payroll tax model to various models of GP arrangements, and we will continue to consult with stakeholders.

**MR DAVIS** (Brindabella) (4.11): The ACT Greens will not support Ms Castley's amendment to my motion. Unfortunately, at best, it is superfluous, and at worst it is a dog whistle. Let us start with why it risks being superfluous. At the risk of repeating Minister Stephen-Smith, because she did get the jump on me, I think it is really, really important to at least put on the record, in my own words, why the ACT Greens are not able to support Ms Castley's amendment. This issue has not only been dealt with by the Assembly; we are all waiting, with bated breath I suspect, for an update from the Chief Minister in August related to that motion on the very question of payroll tax.

For the benefit of those watching, I want to reaffirm what the resolution, as amended, was on 10 May in this Assembly, on the question of GPs paying payroll tax. This Assembly called on the government to:

- (a) investigate how payroll tax applies to various models of General Practitioner clinic arrangements with respect to engaging General Practitioners, and their payment arrangements;
- (b) consult with key stakeholders in General Practice, and other potentially impacted industries with relevant contractor provisions, before changing the application of existing payroll tax legislation;

- (c) explore the risks of retrospective application of payroll tax on General Practice clinics owing on wages for General Practitioners who fall under the contractor provisions raised in the NSW and Victorian tribunal cases; and
- (d) update the Assembly on any changes to the implementation of payroll tax by the last sitting day of August 2023.”.

Neither New South Wales nor Victoria have yet released findings, which is why this risks being on the latter side of my earlier analysis.

The Chief Minister’s office is under no illusions that I have reservations and concerns about the risks associated with the potential implementation of payroll tax on some GP clinics. As my original motion, hopefully, seeks to demonstrate, my motivation in this place is to make sure all Canberrans can see a doctor. I am concerned by anything that may risk or jeopardise the ability of Canberrans to see a doctor.

So when doctors come and tell me that if the implementation of payroll tax in the way that is being suggested by both the New South Wales and Victorian governments—and that is currently undergoing scrutiny by their tribunals—were to come in place in the ACT it would impact patient care or ability to access a doctor, I am concerned. That is exactly why we amended the motion from Ms Castley on 10 May and we asked for the Chief Minister and his office to do the necessary work and to report back to the Assembly by August 2023.

I hope I am wrong, but I suspect that there was actually a motivation to see how many times we could use the phrase “sickness tax”, which I think is very disappointing. What we know, and what I hear from my constituents, is that there are increasing barriers to accessing a doctor. That is about doctor availability. But what I am also hearing from my constituents is that there is a growing number of people who could have afforded to see the doctor 12 to 18 months ago, before their rent jacked up, before their mortgage jacked up, and now cannot. That is a growing number of Canberrans—people who were doing fine 12 to 18 months ago and are not now. I think it compounds the stresses of those people to hear people in this place casually throwing around terms like “sickness tax” when—

**Ms Castley:** We did not come up with that.

**MR DAVIS:** No. I trust you got your marching orders from somewhere else, Ms Castley. I think you are right. Perhaps you did not come up with it at all.

**Mr Cocks:** And where do you get yours?

**MR DAVIS:** Mr Cocks asks where I get my marching orders. From my constituents.

**MADAM SPEAKER:** There is no need to respond to interjections.

**MR DAVIS:** Through you, Madam Speaker, Mr Cocks asked me where I get my marching orders. I get them from my constituents, who have come to me and told me that there were not barriers in the way of them accessing a general practitioner 12 to

18 months ago and there are now. We have to try and find ways to help them to access a doctor. Those people are not helped in their ambition to access a doctor by hearing political rhetoric on a new tax on their sickness. Not only does it not exist but Ms Castley knows full well that the Chief Minister is due to update the Assembly on it during the next sitting, as a result of her amended motion.

Minister Stephen-Smith made it very clear in her remarks that there are no GP clinics in the ACT currently eligible to pay that tax. There is no sickness tax in place, Ms Castley, through you, Madam Speaker. It is very important that any constituent listening to this debate knows and understands that: no sickness tax in place.

There were positive affirmations from the Canberra Liberals in the beginning of their remarks on this motion and a shared ambition to help people in Canberra see the doctor. Now there is fear-mongering and rhetoric such as “sickness tax”. When people who are sick are coming to me and telling me, “I am worried about contacting my doctor because I’m not sure if I can afford an appointment,” I wonder if they will be better or worse off if they hear rhetoric about a sickness tax. I wonder if it will be easier or harder for them to pick up the phone to call their doctor and find out if they are able to get a bulk billed appointment, or to consider whether they are able to afford to see the doctor, when they read a front page article—or page 2, 3, or 4, I suspect—about a sickness tax. I do not think it will make it easier for those constituents.

**Mr Parton:** Mention it again—

**MR DAVIS:** I do not think—

**Mr Parton:** Mention it again.

**MADAM SPEAKER:** Members! Just ignore interjections is my advice, Mr Davis.

**MR DAVIS:** Madam Speaker, I am not good at that.

**MADAM SPEAKER:** Well, you had best learn.

*Mr Cocks interjecting—*

**MR DAVIS:** Mr Cocks tells me it comes amongst many things. At least my interjections are funny! You are just being mean. Everyone in Canberra who needs to see a doctor should be able to see a doctor. That is my motivation. I do not think they are aided and abetted by rhetoric coming from outside this place and put inside this place by members of the Canberra Liberals. I especially do not think it is helpful to seek to amend motions in this place on questions that have already been resolved by the Assembly, with updates upcoming.

I look forward to sitting in the chamber and hearing the Chief Minister’s update on this work in August. I am happy to say that I will be the first to share in Ms Castley’s angst if there is anything, as a result of that update, that puts barriers in the way of Canberrans seeing a doctor.

*Mr Parton interjecting—*



**MADAM SPEAKER:** Members!

**MR DAVIS:** Madam Speaker, thank you. The Greens will not be supporting Ms Castley's amendment. I once again commend my motion to the Assembly.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.19), by leave: I would like to clarify a comment, based on Mr Davis's speech. I think Mr Davis said that I had indicated that there would not be any general practice that was subject to payroll tax. What I indicated in my speech was that the Revenue Office are not going out and sending bills to people proactively. They are doing work with general practices to understand the potential impacts. I just wanted to clarify that.

**MR DAVIS** (Brindabella) (4.20), by leave: I would not want there to be any misunderstanding that I verbalised the minister. I meant to relay exactly the point the minister just made.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 7

Noes 15

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

Ms Berry  
Mr Braddock  
Ms Burch  
Ms Cheyne  
Ms Clay  
Ms Davidson  
Mr Davis  
Mr Gentleman

Ms Orr  
Dr Paterson  
Mr Pettersson  
Mr Rattenbury  
Mr Steel  
Ms Stephen-Smith  
Ms Vassarotti

Amendment negatived.

Original question resolved in the affirmative.

*At 4.24 pm, the sitting was suspended until the ringing of the bells.*

*The bells having been rung, Madam Speaker resumed the chair at 5 pm.*

## **Appropriation Bill 2023-2024**

Debate resumed from 27 June 2023, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MADAM SPEAKER:** I understand it is the wish of the Assembly to debate this bill cognately with executive business order of the day No 4, the Appropriation (Office of the Legislative Assembly) Bill 2023-2024. That being the case, I remind members that in debating executive business order of the day No 3 they may also address their remarks to executive business order of the day No 4.

**MR HANSON** (Murrumbidgee) (5.01): Since Labor formed government with the Greens in 2012 and ripped money out of health and police and tripled our rates to pay for a tram, we have gone backwards in the ACT. In health outcomes, education outcomes, justice outcomes, city services, public transport, housing, cost of living and budget outcomes—in everything—we have gone backwards. The only thing that has gone upwards is the amount of tax that Andrew Barr collects from us. There is so much across this great city of ours that just is not working like it should, so much that is broken, and this budget will not fix it.

This budget contains the same sorts of promises, to be frank, that I have listened to in this place on budget day for over a decade. I have heard it all before. I have heard treasurers and ministers say, in budget after budget, that things will improve, but then they get worse, like our broken health system. We have the longest waiting times for emergency departments in Australia. Important parts of our hospital are losing training accreditation. We do not have enough hospital beds and the culture is toxic. We desperately need a royal commission to fix it.

Many Canberra schools are either full or run-down. We have a teacher shortage crisis and way too much violence in our schools. We have worse literacy rates than 20 years ago. Police numbers are the lowest in Australia and our sentencing and bail regimes are failing victims and our community. Our public transport system has low patronage, with fewer buses on the road than in the 1990s. Rates, fees and charges have all gone up, way above inflation, and are unaffordable for many. It is hurting families and it is hurting retirees.

Housing affordability and rental affordability are some of the worst in Australia and land release has become a sham. Many families are forced to live in apartments because they cannot afford a house or even find a house to live in. We have record homelessness in Canberra and falling numbers of public housing dwellings.

Emergency service workers have described their workplace as being like a dictatorship. Our justice system is so broken that the actions of the DPP, the Human Rights Commission and the police are subject to an inquiry that has national attention. The jail is an expensive disaster. Remandees and sentenced prisoners are mixed, and rates of Indigenous incarceration are the highest in Australia and getting worse. Our roads are full of potholes, the grass does not get mowed as it should and the city is looking rundown.

The budget is further in debt than ever. Nothing in this budget will fix this, because if your intent is to spend billions after billions on trams then you cannot afford to fix what you have broken. The real fact is that this government, this Chief Minister and this budget cannot be believed. If there is any doubt about this, just ask the doctors and nurses at Calvary whether this government can be trusted. They were deceived

and the people of Canberra were deceived. This government's word is now worth nothing. Even its signature on a contract is worth nothing.

Through all this deceit and decline over the past decade, the Treasurer has been aided and abetted by the Greens. The Greens have voted for money to be ripped out of health and put on trams. They have supported the Treasurer at every step of the way, to the extent that they even shut down democratic scrutiny of the Calvary takeover. The Greens have not just sat idly by and watched the decline and the deceit; they are up to their necks in it.

It does not have to be this way. We can and we will fix this because we will not be spending billions of dollars on trams. We can fix the problems because we will not spend all of our efforts covering up the failings, like you do. You cannot fix a problem if you deny that there is even a problem in the first place.

We will have a royal commission on health. We will be honest about the problems we face. We can use the money allocated to the tram to fix our ailing health system. One thing that we will never do is treat Canberrans the way this government treated Calvary. After 21 years in power, this government is behaving like a dictatorship. It has abandoned its democratic principles. It is riding roughshod over the Assembly and over the community, at every step of the way aided and abetted by the Greens.

Remember, the ACT Greens used to preach about Latimer House Principles and committees before they got into bed with Labor, before they became ministers. How embarrassing for them that the federal Greens supported a bill going to committee for inquiry, whether they support that bill or not, because that is how democracy works. But not here in the ACT. They showed the ACT Greens up for what they are: a junior coalition partner who will do pretty much whatever it takes to keep their Labor masters happy.

The ACT coalition government reminds me of the last days of the Joh Bjelke-Petersen government in Queensland: rotten to its core. They have been getting away with it for far too long. For over a decade they have covered up the steady decline in outcomes by blaming their own failings on the feds, despite record investment in health and education from the federal government. The lack of investment has actually come from this ACT government, which has been siphoning money off to its tram. I thank Jon Stanhope, former Labor Chief Minister, and Khalid Ahmed, former Treasury official, for their excellent analysis that exposed this.

I turn specifically to health. When Labor took power, Canberra had one of the best performing health systems in the country. But now, according to the Australian Institute of Health and Welfare, we have one of the worst performing in the country. Last year in our emergency departments only 48 per cent of patients were seen within clinical guideline times. Nationally that figure is 74 per cent. In New South Wales it is 79 per cent. In urgent category patients only 28 per cent are seen on time. In fact, wait times for ED and elective surgery are nearly double the national average. According to the National Health Performance Authority report, Canberra's hospitals are "the most expensive and inefficient in the country".

According to former Chief Minister Jon Stanhope:

... from 2015 onwards, under the leadership of Andrew Barr and Shane Rattenbury, the hospital redevelopment was scaled back to less than half of the original plan, and then deferred with bed supply remaining essentially unchanged over a three-year period.

Stunningly, the number of beds decreased in 2017-18 despite continued population growth and the demand for services increasing at a rate greater than population growth.

I have been around long enough to have heard all the promises from various health ministers and seen many of them broken. I remember the health minister promising to add 200 acute beds to Calvary Public Hospital back in 2011. She even tabled her plan in the Assembly. That promise was broken.

I remember, prior to the 2012 ACT election, the ACT government promised an \$800 million expansion of the Canberra Hospital; \$41 million was even appropriated in the 2011-12 budget to start this redevelopment. But, following the 2012 election, the \$41 million was ripped out of the budget in 2013 and the remaining \$759 million plan to rebuild the hospital was put on hold.

Instead, the ACT Labor-Greens government allocated hundreds of millions of dollars to build a tram. The first stage of rebuilding the Canberra Hospital, which was the new tower block, was costed by ACT Health at \$375 million. That was the exact amount that was ripped out of the hospital plan and allocated to fund the first down payment on the tram. It is shameful.

I remember this minister saying that she was going to fix ED performance. That certainly has not happened. But at least it is just a broken promise, as opposed to—and I remember it well—the scandal under a previous health minister, where hospital records were being deliberately altered by a friend of Katy Gallagher's to make outcomes look better than they were. Labor's response was then to promote her to federal finance minister.

That was all before the secret plotting and brutal execution of Calvary, where this health minister circumvented democratic processes because she said that it was in the best interests of staff. The staff themselves were actually crying out about the lack of consultation. The whole justification to circumvent democratic processes is based on a deceit. This is the minister who claimed Calvary had stopped work on their theatres when that was not true. What will it cost us? There is \$50 million in this budget to effect the takeover, before you even consider the just terms payment. How many more tens or hundreds of millions of dollars will that be? How many nurses or elective surgeries is that equivalent to that will be wasted on this brutal and unnecessary takeover?

The government is, all the time, aided and abetted by the Greens, with Mr Davis signing and releasing a committee report with false evidence designed to smear Calvary. He retracted that this week, but the damage was done. The government rely on spin and smear to excuse their poor performance all the time. They blame a lack of federal health funding, but it actually grew under the last coalition government, from \$233 million to \$340 million. That was a 60 per cent increase in health funding to the

ACT from the federal government. What these figures show is that not only are services declining under this government but the government is repeatedly deceitful about the cause. It cannot be trusted and it cannot be entrusted to deliver good outcomes.

I turn to another big ticket item for Canberrans, and that is housing. Ten years ago, annual land supply in the ACT averaged 4,555 dwelling sites, between 2008-9 and 2010-11. But between 2018-19 and 2020-21 that dropped to just 3,173 sites. That is almost 1,400 fewer sites per year than a decade ago, even though the population increased by 24 per cent. The tragedy of the Canberra housing market is that it is entirely of this government's making. It is not someone else's fault. It is the government's choice.

There is a lack of housing sites. I will quote again Jon Stanhope, speaking about the government that he once led. He states:

It is difficult to fathom exactly why Labor and the Greens chose to cut housing supply so dramatically.

He goes on:

To any objective observer, the ACT land supply and taxation policies over the last decade would appear to have been expressly designed to reduce affordability.

Some national commentators assert that land banking in the state and territories, by private developers, in order to maximise profits, is the main cause of constraint supply in the ACT.

In the ACT, the government has shamelessly also resorted to this behaviour.

It is the same in area after area: a shameful run-down of essential services and shameless grandstanding on shallow solutions. What did the federal Labor minister say of Labor's rental policy? I quote the minister, from *Insiders* on Sunday, talking specifically about the ACT government's rental policy:

In some cases it does work in a little way, but overall the evidence and data shows it doesn't work long-term.

What it shows long-term, in terms of what the experts are telling us, is that it reduces supply.

It reduces supply significantly, by up to 15 per cent.

He added that there was evidence that the "quality of available housing diminished over time" under a cap. Yet this is the policy that ACT Labor is pursuing. I say Labor because the Greens want a cap completely on rent. It is ironic, members, because half the Greens own rental properties and holiday homes. They are actually the very landlord class that they so readily disparage in this place.

I turn to ACT Policing, our hardworking frontline police that this government has treated with contempt. The 2022 *Report on Government Services* shows that the ACT

has the lowest number of police per capita in Australia, the lowest funding per person for police in Australia and the lowest clearance rates for property crime in Australia. It also shows that Canberra has some of the fastest growing jurisdictions, in places like Gungahlin and Molonglo Valley.

The police have been crying out for support for years. The 2021 AFPA budget submission says:

The Association has been continuously drawing the government's attention to under-resourcing—both for staff and infrastructure—for a number of years.

The fact is that the ACT was the only jurisdiction in Australia to record a negative average annual growth rate in real recurrent expenditure from 2016-17 to 2020-21 for police. When did this decline in police funding start? In 2013, just after the 2012 election, when Labor joined forces with the Greens and in that budget ripped \$15 million out of the police budget and prioritised the tram over everything else. For years the police have been calling for support. This government has been claiming that it has already been provided, despite the facts clearly showing this to be false.

We have, right now, fewer police than we did 10 years ago. Mr Gentleman claims:

Record investment through phase one [of the reforms] has delivered an additional 60 staff and has enabled more police to be on the streets.

He claims the workforce continues to grow, but the actual number of police is falling. Where are the additional staff that Mr Gentleman promised in the 2019 budget? They do not exist. It was a con. It is a real 0.7 per cent fall in police numbers. The workforce has not grown; it has shrunk. Claims to the contrary are blatantly false. His own Chief Police Officer said:

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 Canberra Liberals have come into this place and moved motion after motion calling for more police. The minister has been claiming that we have enough. The announcement in this budget proves that those claims were false. Just like the 2019 announcement, it will likely never happen. I suppose at least, members, there is an attempt to acknowledge that there is a need for more police. Compare that to the Greens, who have argued in this place that increasing police numbers leads to more crime.

The next major issue, in many ways, is the most disheartening, and that is education. Again, despite the claims of the government, the *Report on Government Services* shows that the ACT government actually cut real expenditure for every full-time student in public schools by 3.3 per cent from 2010-11 to 2019-20. Those cuts are affecting every part of the education system. I refer to the Auditor-General's report on teacher quality, which showed that teacher shortages are causing many classes to be combined, with up to 60 students in one classroom. It found that staff did not have the time or resources to do their job and that students were being taught in the school library, the staffroom and even modified corridors—a practice that is continuing in schools right now.

The Australian Education Union conducted the biggest survey of ACT teachers ever run, and this is what they found: 85 per cent stated that the Education Directorate lacked the necessary resources to meet demand; 98 per cent of school leaders believed staff shortages are undermining teachers' ability to deliver high quality education; 97 per cent of classroom teachers feel that students have been disadvantaged and their learning outcomes have been compromised; and almost one in five respondents have experienced violence in the classroom. The union issued a statement, saying:

The Education Directorate has continually failed to recognise and act effectively to address serious, ongoing staff shortages, oversized classes and instances of occupational violence.

WorkSafe ACT actually had to close a high school because it became so violent, and it closed another for health reasons because it was so poorly maintained.

But the great deceit in education came from Ms Berry in 2020: the promise that Labor would add 400 teachers. Once again, it is not the fault of the federal government. They always blame the federal government, but, during the same reporting period that the ACT government were cutting funding to schools, the federal government increased funding to ACT public schools by 42 per cent. In this budget there is a call for what the minister claims is a significant investment in education, but this is the same minister who promised 400 teachers. This is the same minister who said that there was only one vacancy in education, in the middle of this teacher shortage crisis.

It is the same government that cut real funding per student over 10 years. It is the same minister who has just delayed the opening of the Whitlam School and is waiting until existing schools like Gungahlin are bursting at the seams to announce plans that will not be delivered for years. It is the same minister who has presided over declining levels of literacy. They are now worse in the ACT than 20 years ago, according to an independent report released last week showing that one in three 15-year-olds in the ACT fall below the national proficient standard for reading. It is disgraceful. This is all from the minister, as you will recall, who called children struggling with NAPLAN "dumb". She would rather see money spent on trams than on schools.

While health, education, police, city services and cost of living are all declining, and tax from the ACT government is increasing, the state of the budget is not faring any better. Andrew Barr forgot to mention that, while net debt blows out to \$10 billion, their borrowings amount to over \$17 billion. Interest payments are \$614 million a year. Put that in context: interest payments could fund six big new schools every single year, we could double the size of the police force and we could double the ESA. It is more than a third of the education budget every single year just in interest payments on Andrew Barr's debt.

The budget contained the promise of a surplus. Conveniently, it is after the next election. Who would have thought? How many times have we heard this promise? How many times have we heard promises from Andrew Barr of surpluses, and how many times have those promises been broken? What of the grandiose claim that this is a cost-of-living budget? While we have a cost-of-living crisis in Canberra, the government are fiddling at the margins. They have adjusted some concessions, but at

the same time they are putting up rates, fees, charges and fines and imposing extra costs on GPs because they need every single cent to pay for their trams.

Even stamp duty, which they promised to get rid of, is still gouging Canberrans \$300 million a year in the final year of this budget. This is a tax that Andrew Barr promised to get rid of because he was going to put it all on our rates. He has certainly increased our rates. But, while rates have tripled, he is collecting \$60 million a year more in stamp duty in this budget than in the budget where he promised to get rid of it.

If you are serious about the cost of living, there is much more you could do locally. The real pain—and lots of real pain—is coming from your bungling federal colleagues. The average family with a mortgage is now \$25,000 worse off since Mr Albanese became Prime Minister. Inflation, interest rates and power bills are through the roof, but where is their outrage at federal Labor? Where is the outrage at the federal government now? It seems that attacks on the feds have stopped, regardless of the pain being inflicted on the people of Canberra through your federal colleagues' economic incompetence.

There is a better way. There is a better way than this path of decline and deceit. There is a better way than laying ambushes for hospitals in the dead of night, a better way than cramming everybody into apartments and a better way than turning this bush capital into a concrete jungle. We have made a very significant decision, publicly and openly, that we will not proceed with phase 2B of the tram, and we will not proceed with any further phases after that.

This is a decision that provides for a very different vision of Canberra, because phase 2B alone will be \$3 billion to \$4 billion. But what of phases 3 and 4 and any future phases? How many endless billions is that? The tram will drain the lifeblood out of this territory for generations. Without that massive impost, the Canberra Liberals can fix this. We will fix health, education, police, city services and buses. We can stop the ever-escalating spiral of taxes and charges collected by Andrew Barr. Also, we will not ban cars and we will not turn off the gas.

We will have a royal commission into the health system. We will not impose extra taxes on GPs. We will end the revolving door of bail. We will have an independent review into sentencing. We will end heroin and meth decriminalisation. We will release cabinet documents within 30 days. We will be more open. We will release more land for houses. We will have sitting days dedicated to local community matters. Stromlo Forest Park will remain free and accessible for residents.

We will keep a city stadium on the table. We will build the Molonglo police station, and we will create a Molonglo town centre. We will have a more reliable bus network that takes Canberrans where they want to go, when they want to get there. We will have a men's health plan. We will strengthen the Integrity Commission. We will address declining literacy and school violence. We will ease tax and regulation on rental properties. We will deliver fairer rates.

That is just a taste of the sorts of things that we will do, because we will not be spending billions on trams. What we will not do is keep making and breaking promises like this government does. We will turn around this decade of decline. We



will never stop fighting for the families in our suburbs. We will not waste billions of dollars on trams. We will not trample all over democracy, and we will fix this city.

**MR RATTENBURY** (Kurrajong) (5.26): I rise to respond to the 2023 budget on behalf of the ACT Greens. The ACT Greens have a bold vision for Canberra. It is a Canberra where everyone has a safe, comfortable and affordable home; a Canberra that is well-connected with high-quality, reliable public transport and active travel networks; a Canberra that runs on renewable energy; a city committed to taking real action on climate change; a Canberra that values and protects the environment; a Canberra that looks after its people with good health care, including mental health care.

I start by acknowledging that we are part of a two-party government. The Greens make up a third of cabinet. We are proud of the influence we have in making Canberra the most progressive city in the country, and many Canberrans are proud of that fact too. As part of the government for several years now, the Greens know that budgets are about choices and priorities. Our priority in every budget is to ensure we respond to the needs of Canberrans and address the crises we face: the climate crisis, the inequality crisis, the housing crisis, and the extinction crisis. We do so while seeking to ensure that we balance the priorities of the whole community so that resources are distributed fairly.

The two governing parties may not always make the same choices or have the same priorities—that is a given—but we work together collaboratively and in good faith to get the best outcomes for Canberra. As the Treasurer pointed out on Tuesday, many Canberrans are feeling the pressures of rising costs, particularly mortgages and rents. This cost-of-living crisis is the result of the choices and priorities of successive federal governments—choices that consistently favour the rich over everyone else—and the inequality crisis driven by governments that choose housing policies designed for investors, tax cuts for the wealthy, and an erosion of universal access to services. But with the Greens in government in the ACT, we are taking steps to be a different sort of place.

It is crucial to the ACT Greens that every Canberran has a safe, comfortable and affordable home. Homelessness is a destabilising and devastating experience for anyone. The flow-on effects for individuals and communities can last lifetimes. That is why we hold the ambition to eliminate homelessness. Any time without a home must be rare, brief and non-reoccurring. We have a long way to go to meet this aspiration, and it is clear we will not solve homelessness through the specialist homelessness sector alone. What we can do in this part of the system, however, is ensure that there are adequate resources and support for people when they are in housing stress or at risk of or experiencing homelessness. This year's budget demonstrates our ongoing commitment to meeting this aim and we are pleased to have secured record funding of \$20 million in specialist homelessness services. This marks the continuation of a significant increase in the baseline funding provided to these crucial services.

We often say that housing should be a human right, not a commodity. This year, we have taken clear steps to improve life for renters. We have established the Rent Relief Fund to provide help for renters in severe stress, providing up to \$2,500 for up to four weeks of rental assistance. Since 1 April this year, the government has ended no-cause

evictions, giving renting Canberrans greater housing security. Not owning your home should not mean it is low quality, so we have introduced minimum energy standards in rental properties. There is much more to be done in this space, but these choices go some way to correcting the power imbalance between landlords and renters.

Governments must do everything we can to ensure that every Australian has a roof over their head. How can we, as the richest medium-sized country in the world, believe anything else is acceptable? In a housing crisis, having Greens in the federal parliament and Greens in this place does get results. The Labor Party has told the community to accept what it is given, but our federal Greens colleagues insist that a gamble on the stock market will not address the need to act now on housing.

We have a significant shortfall in the homes we can provide for those who need public housing. We need ongoing direct funding for public housing, both by the commonwealth and by this government. Pressure from our federal colleagues, the Australian Greens, has resulted in the commonwealth government announcing an additional \$2 billion of direct funding for social housing, of which the ACT will receive \$50 million. We welcome this investment, but we need to do more to address the housing crisis. The federal government should forgive the ACT's historic housing debt—a call that has been supported by every member of this place and many of our federal colleagues.

Homes need to be efficiently heated and cooled, not just to help address climate change but to save Canberrans from exorbitant energy bills just to keep warm. To help achieve this goal, the ACT government is making over \$4 million available to low-income homeowners to upgrade insulation and to install energy-efficient electric appliances. A further \$2.6 million worth of grants will support community housing providers and landlords as part of the Affordable Community Housing Land Tax Exemption Scheme to ensure properties meet minimum energy efficiency standards.

This government is investing almost \$32 million over three years to upgrade an estimated 6,000 Housing ACT properties with ceiling insulation, helping less well-off Canberrans with their comfort and energy bills—a cohort that should always be at the fore of government assistance. In a similar vein, this budget makes further significant investment into repairs and maintenance in public housing. This is investment that we have championed. It builds on major investments in this area over this parliamentary term. This investment is vital. Our public housing stock is ageing, and for some decades there has been a failure to properly invest in ensuring these homes continue to meet the needs of tenants.

Governments have historically left housing solely to the private market, and that is a key reason we have a housing market that is amongst the most unaffordable in the world. The Greens welcome the \$60 million investment to support community housing initiatives that provide more affordable housing options that is contained in this budget. While we will always prioritise the provision of public housing, the provision of lower cost housing through community partners will play a part in ensuring housing is more affordable and supports more Canberrans.

We live in a world threatened by climate change, and it is critical that all new homes and buildings are built with this in mind. This budget provides a further \$2 million to

develop the 10-year pathway to deliver the world's best-practice, climate-ready and environmentally sustainable buildings. We recognise and welcome the funding for this Greens priority.

Also central to our vision for Canberra is that we build a city that is well-connected, with quality public transport and active travel networks. Canberrans need sustainable options to get around our city and not be confined to private car travel as their only choice. Transport accounts for over 60 per cent of the ACT's emissions, so it pays to think about how we get from A to B. This budget invests in a further 94 electric buses, which will take the ACT's electric bus fleet to 106. Not only is this investment better for the planet but, over their lifetime, these electric buses will be cheaper to run.

This budget invests \$26 million in path maintenance and projects across the city, including a new Garden City cycle route running from Watson through to Lake Burley Griffin. While we welcome this investment, anyone who cycles, scoots or walks around the city knows that much more is needed. A Greens budget would reverse the traditional transport funding priorities and invest more in walking and cycling infrastructure to ensure that active travel is a viable option for more Canberrans, no matter what part of the city they live in.

The community tell us that they would like to see more investment in active travel, ensuring that a minimum of 20 per cent of the roads budget, or at least \$20 million per year, is spent on this critical travel mode. This investment is ever increasing, bolstered over successive terms by the Greens' consistent focus and commitments. This budget also now takes us to around \$12 million in maintenance funding, which is a welcome increase.

The ACT government is continuing its strong investment in health services. We are building for the future by investing in the new north-side hospital, which will ensure Canberrans have state-of-the-art care when they need it. Of course, prevention is better than cure. We Greens welcome continued investment in our parks, paths and waterways so we can breathe clean air and have space for recreation, and, in each part of the city, nurse-led walk-in centres provide accessible care for more minor injuries and ailments.

We are leading the nation in evidence-first policy, doing what works to improve people's health and wellbeing. One proud example of this is the ACT's drug testing clinic, which reduces harm from drug consumption by empowering people to know what substances they contain. Through this budget, it has had its pilot phase extended to December 2024. It is another nation-leading initiative, which we first called for back in 2018.

Legislative reforms to better support people with variations in sex characteristics will be supported through the budget by \$15.8 million for paediatric services that include a dedicated paediatric gender service.

Good mental health is fundamental to good health overall. Canberrans should have access to the support they need when they need it. The budget is providing \$28 million in additional funding to support programs targeting eating disorders, early intervention, and child and youth mental health. There is much more to do in this

space, but, with my Greens colleague Emma Davidson as minister for this portfolio, we are making good progress. Through this funding, we are striving for a resilient, sustainable and person-centred mental health system, in partnership with our healthcare workers and community organisations. This budget is funding the operation of the ACT's first residential treatment centre for eating disorders. Canberrans will now have access to targeted services, enabling them to live better lives while on their path to recovery. The emergency department can be a stressful place, and we recognise that it will not always be right for someone who is in distress. That is why this budget funds a second Safe Haven facility at the Canberra Hospital as a welcoming alternative.

Disappointingly, earlier this year the federal government indicated they would be scrapping funding for two essential youth mental health services: WOKE and Stepping Stones. These programs provide youth mental health services, such as dialectical behaviour therapy for young people aged 15 to 21 years experiencing emotional dysregulation difficulties, and multidisciplinary care for children under 12 who have experienced trauma. I am very proud of the fact that the ACT government has been able to step in to fill this gap and will be providing funding to ensure young Canberrans get the support they need through these successful services.

Investment in 100 per cent renewable electricity means that Canberrans currently enjoy the lowest cost for electricity in the nation, with those long-term renewable contracts now making average household bills more than \$600 lower than in surrounding New South Wales. That is a significant help when it comes to the cost of living.

With the Greens in government, the ACT stands as a global leader in our commitment to phasing out fossil fuel gas. Mr Hanson, it is not just polluting but also suffers huge price volatility. Our nation-leading policy to phase out fossil fuel gas was just last week held up as a beacon of good policy by the Grattan Institute report entitled *Getting off gas*. That report conducts a deep analysis of this policy transition and recommends every state and territory gets off gas because it will allow us to achieve net zero emissions, it will be cheaper, and it is better for people's health. The report specifically talks about the ACT government's approach, which in fact mirrors the Greens' election commitments, and says, "All other states and territories should follow the ACT's lead." It is another story of Greens' policies initially being dismissed or ignored, or of the opposition endeavouring to unpick them, before the policies are finally implemented and very successful.

Gas is not only polluting but also suffers huge price volatility. Before the war in Ukraine, European households paid similar amounts to Canberrans for energy. Reliance on gas in Europe has meant that many Europeans now pay around three times what we pay, driving many into fuel poverty and leaving people in rich countries with the choice between heating and eating. This is a lesson that investment in secure forms in energy is crucial if we want Canberra's future to be safe and affordable.

We know we still have some way to go to reduce our emissions, and so we welcome the \$70 million of funding over four years to replace ACT government gas assets with electric alternatives. The Sustainable Household Scheme has now been extended to include apartment blocks, with new commonwealth and ACT government

funding allowing multi-dwelling body corporates to access up to \$100,000 each for rooftop solar.

Clean water is not only crucial for humans but also crucial for thriving waterways which support animal, plant and aquatic life. Canberrans value their urban lakes, ponds and waterways. That is why the ACT Greens called for substantial investment in healthy waterways programs and to set up a new Office of Water. These investments are already paying dividends with this year's catchment health report showing the best result in its nine-year history of reporting. We are investing a further \$6 million into healthy waterways in this budget, taking the total invested this term of government to almost \$30 million.

The Greens welcome the initiatives to make ACT educators the best paid in the country. Reducing workloads and centralising school building services will support teachers to focus on teaching and learning, easing the burden of administrative and facilities management duties currently assigned to them. We believe that the implementation of these reforms make school a better place for both teachers and students. With a growing population, we need more opportunities for children and young people to receive a good education. We welcome the commitment to build more schools, such as the second college for Gungahlin, and the critical funding invested in maintaining and improving our existing learning spaces.

Education starts before your formal schooling years, with early childhood education providing a critical foundation for future education. The initiative for one day per week of free preschool for three-year-olds is a head start for kids in the ACT. In the future, we would like to see this go further and be extended to 15 hours per week.

School sports facilities are resources that should be available for everyone in the community to access. A centralised online booking system for 12 public schools is a welcome initiative to ensure sports facilities are utilised to their full potential.

The Greens are committed to ensuring we have a justice system that Canberrans can trust and that treats people fairly. I want a system that looks holistically for the best way to address crime. As we know, and the evidence shows, that is to focus on addressing the root causes of crime, rehabilitating people and changing their life trajectory. The budget funds a 20 per cent increase to the capacity of the ACT's Drug and Alcohol Court, allowing more offenders to access the court's rehabilitative programs. By treating drug and alcohol dependence as a health issue as much as a justice issue, this program is putting lives back on track. The court was set up following a Greens' election commitment and subsequent parliamentary agreement. Last year's evaluation estimated the Drug and Alcohol Court had already saved the community \$14 million in avoided prison time—more than its running costs.

Through this budget, we have also committed to further improving the ACT's coronial system. Last year, we established a dedicated coroner for the ACT and are now focused on improving the experience for families and loved ones who engage with the coronial process.

A functioning justice system means people who need access to legal representation and support should get it, and that is why we are investing a further \$1.7 million in

community legal centres for new positions in our heavy-lifting agencies, such as the Aboriginal Legal Services, Legal Aid, and the Women's Legal Centre.

For so many Canberrans, it is the green spaces and natural environment that make Canberra a great city. That is why the announcement to invest \$24.2 million to support tree maintenance and planting across our city and the implementation of the new Urban Forest Act is so crucial. This will further our joint commitment in the Parliamentary and Governing Agreement to reach a 30 per cent urban tree canopy across Canberra.

Our environment is under threat like never before. The 2020 bushfires destroyed ecosystems and habitat for many of our native animals. Recent changes have added another nine new plants and animals to the vulnerable, endangered or critically endangered list. The Canberra grassland earless dragon is now considered critically endangered in the ACT, and the gang-gang cockatoo, mountain skink, southern greater glider, koala, and keys matchstick grasshopper are all endangered.

To care for our urban biodiversity sanctuary, we will be investing a further \$5.8 million into conserving and restoring Canberra's natural environment. It is going to make a difference, but it is not enough to meet the scale of the biodiversity crisis. With the future of 60 plants and animals hanging in the balance, we need immediate action to safeguard our natural environment. That is why my colleague the Minister for the Environment, Minister Vassarotti, has insisted on this package which will allow the ACT to take on the challenge of combatting invasive weeds and species which have flourished during the La Niña years. This package also includes habitat restoration for endangered flora and fauna, programs to address the widespread decline and biodiversity across the ACT, and funding to support the implementation of the Mulligans Flat Woodland Sanctuary Strategy.

The ACT Greens love that almost a third of our city's residents are born abroad, with even more of us having family overseas. Our city's diversity is what makes it strong, which is why the annual celebration of our National Multicultural Festival is so important. We are delighted to see a further \$3.3 million invested in the festival over the next three years.

I conclude by reflecting that Canberra is a growing city. As more people realise what a great place this is to live, we need to ensure our city responds to the needs of those who call it home. As a government, we need to ensure that we make the right choices for the people and for the planet as our city grows. Obviously, there is compromise and we do not get everything we want, but we are proud of the role we play in making Canberra the most green and progressive city in the country. Our work is far from done. We know many Canberrans are doing it tough. We need to take bold steps to address the growing inequality crisis. We need to address the systematic issues that are creating a growing divide between the rich and the poor, and we Greens are committed to doing that, both locally and federally.

This is a good budget. It has some great initiatives for Canberra. This budget will make the ACT kinder, greener and more resilient, with more investment in housing, investment in an all-electric city—the sustainability city of the future—well-insulated homes, justice reinvestment instead of prisons, tackling the root causes of crime,

nation-leading support for mental health, and millions invested in waterways and catchments, biodiversity and tree cover. These are the services and infrastructure Canberrans want.

On that basis, I commend the budget to the Assembly.

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

## **Appropriation (Office of the Legislative Assembly) Bill 2023-2024**

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

## **Select Committee on Estimates 2023-2024 Reference**

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

That the Appropriation Bill 2023-2024 and the Appropriation (Office of the Legislative Assembly) Bill 2023-2024 be referred to the Select Committee on Estimates 2023-2024 for inquiry and report by 18 August 2023.

## **Adjournment**

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

That the Assembly do now adjourn.

## **Education—learning difficulties**

**MR PETTERSSON** (Yerrabi) (5.49): I rise today to speak about the accommodations available for students with learning difficulties in ACT public schools. This issue has come to my attention because of the experiences of Jasmin, a work experience student who has joined my office this week and written this speech.

Learning difficulties are conditions that can cause an individual to experience problems in a traditional classroom learning environment. There are a broad range of learning difficulties that people can face—anything from ADHD all the way to dyslexia—and these difficulties are more common than most people would think. For example, most people do not know that dyslexia affects 10 per cent of the Australian population. Furthermore, attention deficit hyperactivity disorder, also known as ADHD, affects five per cent of Australians.

If we were to think about that in the context of college, a class may have up to 25 students. Considering the prevalence of both dyslexia and ADHD in the broader community, and noting that there are many other learning difficulties out there, three or so students in a class of 25 will have learning difficulties. To assist them with their education, there are assessment adjustments that these students can access. For example, during tests and exams students that have learning difficulties can get extra

time, a separate room to minimise distractions, a laptop to use in writing tasks, access to a scribe or note-taker, and even relief breaks.

Although these are great adjustments to have, I also believe that there are opportunities for improvements to be made to assist teachers in the classroom to better accommodate students with learning difficulties. The Teacher Quality Institute offers a range of accredited courses to support teachers with strategies on how to support different students. Many of the courses do not have any cost, which is great, and keeping these courses financially accessible is very important.

However, there are some issues. In one year, a teacher may decide to complete a course specialising in autism because they have a student with autism. The next year, if they have a student with dyslexia, the course they have completed on autism will not be relevant for the new student. The teacher would then have to do the dyslexia-specific course. Of course, it also takes a large chunk of time to complete these courses. Each of these courses can take around five to 10 hours to complete. That is a big commitment for a busy teacher.

The other issue is that the courses are very tailored to specific learning difficulties. This means that it is possible that some teachers could miss the opportunity to learn more about all of the different types of difficulties that they might encounter in the classroom because they are focusing on specific difficulties. The teachers do not have the time or the resources right now to do each and every specific course. So what is the solution? A short general professional development program on a broader range of learning difficulties could be developed to train and further educate teachers. This could involve a learning difficulty expert coming in to educate teachers on the many different ways that they can better cater for a spectrum of learning difficulties in the classroom.

For example, a common way of teaching in secondary education is to instruct students to read the textbook and answer questions. This method of teaching does not always work for people with dyslexia because of the high level of reading and writing involved in the task. Some people with ADHD may also struggle due to the focus needed to get through all of the content. Instead of writing answers, teachers could give students the opportunity to express their knowledge verbally and make the task more interactive.

A professional development program could be the place where teachers gain more strategies like this to add to their toolkit. Such a program would serve to increase the understanding between teachers and students with learning difficulties, as well as ultimately increase the number of accommodations available for these students in the classroom. Students with learning difficulties are capable. They just need a bit of extra support, and we should do everything we can to give them the opportunity to succeed.

I would like to thank Jasmin once again for writing this speech.

### **Youth—work experience**

**MRS KIKKERT** (Ginninderra) (5.54): Today I would like to share the incredible journey of a young woman who has been doing her work experience in my office. It is with great pleasure that I highlight Rachel Hough, a student from Melba Copland



Secondary School. Her dedication and enthusiasm have been remarkable. From the moment she stepped through our doors, it was evident that this young lady possessed a remarkable sense of ambition and a thirst for knowledge.

With each passing day she embraced work with unwavering determination, demonstrating maturity, which included researching developments in my electorate, Ginninderra, and helping to draft developments focusing on child care. Rachel also studied the Positive Behaviour for Learning program. She also researched projects on what domestic violence programs or organisations are being underfunded.

Throughout her work experience she displayed exceptional professionalism and a strong work ethic. Her eagerness to learn and her ability to adapt quickly have allowed her to take on responsibilities and excel in every task assigned to her.

This experience has been about not only her learning from us, but also us learning from her. She has reminded me of the importance of embracing fresh perspectives and nurturing the talents of the next generation. As she completes her work experience with us, I have no doubt that she will go on to achieve great things. Her determination, passion and commitment are the foundations upon which success is built.

To Rachel, a remarkable young woman, I want to express my sincere gratitude for the outstanding contribution you have made during your time in my office. Your dedication has left an indelible mark and we are confident that you have a bright future ahead. Congratulations on your achievements thus far, and I wish you nothing but continued success in all of your future endeavours, Rachel.

### **Sport and recreation—golf**

**MR DAVIS** (Brindabella) (5.56): A few weeks ago, I hosted in my office Jean, who was doing work experience. Jean was welcomed into my office to experience what happens in the office of a busy MLA, to see what happens here at the ACT Legislative Assembly. In her time with Team Davis, she wrote the following adjournment speech reflecting on her own experiences and her wish to share them on behalf of other young Canberrans. As such, I am incredibly humbled and proud to present this speech on Jean's behalf, with her incredible passion for young people and sport, particularly golf. I am reading this on Jean's behalf. Here is what she said about why young kids should play golf:

What is golf? Golf is a low intensity and non-contact sport that provides a wide range of benefits. Most young people think of golf as a stereotypical way old rich people will waste their money on sticks, but that is not the case. I grew up a sporty kid but I could never build a nice connection with teammates, and then I started playing golf. Of course it started out tough but I was willing to put in the effort and along the way I found a wonderful community of caring people who just wanted to see me succeed.

I am not going to get Johnathan to just talk about me, so I am going to state my point on why young kids should play golf and how we can encourage them to try. Firstly, sports are tied to self-esteem and when you chuck a bunch of kids who think they are all better than another person, it can really affect a child's self-esteem. Golf, on the other hand, provides a positive game where you are

competing against yourself rather than with a teammate. Our society's obsession with sports puts a premium on athletes and athleticism, which can inspire young athletes with an inflated sense of self.

But what does golf provide young kids? Golf promotes overall physical fitness and is a great introductory sport for kids to get involved in, getting them away from the endlessly available screentime of TV shows and video games and out in the fresh air. The physical skills they learn in golf such as hand-eye coordination can carry over and help them succeed in other sports and develop lifelong healthy exercise habits.

A suggestion on how to gain a younger audience for golf includes ads that have younger players to break the stereotypes that confine the sport. Golf courses are safe, positive spaces and the sport is gentle with little chance of major injury. Unlike other popular kids' sports such as soccer and AFL, where there is a higher chance of tackling injuries and concussions, golf is a relatively safe sport for kids to play.

Golf cultivates a love of nature. The game gets kids outside, breathing in the fresh air and enjoying the sunshine. All golf courses in Canberra are meticulously maintained and beautifully landscaped, allowing anyone who plays to enjoy the beauty of the trees and the flowers as well as a wide variety of birds and other animals that live in and around the course. Most golf courses in Canberra are implementing plans on preserving the wildlife and trying to use less water. For example, Murrumbidgee Golf Course has used couch grass which uses 80 per cent less water than standard grass.

Golf is also a great place for children to learn important social skills. Learning to be comfortable by themselves as well as working on the necessary skills to get along with others and build relationships can all come from playing golf. It is a great sport for the more introverted kids to play due to it being away from the hustle and bustle of the world. Additionally, golf can be played as a team sport, encouraging team spirit, relationship-building and healthy competition.

Golf fosters friendships. Any sport or club for kids can help them make friends, but the nature of golf especially encourages this aspect because golf can be played at an easy pace, you can generally carry on conversations easily while you play. That is why golf works so well for business meetings. Golfers commiserate with each other over a bad score, encourage each other as they go, and celebrate good scores together. Kids on golf teams often experience tight bonds and make lifelong friendships.

Golf builds business skills. This may sound funny, but golf does teach decision-making, etiquette, working with numbers and planning. Anyone who already knows the game has a leg up in the business world later, even if that is years in the future.

Do we want to live in a world of doubtful, over-achieving people or do we want to live in a world of community and peace? It is hard changing people's minds, especially young people, but with the help of the Legislative Assembly we can change their minds and we can create a better world if we just try.

That concludes Jean's speech. I want to thank Jean for her contribution to the ongoing conversation led in my office about young people and their eagerness to play sports here in the ACT. It is her perspective as a young person that brings fresh input to

these issues and underlines the importance for children and young people to be able to equitably and affordably access opportunities for grassroots community local sport, and I am pleased to put Jean's words into the Assembly.

### **King's birthday honours—Ginninderra recipients**

**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) (6.01): I would like to speak this evening about King's birthday honours awardees across my portfolio.

First, can I acknowledge Josh Rynehart and Emily Springett in Access Canberra for being awarded Public Service Medals for outstanding public service in leading Access Canberra's COVID-19 response. Josh's commitment to maintaining the operating environment of Access Canberra was an immense undertaking and one without precedent, allowing for rapid implementation, creation and modification to operational arrangements needed to meet the ever-changing conditions of the pandemic. As a direct result of Emily's work during the response, Access Canberra, delivery despite significant external impacts, maintained effective service that benefited our community, thanks to rapid innovation and her commitment to service. We sincerely thank them.

Peter Strong has been awarded an OAM for significant service to the small business sector and to the community, being recognised for his years of tireless efforts to advance the interests of small business and entrepreneurs nationwide, notably in his role as the CEO of the Council of Small Business Organisations Australia, and his commitment to community and business leadership as the owner and operator of Canberra's iconic Smith's Alternative Books.

Hiroe Swen has been appointed a Member of the Order of Australia for significant service to ceramic arts, as a teacher and an artist, being recognised for her role as an educator at the Canberra Institute of Arts and for community leadership as a founder of the National Women's Ceramic Artist Group in Japan, Bimbimbi Potter Study Group and Pastoral Gallery. This builds on Hiroe's many awards and achievements over decades.

Performer, conductor and educator Gillian Bailey-Graham has been awarded an OAM for her service to the performing arts, particularly through music, the violin and the viola, noting her long-term involvement with the ACT Chapter of the Australian Strings Association, as founder, president and committee member.

Penelope Grist has been awarded an OAM for service to community history and to the arts, recognising her service to the Canberra arts community through long-term involvement with organisations like Megalo Print Studio and Photo Access, as well as a collection manager and curator.

Ebenezer Banful has been awarded an OAM for his contributions to the African community and to health. Since coming to Australia from Ghana more than 30 years ago, Ebenezer has contributed to our community by improving understanding of African culture and values.

Mainul Haque has been awarded an OAM for service to the multicultural community of Canberra. He has led the development of the multi-million-dollar Gungahlin Mosque project in 2017 and has served on a large number of boards and councils, including the Multicultural Advisory Council.

Nishi Puri, who is known to many of us, has been awarded an OAM for service to the Indian community of Canberra. Mrs Puri has worked with the Multicultural Association of Canberra, launched here in the Legislative Assembly back in February 2021, and with GOPIO, and the India Australia Association of Canberra previously. She has made a vast contribution, including serving meals to the homeless, blood donation camps, workshops for mental health issues, seniors and women, and advancing multiculturalism.

Dean Sahu Khan has been awarded an OAM for contributions to the community and to interfaith relations. Mr Sahu Khan is Vice-Chair of Religions for Peace Australia and Chair of the Canberra Interfaith Forum. He won the Bluestar International (Interfaith) Award in 2012, and the ACT government's Volunteer of the Year award in 2016 for his work with the Fiji Australia Association of Canberra.

Dr Sunita Dhindsa has been honoured with an OAM for her exceptional service to the Indian community in the ACT, recognising her contributions in strengthening community ties, including as Inaugural Chair and Founding Member of the Council of Indian Federations of Australia, and President of the Federation of Indian Associations of ACT from 2019 to 2021.

Arun Venkatesha has been awarded an OAM for service to the Indian community of Canberra for a variety of roles, including Canberra India Council, Diwali Mela Inc, Australia India Business Council ACT Chapter, the India Australia Association of Canberra, and many more.

What is common among all of these people is their dedication to community and a level of service that is absolutely worthy of this recognition, and I warmly congratulate each of them.

## **Housing—demand**

**MR CAIN** (Ginninderra) (6.06): I would like to draw to the Assembly's attention the front page of last Saturday's *Canberra Times*. "Housing demand falls" was sprawled across the front page, along with quotes from the Chief Minister claiming that the Suburban Land Agency now have blocks for sale over the counter. Apparently, this is due to people not turning up to purchase their block on winning the land ballot, the odds of which draw ever closer to the odds of winning the lottery.

I want to contrast the Chief Minister's observations with the resourcefulness and investigation of a Mr Kent Fitch of Nicholls, who investigated the Chief Minister's claim and wrote the following as a letter in reply to that article. The letter is entitled, "Where is the land Andrew?". He said:

Encouraged by Andrew Barr's front-page comments, ("Housing Demand Falls", June 24, page 1)—

and quoting Mr Barr—

“We’ve found that even people who have registered for land ballots who won the ballot are not turning up to purchase their block ... there are now blocks for sale over the counter.”

Mr Fitch said:

I took his words at face-value and visited the Suburban Land Agency site.

I expected to find dozens of unwanted blocks from the recent Whitlam and Jacka ballots. There were none—the only “over the counter” blocks were two on the edge of Oaks Estate.

Canberra’s housing crisis seems to be a political game for the Chief Minister. On December 20, 1995, *The Canberra Times* reported 13,717 public housing tenancies. The city’s population was then about 305,000.

The June 30, 2022, ACT Housing report claimed that there were about 11,060 occupied public housing properties (including those managed by community service providers). The population last June was about 460,000.

This deflecting, disingenuous, disgrace of the government has presided over not just a relative per-person decline in public housing numbers, but an absolute decline.

In 1995, there were about 45 public houses provided per 1000 people, now there are just 24. That is the reason so many in our community are denied an affordable roof over their head.

The responsibility for Canberra’s public housing crisis sits squarely with the Labor/greens government.

It is very encouraging to have members of our community going to the trouble to look behind the misleading words that come out of this government—misleading words indeed by the Chief Minister as recently as last Saturday in the *Canberra Times*.

**Mr Steel:** A point of order, Madam Speaker. Mr Cain has now on several occasions used a word that is unparliamentary; he knows that very well, and he should withdraw that.

**MADAM SPEAKER:** Withdraw “misleading”. If you want to use that word, it should be in a substantive motion.

**MR CAIN:** Madam Speaker, I withdraw the word that the Chief Minister was—

**MADAM SPEAKER:** Just withdraw it, with no explanation or further commentary.

**MR CAIN:** I withdraw “misleading”.

Question resolved in the affirmative.

**The Assembly adjourned at 6.09 pm until Tuesday, 29 August 2023 at 10 am.**

## Schedules of amendments

### Schedule 1

#### Work Health and Safety Amendment Bill 2022

##### Amendments moved by the Speaker

1

Clause 4

Proposed new section 273A heading

Page 2, line 10—

*omit the heading, substitute*

**273A Relationship with Legislative Assembly**

2

Clause 4

Proposed new section 273A (2) and (3)

Page 2, line 15—

*insert*

- (2) Nothing in this Act limits any power, privilege or immunity given under the Self-Government Act, section 24 to—
  - (a) the Legislative Assembly; or
  - (b) a committee of the Legislative Assembly; or
  - (c) a member of the Legislative Assembly.
- (3) Without limiting subsection (2), nothing in this Act gives the regulator or anyone else exercising a function under this Act the power to improperly prohibit a proceeding of the Legislative Assembly or any of its committees.

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### Schedule 2

#### Financial Management Amendment Bill 2021 (No 2)

##### Amendments moved by Mr Cain

1

Clause 4

Proposed new section 126 (1), definition of *public sector entity*, paragraphs (c) and (d)

Page 3, line 1—

*omit*

2

Clause 4

Proposed new section 126 (2) (ba) to (bd)

Page 3, line 6—

*insert*

- (ba) an officer of the Assembly; or
- (bb) the Office of the Legislative Assembly; or
- (bc) the electoral commission; or
- (bd) the integrity commission; or

3

Clause 4

Proposed new section 127 (2), definition of *responsible chief executive officer*, paragraphs (c) and (d)

Page 3, line 17—

*omit*

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### Schedule 3

#### Financial Management Amendment Bill 2021 (No 2)

Amendments moved by the Minister for Industrial Relations and Workplace Safety

1

Clause 4

Proposed new section 128 (1)

Page 4, line 4—

*omit*

the public sector

*substitute*

a public sector entity

2

Clause 4

Proposed new section 128 (3)

Page 4, line 8—

*omit proposed new section 128 (3), substitute*

(3) A determination is a disallowable instrument.

3

Clause 4

Proposed new section 129 (2), new example

Page 4, line 17—

*insert*

**Example**

services or works provided by the entity known as the Office of the Commonwealth Ombudsman (see *Ombudsman Act 1976* (Cwlth), s 4A)

4

Clause 4

Proposed new section 129 (3)

Page 4, line 20—

*omit*

by the public sector

*substitute*

by a public sector entity

5

Clause 4

Proposed new section 129A

Page 5, line 1—

*omit*

## Questions without notice taken on notice

### Centenary Hospital for Women and Children—Obstetrics and Gynaecology Unit

**Ms Stephen-Smith** (in reply to question and a supplementary question by Ms Castley and Mr Hanson on Wednesday, 7 June 2023):

1) The substantive Executive Director, Women, Youth and Children is currently working in the Northside Hospital Transition team. There has continued to be an Executive Director leading the Division through this time. The Acting Executive Director and the Chief Operating Officer have been engaging with RANZCOG as part of the accreditation process.

2)

a. Staffing shortages continue to be a challenge. This is partly due to retirement, individuals voluntarily reducing working hours and the well-known national skill shortage. Recruitment of registrars and fellows remains challenging as successful candidates tend to preference their choices to the bigger cities, however recruitment of senior medical staff has been more successful and locum doctors have been engaged to cover the shortfall.

Midwifery staffing still faces shortfalls due in part to the national shortage of midwives and agency midwives have been engaged to provide coverage of shortfalls.

b. The below numbers do not include those that have been recruited but had not commenced as at 31 May including further senior medical officers and a senior sonographer.

	Staff recruited 1 June 2022 – 31 May 2023
Senior Medical Officers	4
Nursing/Midwifery	19
Junior Medical Officers	9
Health Professional Officers	0
<b>Total</b>	<b>32</b>

3) The table below provides the number of Women, Youth and Children staff who have left and/or taken leave between 1 June 2022 and 31 May 2023.

Staff Type	Number of staff who have left (Resignation/Retirement/End of Contract)	Number of staff who have taken leave*
Senior Medical Officers	2	13
Nursing/Midwifery	35	247
Junior Medical Officers	14	36
Health Professional Officers	5	8
<b>Total</b>	<b>56</b>	<b>304</b>

\* all leave types – excluding accrued days off – noting that staff are encouraged to access leave regularly as in all areas of CHS



- 4) No staff have been transferred to the Transition team directly from clinical teams. There are three experienced clinical executives in the team who have been backfilled. An additional five people in the team have clinical backgrounds.

### **Government—human resources and information management system**

**Mr Steel** (*in reply to a question and a supplementary question by Mr Cain on Wednesday, 28 June 2023*):

The business cases associated with the HRIMS Program are Cabinet-in-confidence.

The HRIMS Program Project Management Plan dated 17 September 2019 is provided at Attachment A.

*(A copy of the attachment is available at the Chamber Support Office.)*

### **Housing ACT—asset stock**

**Ms Berry** (*in reply to a question by Ms Clay on Wednesday, 28 June 2023*):

Since the commencement of the Assembly Term (17 October 2020) to 30 May 2023, the *Growing and Renewing Public Housing Program* sold 390 public housing dwellings for \$338.8 million. After discounting for transactional costs, such as a solicitor's fees or sale-agent's fees, total revenue from these sales totals \$330.9 million.

### **Housing ACT—asset stock**

**Ms Berry** (*in reply to a question by Mr Davis on Wednesday, 28 June 2023*):

Between October 2020 and June 2023, the *Growing and Renewing Public Housing Program* has purchased 98 dwellings from the market via spot purchases or the Expression of Interest process. However, since the commencement of the Program in July 2019, 131 properties have been purchased.

Expenditure on the 98 purchases (October 2020 to June 2023) total \$54.1 million, or \$83.2 million for the 131 dwellings acquired since the start of the Program (July 2019 to June 2023).

### **Government—human resources and information management system**

**Mr Steel** (*in reply to a question and a supplementary question by Mr Cain and Mr Hanson on Thursday, 29 June 2023*):

Under the *'Provision of Change and Communications Services for the HRIMS Program'* contract scope of work, the supplier was to complete an initial discovery and review of the current change management landscape including stakeholder analysis - report on key insights, identify problems and recommend remediations. This work was presented to the Steering Committee in November 2021.

A key piece of work identified in the review of the current change management landscape was the need for a Future State Operating Model if the Program was to recommence and move forward successfully.

Under the contract variation, the service requirements for the Future State Operating model were to be delivered to support the business change transformation and implementation readiness aspects of the Program. This was an important step to enable the Program to recommence.

Whilst some of the work was completed after the HRIMS Program paused with the intention to recommence, some aspects of the work will be reused as part of the new program funded in the 2023-24 Budget.

With regards to the number of quotes sought for this contract, I am advised that the contract was a single-select contact. A Single Select approach exemption for the contract, under section 10(2) of the *Government Procurement Regulations (2007)*, was approved by the then Under Treasurer.

The Single Select was approved on the following grounds:

- a. Senior, experienced and specialised expertise were required immediately to lead the HRIMS change management program of work and associated milestones, and to review these in parallel with the communication and change approach going forward, and ensure no further slippage to schedule;
- b. A public approach to market would result in further delays and additional cost to the program;
- c. There are limited specialised suppliers of communication and change management services who also have HR systems and specific SAP implementation experience. The supplier had demonstrated their experience and industry knowledge through the successful delivery of similar specialised services to NSW and Federal government SAP implementations; and
- d. The supplier was able to commence work immediately.

## **Government—human resources and information management system**

**Mr Steel** (*in reply to a question by Mr Cain on Thursday, 29 June 2023*):

### Advertising Costs

The total advertising costs recorded against the HRIMS Program to 30 June 2023 was \$4,900.98.

Advertising expenses related to recruitment advertising costs and internal promotional material.

### Hospitality Costs

The total hospitality costs recorded against the HRIMS Program to 30 June 2023 was \$2,111.81, however on review it has been confirmed that all items posted to the hospitality account did not meet the definition of hospitality.

Of the five items recorded against hospitality incorrectly, four related to catering for working meetings and one related to stationery expenses.

The correct total hospitality cost against the HRIMS Program to 30 June 2023 was \$0. The definition of hospitality provision under CMTEED Gifts and Hospitality Policy is:

#### **2.5.1 What constitutes hospitality?**

For the purposes of this policy, hospitality includes the provision or receipt of food or drink in the form of free or discounted goods or services, or attendance at external events.

The following are **not** considered hospitality under this policy and do not have to be recorded on the register:

- Light refreshments during a meeting for the purposes of transacting official business;
- Light refreshments and light lunch during an all-day meeting or training course;
- Light refreshments during a half day training course; and
- Functions where staff have provided the catering, for example section morning teas where staff bring the food.

Light refreshments or lunches include non-alcoholic drinks and other foods not considered meals. For example: tea, coffee, fruit, biscuits, sandwiches, wraps, scones etc. It does not include alcohol.