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**Thursday, 31 August 2023**

**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.

## **Payroll Tax Amendment Bill 2023**

### **Ruling by Speaker**

**MADAM SPEAKER:** Members, before we commence the business of today's sitting, I wish to make a statement in relation to the Payroll Tax Amendment Bill 2023.

The bill was introduced on Tuesday, 30 August by Ms Lee MLA. As stated in the explanatory statement for the bill, the intent of the legislation is:

... to exempt wages paid to general practitioners (GPs) under a relevant contract from ACT payroll tax ...

The bill does not contravene the provisions of standing orders 200 or 201, as it is not a proposed enactment for the appropriation of public money. However, as members are probably aware, the Assembly passed a resolution on 23 November 1995 that stated:

That this Assembly reaffirms the principles of the Westminster system embodied in the 'financial initiative of the Crown' and the limits that initiative places on the non-Executive Members in moving amendments other than those to reduce items of proposed expenditure.

That resolution was moved, debated and agreed to prior to the resumption of consideration of the Appropriation Bill 1995-1996 at the detail stage. The debate on the matter raised broad principles of importance relating to the financial initiative of the Crown and its application to the territory's system of government. It is now standing order 201A.

It is fair to say that the Assembly moved to embody more formally, through the resolution, the doctrine of the financial initiative of the Crown in anticipation of a number of amendments to the appropriation bill that had been foreshadowed by private members. With the resolution having been passed, later that day the Speaker ruled that the amendments were out of order on the basis that they offended the recently passed resolution.

The precise limits of the 1995 resolution have not, to date, been tested, particularly in relation to the constraints that it imposes on non-executive members' capacity to initiate or amend revenue legislation. Some members will recall that in 2018 I ruled that the Land Tax (Community Housing Exemption) Amendment Bill 2018 encroached on the financial initiative of the Crown, when considered in its broader sense.

Based on standing order 201A, and on standing order 275, which directs me to the prevailing practice of the *House of Representatives practice*, and as provided for in its standing order 179, I therefore rule Ms Lee's bill to be out of order.

Standing order 170 states that every bill not prepared according to the standing orders shall be ruled out of order by the Speaker and withdrawn from the notice paper. Accordingly, I advise the Assembly that Ms Lee's bill will be withdrawn from the notice paper. Consequently, the Standing Committee on Public Accounts, to which the bill had been sent, will no longer need to consider the bill.

For the information of members, I table a copy of the Clerk's advice on the matter:

Payroll Tax Amendment Bill 2023—Copy of Clerk's Advice to the Speaker, dated 30 August 2023.

### **Dissent from Speaker's ruling**

**MS LEE** (Kurrajong—Leader of the Opposition) (10.04), by leave: I move:

That the Speaker's ruling in relation to Payroll Tax Amendment Bill 2023 be dissented from.

Thank you, Madam Speaker, and thank you for ruling on this issue in this sitting period. We have, of course, given some consideration to this, as it was anticipated in media by the Minister for Health. It is absolutely clear, Madam Speaker, despite your reference to the bill that was brought by Mr Parton in 2018—when you made that ruling in relation to non-executive members and their ability, or right, to bring bills in relation to taxation and appropriation—that, at that time, that was based on advice that was provided by the Clerk on the basis that while it did not contravene standing order 200, there was no precedent for it in this house.

In the second *Companion to the standing orders*, which was published with great fanfare and celebrated by everybody in this chamber, it clearly says that further analysis absolutely clearly indicates that there have been precedents in this house. In fact, there were two occasions when bills were brought by non-executive members that had the potential to impact on taxation and the potential to impact on appropriation, and on both those occasions there was no objection raised by the then-Chief Minister, Jon Stanhope, and debate was allowed. There was no objection raised about the bills being out of order, and so, on that basis—the fact that there have been very clear precedents in this house—I would submit to you, Madam Speaker, that you are not required to go further and look at the House of Representatives standing orders.

The fact is that our standing orders are pretty clear and talk about the limitation of non-executive members in bringing bills that would increase the appropriation. My bill, I would submit, in fact, effectively, may have the opposite effect. And it is very clear in our standing orders. While it has been, of course, a practice in this house for you to rely on the House of Representatives standing orders in the event that our standing orders are not clear, I would submit to you, Madam Speaker, that that is not the case here. The reason, in this instance, that my bill is different from the bill that Mr Parton brought is, basically, because your advice at that time was informed by the advice you received from the Clerk that there was no precedent in this house.

Further analysis that has now been confirmed and published by the second *Companion to the standing orders* clearly disputes that, because it clearly states that further analysis shows there were two occasions in which non-executive members brought and introduced legislation into this chamber which touched upon taxation and appropriations. There was no instance of any objection from the governing party, including the Chief Minister at the time, Jon Stanhope, to rule that out of order, and indeed, it was not ruled out of order by the Speaker at the time.

Given that your ruling on Mr Parton's bill in 2018 was based on: (1) a lack of precedent in this house on non-executive members bringing bills touching on taxation; and (2) because, in your own words, our standing orders were not clear on it and you were required to seek extraneous material in the form of a House of Representatives standing order, I would submit that this is a different set of circumstances.

Now, we are all aware that there were two occasions: two precedents set by this Assembly. Madam Speaker, you did not have the benefit, at the time, of those two precedents, which we now know, as confirmed by the published second *Companion*, occurred in this house. That is why I would submit that, with respect, I move to dissent from your ruling, because there are certainly differences in the reasons. We all understand why you made that ruling back in 2018, but in light of the new information that we all have the benefit of, these are different circumstances. I submit that my Payroll Tax Amendment Bill should not be ruled out of order.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (10.10): Thank you, Madam Speaker; of course, your ruling should be upheld. Not only are there the matters associated with our own standing orders, but there is the territory self-government act as well. I have been clear on multiple occasions that should non-executive members seek to encroach upon the territory self-government act, the government would instruct the Government Solicitor to challenge that in court. We have very clear advice in relation to these matters.

The one issue that I will agree on with the Leader of the Opposition in this regard is that it would better if our standing orders explicitly removed any ambiguity in relation to this matter, to be consistent with both the territory self-government act and House of Representatives practice, and the historical precedent within this place: that non-executive members cannot seek to seek to appropriate public money or, through taxation amendment bills, reduce the territory's capacity to generate revenue. That is the principle that is at stake here. It is a very important principle under the Westminster system, as you have alluded to in your advice to this chamber.

I think we ought to settle this matter once and for all and not go through this debate every single time the opposition wishes to disagree with the government on a tax matter and bring forward private members' legislation. In addition to the elements that have been touched upon in this debate, the retrospective application of Ms Lee's private member's bill, going back to 2011, also sets an extraordinary precedent in relation to taxation administration in the territory that the government simply cannot support.

Madam Speaker, if I could be so bold today, I think that this matter should be referred to the administration and procedure committee for a future amendment to the standing orders of this place to make crystal clear that the sort of activity that the Leader of the Opposition is proposing is entirely out of order, inconsistent with Westminster practice, inconsistent with the self-government act of the Australian Capital Territory and inconsistent with more than 30 years of history in this place.

Your ruling should be upheld. These sorts of stunts should never occur again, Madam Speaker, and it is up to this place to put an end to it by changing our standing orders to make it absolutely clear to no longer put the Speaker in the position that you have been placed in by this political stunt.

**MR PARTON** (Brindabella) (10.13): I think the most important aspect of this debate has been very clearly outlined by Ms Lee, and that is precedent: there has been not just one occasion but two occasions when Mr Mulcahy, as I understand it, brought forward bills that would have adjusted taxation, and those bills were debated. They were debated. Precedent has been set, and this place was mature enough and robust enough to have a debate in here to decide those matters.

And now your ruling, respectfully, Madam Speaker, seems to, again, just shift the responsibility back to those House of Representatives standing orders. It is not in a comedic way when I say that it is almost tantamount to a territory rights argument, in that this chamber—

**Ms Cheyne:** Lecture us about it! Go on!

**MR PARTON:** Territory rights when it suits you but not when it does not! This chamber has, on not one occasion but on two occasions, been mature enough and robust enough to debate bills of this nature without a squeak from Jon Stanhope, the Chief Minister at that stage, who was mature enough to have the debate. On the basis of those two incidents of those two precedents that have been set, I think it is abundantly clear that we should, as an Assembly, have the ability to debate this matter.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (10.15): This has obviously come as an unexpected discussion this morning, and I think it is a complex issue. We will not be supporting the dissent motion this morning, because we believe, Madam Speaker, that you have interpreted the standing orders as they are currently understood. On that basis, we will not be supporting a dissent from the Speaker's ruling.

Nonetheless, this issue does need to be resolved. We cannot continue to have this debate every single time this comes up. My understanding is that this is sitting with the administration and procedure committee, and we think that there is a fair debate to be had there. The Greens are supportive of private members being able to come to this place and raise issues. We do not necessarily think that there is an issue here—

**Mr Hanson:** Clearly, you're not!

**Ms Lee:** Then support it. You're shutting it down!

**MADAM SPEAKER:** Members! Allow him to speak, please.

**MR RATTENBURY:** You will have your chance in a minute, Ms Lee. I know that you like to talk all the time! Mr Hanson just cannot help himself, but that is a different discussion.

**Ms Lawder:** On a point of order, Madam Speaker. Is there the need for personal reflection on Mr Hanson, who has not even been part of this debate?

**MADAM SPEAKER:** It is difficult for me to make a ruling in a debate on dissent against my ruling, but I ask everybody to please remain calm, to cease the interjections and to let the debate play out.

**MR RATTENBURY:** The point I was making before Ms Lee just started shouting her opinion at me was that we will not be supporting the dissent motion; but we are open to this Assembly working together to resolve this question outside of reflecting on the Speaker, who we believe is interpreting the standing orders as they are currently understood.

The administration and procedure committee has had this issue on their agenda. It has not been resolved, as I understand it. If the Liberal Party are unhappy with this position, then let's get on with that work. There is an opportunity to sort this out. Ms Lee can seek a suspension of standing orders later to bring the bill back, if the Assembly agrees that is how we want to proceed. We need to resolve this issue, not reflect on the Speaker through a dissent motion, because we believe she is applying the rules as they are currently interpreted. That is how we intend to proceed with this vote today.

**MADAM SPEAKER:** Ms Lee, to close?

**MS LEE** (Kurrajong—Leader of the Opposition) (10.17), in reply: Thank you, Madam Speaker. Obviously, we have literally just received the advice that you have just circulated. I am drawn, however, to the second final paragraph in the advice, which says:

The Assembly is the master of its destiny on these questions ...

There is no doubt that when the Chief Minister spoke against my motion, he did not speak about precedent. The fact is, as Mr Parton outlined, there has been precedent. In

fact, the Clerk, in his advice in paragraph 17, spoke about other examples—even more examples than the two that, obviously, were referred to in the updated *Companion*. So, not only are there the two examples that we found and referred to in this debate that are contained in the updated *Companion*, but there are others as well—in fact, double the number. The fact that the Chief Minister was saying, “Oh no, it doesn’t happen in this place,” clearly is not correct. There are examples—even more than the ones that we referenced and have been captured in the updated *Companion*. There are double the number that we referred to. There clearly is precedent, so on that point, he is, clearly, factually wrong.

Both the Chief Minister and the leader of the Greens have said, “Alright, you know what? It needs to be looked at.” The same was said when Mr Parton brought his bill in 2018—that it “should go to the admin and procedure and needs to be looked at”. That it has not been looked at clearly indicates that it is not a settled matter that there is no precedent, and that “this should not happen” and that “this is not how we do things in this place”. It has been characterised by the Chief Minister in the most erroneous manner. It is contained in the advice that you have received, Madam Speaker:

The Assembly is the master of its destiny on these questions ...

There is no question about that.

*Mr Barr interjecting—*

**MS LEE:** Are you going to talk about that, Mr Rattenbury? The interpretations there—the interruptions?

**Mr Rattenbury:** I don’t have the floor.

**MS LEE:** There is no doubt that there has been precedent in this chamber, when we, as a parliament, have been mature enough, and when the government of the day had enough backbone to say, “You know what? Let’s debate the substance of the issue with the bills that have been brought into this place in good faith and go through the genuine processes to provide scrutiny and transparency.” For the Chief Minister to call this a stunt is rich, given absolutely everything this government goes through to escape transparency and scrutiny by bringing in laws by stealth. That is absolutely rich! The fact that the Labor and Greens members will not even—

*Members interjecting—*

**MADAM SPEAKER:** Members, please!

**MS LEE:** The fact that they will not even allow this to be debated in a public forum speaks volumes about their entire attitude to governing in the territory. That is the real question here. Madam Speaker, again, respectfully, I will uphold my motion to move dissent from your ruling. There is no doubt that there is clear precedent in this house made by the decisions of the members before us, who had the privilege to sit right here, and that exists.

I would submit that not only would it be a disservice to the members—every single member in this chamber—for you not to move on your decision, but it would be a

disservice to this institution if you were to now set a precedent that, in the event it is not clear in our standing orders, then you would move to the House of Representatives. If you have a look at our standing orders, it is very clear.

Yes, we acknowledge, and have always acknowledged, that there are limitations on non-executive members bringing bills that would seek to increase the appropriation. We have accepted and spoken about that publicly. This is not what my bill does. It is not what my bill seeks to do. Given that there is clear precedent, which has been outlined very clearly in paragraph 17 of the advice that you have received from the Clerk, I urge you, Madam Speaker, to reconsider and uphold the ACT Legislative Assembly's ability to decide on these matters.

Question put:

That the Speaker's ruling in relation to Payroll Tax Amendment Bill 2023 be dissented from.

The Assembly voted—

Ayes 9

Noes 16

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

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

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

Question resolved in the negative.

## **Sentencing (Drug and Alcohol Treatment Orders) Legislation Amendment Bill 2023**

**Mr Rattenbury**, pursuant to notice, presented the bill, its explanatory statement, a Human Rights Act compatibility statement and the following paper:

Statutory Review Report—Drug and Alcohol Sentencing List Provisions—  
Justice and Community Safety Directorate, dated August 2023.

Title read by Clerk.

**MR RATTENBURY** (Kurrajong-Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (10.26):  
I move:

That this bill be agreed to in principle.

I am pleased to present the Sentencing (Drug and Alcohol Treatment Orders) Legislation Amendment Bill 2023 to the Assembly and also to table the report on the



Statutory Review of the Drug and Alcohol Sentencing List. The government made a commitment in the 9th Parliamentary Agreement to establish a Drug and Alcohol Court as part of the goal to reduce recidivism by 25 per cent by 2025. This bill meets this important commitment by amending the legislative framework for the Drug and Alcohol Sentencing List to support the improved delivery of justice and health outcomes for people whose crimes are primarily the result of drug or alcohol addiction.

This bill is a part of this government's broader strategy to promote restorative justice and build communities, not prisons. Through the efforts of our judiciary, community services, health agencies and advocates we can prevent crime by working to improve the lives of individuals and their families. By treating addiction as a health priority, we aspire to break the cycle of criminality and improve the health and safety of Canberrans.

A report of an independent evaluation of the Drug and Alcohol Sentencing List was published by the Australian National University last year. This evaluation made preliminary findings that the Drug and Alcohol Sentencing List has been highly effective in reducing reoffending and promoting positive health, relationships, employment and quality of life outcomes. A preliminary economic assessment of the Drug and Alcohol Sentencing List also found that up to \$14 million is estimated to have been saved by the program due to the reductions in prison time, likely more than offsetting the cost of the program itself.

However, the evaluation of the Drug and Alcohol Sentencing List also identified certain areas for legislative reform. A statutory review of the Drug and Alcohol Sentencing List provisions was conducted alongside the development of this bill, and the report of this review is tabled alongside this bill. The review found that, while the Drug and Alcohol Sentencing List provisions are operating effectively overall, some areas of the law require amendment. These include issues surrounding eligibility criteria for treatment orders, the backdating of treatment orders and the ability of the court to extend the period of custody when a participant has breached their treatment order. These issues have been addressed in this bill.

However, some areas of reform will require further consideration. The review makes three recommendations for further consultation and policy work to be done. First, the review recommends that further consideration be given to expanding the range of court-based treatment options for people with shorter sentences, which would particularly benefit women. The government made a commitment in the government response to the Australian National University's evaluation to consider this proposal as part of the review.

This proposal is addressed, to an extent, by an amendment in the bill to expand the eligibility criteria for treatment orders to allow more people with shorter sentences to be eligible for the Drug and Alcohol Sentencing List. However, more work will need to be done to explore further court-based treatment options, and the review recommends that further consultation and policy work be done with a view to legislative reform as required.

The review also makes two recommendations for further consideration to be given to two proposals which have not been addressed in the bill. The review recommends

consideration be given to allowing matters from the Drug and Alcohol Sentencing List to be referred to and from the Magistrates Court and for the definition of “sentencing orders” to be expanded. As these proposals may have implications that extend beyond the Drug and Alcohol Sentencing List, the review recommends that further policy work and consultation be done to address these issues with the aim of further amending the Drug and Alcohol Sentencing scheme as needed.

The achievements of the Drug and Alcohol Sentencing List are matched by the continued funding and support that the program has received. The government committed \$8.4 million in the 2023-24 budget to expand the capacity of the Drug and Alcohol Sentencing List by 20 per cent, from 35 to 42 participants. This funding has increased the resources available to the dedicated people within our government and community services to continue delivering better outcomes for our people and our justice system. A further \$27 million in funding has been provisioned over the next few years to support the achievement of our shared goals.

By improving the operation and administration of the Drug and Alcohol Sentencing List, this bill will support this expansion and continuation of the program to deliver tangible, people-focused results for Canberrans. The Drug and Alcohol Sentencing List focuses on a particular cohort of people whose dependencies have resulted in detrimental outcomes for themselves, their families and our broader community. To date, the Drug and Alcohol Sentencing List has provided 85 people with the opportunity to address their addiction, break the cycle of offending and lay the groundwork for a positive future.

The bill expands the eligibility criteria for the Drug and Alcohol Sentencing List to give more people the opportunity to be assessed for a Drug and Alcohol Treatment Order. The current eligibility criteria require a person to be sentenced to imprisonment for an indictable crime for between one and four years. The bill expands the eligibility criteria by allowing people who have multiple sentences totalling one to four years’ imprisonment to enter a treatment order, even when no individual sentence meets the one year minimum threshold.

This will allow people with lower level offending to become eligible for the Sentencing List, which will benefit vulnerable groups, including women, who typically serve shorter sentences. This amendment gives effect to the findings of the review and addresses the recommendation that consideration be given to expanding the range of court-based treatment options for people with shorter sentences.

A current feature of the Crimes (Sentencing) Act is that sentences that are fully suspended cannot be backdated. As a treatment order requires the court to fully suspend a participant’s sentence, participants have not been able to receive the benefit of having time served in presentence custody considered by the court when handing down their sentence. The bill rectifies this issue by allowing the court to partially suspend the treatment order from the day of sentencing to allow the court to backdate the order to account for time served in presentence custody. This amendment arose out of the findings of the review and will result in more fairness for the offender and promotes the rights to liberty and freedom of movement.

Not only does the bill improve the ability of the treatment team to manage treatment orders, it also increases the flexibility of the court to deal with breaches of treatment

orders. Where a participant has breached their treatment order, other than by committing an offence, the bill allows the court to make an order requiring the participant to undergo an assessment for admission to a residential rehabilitation program and, if found suitable, participate in that program.

The bill also allows the court to order the participant to comply with any other condition as appropriate and consistent with the sentencing and sentence administration acts. This amendment supports the right to life, as it facilitates the ability of participants to enter rehabilitation, supporting their recovery from drug and alcohol abuse.

The court is also able to deal with a breach of a treatment order by requiring an offender to return to custody for a three to 14 day period. However, the review found that this 14 day limit has resulted in matters where the court has sought to have participants admitted to a residential rehabilitation facility but no placements were available within the 14 day period, resulting in the cancellation of those participants' treatment orders.

The review found this has limited the right of participants, as it limits their ability to access treatment for their dependencies and requires that they serve the remainder of their sentence in full-time detention. This bill addresses this issue by allowing the court to extend the length of time that a participant spends in custody, to allow the treatment team more time to seek rehabilitative options for that participant. While this amendment may require a participant to spend more time in custody in the short-term, it reduces the risk of cancellation, overall supporting participants' rights to life and liberty.

The current legislation provides that a participant will breach their treatment order if they are convicted of an offence resulting in a sentence of imprisonment. It is unclear in the legislation whether a participant who commits an offence prior to the making of their treatment order, but who is sentenced to that offence during their order, will have breached their order. The bill clarifies that a participant with historical offences that predate the treatment order will not be considered to have breached the order. The clarification of this aspect of the law will result in more fairness to participants and provide the court with more discretion to deal with sentences that result from those historical offences.

The current legislation requires the court to cancel a participant's treatment order if the participant has been convicted of an offence resulting in a sentence of imprisonment. Once the treatment order is cancelled, the participant is required to return to full-time imprisonment for the remainder of their sentence. The bill expands the flexibility of the court to deal with such breaches by allowing the court, when cancelling a treatment order, the opportunity to resentence the offender for each offence under the treatment order. This allows the court to make a wider range of orders for the offender, other than automatically imposing a sentence of imprisonment.

I am pleased to say that the bill being introduced today is a human rights compliant bill. The bill supports the right to life, the right to liberty and security of person and the right to freedom of movement. The bill improves the operation and effective administration of the Drug and Alcohol Sentencing List and will support the

government's ability to deliver positive outcomes for individuals, their families and the Canberra community. I commend the bill to the Assembly.

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

## **Administration and Procedure—Standing Committee Report 9**

**MS BURCH** (Brindabella) (10.37): I present the following report:

*Administration and Procedure—Standing Committee—Report 9—Report on the conduct of Mr Cocks MLA, dated 31 August 2023, together with a copy of the extracts of the relevant minutes of proceedings.*

**MS LAWDER** (Brindabella) (10.38), by leave: I move:

That the report be adopted.

Question resolved in the affirmative.

## **Report 10**

**MS BURCH** (Brindabella) (10.38): I present the following report:

*Administration and Procedure—Standing Committee—Report 10—Review of the Standing Orders and Continuing Resolutions of the Tenth Assembly (2 volumes), dated 29 August 2023, together with a copy of the extracts of the relevant minutes of proceedings.*

**MS LAWDER** (Brindabella) (10.38), by leave: I move:

That recommendations 1, 2, 5, 6 and 7 of the report be adopted with effect from 9 October 2023 and that recommendations 3, 4, and 8 to 11 of the report be noted.

Question resolved in the affirmative.

**MS BURCH** (Brindabella) (10.39): Thank you members and can I thank the members of the Standing Committee on Administration and Procedure for working through the review of standing orders.

## **Executive business—precedence**

*Ordered that executive business be called on.*

## **Appropriation Bill 2023-2024**

[Cognate bill:

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

## **Detail stage**

Schedule 1—Appropriations—Proposed expenditure.

Chief Minister, Treasury and Economic Development Directorate—Part 1.5.

Debate resumed from 30 August 2023.

**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) (10.40): I support this element of the Appropriation in my capacity as Minister for Business and Better Regulation, Minister for the Arts and Assistant Minister for Economic Development.

This budget continues to deliver on our economic diversification strategy, creating more secure local jobs and continuing to see wages growth, while also being the fastest growing jurisdiction in Australia. The proof that our strategy is working is apparent in the statistics. Between July 2019 and June 2023 the number of businesses in the ACT grew by 21.2 per cent, the highest percentage growth of all jurisdictions and well above the national average. There are now more than 35,000 businesses in the ACT that contribute approximately \$18 billion to the annual sales and service income of the territory.

This budget recognises the significant economic and community benefit that our local business owners and operators bring to the territory, with private enterprise representing a critical part of the ACT's diverse economy. We also understand the challenges that businesses are facing, including rising costs, disrupted supply chains and workforce shortages.

Making things simpler and easier gives business owners more time to work on their business, thereby fuelling innovation and growth. This year's budget commits \$150,000 each year, indexed, for two years to continue delivery of the Canberra Business Advice and Support Service, or CBASS, to support small to medium enterprises. The CBASS provides free business advice and coaching to support business owners in making good decisions. The service provides tailored guidance across a range of business issues and can refer to specialist providers when needed. The service has assisted more than 950 local SMEs since it was established in 2020.

Our budget commits funding for the government to deliver a small business expo for the ACT and surrounding region. The expo will offer support and networking opportunities for local small to medium enterprise businesses, as well as linking businesses to potential ecosystem supports and our government agencies.

Funding has also been provided to expand the Better Regulation Taskforce so they can continue the excellent work that they have delivered to date. This funding continues to support a comprehensive program of industry engagement to inform the night-time economy review and will also provide rich data on the impacts of regulation and the reforms that we have been undertaking, including through a sentiment survey and additional journey mapping.

Building on the financial commitments in this year's budget, I recently released the ACT Small Business Strategy 2023-26, which includes more than 50 actions to help small businesses start, operate, innovate and grow. The strategy reflects the many

conversations and consultations with small businesses, peak bodies and industry leaders over the past three years and responds with measurable actions—a strategy informed by direct and meaningful engagement.

The strategy has five priority areas: improve the business experience when dealing with government; support for businesses to start, operate, grow and innovate; showcase and promote local small business; future proofing small business; and a one-government approach to small business.

We know that the one thing all small business owners and managers need more of is time. Access Canberra is focused on giving small businesses back time by making interactions with government better, faster and simpler. Access Canberra supports a safe and liveable city as the front door to ACT government, serving Canberrans throughout their lives. We strive to give Canberrans back time by providing connected, easy to use services and transactions, regardless of the service channel chosen: online, by phone or in person.

This budget provides additional funding to strengthen Access Canberra's ability to provide responsive regulatory activities and services that positively impact the lives and wellbeing of all Canberrans. The funding made available in this year will maintain timely access to public services such as improvements in the processing of occupational licences; developing future capabilities in the medical monitoring of licensed drivers; identifying and implementing service efficiencies; and ensuring Access Canberra can pursue new regulatory enforcement actions when necessary.

Investment in Access Canberra's digital services will strengthen the security of the community's financial information when they transact with Access Canberra and begin the process of modernising the disparate occupational licensing systems, which will make it easier to do business in the ACT, improve the regulatory efficiency of Access Canberra and increase the security of digital interactions.

In response to Coronial recommendations that support road safety and will help reduce road fatalities, resources have been provided to Access Canberra and the Fitness to Drive Medical Clinic at the Canberra Hospital to introduce and administer periodic health assessments for heavy vehicle drivers. Funding has also been provided to Access Canberra for the design of integrated digital services to connect health professionals undertaking health assessments to government in the future. These improvements will significantly improve efficiency and ensure that vulnerable drivers, such as those with complex medical conditions or older workers, are assessed and processed in a timely manner.

Within CMTEDD, artsACT leads the work in delivering our government's ambition to be recognised as Australia's arts capital. The ACT government provides recurrent funding of over \$10 million annually to the ACT Arts Fund, and this funding is provided directly to support arts organisations, artists and arts workers. Public art is one of the most accessible and powerful visual ways of expressing Canberra's identity and values, and our collection should reflect the makeup of our community. It is important that women, young girls and those who identify as non-binary are able to see themselves reflected through the government's public art collection. In this budget we are investing \$300,000 to commission a second major public artwork that

celebrates a significant woman or gender diverse, non-binary individual by an artist or artists who are women or gender diverse or non-binary.

This builds on the government's recent budget commitment of \$200,000, which has enabled the commissioning of a figurative artwork that will recognise the extraordinary achievements of the Honourable Susan Ryan AO. The budget also continues significant projects such as the Kingston Arts Precinct, upgrades to the Gorman House Arts Centre and the Tuggeranong Arts Centre theatre upgrades, as well as the Canberra Theatre Centre project, which I will speak to at a later stage in this debate.

In closing, Madam Speaker, the ACT has a strong and resilient economy with 32 years of consecutive growth, and we are forecast to continue this sustained growth despite the uncertainty ahead. This is driven by a combination of factors, including our desirable education, jobs and lifestyle opportunities created by our strong economy and attractive natural and social assets, particularly our vibrant arts, creative and cultural community. Through this budget the ACT government has provided funding to continue to deliver high quality services that meet the needs of a growing population and provide better services for Canberrans.

I will take the opportunity to thank the many teams across CMTEDD with whom I have the pleasure of working. As you have heard, there is an extraordinary amount of progressive action underway to support and reflect our community's values and to give business back time, and this ambitious agenda is only possible thanks to their hard work. I commend this part of the appropriation bill to the Assembly.

**MS LEE** (Kurrajong—Leader of the Opposition) (10.48): Over the past 18 months, as a nation we have experienced unusual economic conditions: a spike in inflation and 12 interest rate hikes, accompanied by low unemployment. We certainly live in interesting times. I have been out speaking to Canberrans at mobile offices and community events, and I am hearing from so many that they are having to tighten their belts. This is showing up in the statistics. According to the latest ABS data household spending in Canberra declined significantly in the ACT from April to June. Unfortunately this has been made worse for Canberrans because as a jurisdiction the ACT is in one of the worst financial shapes since self-government.

The territory's budget has been so badly mismanaged by Mr Barr that the Labor-Greens government is not in any position to pivot and support Canberrans in need. They are not in a position to lighten the load for Canberra's businesses and they are certainly not setting up the territory's future as a diversified and dynamic economy. The Labor-Greens government's legacy will be a diminished private sector where they have crowded out private investment and destroyed business confidence with dodgy procurement practices, waste and a punitive tax regime. This is largely the responsibility of Mr Barr, although he is aided and abetted by his incompetent Labor and Greens cabinet colleagues. Convinced that he knows all the answers Mr Barr has spent, wasted, borrowed and pushed the territory so far into debt that the task of budget repair will be a very difficult if not almost impossible mountain to climb.

Every year Mr Barr delivers a deficit. This time, the 12th deficit is no different and going forward his accounting tricks cannot hide the fact that there are only deficits forecast over the forward estimates. To add insult to injury, the budget papers he

presents each year are almost always wrong. When hindsight is applied to the actuals, we find out that the deficits are bigger, the expenditures higher and the delivery of services and infrastructures is third rate or worse.

In the latest quarterly financial update to June 2023, the deficit for last financial year is \$112 million more than that reported in the budget papers released last month. This litany of deficits is pushing us further and further into debt. I say “us” very purposefully because it is Canberra taxpayers who are already footing the bill for Mr Barr’s arrogant and incompetent mismanagement of the territory’s finances.

In last year’s budget papers, total territory borrowings were forecast to peak at \$15 billion. In this year’s papers, that number has blown out to \$17.4 billion. And that \$17.4 billion does not include the costs of the tram to Woden and nationalising Calvary Hospital. The interest bill has suddenly grown from a forecast high of \$516 million in 2025-26 to \$614 million in 2026-27. \$614 million per year on interest. Unfortunately, I expect it to get much worse under this Labor-Greens government.

These unsustainable deficits, borrowings and interest repayments are making Canberrans worse off. Mr Barr and his economic policy failures are the reason Canberrans are paying more and getting less. Households are seeing it in their rates bills, their land tax bills, their car registration costs and all of the hidden fees and charges. Mr Barr and his economic policy failures is the reason why many Canberrans are hurting. Our hard-earned money is going into the Labor-Greens government’s coffers and all we get in return is waste, mismanagement and dodginess.

We see it in the failed HR IT project, which will cost more than \$76 million only to be back at square one. Yes, this Labor-Greens government is so incompetent they have spent \$76 million of taxpayer funds on an IT system that they will have to decommission without it even being used.

We see it in the CIT contract scandal, which is costing about \$10 million and counting, including paying the salary of two CEOs for over a year. We see it with the government having presided over a close to \$200 million cost blowout for the Canberra Hospital expansion project. We see it in the mismanagement of the Acton Waterfront project, at a cost of \$33 million to ACT taxpayers. We see it in the \$1.5 million on the rebranding of Canberra Health Services, because they have driven our health system into the ground—to the brink—so it needs to be rebranded.

We see it in the \$400 million on interest repayments on their skyrocketing debt—over \$1 million a day on interest payments on their debt. We see it in the serious and significant issues that have been raised time and time again, and contract after contract in this Labor-Greens government’s dodgy procurements practices that have come under scrutiny by the Auditor-General and by the Integrity Commission.

The list that I have just referred to and spoke about yesterday in the chamber are just the recent examples of the hundreds of millions of Canberra taxpayer dollars that this government has wasted as a direct result of their sheer incompetence and mismanagement. How many other dodgy deals, contracts and procurements lie beneath the surface? So much for productivity and competition driving cost-effective outcomes for ACT taxpayers.



As I look around this chamber, I encourage all members—particularly the Greens members—to think very carefully on their tolerance for this conduct. I do not say this lightly. Former Chief of Army David Morrison once said that the standard you walk past is the standard you accept and what we see time and time again from the ACT Greens is not only them walking past this new low standard that Labor have set for themselves, but aiding and abetting the waste, the mismanagement and the dodginess that will be the legacy of this government.

But then again, why hold our breath? We see time and time again that the Greens only grandstand and when it comes to matters that actually, really do make a difference to Canberrans, they are just as bad, if not worse. And this is just scratching the surface. This is just scratching the surface of the waste, the mismanagement and the dodginess.

We could have another whole sitting week, Madam Speaker, just to go through the chronic and ongoing failures in health, in education, in housing, in justice and community safety, and in basic local services. After 22 years, it is crystal clear that this is a government that has run out of ideas, has run out of energy and has run out of respect for the very community in which they purport to serve. It is Canberrans that are paying the price with their hip pocket at a time when so many are facing a cost of living crisis, and with the erosion of trust and faith in the very people that they have elected to serve them.

The Canberra Liberals will always stand up for those that have been long forgotten and abandoned by Mr Barr and his Labor-Greens colleagues. Canberra is an extraordinary city, and we are all lucky to call this great place home. What Canberrans deserve is a government that respects its citizens, a government that understands the privilege of being in a position to make decisions for and on behalf of them, a government that will never take this privilege for granted, and that is what a Canberra Liberals government under my leadership will be.

**MS CLAY** (Ginninderra) (10.56): I would like to speak in my capacity as ACT Greens spokesperson for the arts. I really do appreciate the transparency of funding that we saw set out in the statement of ambition. There was a longstanding call for that from the arts community, and that was the simplest, most straightforward account I have ever seen of where our arts money goes. It was really well appreciated.

Unfortunately, I did not find the budget as easy to interpret, and I did spend quite a bit of time on it this year. I was on the estimates select committee, so I had access to a bit more advice than I would usually have. It is a point that has been made by quite a lot of commentators in relation to not only this budget but also former ones. A lot of colleagues who have worked on commonwealth budgets have told me that ours is much harder to read and less transparent. I noticed this problem particularly with our arts spending in the budget, because it was really hard to match up the line items we saw in the budget with the previous announcements we had seen and with the statement of ambition.

The June update of “Arts, Culture and Creative Funding at a Glance” would have assisted, and I did come across that later on. It was released a little bit quietly; we did not see a media release. I am not sure if there was one at the time. We have been

through that forensically since and we cannot quite tell what funding has changed or moved and what is new funding from the statement of ambition and how those line items match up. The titles and categories seem to have had quite a few changes. It makes it really hard to have clear oversight and to see which announcements are new and which things have been dropped. I lodged a detailed question on notice in estimates, to get clarification of how we are tracking, and even once we went through that answer we still found it a little bit difficult.

The reason I am spending a bit of time on this point is that, if it is difficult for me to do this, with advice—and I am a politician, I was formerly a lawyer, I have run companies and I have been a financial manager in various capacities—it is actually really, really difficult for members of our arts community and for our artists and for our general public to be able to do that. It would be great if we did not need that level of forensic accounting. It would be really good if we could have more explicit line items and a lack of change of categorisation. If we could just keep using the same words, that would really help everybody.

We have an accountability indicator in the budget that has the number of artists directly and indirectly supported through arts activities funding. This is targeted at 100, and that is fantastic. I would love to see 100 jobs for artists. That was one of the Greens' election ideas: 100 jobs for artists. I do not know that that is necessarily a target for arts jobs. Arts activities funding is really more like gig funding. There is not a lot of security there. It is hard to tell from that whether the support is an entire position, a major work or a small grant, and quite how much of a job each artist got from that.

We had quite a good conversation during estimates about the insecurity of work and pay for artists. I am really pleased to see that we have got remuneration principles and practices for artists and arts workers now. That is really great progress. It is completely reasonable that artists expect fair pay for fair work, just like anybody else who works for a living, so I am really glad to see that the conversation has progressed on that. I did raise a few concerns in estimates because, whilst we have these new remuneration principles, we do not seem to have set up a system to monitor and track them, which is always good when you start with something new. You should really work out how you are going to track whether it has an impact over time. The government has not set a benchmark for what artists are being paid now and whether that is fair. The government has not got a system to monitor whether it is changing over time. It would be possible to do this. I am sure the directorate would have a lot of different ways they could do it. There are also data sources like the ABS and art sector groups.

Most art forms have pay scales—obviously, these are not binding pay scales—almost all of them have industry scales and different fees, whether you are a writer or a musician or a visual artist. All of these exist. So it would be quite easy to benchmark what an artist should be being paid and then to measure whether they are, in actual fact, being paid that amount and whether these remuneration principles have made any kind of difference to that. We could do surveys; we could do sampling. There are quite a lot of ways to get the information, but if we do not have some kind of clear strategy at the outset of what the world looks like now, what our artists are in actual fact earning on the ground, and then how the system is changing over time, we are not really going to know if they are working.

We are also, unfortunately, not going to know if those remuneration principles are having unintended consequences. They are a great step, but they could have unintended consequences. It might be that arts work gets re-categorised, badged as some other type of work. It could be that people are not hiring artists, because the traditional arts budget did not allow for artists to be paid. That traditional budget allowed for payment for the catering, for the venue hire, for repairs and to pay people selling tickets but did not allow payment for artists. If that is not in the budget, they might just start hiring different people. It is a really good step in the right direction, but, given that we are making a culture shift here, given that we are acknowledging that arts work is real work and should be paid like other work, we need to make sure that we are tracking this and we need to make sure that we are having the right impact and we are not having any unintended impact.

We are also, once again, still spending the vast majority of our arts funding on buildings and not artists. At the time when the statement of ambition came out, my rough calculation on this put buildings at 60 per cent to 62 per cent of the arts budget. I readily acknowledge that the arts minister has a different way of interpreting her budget and does not accept my figures, and that is fine. Two intelligent people can look at the same set of information and come out with different conclusions—not a problem. I am really happy to share the way I have calculated it any time. Using the same way I look at those figures, it looks like it has moved further towards buildings this year. My back-of-the-envelope figures this year show that buildings were looking like around 70 per cent of our arts budget. I cannot say that is directly comparable to previous budgets because it is quite difficult to do direct comparisons, but I am seeing quite a lot of building funding.

Space for artists is extremely important. It is one of the barriers to practice and it is one of the things that we need to fund and to provide really well if we are going to realise our statement of ambition. I am always concerned that we make sure we do not put most of our government support for arts into buildings and forget to provide long-term funding for what happens in those buildings. No plumber, no sparkie, no project manager works without pay, but some of our arts venues are still running gig programs and sometimes they have to cut them when the grant runs out. Some of our galleries are still running exhibitions by artists who have to rent their own space and display their own work for the honour of the exposure.

I am absolutely not condemning anyone who does this or any arts organisation who does this. It is the way our economy has been set up. Our economy did not value artists and arts work. Our economy valued every other aspect of the job except for the actual artists. It is not anybody's fault, but we do need to make sure that we are shifting those settings so that we are not allowing that situation to continue to be normalised.

The conversation about buildings leads into a couple of really good, specific examples. We did have a bit of a dig into some of these during estimates. There is a bit of a tendency in the ACT to have big facilities and to build beautiful new facilities, which is great to see, but I do not feel like we provide enough money to maintain those facilities, either to maintain the buildings well or to provide long-term programs and recurrent funding and fixed, secure funding for those.

Gorman House is a really classic example. It is obviously not an example of the ACT government's making. It is an iconic, historic building that was literally falling to pieces for the amount of maintenance and upgrades that it needed. It has received funding to be fixed up, but I am still concerned that they may not have enough to maintain that building in the way that it needs. Similarly, Belco Arts Centre is absolutely gorgeous. The stage is amazing; the galleries are full of fascinating pieces; it has a fantastic program of exhibitions. But I am really worried that we are not providing enough long-term funding so that it has the programs that it deserves for that beautiful venue.

We are also building new facilities. Kingston Arts Precinct is probably the biggest at the moment and top of mind. It is certainly in better hands now, with the SLA, than it was under our previous arrangements, and the consultation with the artists and the arts organisations has been extremely well run. I am asking a lot of long-term questions about the plan to make sure that in 10 years time we are managing that facility well so that artists can afford to rent studio space, can afford to live nearby and can afford to stage productions and provide entertainment in that facility. If we do not do that in a long-term, recurrent way, we are going to end up making some of the mistakes we have made over the past. We have been told that the ACT government will provide over a million a year. Around a quarter of that is for arts programming and that is a really good start, but I think that is under the five-year plan, and I am still worried about what happens when government hands that facility over to the private sector to manage after the five-year plan.

I also asked during estimates about a line item in the budget for more and better jobs for the Belco Arts Centre. That item was actually about construction. It was interesting to see that, once again, we are categorising differently our construction funding for artists. *(Second speaking period taken.)*

I did have a chat to the minister about that and she confirmed that that funding was for the jobs associated with the capital project. It is absolutely fine that we should badge that, but it was interesting to us that, regarding the more and better jobs line, we looked through the budget and could not find more and better jobs for arts in general; we could only find more and better jobs for construction related to arts.

I think a lot of these figures are categorisations. There are a lot of different ways you can categorise the same pot of money. It was pretty illustrative for us that a lot of focus seems to be on construction and building. There is a lot less focus on long-term maintenance and programs. Things have shifted in a good direction, but I am frequently asked, and I am really worried about, whether we are genuinely putting in enough long-term, secure funding to realise our statement of ambition.

We have this fantastic statement of ambition. The minister put that out and put a lot of her own heart and soul into it. It is a great ambition to have, but I do not know whether we are funding that to realise it or whether we are mostly just picking large, expensive construction projects and not thinking through how we are going to make sure that those are economically viable long term. How are we going to make sure

that artists, who do not earn very much money, can still afford to perform and display and live nearby and connect in those places, and how are we going to make sure that we are actually funding arts, not just funding construction and tourism?

**MR CAIN** (Ginninderra) (11.08): I rise to speak to Appropriation Bill 2023-2024, part 1.5—Chief Minister, Treasury and Economic Development Directorate, as it pertains to the remit of the Special Minister of State. It would be impossible to speak about appropriation in this portfolio without reflecting on the massive misappropriation of \$76 million on the human resource information management system—\$76 million of misappropriation. Unfortunately, this year’s budget demonstrates another trend of deep concern that has plagued the effective functioning of the ACT public service for a long time. That is the woeful underperformance of the Special Minister of State on the management of shared services, major projects and digital transformation—waste, mismanagement and misappropriation.

The \$76 million wastage on the human resource information management system, HRIMS, is a grave indictment of this government and of this minister. What could have been done with that \$76 million, Madam Speaker? Of that total, \$44½ million was used to make payments to 23 consultants and contractors, and the 47 total suppliers used for this project—47 suppliers for a failed project. This level of expenditure for an abandoned project that ran for seven years, involving many entities and contractors, is an egregious abuse of public money, integrity and governance. I do not know why the minister still holds this portfolio.

The HRIMS saga is symptomatic of a Special Minister of State who is clearly not up to the task. The overwhelming deficiencies are manifest in many other projects of public significance. These include, as the Leader of the Canberra Liberals has touched on, the Acton Waterfront procurement that cost \$44 million—four times more than originally estimated; the \$8.7 million—and counting—on CIT contracts, with no discernible outcome; and the controversial tender for the Campbell Primary School modernisation project, currently being investigated by the Integrity Commissioner.

I am not aware of any jurisdiction around the country where wasting tens of millions of taxpayers’ dollars—in fact, into the hundreds of millions and higher—is simply dismissed as “a disappointment”, as the Chief Minister laughably described the \$76 million wastage. “A disappointment”? You have got to be kidding. At a time when many are grappling with cost-of-living increases, large-scale spending with no tangible value for money evidence becomes hard to stomach. The ACT Auditor-General has followed the procurement deficiencies closely and is now responsible for tabling six reports to this Assembly detailing Minister Steel’s and the Labor-Greens government’s mishandling of procurement in the ACT. Two more reports are on the way for later this year or early next.

The most recent report explores the Government Procurement Board and indispensable components of cost-effective and value for money procurements. The Government Procurement Board, which oversaw an estimated \$10.9 billion in procurement from 2017 to 2022, was found to be “unassertive” and “confusing”. The tabled report examined three major procurement case studies and concluded that the board is not optimally effective or efficient in fulfilling its functions. That is a board appointed by the minister and under his governance. The minister who directly

appoints board members and writes the policy that informs the board's functions is wholly responsible for contracts that have, unforgivably, wasted over \$100 million of taxpayers' money.

We have learnt recently that \$1.4 billion was spent last year on procurement in the ACT, comprising a fifth of total expenditure. Where does \$1.4 billion go? Is it used effectively and with deep consideration of value for money, whole-of-life costs, optimal accountability, transparency measures and efficiency? We know the answer is an overwhelming no. The ACT Auditor-General argued in his seminal report No 7 of 2021, *Procurement exemptions and value for money*, published in September 2021, that there is an absence of value for money considerations in the procurement settings of ACT public sector entities. Could there be a more damning assessment? There is an absence of value for money considerations, as has been demonstrated.

The report found that, for procurement exemptions in ACT contracts, which are contracts not subject to competition due to an assumption that the tenderer will in fact be the best for the job, there were gross inconsistencies in factoring in probity, risk management and whole-of-life costs. Each of these factors is critical to ensuring value for money—taxpayers' money, Madam Speaker. The Auditor-General made glaring comments during annual reports hearings that within the ACT public service there is “a lack of understanding of the guidelines, policies and procedures that have been issued in relation to procurement”. He further stated that there is “lack of expertise, lack of practice, unawareness and in some cases even naivety” in the culture of procurement in the ACT. We have the Special Minister of State—and the Chief Minister, I might say—to thank for these issues. I cannot emphasise this point more profoundly. These are failures that will befall the ACT without end as long as Minister Steel is in charge as Special Minister of State.

While the report released following the inquiry into Appropriation Bill 2023-2024 makes recommendations on a number of laudable reform areas, in truth it cannot mend a broken budget with insufficient scope. The people of Canberra can have no confidence in the Labor-Greens government, under this Chief Minister and this Special Minister of State, to appropriately reform the culture and practices of procurement in the ACT—something that they have had control of for quite a long time. Clearly, they are not up to the task.

Good procurement must begin with the principle of being able to withstand public scrutiny, and that has failed. For example, the procurement framework in Tasmania, under principle 1.4, asks: can it withstand public scrutiny? In the ACT, definitely not. Do you think, Madam Speaker, that \$76 million of a wasted project, with 47 contractors, consultants and venue hire companies, withstands public scrutiny? In other words, does it pass the pub test? Definitely not. In fact, there is very little about this Labor-Greens government's approach to public money that would pass the pub test and withstand public scrutiny.

The Labor-Greens government have had nearly 23 years to develop and refine a procurement agenda that establishes robust and efficient interaction between contractors and government to improve the ACT's municipal and fiscal health. And they have failed. You would think that nearly 23 years would be more than enough time to get such an important activity right. How much time do they need? I think

their time is up. Their time is up. Indeed, we have a government and a Special Minister of State eroding the economic health of the territory with endemic waste and mismanagement and misappropriation of taxpayers' money. This is having a material effect on the provision of services. Just look around our city. You will find it in the state of the roads, the lack of mowing and the footpaths right around the territory that are non-existent, cracked, dilapidated and dangerous to walk on.

This budget is uninspired and portrays a government completely disinterested in genuine, measured reform and quality service delivery to mend the cycle of systemic deficits from which the ACT is currently suffering. Canberrans deserve better. The Canberra Liberals will continue to stand up for those who are left behind and poorly serviced by this Labor-Greens government. An Elizabeth Lee-led Canberra Liberals government will address the basket case of this budget and the mess that the procurement regime finds itself in thanks to a minister who is long overdue for resignation.

Ministers, premiers and chief ministers have resigned for less waste than this minister has been responsible for. An Elizabeth Lee-led Canberra Liberals government will cut the waste and mismanagement of Labor and the Greens. We will get procurement right. An Elizabeth Lee-led Canberra Liberals government will work for the Canberrans who are neglected, poorly serviced and dismissed by this tired, entitled, arrogant and incompetent Labor-Greens government.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.18): I am pleased to speak today in support of Appropriation Bill 2023-2024, particularly the Chief Minister, Treasury and Economic Development Directorate appropriation, in my capacity as Special Minister of State. This is an important budget that shows that the government is continuing to make important investments to support our growing city and the needs of our community. I am very pleased to support the funding provided across my portfolio in this appropriation.

This budget provides over \$40 million of investment in the government's property portfolio to support better government community facilities and to deliver essential upgrades for government agencies and community organisations. A large number of the government's community centres occupy buildings that were constructed in the 1970s and 1980s and require important modernising improvements to ensure that they remain fit for purpose and safe for occupants and the public.

This includes upgrades to important fire systems, switchboards, heating, ventilation and air-conditioning systems, and other remediation works. The government is undertaking a range of rectification and replacement works to improve roofs across our facilities to prevent risks and ensure that the useful life of these buildings is extended. This will include designer roof upgrades to the North Building of the Legislative Assembly, which is an important historic building in the Civic Square precinct.

Work will also progress to improve ACT government depots, making sure that our frontline workers can continue to operate safely and efficiently in responding to safety or compliance issues in the community. The government will continue its provision of

flexi places for ACT public service employees, providing our employees with the opportunity to work flexibly at locations other than their designated office.

The ACT government is committing to ensuring that the National Arboretum Canberra and the University of Canberra Stromlo Forest Park remain premier recreational facilities for the community. That is reflected in the budget. That is why the ACT government is progressing the design of a second access road to the National Arboretum Canberra to support increased visitor numbers, improve safety and ease traffic congestion at the facility.

Work is underway also on progressing the Stromlo tracks and trails master plan, which will inform where new money is spent from a sponsorship with the University of Canberra, providing an important new partnership that will support ongoing and regular investment in tracks and trails. This bill is an important government investment in other key master plan initiatives, such as the formalisation of a sealed car park at the venue, as funded in previous budgets.

This budget also invests \$10 million to further strengthen our cyber-resilience across the ACT government. Recent cyber incidents in the ACT and across the world have shown the need for the governments to make continued investments in this field. We will continue to provide further resourcing to the ACT Cyber Security Centre and to the Security and Emergency Management Division of the ACT government to advance compliance with the commonwealth government's cyber-security resilience framework.

The ACT government has made further investments to ensure that the government continues to develop its digital agenda by providing further funding for the ACT Data Analytics Centre, further funding to ensure ongoing support for a range of IT licensing and cloud-hosting services, and undertaking a strategic asset management plan to make sure that we have a whole-of-government lens on the technological needs of our public service.

Public access to government information is also something that we will continue to support, including through the processing of freedom of information applications. The ongoing funding for 12 full-time equivalent positions across the public service will support our government in meeting its obligations under legislation. We look forward to continuing to monitor the resourcing required to support the processing of applications in the future.

Through the budget, the government is funding the next stages of the delivery of the Procurement Reform Program—something that Mr Cain did not mention in his remarks. As part of the budget, we will invest in new resources to establish in-house contract advisory services and in-house probity advisory services to support public servants as they undertake procurements. By bringing these services into Procurement ACT, we can provide go-to officials to support efficient procurements that are value for money.

We are also funding the first stages of the accreditation framework and tiered service delivery model, which is a significant program of reform that address risks in procurement and provides support, capability and capacity to territory entities who are



undertaking procurement. It will enable us to identify and provide support to those entities that need it when developing and undertaking procurements of all sizes. It is something that fits very well with the recent recommendations by the Auditor-General in relation to their performance audit of the Government Procurement Board. There is substantial reform underway in this place, ignored time and again by the Canberra Liberals, to enhance procurement and provide value for money.

Across my portfolio, in the 2023-24 budget we are progressing important reform to support the growing needs of the community. That means making some difficult decisions at times because of a range of different factors external to government, like the COVID-19 pandemic. When projects like the HRIMS system, in particular, have gone wrong, we have had to make decisions to ensure that we deliver value for money for the territory. In that case, we did it by not spending another \$142 million in continuing to deliver a brand-new IT solution through the SAP SuccessFactors platform, but instead, through this budget, making the difficult decision to close that program and upgrade our existing HR and CHRIS21 systems, and also developing a time-in-attendance system which will be at less risk and cost for the territory.

The budget is about making difficult decisions. We have done that through the budget. It is the right decision to make sure that we can continue to support the technological advancement of the ACT public service—in this case in relation to payroll and human resource management. We will continue to invest in those things. Of course, we will take learnings out of the difficult situations that were presented out of the COVID-19 pandemic. We will use those, and other lessons learnt as well, to inform the future development of ICT projects. I commend the appropriation to the Assembly.

**MR BRADDOCK** (Yerrabi) (11.25): For this section of the budget, I would like to note a few things about neighbourhood democracy and procurement. Firstly, I will talk about neighbourhood democracy. The previous budget appropriated a total of \$200,000 for fostering neighbourhood democracy—\$170,000 in the last financial year and \$30,000 in this financial year. This was to design and implement the fostering neighbourhood democracy pilot program in five suburbs. It also describes it as the first stage towards meeting the Parliamentary and Governing Agreement commitment on neighbourhood democracy.

If we compare that to this year's budget, it reveals that \$145,000 remains unspent from 2023 and it has been transferred into this financial year. All of the evidence shows that the majority of the money will be spent on consultants in developing the proposal, leaving a measly \$80,000 for the community to actually spend on the betterment of their suburbs! Along the way, the number of suburbs has been negotiated down from five to two, which I understand to be Richardson and Page. This has all of the signs of a pilot being set up to fail.

Why is this the case? I am split between three theories. The first is that the government simply does not want to do this, and is scared stiff by the idea that neighbourhoods might actually have genuinely good ideas about how their suburb should be invested in. The second is that it hates the idea of participatory democracy, is trying to design this pilot to fail, and wants to keep the associated facilitation skill sets out of the government. The third is that it simply does not understand the vision of what participatory democracy can mean, do and achieve in our community.

It is a vision where people can feel that they have meaningful and joint control over the infrastructure supporting their neighbourhoods and their suburbs; it is where it no longer feels that pork-barrelling determines where a sports or recreational upgrade might happen, but where genuine priorities get met, rather than just a road upgrade because that makes the government look like it is achieving something.

The fact that a third party needed to be engaged to run the facilitation tells us that the ACT government lacks the capabilities in-house to meaningfully support participatory democracy activities. Obviously, the ACT government still needs to develop its own in-house capabilities as per the insourcing framework.

One also cannot help noting the contributions in the media this week from members of the Molonglo community council and the Weston Creek Community Council about the quality of the government's engagement with the community. This highlights the impacts of this skill deficit within the ACT government. I would like to see the ACT government have the capability to be able to conduct respectful and meaningful engagement with the community, and not have to rely on a third party to do this.

If this PaGA item fails, it will be due to poor implementation by the Chief Minister and his directorate. Whether that is due to apathy or malice is ultimately beside the point. Of course, I hope to be proven wrong, and there is still time to change my impression of how this will perform. I hope that I am wrong.

I turn to procurement. We know that there have been some serious concerns about the ACT government's procurement. They have been percolating for some time, and we know that the Auditor-General is rather unimpressed and has issued a number of reports on this matter. The Integrity Commission has also conducted an inquiry into one particular procurement process.

I applaud the government for agreeing to the estimates committee's recommendation No 27, which stated:

... that the ACT Government clearly establish in legislation the role of the Government Procurement Board and its role in handling proposals brought forward by proponents.

I look forward to seeing further detail as part of the government's response to the Auditor-General's report.

The government agreed in principle to recommendation 29, which was that the contract name is included as a field on the notifiable invoices register to improve transparency in the use of public funds, but in my mind the response avoided the actual substance of the recommendation. The title of a contract is a valuable field to help those who are searching the register to find the information they are looking for. That is the way we can achieve increased transparency. The procurement unique identifier is no doubt useful, but it does not address the committee's recommendation for greater transparency of the contract titles. Recommendation No 31 was:

... that the ACT Government have a proactive monitoring and auditing process for ensuring that contracts managed by other territory entities are provided and uploaded to the contract register.

The government in its response agreed in part to this. Whilst there was logic to the government response, it misses the substantive point. The problem is that there have been instances when contracts have not been uploaded in time, in accordance with section 30(1) of the Government Procurement Act. The act states that the responsible territory entity for a notifiable contract must, within 21 days after the day the contract is made, enter the material mentioned in section 28(1) for the contract in the register. Again, we need to make sure that the government is meeting its obligations that are set out in the legislation.

There is a procurement reform program, which I entirely support; ultimately, what is also required is a cultural shift—one that emphasises responsibility and accountability. A common theme to a lot of the cases is that it appears that, whilst the right policies and procedures are available, they have not been applied.

What is worse in my eyes is the complete lack of accountability by ACT government public servants when these policies, procedures and legislation have not been applied. Even more disturbingly, there is a lack of willingness of senior leaders to ensure that accountability is in place and that we have a culture of accountability.

I have tried repeatedly through the estimates process to clarify who is responsible and accountable for the various shortfalls. Even breaches of public sector standards or legislation do not elicit any meaningful response beyond a management-speak of “reform”. I have not yet seen a single officer held to account or accept responsibility for when these procurement guidelines, procedures, public sector standards or even legislation are not followed.

I thank the Auditor-General for his work on exposing the state of procurement in the ACT. I thank the Integrity Commissioner for his painstaking work to get to the bottom of the Campbell Primary School modernisation project procurement. These officers of the Legislative Assembly, separate from the influence of the executive, are playing their part to ensure the integrity of the ACT government in the procurement process.

As more procurement issues come to light, we face continued erosion of public confidence in all ACT government procurement decisions. The community of Canberra quite rightly expects those making procurement decisions to be accountable for those decisions, particularly where procedures, policy and legislation have not been applied. It is time for everyone in the ACT government to live up to those expectations.

**MS LAWDER** (Brindabella) (11.33): I rise to speak on the Appropriation Bill 2023-2024 as it relates to my shadow portfolio area of the arts. The arts industry in the ACT have done a tremendous job of bouncing back from the pandemic, with Canberrans clearly eager to embrace their creative expression and attend as many performances and exhibitions as they can. That is why it is important that the ACT government supports the industry as best it can and makes Canberra an appealing place for artists to come and work, and to stay here and work.

As has been noted previously in this chamber—and Ms Clay alluded to it earlier—the Labor-Greens government’s approach to arts, while having some fantastic parts to their statement of ambition, has been largely infrastructure based, infrastructure heavy.

Unfortunately, that is despite the fact that their infrastructure program delivery record has been riddled with delays and cost blowouts. But we will persist.

Some of the main infrastructure projects in the arts portfolio include the Kingston arts precinct and the Canberra Theatre redevelopment project, both of which were discussed during the recent estimates hearings. On the Canberra Theatre Centre, the commencement of construction is meant to begin in 2024, and I look forward to seeing whether this comes to fruition.

Unfortunately, and of major interest to theatregoers, the arts minister was unable to confirm the number of car spaces planned for the development and where they would be located. This is quite concerning, as it is one of the main concerns raised with me by theatregoers. We know that the redevelopment will absorb a significant number of existing car spaces that are used by theatre attendees. Parking in the city is an ongoing issue, and the loss of these spaces will worsen the situation.

As much as the Labor-Greens government would like us to take public transport or use active travel to get home, for many of us—perhaps most—this is just not feasible. Their home may not be readily accessible by public transport. Of course, many attendees will not feel comfortable accessing public transport at night, and many of the theatre events are held during the evening. Parking at the Canberra Theatre Centre should be a priority in the redevelopment project. It is disappointing that the minister has failed to provide Canberrans with clarity on this issue.

Moving on to the Kingston arts precinct, which also remains in the embryonic design stage, during the estimates hearings there were a number of questions that the minister could not answer because she believed they were better suited to the Suburban Land Agency. While the project is being managed by the SLA, you would think that, because it is supposed to be an arts precinct, the arts minister would be able to answer simple questions about this project. Construction was flagged as being in the 2024-25 financial year and, given how long we have been waiting for this project so far, I sincerely hope that this time frame will be met.

I was pleased to see confirmation in the government's response to the estimates report that there will be 10 residential apartments available for artists-in-residence and their families at the precinct. During hearings there was also discussion regarding long-term funding arrangements for the arts in the ACT.

As I mentioned earlier, arts funding has been traditionally heavily infrastructure laden, and arts infrastructure is not the same as arts funding per se. We need to ensure that our arts organisations and individual artists are also supported. Once again Ms Clay made this point earlier. We need to make sure that they are able to put on programs and productions in these infrastructure places, these buildings that are being created for us; otherwise building them in the first place will become a waste of public money.

In the 2021-22 financial year, just 7.2 per cent of total arts expenditure was paid directly to artists. Improving how we spend and divide arts funding in the long term is something I look forward to talking more about and contributing to. If we are serious, as the minister has said, about Canberra becoming the arts capital of Australia, we need to improve how we attract and retain artists in the ACT. We cannot focus solely

on arts infrastructure, which, as I have already said, this government have a history of mismanaging and delaying.

**MS CASTLEY (Yerrabi) (11.38):** The latest Australian Securities and Investments Commission figures show that corporate insolvencies in the ACT jumped 66 per cent to 121 in the year to 30 June 2023, which is up from 73 in the previous financial year. The ACT have the second highest percentage rise in corporate insolvencies of all Australian jurisdictions, second only to New South Wales, with a 72 per cent rise. While insolvencies are increasing nationally, the rate of increase in the ACT is significantly higher than in other small jurisdictions. Tasmania and the Northern Territory even had small reductions.

The fact is that the Labor-Greens government in the ACT claims to be business friendly but it treats business as a milch cow to fund its big spending and debt. The Canberra Business Chamber said that the recent ACT budget was a missed opportunity to support 34,000 local businesses struggling with supply and skills shortages, and rampant cost increases. The chamber said that the budget fell short in providing meaningful support to small businesses that need help. I would add that this is the fourth budget in a row that the Canberra Business Chamber says has underdelivered for ACT businesses.

The chamber's budget submission outlined 14 actionable steps to assist business, with 10 of them requiring minimal or no financial investment, but the government seems to have completely overlooked these practical ideas. When I asked the minister, Tara Cheyne, about this at estimates, she said:

I found the media release bemusing.

At estimates I also drew attention to the massive amount this government rake in from Canberra businesses compared to the money they put towards developing it. Specifically, I drew attention to the budget outlook, showing that payroll tax receipts are \$740 million, approximately, while expenditure on business innovation is \$17 million. Asked whether that was enough reinvestment back into business, the minister said:

I am not sure that I am following your question ...

She described this as a "strange line of questioning". Clearly, she does not get it. This minister and government think they can slug business, be it for the tram extension or some other program, while trying to distract with a few million to make it look like they care.

ACT businesses, particularly small businesses, are facing rising input costs, interest rates, waning consumer confidence, workforce shortages and supply chain pressures. It is unsustainable and it does not make sense for the ACT to keep increasing public sector outlays, particularly on the tram extension, off the back of Canberra businesses. I should add that the compulsory takeover of Calvary has also had an impact on business confidence.

Talking of compulsory takeovers and insolvencies, this government's policy to extend payroll tax to medical clinics for payments to GPs but to provide a two-year amnesty

for clinics which bulk-bill 65 per cent of patients has an element of compulsion or coercion, and it will also lead to more insolvencies. If anything, it illustrates this government's lack of understanding of business. It is a deliberate decision to permit the imposition of payroll tax on medical practices with respect to the earnings of contracted GPs. Medical practices in the ACT already operate on a knife edge, typically making only a five to 10 per cent profit, which they put back into growing their business.

The Chief Minister has repeatedly stated that there are less than 10 GP practices in the ACT that are above the \$2 million tax-free threshold for payroll tax. He did this when I questioned him at budget estimates, he did this on ABC radio and he did this in his joint media release on Saturday. But here is the thing: there are 10 practices in the ACT which currently pay payroll tax. These businesses already pay payroll tax on their wage bills for admin staff, nurses and other allied health professionals. If the 6.85 per cent payroll tax is also levied on clinics with payments to GPs, the payroll tax bill of these 10 practices will significantly rise.

The 10 practices see over 60 per cent of Canberrans; then there are other practices which currently do not pay payroll tax which, when payments to GPs are caught up in the net, will be pushed above the \$2 million threshold. I am told that this could impact at least half of the remaining medical practices—critical small businesses in the ACT.

The Chief Minister's crude attempt at social engineering by coercing medical practices to lift their bulk-billing rate to 65 per cent or else pay the payroll tax is both nonsensical and counterproductive. Clearly, the Chief Minister has no understanding of business principles, bulk-billing or the way medical clinics operate.

Firstly, a practice cannot control whether or not a GP bulk-bills for particular patients. Secondly, if a large practice were to take up the government's proposal, the reduction in its practice facility fees by lifting its rate of bulk-billing to 65 per cent would be at least double its saving on payroll tax. In other words, it would be a quick route to business insolvency. Indeed, the Chief Minister's proposal of a two-year exemption from payroll tax in return for lifting bulk-billing rates to 65 per cent will have what is known as a perverse economic effect.

This particular measure is like something you would see in a command economy—something for which the Chief Minister, I suspect, has a predilection. If anything, it will perversely force practices to reduce bulk-billing rates and hike consultation fees by up to \$20 per consultation. This extension of payroll tax, this "sick tax", will actually be a patient tax which will reduce the rate of bulk-billing in the ACT. Is it any wonder that an emergency meeting of Canberra's general practitioners held this week unanimously condemned the ACT government's decision to impose its new tax on patients? Dr Kerrie Aust, AMA ACT president-elect, was at the meeting, and she said that the meeting was:

... attended by practices and GPs representing more than 50 per cent of Canberra's patients and they made it clear the ACT government doesn't understand how general practice works, and the new patient tax will need to be passed through to patients.

RACGP President Dr Nicole Higgins said:

What's also clear is that the ACT government doesn't understand how bulk billing works. Their exemption from the new patient tax for practices that bulk bill 65 per cent of patients is flawed. It's almost certain to fail at its first test with very few practices able to take it up and remain viable. If this happens, it will be devastating for the patients and communities that lose their GPs.

Dr Higgins also noted:

Cherry picking bulk billing statistics from the covid era when patients were bulk billed for both receiving covid vaccinations and using telehealth to see their GP, is no way to run health policy.

The ACT government needs to pay more attention to the fact that bulk-billing rates for ACT GP visits dropped from 71 per cent in 2021-22 to 53 per cent in 2022-23 when the covid-era bulk billed telehealth and vaccination arrangements ceased.

Dr Aust said:

GPs tell us that the new patient tax will drive bulk billing rates lower. Neither GPs nor their patients want this to happen, but unintended consequences often occur when governments don't understand how general practice works.

I'm equally sure that the ACT Government's move will not increase bulk billing in the ACT, it will have quite the opposite effect. Canberra is one of the most expensive cities to run a GP practice, and practices run on very thin margins, and we know the vast majority will be forced to pass this extra tax on to patients. This is the last thing people need in a cost-of-living crisis; it will put more pressure on the territory's hospitals and cost the government much more in the long run.

If the Chief Minister and the health minister will not listen to me, they should listen to these doctors before they inflict this policy on Canberra's most disadvantaged and before more medical practices—more Canberra small businesses—add to the number of insolvencies in the ACT.

To return to the 2023 budget, the *Canberra Times* put it best in a story headlined "ACT budget 2023: Winners and Losers in the ACT budget". One of the two big losers was small business:

There are no major funding announcements for small businesses, however the government will spend \$304,000 over the next two years to continue the Canberra Business Advice and Support Service.

The other loser was big business:

Large businesses will face higher payroll taxes with the government to introduce a surcharge.

I also want to address the appearance of the Better Regulation Taskforce at budget estimates. Questioning what regulations the Better Regulation Taskforce had simplified or eliminated elicited a list of about four measures. Minister Cheyne said:

The major body of work has of course been around automatic mutual recognition and occupational mobility.

She also mentioned work “developing options about how statutory declarations and deeds are executed”. Both of these measures were initiatives of the Morrison government’s deregulation agenda, spearheaded by its deregulation task force and the then regulatory reform division, overseen by Ben Morton, the former minister assisting the Prime Minister. *(Second speaking period taken.)*

I think it is admirable that the ACT’s Better Regulation Taskforce has so enthusiastically taken up these initiatives to simplify regulation across multiple levels of government. They have particular relevance for the ACT given the cross-border issues which arise from our location in such close proximity to New South Wales.

I would also like to know more about what the Better Regulation Taskforce is doing purely at the ACT level to make it easier to start up, run and grow a business in the ACT. I am therefore pleased that the committee has recommended that the ACT government include in CMTEDD annual reports all regulatory reforms achieved because of the Better Regulation Taskforce’s findings, split into commonwealth government-led regulation changes and the ACT-led regulation changes. I am pleased that the ACT government has agreed to this in principle, as I think it will be an important KPI.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (11.50): I thank members for their contributions across the diversity of the Chief Minister, Treasury and Economic Development portfolio.

Time does not permit me to respond to every single issue that has been raised across every single portfolio area, so I will confine my comments this morning to the performance of the territory economy, which continues into its 33rd year of consecutive economic growth—unrivalled by any jurisdiction in the nation. Indeed, in a global context, it sets the gold standard for ongoing economic growth through a number of significant international economic shocks.

I remain particularly pleased by the strength of the territory’s labour market. We continue to see, even through a period of interest rate increases, strong jobs growth in the territory, with the most recent data outlining more than 264,000 jobs in the territory economy.

When we went to the 2020 election, we went forward with a very clear policy of more jobs for Canberrans and, over the three years since that election, we have seen very strong growth in the territory’s labour market. It remains the case that, with 11,400 job vacancies and only 8,900 unemployed people, the territory economy remains at full employment. There is a recognition that there will be a need for more population growth to fill those available job vacancies. I do note that, of the 11,400 job vacancies, 2,900 are in the public sector and 8,500 are in the private sector.

We were also very conscious that what was needed in our economy was wage growth. It is pleasing to see the wage price index for the territory for the quarter ending June



2023 with a “4” in front of it—four per cent. To the credit of the private sector, they have been leading that wage growth, with a figure of 5.1 per cent, annualised, over the period to 30 June 2023; and in the quarter it was 0.8 per cent.

Clearly, public sector wages are somewhat more tied to multiyear enterprise agreements, but there is every reason to be optimistic about public sector wage growth with a “3” in front of it, given the recent ACT government EBAs and what is now being offered by the commonwealth to its workforce. This is important at this time because in any cost-of-living equation people’s incomes rising are a very significant way in which cost-of-living pressures can be addressed.

We have canvassed in extensive detail over the last few months the hundreds of millions of dollars that the territory government is investing in a wide range of cost of living measures in this year’s budget. I note that the opposition are likely to vote against those when this appropriation bill comes forward, so let the record be very clear that they will be voting against increased utilities concessions, increased energy rebates and support for the 40,000 lowest income households in the territory when they vote against this appropriation bill. Same old, same old—opposition for opposition’s sake. We hear it time and time again.

Into their third decade of opposition for opposition’s sake, we have heard nothing in the last two hours that is anything new or different from the opposition. I am comfortable with that. Let’s replay the last six elections again: opposition to public transport investment; opposition to investment in public health and education; opposition to infrastructure projects that support our territory’s growing population; opposition to the government’s trade and international engagement agenda that we see time and time again; and opposition to the range of initiatives that each of my ministerial colleagues has highlighted in this budget. We see the same old conservative, backward, 1950s views coming from the Canberra Liberals. Nothing has changed. I commend this line item of the budget to the Assembly.

Proposed expenditure agreed to.

Transport Canberra and City Services Directorate—Part 1.6.

**MS LAWDER** (Brindabella) (11.55): I rise to speak on the Appropriation Bill 2023-2024 as it relates to city services. I know that the minister in his speech will be spruiking investment in things like footpath maintenance, mowing and tree planting, and these are important areas. But if you ask the average Canberran what they think of suburban maintenance, they would suggest that it is not up to scratch and it has not been for quite some time.

As Canberra grows, so too do our path and cycle network and our parks and reserves. It is only natural that investment in these areas should be increased in each budget because there is more and more to look after. The Labor-Greens government see this basic government service as a reason and opportunity to make cuts whilst talking about how well they are doing.

Some of the most consistent concerns that residents bring to me include broken footpaths, missing links, overgrown grass and potholes in our roads. What a couple of

years we have had with the rain and potholes. As I think Mr Cain once said, cracked footpaths are to pedestrians what potholes are to cars on our roads. That is not a direct quote but the words were to that effect.

As the weather warms, it will be interesting to see whether the mowing team will be able to keep up with the demand, or whether additional resources will be required, as they have been in many years. Mr Assistant Speaker, if you look at the past 20 years, except for drought years, it seems that, every year, spring and the growth of the grass come as a surprise to this government.

The future of waste and recycling in the ACT are also of concern, noting the fire that occurred on Boxing Day at the MRF in Hume. The damage that this fire caused, in terms of the current state and future of recycling in the ACT, has been enormous. Of course, the FOGO has been delayed and the priority is to get a new MRF up and running. These are very real challenges. It is not the minister's fault. However, the government's response to them is what is crucial. As Ms Clay hinted during the hearings, if we are still sending organic waste to landfill in 2026, we will still be generating emissions in 2046 and we will fail to meet the ACT's net zero 2045 target. It will depend on the government's ability to deliver key waste infrastructure on time. This is not a comforting thought for anyone, including members of the Labor-Greens government, as evidenced by Ms Clay's obvious concern.

Another matter discussed during estimates hearings was roads. The government's approach to road maintenance has repeatedly come under heavy scrutiny in recent years. The government has been inundated with pothole-related vehicle damage compensation claims, with Canberrans waiting months and months on end to get hundreds, in some cases closer to thousands, of dollars back from this government because of the government's failure to provide safe, adequate and accessible roads or to adequately resource the area dealing with these claims.

I have made the point in the past that, if a resident is late paying their fees, charges, taxes and rates to the government, they get charged interest, yet this government can sit on claims for months and months on end, while people have had to shell out for the repairs out of their own pocket, in the midst of a cost of living crisis. Spending 800 bucks on a couple of new tyres and fixing your car is not what anyone wants to do in the current environment of the cost of living pressures that we are facing.

Promises on this from the Labor-Greens government have come to nothing. For example, in my electorate of Brindabella, Smiths Road has been the subject of a number of commitments from ministers, and it has needed work since 2011. There have been three written promises about Smiths Road, yet the state of Smiths Road past Tharwa is absolutely appalling. I have been out there. I know Mr Parton has been out there, too, visiting some of the more rural parts of our electorate. It is not safe. Great big channels have opened up which make your car slide towards ditches.

In recent correspondence that I received from the minister on this matter, he said that there are no immediate plans to increase the sealed part of Smiths Road. He said that, despite being in the ACT, Smith Road "primarily is used by New South Wales residents". In a way, what is being said is: "What's the point of fixing it up? All we're doing is benefiting New South Wales residents." What an appalling way to respond to

safety concerns raised about Smiths Road. It is something that I know many constituents who go out there would argue against.

There are many people that go out there, especially in the summer months, to use the waterways out there, and the government is trying to encourage cycling and horse riding in that area. There will need to be significant upgrades in that area so that people can remain safe when they are driving in that area—unless, perhaps, the government is expecting people to use active travel to get to Smiths Road or use public transport, which is probably a case of, “Tell them they’re dreaming.” However, this is a road in the ACT, and it deserves to be accessible and safe for all users, regardless of their postcode. You could say, “Why bother to upgrade or maintain Northbourne Avenue? People from all over Australia use it.” It is not an argument we would use for other roads.

The excuses that the Labor government come up with to hide their incompetency and to hide their spending, willy-nilly and wastefully, in other areas is staggering. There is nothing new or exciting in this budget for city services. It is more of the same. The tired, arrogant Labor-Greens government are trying to fix problems that they have created over a number of years.

**MR PARTON** (Brindabella) (12.02): It is always a treat to get to speak in this place about transport. I might start with MyWay+, a project initially announced by Meegan Fitzharris all the way back in 2016. Canberrans have been promised a new integrated ticketing system since then. They were promised in 2018. In 2021 it was pushed back to this year, 2023, and finally, at the start of this year, a tender was awarded to NEC Australia for implementation at some point next year.

It seems that MyWay+ is just another entry in a long line of failures in transport overseen by this minister. Despite numerous motions, committees and recommendations—if you want to talk about failures—and adjournment debates, this government has done absolutely nothing to restore bus timetables to a pre-COVID level, instead seeing a degradation to the existing so-called temporary timetables.

An interesting reflection that I would like to make here is that many hardworking bus drivers are, of course, solid members of the TWU. I often wonder why so many of those union members are gravitating towards my party with regard to policy in this space.

I have a lot of conversations with rank and file TWU members who express their disappointment with this government, but I guess it is no surprise. When we get to the next election next year, there is a very clear choice for TWU members. If you choose Labor and the Greens, this ongoing government will continue to downgrade the role that TWU members play in connecting this city. Under the current government there will be an increasing reliance on a privately operated, non-unionised operation. This government is hell-bent on shunting the TWU down the food chain as it privatises public transport here in the ACT—which is a little ironic, is it not?

But, the longer you think about it, the easier it is to understand why that cohort is shifting. The reduction of services across the week, particularly on the weekend, has had a huge impact on so many individuals. It has forced some Canberrans to change

their work hours or simply to change jobs. It has forced many off public transport altogether. It displays the great disdain that this government has for public transport users.

Let us talk about buses and the Parliamentary and Government Agreement for the 10th Assembly, because I am sure we will hear a fair bit from Ms Clay on this. Under the Parliamentary and Government Agreement as signed by all members of the two governing parties there are a number of points made regarding public transport. One of those is that during this term of the Assembly 90 electric buses are to be acquired. Minister Steel revealed in estimates that, by the middle of next year, there would be 16 electric buses in service on the Transport Canberra network. This represents quite a severe departure, I would say, from what was agreed to in the Parliamentary and Government Agreement.

The agreement states 90 electric buses by the end of the term. At best, they will reach 20 by October of next year. That means that around 23 per cent of the promised buses would be in service by the expiration of this Parliamentary and Government Agreement. And how damning is it that quite a number of the old Renault buses that had to be retired on 31 December 2022 are still out there?

As is the theme with this government, whenever a question is raised about the terms of the Parliamentary and Government Agreement, they will just amend the language. We saw this with the public housing growth targets, and I would not be at all surprised if we see it in the transport agreements too.

As we welcome Ms Clay to the chamber, I know that Ms Clay continues to point out that this government, as is the case in public housing, is not actually growing the stock, as it were—that we are running the same number of or less buses than we were running at the turn of the century, pretty much.

In answer to some questions from Mr Braddock with regard to growing the bus fleet, the minister said in the estimates hearings, “There will be some replacement, we think, and possibly some growth.” Let me explain what that actually means. When the minister says “There will be some replacement, we think, and possibly some growth,” what he means is that we are unlikely to cover all of the replacement and there is absolutely no chance of growth.

In response to another question from Ms Clay regarding the growth of the bus fleet, Mr Steel said, “We expect some growth. The exact amount will be determined through the process that we are working through.” What that means in Steel speak is: “There is not a single chance of growing the fleet and please will you stop pestering me with silly questions.” That is what that means.

Again, let us be honest about just why this government is not all that serious about growing the bus fleet or, indeed, addressing any of the shortfalls associated with the bus network. It is very clear it is because the tram is the priority. So much money, time and energy is going to the tram project to the detriment of everything else.

The people who I represent in Tuggeranong, despite the rates going through the roof, are not set to get any benefit from this. Indeed, if ever the tram got to Woden, which is

looking more and more unlikely by the day, I think it is clear that public transport travel times from Tuggeranong to Civic would increase significantly as a result.

Given the hour, I am not going to bang on too much longer. I am going to make it easier for you. I look forward to everything that we do down here, but I look forward to next year when I am sure that Minister Steel will come back to this place with excuses as to why this government continues to mismanage Transport Canberra to the detriment of public transport users everywhere.

**MR COCKS** (Murrumbidgee) (12.09): Few areas of government affect the people across my electorate the way this one does. The scourge of congestion is felt really deeply in my electorate, especially for families. Whether you are in Molonglo Valley, Woden or Weston Creek, the congestion we face on roads like John Gorton Drive is a daily drain.

People are taken away from their families and the things that they love and they are forced to spend more time in their car. That is why since day 1 in this place I have been raising the issue and the importance of the long-awaited Molonglo River Bridge. It was a clear necessity well over a decade ago, before Molonglo was built. Molonglo residents were led to believe it would be built well before now. The additional congestion we see on John Gorton Drive, whenever Coppins Crossing is closed due to heavy rain, is unnecessary.

I am pleased that the government has finally got around to signing some contracts for this overdue project, but now it is time to get it built. To be frank, it is going to take more than just this bridge to deal with Molonglo Valley's congestion problems. It is unacceptable that a region predicted to be home to more than 85,000 people should be connected by a road in just two locations, but this budget fails to address this problem. We need to better connect the Molonglo Valley with the rest of Canberra through additional road connections. That is clear. The government should not keep putting it off.

Similarly, this budget seems to contain no provision to address the traffic and parking issues in another area of my electorate, in Garran. When it comes to transport and City Services, Garran residents have borne the brunt of both failed planning and a failure to plan.

The parking problems at Garran shops, the traffic problems on Gilmore Crescent and Kitchener Street and the challenges for families trying to get their kids to school are longstanding, and they are well-known. I am not convinced that tinkering with parking time limits is going to actually solve the situation.

You can find local congestion and local traffic infrastructure issues like this one right across the Murrumbidgee electorate, and they need funding and a will to fix. Sadly, both have been in short supply from this government and in this budget. There is no sign in this budget they intend to change it.

In Isaacs and O'Malley, numerous residents tell me of the problems of trying to get out of their suburb because of problematic and dangerous intersections. But the minister has indicated that the government has no intention of fixing those just because they are not in the top 100 most dangerous in Canberra. So, if you fall outside

of that top 100, the government has no intention of fixing your intersection. It is not good enough. If this government cannot fix dangerous intersections because it is too busy building a vanity project, it should be ashamed.

I would like to turn to the treatment of the Phillip business district. This district has suffered Labor's neglect for far too long. There are neglected streets and footpaths, parking areas that resemble a moonscape, insufficient parking to address the needs of both businesses and their customers, and a clear unwillingness on behalf of the government to actually engage and listen to what people—businesses, customers, employees and workers—need.

Now the government has decided to cut off public access to a car park and restrict its use to people working in the bus depot. It is an unfair decision and will only serve to exacerbate existing problems with transport and congestion. The response I got from the minister showed no empathy for those impacted and, essentially, was tough luck.

This decision will make life harder for apprentices and other people, often those on lower incomes, who depend on that parking to maintain their livelihoods and for whom public transport is often simply unviable. I believe it is time that the government thought about the impact they have on others and found some funding to properly invest in Phillip, not just facilities for their own.

I have drawn attention to just a few of the transport and city services issues across my electorate. I speak with a lot of my constituents at their doors, at the local shops, and in my office, and too often the thing that I hear is that this government is neglecting the things that are important to them—from footpaths to public toilets and from infrastructure to maintenance. It is disappointing that this government continues on the trajectory it has been on for so long. It is time to end the neglect.

**MS CLAY** (Ginninderra) (12.14): Firstly, I would like to speak in my capacity as the ACT Greens spokesperson for transport and active travel. I have said a lot about transport in the 10 months since we last debated the budget, because it is one of my key areas of interest. It affects so much about everybody's day-to-day life.

It affects how long our commutes take, how noisy our city is and how accessible our city is for different people. It affects our climate emissions. Transport is now more than 60 per cent of ACT's tracked emissions, and we are not seeing much shift in those numbers.

Every journey we can swap from unsustainable transport options to more sustainable ones like walking, riding, rolling or catching public transport makes a huge positive impact for everybody in Canberra. But the uptake of these more sustainable modes of transport is not just about people's choices. It is not about individual responsibility or fault or personal choice-making. It is about the choices of government.

It is about what government funds and what government prioritises, how government designs our city and the level of support government gives to different ways of moving around. If Canberra is failing at improving sustainability of our transport system, that is because the ACT government is failing to prioritise and invest the amount needed to see serious change.

I spoke in February about the new bus timetable and how that was letting down bus commuters, and my colleague Mr Parton has also spoken on this an awful lot. He is genuinely worried about that timetable. He is worried about the impact it has on people, as am I. I spoke about my frustration at delays in delivering infrastructure that we need to make our city's bus network better for everyone.

We have seen some progress since then, but it is slow progress. The Woden Bus Depot is still on track for completion by 2024. That is great, but that is a few years delay from the original plans that said it would be completed by 2022. It will host around 40 electric buses, once all 106 of the bought and leased electric buses enter our fleet.

The timing for delivery of these electric buses is still uncertain. All we know for sure is that we will have at least 16 of the leased electric buses in operation by June 2024 and all 90 electric buses will be delivered through to 2026. I am really, really pleased that the ACT government is investing \$83.4 million in these cleaner buses. Not only will they replace our ageing buses but they will also help us reduce transport emissions. They will also be cheaper to run.

But, unfortunately, there is bad news about a different depot, the north-side depot. That fourth fully electric bus depot was originally planned for 2026 but that has been delayed, and there is no deadline in place for when it might be built. A lack of a fourth depot is holding us back on expanding and electrifying the rest of our fleet.

I have heard the minister say that because Tuggeranong is being electrified early, this will help us replace older buses with electric buses sooner and that is why we do not need a north-side depot. I understand the point but I am afraid I do not agree; I think we need both of these things.

Canberra is growing fast, both in geographic spread and in population. We have fewer buses now than we had in 1990, and we need more buses. If we simply operate the same number of buses, whether they are electric or diesel or both, we will not be providing the service our suburbs need and we will not be encouraging people to catch the bus, because it will not be convenient enough or frequent enough for them.

An electric bus that replaces a diesel bus is fantastic but, actually, we need more electric buses. We need more buses all round. We need to grow that fleet. That is what will make a better bus service and that is what will get more people catching the bus. That in turn is what will reduce our emissions from private vehicle use.

Canberra is growing, Canberra is growing all the time and we all understand this. How can we service Molonglo, Gungahlin and Ginninderry without growing our fleet as well? I have written to the minister about the need for a fourth bus depot, and I am really hopeful government might make the right decision and expand our bus fleet and electrify it and progress with that fourth depot soon.

I also want to talk about paths. We have a lot of people concerned about paths too. There is good reason to be concerned. Canberrans from all walks of life and from all parts of the city raise path maintenance with me regularly. The state of Canberra's paths are not up to the standard we need for people to easily walk, ride or roll around our suburbs and our city.

We need to be spending much more on maintaining and improving the paths we have, while also investing a lot more in expanding the path network, fixing the missing links and ensuring we have a city-wide path network which allows more people to be more active more often.

During estimates, I asked government about investing in more electric path sweepers like the one used by the City Renewal Authority. The City Services place management team have four path sweepers with broom attachments which can be used to clean shared paths. But that is not enough to clean our large network of paths across the ACT, which span 3,190 kilometres.

The Greens are strong advocates for better paths. In May, I called on the government for failing to meet their own deadline for repairing almost 9,000 defects in our paths identified in the 2020-21 audit. In June, the ACT government agreed to pass my parliamentary motion to invest more in path maintenance.

We saw a lift in the level of ambition in this year's budget. That was fantastic. We saw an extra \$5 million invested and some funding announced for a large cycleway, including the Garden City Cycle Route. I am also hoping our Assembly agreement to seek more federal funds for our paths will lead to actual dollars on the ground from a federal Labor government that says it supports climate action. I am looking forward to seeing tabled the letters from my colleagues about calling on their federal counterparts to support that.

I do want to ask the Treasurer to take note of the state of our paths. This year's small funding boost is welcome. It is fantastic. It is the first real lift we have seen for years. But is a small funding boost. It will only go a small way to addressing the huge task that is footpath maintenance in Canberra. We need much more funding, and I really hope the Treasurer can properly address this next year.

I want to acknowledge the bold and long overdue draft active travel design guide. I welcomed the publication of that in May. It is fantastic. Well done. I have spoken to the community stakeholders about it. It is a really, really good plan. Let us deliver it. It shows really great ambition, and we need that for active travel in our city.

Roads are also a huge part of the ACT's annual transport budget. The cost for basic road maintenance over the next four years is \$153 million. Dedicated road projects are seeing skyrocketing costs due to shortages of labour and materials, and that is exacerbated by global factors. New road construction projects are also seeing huge cost increases with projects nearly doubling in price. Between maintenance and the current road duplications and expansions that have been planned, we are on track to spend more than \$804 million in coming years.

During estimates, I followed up on some of the specific projects, including the 4.5 kilometre widening of William Hovell Drive, which has increased in price from original expectations of \$53 million to \$60 million to a new expected total cost of \$107 million or more. I also asked about the John Gorton Drive extension and Molonglo River Bridge, which has gone from an expected cost of \$176 million to \$201 million.



The big one is the Monaro Highway upgrade. The full cost of that is a mystery. The overtaking lane on the rural section of the Monaro Highway and the Lanyon Drive interchange and overpass will cost Canberrans \$230 million. With another two interchanges expected to be required as part of the total project, the final cost may easily pass \$750 million and may end up at around \$1 billion.

I asked the ACT government about the Athllon Drive duplication, but I could not get a clear costing for this, other than to say that the design of the project alone has been budgeted at around \$6 million.

Our road projects do not have public cost-benefit analyses or business cases. It is clear that they should, just as we expect for light rail and for all of our major transport projects. The government response to the committee was that these are cabinet in confidence or commercially confidential. I am afraid I do not understand how this is the case when the project costs are published in the ACT budget. We already know the dollar amounts; so these are not commercially sensitive. Surely it is possible to release some of the decisions cabinet made for making those decisions.

I have written to the minister about the need for a reprioritisation of the transport budget towards more sustainable transport projects. Reprioritising would also match our transport hierarchy. Public and active travel are at the top and private vehicle use is at the bottom. But our budget funding priorities do not match that hierarchy.

It may be that we change the order—that we spend more on buses and paths now and that we delay some of those other projects. It may be that some of those road projects no longer stack up at all in the face of escalating costs. But sticking with the status quo without explanation, without reconsideration or prioritisation and without business cases, is not going to address our biggest problems, nor will it make sure that we are providing taxpayers with value for money.

I asked about light rail during estimates because many people are concerned at the slow rate of progress on this city-shaping transport project. Light rail is great climate action. It runs on 100 per cent renewable electricity and it appeals to a huge cohort of people who have never before used public transport. It is genuinely climate friendly, it is genuinely transformative and it is pulling people out of private vehicles onto public transport. But it is not effective climate action if it takes decades to roll out. (*Second speaking period taken.*)

In January, I spoke about the ACT Greens continued support for the Light Rail Project as an environmentally friendly transport solution. I spoke of the significant success of stage 1, how the project enables more sustainable housing that is closer to jobs and services and how it provides sustainable transit-oriented lifestyles for more Canberrans.

We have seen progress this year. The 2A project is now approved by the commonwealth and in the process of being contracted. Significant new investment of \$50 million has been made in this year's budget towards stage 2B design and approvals to ensure that we roll from stage 2A to 2B more easily. It is great to see this progress. I am hoping we do not see long delays between stages due to poor planning.

But one stage of light rail per decade is just not enough to deal with the climate crisis. Our Australian government is now a Labor government. I am hoping ACT Labor can work with their federal counterparts and get us the funding that we need and the support and approvals that we need from the relevant commonwealth agencies. This is what the people of Canberra have voted for.

I was particularly concerned during recent Senate hearings when the National Capital Authority said they have heard from the ACT government that Light Rail Stage 2A to Commonwealth Park might not be complete until 2027 or 2028. That is 1.7 kilometres delivered in a decade. If that is true, it is not a good indication of progress and project management for stage 2. We have a lot to do on transport. We need to fund it and we need to prioritise it appropriately.

I would also like to make some comments about the circular economy in my capacity as the ACT Greens spokesperson for the circular economy. First, I want to welcome the recent progress on this. The minister introduced the bill and released the strategy with 53 actions, just this week.

I am really, really looking forward to reviewing the details of that and chatting to the community and recyclers about how this might help and what opportunities we now have. I was really happy to table a circular economy vision for the ACT Greens a year ago, and it is fantastic to see really rapid progress in this field.

But we have had a lot of setbacks in recycling lately. These setbacks really, really matter, because waste accounts for almost 10 per cent of our tracked climate emissions. That is just emissions coming from landfill and sewerage. If you factor in the embedded carbon from all of that stuff—all of the material that we are buying has taken energy to make; it all represents vast quantities of scope 3 climate emissions waste and consumption, it is actually a much, much bigger part of our threat than 10 per cent.

The government has wound back its former commitment to a city-wide food waste program and facility by 2023. The government has delayed this until 2026 to concentrate on building the replacement Materials Recovery Facility instead. There is a reason we put that 2023 commitment into our Parliamentary and Governing Agreement. Food waste is one of our biggest sources of direct climate waste emissions.

Of course I understand the need to rebuild our Materials Recovery Facility. But the reality of that delay is that the organic waste that we will still be sending to landfill in 2026 will still be generating climate emissions in 2046. We just cannot afford that.

The government could build two waste facilities at the same time, or it could trial new or existing commercial composters or insect farmers. We have a number operating in this town already. The Belconnen trial is continuing, and it is great to see that. We could try expanding that and see what happens. Or government could tackle food waste through new ideas, through other programs. We could find we come up with better solutions that do not need the big capital build and that do not need to see us waiting for years and years to get that.

We also have opportunities with building the new Materials Recovery Facility, and I am concerned that we are not taking all of these either. The old Materials Recovery Facility did not recycle a lot of standard material. It did not take all of our soft plastics, it did not recycle some of our hard plastics and it could not handle shredded paper or items that were smaller than a credit card. I had hoped the new one would be built so that it can recover all these and more.

Ideally, the new Materials Recovery Facility would recycle everything that comes out of a supermarket, because that was the original idea when we first set up kerbside recycling and materials recovery facilities in the 80s—that they would recover all of the standard waste that we produce. Unfortunately, it does not look like the new Materials Recovery Facility will be able to recover all that. It is clearly going to recover more plastics. It will sort more of our plastics and sort them much better. But it will not necessarily recover all of the supermarket waste.

We had a good conversation about this at estimates. The design is still working. So I am hopeful that the directorate can revisit this and see how much further they can push this out to recover more.

There is of course another option. Instead, as a society we could require industry to not make waste that we cannot recycle. The minister has been an excellent advocate for product stewardship—I know he has been working on this really, really hard—and for better standards under the National Packaging Covenant for a long time.

He has explained that, with the new federal government, the environment ministers have been discussing different approaches with the packaging industry, and it is fantastic to hear that. But, while they are still considering whether we have a mandatory approach or a voluntary approach, it certainly sounds like we have a set point for a voluntary industry system rather than mandatory regulation. That has not moved for years, and we still do not have a time line on when that will shift. We are not getting the results we need under a voluntary industry-led system. We need to regulate.

Soft plastic trials are progressing down in Adelaide via yellow-topped household bins. I am really, really pleased to hear the ACT government is looking at options there and is also considering how we make sure we have good end products for that material. I am hopeful that we can set both of those up with the new facility.

This work has been decades in the making, and it is still not ready for delivery. Why can we not require industry to stop making things we cannot recycle and build a facility that can recycle everything else? We have a federal Labor government and we have a local government working well with them. It is time to move on.

There is some good progress in this budget, but it is incremental progress. If we did not have the problems we are facing—if we were not facing the level of climate change and the urgency—I would probably be fairly happy with the progress that we are seeing. The ticking clock is climate change. It is outside of our control. We need to make sure that we are spending our money in line with our priorities, in the way that we call a crisis a crisis.

We need to invest more in public and active transport and deliver on our commitments in a timely manner. We need to make sure that our road duplication money is prioritised properly and that there is transparency and published business cases or cost-benefit analyses for each of the major road duplications that we are running.

We need to make sure that, having declared a climate emergency, we are prioritising decarbonisation and expansion of our bus fleet. And we need to make sure that we are recycling and moving ahead with the circular economy, locally for whatever we can control and nationally and federally, with urgency.

*Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour.*

**Sitting suspended from 12.32 to 2 pm.**

## **Questions without notice**

### **Taxation—general practice clinics**

**MS LEE:** My question is to the Treasurer. Treasurer, in response to questions in this place on Tuesday, you said that GP lobby groups:

... who seek to minimise tax will make all sorts of wild accusations.

You also said GPs have:

... a lack of ambition in relation to bulk-billing ...

Treasurer, do you stand by your comments that the GPs lack ambition and that their lobby groups are simply making wild accusations to minimise tax for themselves and their members?

**MR BARR:** There are 31 local health areas, primary health networks, across Australia, and the only one that does not achieve a 65 per cent bulk-billing rate is the ACT. Across New South Wales—in central and eastern Sydney, it is at 81 per cent. In northern Sydney it is at 74 per cent. In western Sydney it is at 94.5 per cent. In south-western Sydney it is at 94.9 per cent. Even across regional areas, like in western New South Wales, it is at 83 per cent.

**Mr Hanson:** Why is that?

**MR BARR:** Why is that? “Why is that?” is a very good question. Part of that is a decade of underinvestment.

**Ms Lee:** On a point of order. I did ask the Treasurer: do you stand by your comments? I ask that he be directly relevant to that.

**MR DEPUTY SPEAKER:** I think the Chief Minister is being relevant to the broader question of ambition, but I would draw him to get to the basis of that question, please.

**Mr Hanson:** Bring back Joy!

**MR DEPUTY SPEAKER:** Chief Minister, you can ignore Mr Hanson!

**MR BARR:** It was quite an extraordinary intervention from the Deputy Leader of the Opposition! It does not surprise me that lobby groups seek to minimise tax on behalf of their members; that is, no doubt, their purpose. But, as I indicated, we have a responsibility to ensure the fair and equal treatment of all taxpayers: so there is no special case for GPs, and this campaign is making wild claims.

**Ms Lee:** So, you do stand by them.

**MR BARR:** This campaign is making wild claims.

**MS LEE:** Treasurer, why are you contradicting comments by the ACT AMA, the RACGP—the peak bodies for primary care—on the impacts your payroll tax will have on the viability of general practice?

**MR BARR:** My objective is not to seek to minimise tax for the membership of those organisations. I have been asked to facilitate a tax minimisation scheme! I have been asked to facilitate an exemption, and you are proposing the exemption being backdated by 12 years, Leader of the Opposition! We need equal and fair treatment of all taxpayers, not special deals for lobby groups. I understand that is their reason—these peak groups organise themselves in order to minimise tax. That is human behaviour. I do not meet many people who come seeking special treatment from government seeking to maximise their tax; they certainly come in seeking to minimise it.

**Mr Parton:** And to help people.

**MR BARR:** There is no guarantee, Mr Parton of any help for anyone! At no point have any of those organisations come in and said that they would never increase their fees again if GPs were given a payroll tax exemption into the future. At no point has there been any suggestion that there would be any increase in bulk-billing, even though every other state and territory is able to achieve that. There are no guarantees with the position that you have put as a political party. You know you cannot guarantee that they will not increase fees, and you know that you cannot guarantee that they will increase bulk-billing.

We, at least, are endeavouring to ensure that any tax concession is tied to an outcome for the community, and that outcome is more bulk-billing, and there was a tripling of the incentive to do so from the commonwealth after 10 years of neglect from the federal Liberals. (*Time expired.*)

*Opposition members interjecting—*

**MADAM SPEAKER:** Members!

**MS CASTLEY:** Treasurer, who is right here—you or the experts?

**MR BARR:** When it comes to taxation policy—

*Opposition members interjecting—*

**MADAM SPEAKER:** Members!

**MR BARR:** When it comes to taxation policy, I take the advice of ACT Treasury, the ACT Revenue Office and, indeed, the views of the Board of Treasurers over people who have come into my office to lobby to minimise their tax and even got the application of the tax wrong. I sat through a meeting where it became clear by the end that the assumption was that if their payroll ticked over the \$2 million tax-free threshold they would pay payroll tax on the entirety of the payroll, and that was the basis on which this wild claim of an increase in patient fees was being put. That is where all this started, so it has been wrong from the start. I am up for a fair dinkum conversation about how to increase bulk-billing rates, but we are not having that. We are clearly not having that, because there is a lack of ambition and because there are wild and inaccurate claims being made, aided and abetted by the party that has opposed Medicare since its establishment. What we need is like what the Prime Minister opened today in Tasmania with the Tasmanian Liberal Premier: Medicare, urgent-care clinics that bulk-bill everyone.

### **Taxation—general practice clinics**

**MS LEE:** My question is to the Treasurer. Treasurer, yesterday, the RACGP and ACT AMA issued a media release in response to the bulk-billing figures you quoted in the Assembly during question time and again today. Their media release says:

Cherry picking bulk billing statistics from the COVID-era when patients were bulk billed for both receiving COVID vaccinations and using telehealth to see their GP, is no way to run health policy.

Treasurer, why did you use these figures knowing they were out of the ordinary due to COVID?

**MR BARR:** I did not, in fact. The figures I referred to excluded temporary COVID-19 vaccine items such as bulk-billing for COVID vaccines when it was mandatory because GPs vaccinated a lot of the population. The data we have drawn this from is published by the Commonwealth Department of Health. Talk about cherry picking: enough of the misinformation from those organisations being peddled again by the Leader of the Opposition! Sixty-five per cent is a reasonable target. It is 10 percentage points below the national average and between 20 and 30 per cent below what is achieved across the border in New South Wales. It is a reasonable ask.

**MS LEE:** Treasurer, how will adding an additional tax on to GP businesses, on top of the already high cost of doing business in Canberra, help improve bulk-billing rates for Canberrans?

**MR BARR:** Any additional taxation would not be required if bulk-billing rates went above 65 per cent. That is the exact reason for the policy. Plus, Leader of the

Opposition, you might be aware that there is a tripling of the incentive to bulk-bill under 16s and people over 65. So there are incentives in place, through you Madam Speaker, that the Leader of the Opposition continues to ignore. The fact is that the Liberal party for a decade in government froze the Medicare rebate and now the accusation is that state and territory governments are responsible for increased GP fees.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members please. The minister is on the floor.

**MR BARR:** What we are seeking to do is increase access to bulk-billing, not just through this policy initiative but through a range of others.

**MS CASTLEY:** Treasurer, why is Canberra's bulk-billing rate so low?

*Opposition members interjecting—*

**MADAM SPEAKER:** Members! The interjections started before the minister even had a chance to answer.

**MR BARR:** Looking at the data and looking at past practice, it is clear that we have been able to achieve a 65 per cent bulk-billing rate in the past. As recently as quarter 4 of 2021-22, excluding the COVID element, and it is possible—

*Opposition members interjecting—*

**MADAM SPEAKER:** Members! Mr Barr.

**MR BARR:** It is indeed possible, with the right incentives, to get back to that level. Those incentives are now in place. Why has the rate decreased over time? Because the Medicare rebate was frozen by you lot. Frozen! Bulk-billing has been falling across the nation until the point that the incentive was put in place.

*Opposition members interjecting—*

**MADAM SPEAKER:** Mr Parton. Contribution. Please stop.

**MR BARR:** A range of other factors relate clearly to business models and pursuit of profit. Pursuit of profit!

### **Schools—children and young people with disability**

**MR DAVIS:** My question is to the Minister for Education and Youth Affairs. Minister, reports last week from Children and Young People with Disability Australia revealed from a survey that 70 per cent of disabled students said they had been excluded from events or activities at school, 65 per cent reported bullying and only 28 per cent felt that teachers and support staff have the necessary education and training to provide a supportive and enriched education environment for students with a disability. Do you believe that these figures represent the experiences of students with a disability in ACT public schools? If so, what is the government doing to address these concerns?

**MS BERRY:** I thank Mr Davis for the question. I do note that it is bordering on asking for an opinion. However, the report and its findings obviously were quite distressing. Nine of the 231 participants in that national survey were from the ACT. Any bullying or exclusion-type behaviour in our schools is unacceptable. In the ACT we are very close to finalising our own inclusive education strategy. Part of that strategy is grounded in student voice, which is an absolutely important part of developing that strategy is that we hear from young people about their experiences and then work with them and their families to make sure that they are supported as much as possible. We want to make sure that we have a strong, inclusive school culture that can drive the change that is required to make sure that no young person feels excluded or bullied in our schools.

Part of that strategy includes funding for inclusion coaches, which I talked about yesterday, which will start in the Tuggeranong schools, in Mr Davis's own electorate. Another initiative that was announced in the budget, as part of the inclusion strategy, is the creation of a formalised partnership between specialist and local schools to share knowledge and connect students and staff across settings. Significantly, the budget also funded work to develop and prepare for a new needs-based funding model for students with a disability. It is not just in education. In early childhood settings we are supporting young children with developmental delay or disabilities through our Preschool Pathways Partners team too.

**MR DAVIS:** Minister, have you engaged with or been approached by Children and Young People with Disability Australia in order to speak about their reports that were released last week? If so, what was the outcome of those representations?

**MS BERRY:** I will have to take that on notice. I am not sure if my office has been contacted. However, last week I met with our own Disability Reference Group to work through the strategy as it moves through the cabinet processes and to take them through the budget announcements that we have already made—which were made based on the conversations that we had with those disability representative organisations. We will continue to make sure that, as we implement the strategy, it is student and young person focused and that young people's voices are very clearly heard and listened to in the implementation of our strategy.

### **Taxation—general practice clinics**

**MS LEE:** My question is to the Treasurer. Treasurer, how much payroll tax revenue from GPs do you expect to collect this financial year?

**MR BARR:** There are currently around 10 registered taxpayers. I am not able to provide, for privacy reasons, how much each individual pays—each individual taxpaying entity. But for an amount over \$2 million in payroll, for the first \$100,000 above that, the payroll tax would be \$6,850. For each \$100,000 beyond that, the payroll tax amount would be an additional \$6,850. For example, a payroll that was \$3 million would have a taxable component of \$1 million, and the payroll tax amount would be \$68,500.

**MS LEE:** Treasurer, is your GP payroll tax grab about fixing your budget debt and deficit?



**MR BARR:** Payroll tax is, of course, the territory's largest source of own-source revenue. It is projected in this fiscal year to exceed that of rates. So it is an important source of revenue to fund all of the services. Having regard to all of the discussions that we have been having over the last day, and that we will have over the next few, about priorities in a budget, denuding the territory's revenue base is not a policy that I support, because the implications of that are less money to invest in the services that this community needs.

Whilst I understand that lobby groups will seek to minimise their tax, I cannot imagine this conversation being had at the federal level of government, where these lobby groups would say there should be a special rate of company tax for GPs or a special rate of personal income tax for GPs. An expectation that state and territory governments will adjust their taxation arrangements to benefit one particular sector of the economy and one occupation is quite ridiculous. If they wish to pursue an individual tax determination with the commonwealth government in relation to company tax or personal income tax, they can have that discussion with the commonwealth. But I cannot imagine it would be entertained in any way, in the same way that it should not be entertained at a state or territory level.

**MS CASTLEY:** Treasurer, have you factored practice closures into your payroll tax revenue forecasts?

**MR BARR:** The level of taxation revenue is minimal, as I have indicated in response to the earlier question, because of the territory's very high payroll tax free threshold and the fact that most practices are indeed not covered. If those practices arrange their contractual affairs in accordance with payroll tax legislation, they may find that they do not have a liability. But I am not in the business of providing individual tax advice to individual GP practices. They can look at the law; the law has not changed. So those businesses should seek to comply with the law as it stands.

### **Health—transgender, gender diverse and non-binary patients**

**MS ORR:** My question is to the Minister for Health. Minister, last week we celebrated Wear it Purple Day. How is the ACT health system delivering on the government's commitment to create a more supportive, safe and empowering environment for Canberrans?

**MS STEPHEN-SMITH:** I thank Ms Orr for the question. The ACT government is committed to improving the health and wellbeing of LGBTIQ+ Canberrans and to making our city truly the capital of equality.

Madam Speaker, all of us deserve to feel safe, to feel seen and to feel respected when accessing health services. Sadly, research shows that this is not always the case for LGBTIQ+ Australians, and that this results in the LGBTIQ+ community experiencing poorer physical and mental health outcomes than the general population. That is why ACT Labor committed to implementing the recommendations from the LGBTIQ+ Health Scoping Study at the 2020 election.

The 2023-24 budget includes an investment of more than \$9.7 million over the next four years to progress implementation of the Scoping Study recommendations to improve health services for LGBTIQ+ Canberrans. This includes increasing funding for our valued partner, Meridian, to provide more specialist community-based health services for the LGBTIQ+ community.

It also includes funding to establish an implementation team within the ACT Health Directorate to drive cultural change and lead reform in our health services and systems. The team's initial focus will be to work with services and the LGBTIQ+ community to identify and implement best practice, peer-led LGBTIQ+ awareness and training for primary care providers, allied health and specialist services.

Madam Speaker, the government will also develop a range of resources in collaboration with the community and LGBTIQ+ and Aboriginal and Torres Strait Islander community health groups to better support LGBTIQ+ Aboriginal and Torres Strait Islander people to access health services in the ACT. This is vital work to ensure that LGBTIQ+ people feel safe to be their authentic selves without fear of discrimination when accessing health care in the ACT.

**MS ORR:** Minister, how is the government delivering on ACT Labor's commitment to improve the availability of specialist clinical services for transgender, non-binary and gender diverse Canberrans?

**MS STEPHEN-SMITH:** Thank you very much, Ms Orr. Ensuring that trans and gender diverse Canberrans can access the vital gender affirming care they need is a priority of the ACT government. That is why the 2023-24 budget includes funding to establish a paediatric gender service and an adult gender service to meet the needs of trans and gender diverse Canberrans. These important new services will be delivered by Canberra Health Services and will be staffed by specialist clinicians, including medical and allied health providers.

The adult gender service will build on existing services offered at the Canberra Sexual Health Centre and ensure strong integration between community and hospital health services. It will also work with ACT primary care providers to build their capacity to deliver gender affirming care, to support sustainability of the service and to give trans and gender diverse people greater choice in accessing health care. The government is investing \$5.2 million over the next four years in this new vital service.

Madam Speaker, Canberra Health Services has begun recruitment for medical, nursing and psychosocial physicians for the paediatric gender service and adult gender service. CHS will engage with external and internal recruitment specialists and LGBTIQ+ peer networks to promote positions in both services.

The two services will work collaboratively in development of their models of care to ensure integration and continuity of care across CHS. The establishment of these gender services will address the clinical and specialist needs of trans and gender diverse people in the ACT, and the service is expected to open in early 2024.

I want to particularly thank A Gender Agenda for its advocacy and partnership in this work supporting trans and gender diverse people, who have too often experienced a lack of understanding and indeed active discrimination in our community and in the health system.

**DR PATERSON:** Minister, can you update the Assembly on the development of the new nation-leading services being established to support the implementation of the Variation in Sex Characteristics (Restricted Medical Treatment) Act 2023?

**MS STEPHEN-SMITH:** I thank Dr Paterson for the supplementary. The Variation in Sex Characteristics Act, which the Assembly passed in June, is a nation-leading and world-leading reform. It delivers legal protections that ensure the bodies and autonomy of intersex people, and in particular children who are born with variations in sex characteristics, are respected.

It confirms that intersex people must not be harmed by inappropriate and unnecessary medical interventions and must wherever possible be able to make their own decisions about medical treatments that affect their bodies.

To support the implementation of this reform, the ACT government is developing a psychosocial care service for people with variations in sex characteristics and their families to provide care coordination across a person's care needs, linking maternity care, paediatric care, specialist psychology and social work professionals as well as peer supports. This service will provide integrated care with warm referrals to community services.

Canberra Health Services is codesigning a new services model of care with the intersex community to ensure it meets the community's needs, including the needs of parents and carers and other family members of children with variation in sex characteristics.

Madam Speaker, the variation in sex characteristics psychosocial unit is expected to commence in early 2024, in line with the legislation being enacted on 23 December 2023. I understand that CHS has now recruited a care coordinator for the unit and will be advertising psychologist and social worker positions soon.

Madam Speaker, the ACT government is committed to ensuring that our health services are safe for and inclusive of the LGBTIQ+ community. This new psychosocial unit will be essential to ensuring that intersex Canberrans can access the health care they need when and where they need it.

### **Minister for Transport and City Services—management**

**MS LEE:** My question is to the Chief Minister. Chief Minister, Mr Steel, in his capacity as Minister for Transport and City Services, has presided over significant delays in the rollout of the MyWay+ ticketing system; a blowout in the time line for the delivery of stage 2 of the tram to Woden; a failure to deliver 90 electric buses, as outlined in the Parliamentary and Governing Agreement; and the degradation of Canberra's bus service to the detriment of the community. Chief Minister, do you hold Mr Steel accountable for these significant failures in this portfolio?

**MR BARR:** I thank Ms Lee for the question and for the opportunity to talk about Minister Steel, who brings more capacity to his role than the combined opposition benches. Minister Steel works—

*Opposition members interjecting—*

**MADAM SPEAKER:** Members, can I just remind you that you have a chance to ask a question and, out of respect, you listen to the answer.

**MR BARR:** Minister Steel works incredibly hard across a very diverse range of portfolios and has delivered a significant program of investment, policy reform and infrastructure outcomes during his time as a minister. Not every single project that goes through government policy-making and then procurement is going to be able to be delivered within the time frames that the government may hope, for a range of reasons. Some examples referenced in Ms Lee's question are clearly well beyond the control of the minister as they relate, for example, to planning approvals outside of the ACT's jurisdiction—the National Capital Authority, for example. The issues that Ms Lee has canvassed have been extensively debated, and the reasons for delays in those particular areas have been clearly identified.

Minister Steel brings more passion and commitment to his role and more dedication to the task of serving this community than I have witnessed in 17 years in this place from people opposite, who have never had to deliver anything. *(Time expired.)*

*Opposition members interjecting—*

**MADAM SPEAKER:** Can I just remind your colleagues, Ms Lee, that you have the floor, but I could not give you the call because they are nattering and muttering in the background. Ms Lee.

**MS LEE:** Chief Minister, who is responsible for those significant failures, if not Mr Steel, aside from the reference that you made to the NCA?

**MR BARR:** In certain instances there have been failings in procurement. There have clearly been challenges in the private sector, in terms of supply or delivery of particular projects. Getting a lecture from someone who has been in this place for 15 years about service in this place not constituting any contribution—

*Opposition members interjecting—*

**MADAM SPEAKER:** Members, enough. Mr Barr.

**MR BARR:** What we have been witnessing—and I have seen this in this question time and, indeed, over some contributions—is perhaps an intensely personal focus on individuals and their lives outside of this place. The Leader of the Opposition has been the first to jump when anyone says anything about her—when anyone says anything about her! I do not intend to follow that path. I do not think it is a good path for this place.

**DR PATERSON:** Chief Minister, how is Minister Steel going on progressing Light Rail Stage 2 to Woden? performance

**MR BARR:** Minister Steel believes in the project. Minister Steel has been working diligently with a range of stakeholders, including the National Capital Authority and the Australian government, to progress this project. One thing I am certain of, given the stated position of those opposite, is that there will be no progress on light rail under them.

*Members interjecting—*

**MADAM SPEAKER:** Members, I am about to walk. Mr Barr.

**MR BARR:** What we get is a range of catcalls and interjections from those opposite, like an episode of *The Muppet Show*.

**Mr Hanson:** Madam Speaker, on a point of order: could I ask whether that is parliamentary. He complains about the interjections. He spent the first few questions shouting at Ms Lee. He then, without any interjections—we were quiet—starts to talk about *The Muppet Show*. He invites those interjections, Madam Speaker.

**MADAM SPEAKER:** Could you resume your seat, please. From what I have seen here, no-one has invited the level of interjections that has come in the last 15 minutes or so. Mr Barr, could you refrain from disparaging comments to those opposite, please.

**MR BARR:** Madam Speaker, the questions in relation to Minister Steel's commitment to light rail are good questions because he is committed to it. The work that is underway outside this building demonstrates the progress—progress that has been important for this city. I know that project is one that the Liberal Party does not like. They have run against it for three or four elections in a row, and we are going to have a repeat of that in 2024—the same old Canberra Liberals.

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

**MR CAIN:** My question is to the Chief Minister. Chief Minister, you have been reported in the media saying that the \$76 million that was wasted on the discarded HRIMS was “disappointing”, and that word is a quote. I am sure Canberrans would also find this shocking waste of taxpayer money by Minister Steel disappointing. Chief Minister, will you apologise to the people of Canberra for this disappointing waste of their hard-earned money?

**MR BARR:** The project had an element of non-cash write-down that constitutes more than half. The Canberra Liberals have been out seeking to portray this as \$76 million of cash—

**Mr Cain:** It was your own figure.

**MADAM SPEAKER:** Members!

**MR BARR:** It was not, and there was an asset depreciation, non-cash amount, I understand, of around \$40 million. The project did not achieve all of the outcomes that were sought from it. The government has recognised that and has changed its approach. Minister Steel has overseen that change. There is no doubt that there is a need for investment in this area, given the ACT government's employment base and the diversity of activity within the territory government's remit. It was disappointing that the program and the outcomes we were seeking were not achieved. The government has acknowledged that and is seeking to change its approach to get the outcomes that the territory administration needs from the project.

**MR CAIN:** What is the threshold of wastage you accept, as Chief Minister, before you hold a minister accountable?

**MR BARR:** There is no arbitrary figure that one can place upon that—

**Mr Cain:** So, 76 is not high enough!

**MR BARR:** I have pointed out in my answer to the first question, there is a significant non-cash asset write-down component. Whilst it will, of course, be in the political interests of the opposition to talk about that figure, the actual component is significantly less. But it is acknowledged that that procurement did not achieve the outcomes that were sought. The minister was not running the project. It is not appropriate for the minister to be involved in the procurement, or in the day-to-day operation of the project, but the minister has taken responsibility to address the failings in the project and put in place an alternative pathway to deliver the outcomes.

**MR HANSON:** Chief Minister, why do you continue to refuse to apologise for the tens of millions of dollars of taxpayer money that have been wasted?

**MR BARR:** It is regrettable that this project did not achieve the outcomes that were sought. It is regrettable. It has become clear that it was necessary to terminate the project—

**Mr Hanson:** Are you expressing regret?

**MR BARR:** I am expressing regret. I have already expressed that publicly. It is disappointing and regrettable, and, at this point, the government has sought to address the issues that have arisen and to put in place a corrective mechanism by way of a change of direction to achieve the outcomes from this procurement that are agreed and necessary for the ACT public sector.

### **ACT Emergency Services Agency—zero emissions breathing apparatus truck**

**DR PATERSON:** My question is to the Minister for Police and Emergency Services. Minister, how does the new zero emissions breathing apparatus truck contribute to the health and wellbeing of Emergency Services staff?

**MR GENTLEMAN:** I thank Dr Paterson for her interest in the wellbeing of our staff. Last week the ACT Emergency Services Agency welcomed Australia's first zero emissions breathing apparatus truck. The delivery of this vehicle, and another six vehicles in the coming years, is a crucial step to achieving our government's nation-leading target of net zero emissions by 2045.

In addition to the environmental benefits of this transition, there are several health and safety benefits to our ESA personnel. The new truck provides specialist breathing apparatus capabilities at varied incidents such as structure fires, hazardous materials incidents and chemical, biological and nuclear incidents as well. Our personnel's exposure to CO2 emissions will be significantly reduced. The vehicle allows firefighters to have less exposure to diesel particulates, which will have long term health benefits for emergency services crews. We have also designed this vehicle with increased accessibility and improved ergonomics which will produce lower rates of work-related injuries. It will also provide easier access to storage areas and has been designed with firefighters' safety and comfort front of mind.

**DR PATERSON:** Minister, what does this mean for fire services in the territory?

**MR GENTLEMAN:** These vehicles will see the first of Australia's emergency services transition to low or zero emissions vehicles. This change will make a large impact on the ACT's efforts to be a sustainable, modern and climate-wise territory as part of the ACT Climate Strategy 2019-2025. I am proud that the ACT will lead by example and take a step forward to creating a sustainable future. It also means we are modernising emergency services in the ACT and ensuring we are increasing the capability of our emergency services.

**MR PETERSSON:** Minister, what other infrastructure upgrades are happening across fire services in the ACT?

**MR GENTLEMAN:** We have allocated \$65.951 million in capital funding to build a joint ACT Fire & Rescue and ACT Ambulance Service station in the Molonglo Valley. The new station will support future population growth in western Canberra and the Molonglo Valley. This new station will have facilities that will be able to hold and charge vehicles such as the new ACT Fire & Rescue BA truck.

We have also allocated \$3.426 million of recurrent funding over two years to provide additional resources to assist with recruiting and career development initiatives to meet existing cost pressures for ACT Fire & Rescue. Funding will also support measures to improve staff development and wellbeing in the Emergency Services Agency, looking after the future of our emergency service workers.

### **Government—procurement**

**MR CAIN:** Madam Speaker, my question is to the Special Minister of State. Minister, I refer to your response to question on notice 185, where you refused to detail the value of ACT government contracts awarded to unions. Why are you refusing, Minister, to tell ACT taxpayers how much of their hard-earned money is being spent on union contracts?

**MR STEEL:** I will take that on notice to provide some more information to Mr Cain, if he would like some.

**MR CAIN:** Minister, in your response to that question on notice you said that it would be an “unreasonable diversion of resources” to provide such information. I note that you have taken the question on notice, but, in regard to the original answer, is this because there are so many of these contracts?

**Mr Gentleman:** Point of order, Madam Speaker: preamble in the question. It is a supplementary question.

**MADAM SPEAKER:** Yes. You got the back end of the question, Mr Steel?

**MR STEEL:** Thank you. Obviously, the responses to many of these questions had to be done in a short time frame. As a result, there were a range of questions—I am sure that was not the only one during the estimates period—where there would have been an unreasonable diversion of ACT public service resources to be able to answer those questions in that short period of time. I am happy to provide some more information to Mr Cain, if I can, on notice.

**MR HANSON:** Minister, how can the public have any faith in the integrity of your government when you have been refusing to tell them how much you have been paying for union contracts?

**MR STEEL:** I think the answer has been given. I will provide some more information, as I can. The answer had to be provided within a very short time frame and that would have resulted in an unreasonable diversion of resources at the time. I will see whether I can provide some more information, given that the question is being asked again.

### **Belconnen—bus services**

**MS CLAY:** My question is to the minister for transport and it relates to the Belconnen-city bus corridor patronage. Minister, I have been looking at the data for bus boardings in Canberra and the R2, R3 and R4 represent more than 30 per cent of all bus boardings in the ACT, and these buses are often caught in bottlenecks between Belconnen and the city. On average, how many passengers are transported on the R2, R3 and R4 buses from Belconnen to the city in our weekday morning peak?

**MR STEEL:** I thank the member for her question. I agree that these are very popular bus services. The rapid buses that our government has put on have been embraced by the community, and they run through Belconnen. In particular, with the R4, they initiate in the south. Over the 2022-23 financial year, an average of 759 passengers were transported each day on the R2, R3 and R4 services from Belconnen to the city on weekdays during the morning period.

**MS CLAY:** Minister, on average, in weekday morning peak times, how many minutes later than scheduled are the R2, R3 and R4 buses running by the time they reach the north-side hospital?



**MR STEEL:** I thank the member for her question. Punctuality data is not reported for the bus stop 4804, which is, as I understand it, the bus stop that is closest to the particular geographic location that Ms Clay refers to. It is not a timing point bus stop. As a result bus drivers are not required to depart this bus stop on time, as measured by Transport Canberra. The times provided are a guide only. There are other bus stops used for that timing.

**MR PARTON:** Minister, will the R4 and R5 routes cease to be if the tram ever gets to Woden?

**MR STEEL:** We have set out a network that includes both light rail and integrated bus services, including rapid bus services and local bus services. We increased the number of rapid services around Canberra. I expect that we will see more bus services delivered as our city grows. We will have to make decisions closer to the time that light rail stage 2 becomes operational, as to the future of the network. I still expect there will be a strong number of services running from the south, and I expect that there will be a significant number of buses running east-west through the city to Belconnen as well.

### **Light rail—stage 2**

**MR PARTON:** Madam Speaker, my question is to the man of the moment—the Minister for Transport and City Services. Minister, in Estimates hearings last month, you said that stage 2A of the tram project would be completed “around 2026”, was your quoted estimate. In the NCA’s submission to the recent federal government committee inquiry into the Commonwealth Avenue Bridge, the advice provided to the NCA by the ACT government was apparently that services would commence to Commonwealth Park in 2027-28. Minister, when will the first tram arrive at Commonwealth Park?

**MR STEEL:** Madam Speaker, I have been very clear in Estimates that that will be determined through the procurement process, which is currently underway with Canberra Metro. As to the exact dates—and once we have that, which we expect will be the point that we sign contracts, we will have a better date to be able to advise the community, but we do still expect the stage 2A project to be complete around 2026, which is around two years after the Raising London Circuit project is complete next year.

**MR PARTON:** Minister, did you mislead either the NCA or the Estimates Committee last month, given that the dates that you have suggested differ radically: 2026 and 2027-28?

**MR STEEL:** No, I have been very clear, and I refer the member to the answer to his last question.

**MR MILLIGAN:** Minister, will you apologise for misleading Canberrans about the true completion date of stage 2A?

**MR STEEL:** I reject the premise of the member’s question entirely, Madam Speaker.

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

**MR CAIN:** My question is to the Special Minister of State. Minister, in your response to question on notice No 1146, you state that total payments made to suppliers for the Human Resources and Information Management System, as at 31 March 2023, was about \$44½ million. However, in question taken on notice No 179, you state the total payments made to suppliers are over \$71½ million. Minister, what is the true amount paid to suppliers for the project?

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

**MR CAIN:** Minister, what is the total cost spent on the HRIMS, including both in-house costs and payments made to suppliers?

**MR STEEL:** I will take that question on notice. I think I have already provided that information on notice, but I will check again and see if I can provide some more information to the Assembly.

**MR COCKS:** Minister, are you concealing the actual amount wasted on the abandoned project?

**MR STEEL:** No. We have been up-front and we have provided our answers on notice in relation to this, but I want to make sure that we have that correct. So I will check.

**Government—procurement**

**MR CAIN:** My question is to the Special Minister of State. The ACT Auditor-General's most recent report into the Government Procurement Board, as reported in media, has:

... painted a disturbing picture of the way taxpayers' money is being spent—

on government tenders.

Minister, you directly appoint the board and write the policy that informs the board's functions. How can you justify this disturbing picture to taxpayers who are footing the bill for this?

**MR STEEL:** I thank the member for his question. The Government Procurement Board plays an important role, and I think that has been highlighted by the Auditor-General in his most recent performance audit. He has provided a number of recommendations, which the ACT government will respond to formally. The recommendations fit in very well with the ongoing Procurement Reform Program, which I have initiated as minister, including the development of the new accreditation framework and tiered service delivery model, which will focus on greater risk in procurement, which is similar to the approach and targeting of higher risk procurements that the Auditor-General has highlighted in his recent report. We will be responding to those recommendations in the statutory time frames.

**MR CAIN:** Minister, will you publish a detailed membership list of who is on the Government Procurement Board to improve transparency, as recommended by the Select Committee on Estimates?

**MR STEEL:** I will take that question on notice and provide that publication of the membership through the answer.

**MR PARTON:** Minister, why do you continually find yourself in the crosshairs of the Auditor-General?

**MR STEEL:** I thank the member for his question. Procurement is a matter that is undergoing significant reform in the ACT, and I am responsible for a range of those different reforms. We will be bringing forward changes to the Government Procurement Act and regulation later on this year. We have been undertaking a significant reform program. That has included the establishment of a new *Probity in procurement guide*. It involves establishing appropriate training to support territory officers to understand and apply our relevant frameworks, including those new policies. It has included the accreditation project, but it has also included work coming out of the Better Regulation Taskforce to streamline procurement processes so that we can engage in a more effective and efficient way with business and suppliers.

There are a range of different reasons why this is currently a focus for the government, and of course we take seriously any recommendations from the Auditor-General, who in the ordinary course of their business does look into all areas of government. We, of course, welcome them looking at procurement and what we can do to continuously improve our procurement policies, procedures and other supports that we can provide to territory entities undertaking procurement and who are responsible for implementing individual procurement.

### **Urban Open Space Land Management Plan—Ginninderra Catchment Group**

**MR BRADDOCK:** My question is to the Minister for Transport and City Services. Minister, the Ginninderra Catchment Group in its submission to the Urban Open Space consultation pleaded that TCCS policies and procedures (including the Urban Open Space Land Management Plan) must be updated to incorporate issues of ecological importance. Can you please commit to this update?

**MR STEEL:** I thank Mr Braddock for his question. The ACT government is aware of the submission from the Ginninderra Catchment Group and also the submissions that have been made by a range of other community groups and volunteer organisations as part of the Urban Open Space Land Management Plan draft consultation. The consultation has only just closed. The government will need some time to consider the feedback provided by different groups in the community. We will not be making an announcement of any government position in relation to those submissions today, but the government will use that feedback to inform the finalised Urban Open Space Land Management Plan before we submit it to the Assembly committee as required under the legislation. There will be an opportunity for parliamentary scrutiny of the Urban Open Space Land Management Plan through that process.

**MR BRADDOCK:** Minister, the submission also states the Urban Open Space Land Management Plan does not fulfil the third objective as outlined in the Planning and Development Act 2007. How will the government ensure this requirement is met?

**MR STEEL:** As I said, we will consider their feedback. I note they have certainly raised issues around maintaining some of the more ecologically sensitive parts of urban open space. We will consider their submission in relation to how we manage urban open space, including mowing and weeding in particular. There is an extensive part of the plan that deals with operating and managing public land in an environmentally sensitive way. The plan identifies ways that we can manage our mowing program, undertake weed controls, support biodiversity and handle illegal dumping. The plan identifies actions that the government is already taking in a range of these policy areas. Of course we will consider all of the other recommendations made by the Ginninderra Catchment Group and also other stakeholders as well, as we finalise that plan.

**MS CLAY:** Minister, why does the Urban Open Space Land Management Plan not provide more pragmatic guidance and instructive directives to proficiently manage these spaces in alignment with the goals?

**MR STEEL:** It is a high level plan. It will then filter down into more direct procedures. In terms of contracts I have already been in discussion with Transport Canberra and City Services about how we can provide better guidance, particularly around our mowing program, for example in how we manage mowing contractors. This sets an over-arching plan and there will be more detailed translation into policies and procedures that sit underneath it.

### **ACT Multicultural Awards 2023**

**MR PETTERSSON:** My question is to the Minister for Multicultural Affairs. Minister, who were the winners of this year's ACT Multicultural Awards?

**MS CHEYNE:** I thank Mr Pettersson for the question. Last week I had the honour of hosting the ACT Multicultural Awards at the Belconnen Arts Centre. Mijica Rose Lus received the Individual Champion Award for her tireless contributions to local multicultural organisations and charities. ALO Enlightened Women received the Community Organisation (Multicultural Champion) Award for its innovative programs for CALD women in the ACT. Dr Lubna Alam received the Outstanding Excellence Award for Diversity and Inclusion for her individual contributions. Radio Manpasand received the ACT Multicultural Art, Media or Culture Award. Domenic Mico OAM received the Lifetime Achievement Award, recognising his deep connection over more than 50 years to Canberra's multicultural and arts communities.

I am pleased to advise members that the number of nominations for this year was even higher than last year, with a total of 38 nominations received across the four categories. I would like to congratulate all the nominees, finalists and winners for their contributions to our community.

**MR PETTERSSON:** Minister, how do the ACT Multicultural Awards support Canberra as a welcoming and inclusive city?

**MS CHEYNE:** I thank Mr Pettersson for the supplementary question. Canberra is a welcoming city, and it continues to be recognised as such. I am pleased to share that last month Canberra received accreditation as an Advanced Welcoming City, only the second Australian city and one of just 38 globally to receive this accreditation.

The annual ACT Multicultural Awards support Canberra as a welcoming city by acknowledging the outstanding achievements made by individuals and community organisations in promoting cultural and linguistic diversity, as well as fostering inclusion within the ACT. The awards shine a light on the work being done by members of our community and, in doing so, help to encourage the next generation of community leaders to get involved and to follow the examples set by nominees, finalists and winners of these awards.

**MS ORR:** Minister, how will the recently passed Multiculturalism Act further support Canberra as a welcoming and inclusive city?

**MS CHEYNE:** I thank Ms Orr for the supplementary question. The Multiculturalism Act comes into effect tomorrow, 1 September. As well as detailing the principles and values articulating our vision for a culturally and linguistically diverse Canberra in the Charter for Multiculturalism, the act legislates for the first time the Ministerial Advisory Council for Multiculturalism. The new MAC members commence their term tomorrow. I look forward to hearing from them about their priorities and the feedback they will receive from the community.

The act also establishes reporting obligations for government agencies. As a government, we look forward to transparently and accountably sharing our commitment to multiculturalism each year.

**Mr Barr:** Further questions can be placed on the notice paper, thank you, Madam Speaker.

### **Supplementary answers to questions without notice Canberra Hospital—Cardiology Unit training accreditation**

**MS STEPHEN-SMITH:** On Tuesday, I was asked a couple of questions about the Royal Australian College of Physicians visiting the Cardiology Unit at Canberra Hospital. I was asked whether I could confirm whether the RACP had visited, the report, the cardiology's training accreditation, and whether they had visited in July, and the outcome of that visit.

I can advise the Assembly that the RACP Advanced Training Committee in Cardiology undertook a scheduled site visit at the Canberra Hospital on 25 July 2023 and Canberra Health Services received the site visit report and decision letter on 28 August 2023. The July visit was a follow-up to an accreditation visit undertaken by the cardiology ATC in December 2022. Several recommendations were made to optimise the training experience for cardiology trainees. The July site visit report concluded: "The Canberra Hospital cardiology department has been through a challenging period and, while significant challenges remain, there are positive signs that the leadership is actively engaged in improving the AT—advanced training—experience and that positive outcomes are being realised."

The accreditors noted improvements had occurred across several areas. They also made specific improvement suggestions in four areas: trainee exposure to electrophysiology procedures; echocardiography training and exposure; ensuring that the trainee experience for cardiology trainees seconded to the North Canberra hospital is not affected by the recent merger; and rebalancing ward, clinic and procedural duties to ensure adequate exposure across these settings.

The cardiology department remains an accredited site for cardiology training for 36 months of training time, which is the maximum allowable. This accreditation status is conditional, pending a progress report in six months and a further site visit in 12 months.

### **Government—procurement**

**MR STEEL:** Earlier in question time, I was asked why we were not publishing the membership of the Government Procurement Board. I have been advised that membership of the Government Procurement Board is public on the Procurement ACT website. I will not provide that answer on notice because it is already published and available for members to view.

### **Schools—children and young people with disability**

**MS BERRY:** I just want to confirm an answer to a question Mr Davis asked. Children and Young People with Disability Australia have not contacted my office for a meeting. However, I would welcome a conversation with them to talk about our Inclusive Education Strategy, which, as I said, is very close to being finalised. I know that our Disability Reference Group are looking forward to seeing the Inclusive Education Strategy hit the ground and that we can start working on implementing the action plans out of that.

### **Legislative Assembly—privilege Statement by Speaker**

**MADAM SPEAKER:** Late in the evening yesterday, 30 August 2023, Ms Lawder gave written notice of a possible breach of privilege, alleging that, in comments made by Ms Rachel Stephen-Smith at the ALP National Conference, the minister outlined clear politicisation and misuse of the committee process and deliberate avoidance of government legislative procedures. Ms Lawder attached to her letter a transcript of the comments, as well as an article from the *Australian*, which, in her opinion, outlined how the ACT government colluded with Mr Pettersson as chair of a Legislative Assembly committee, to ensure that a recommendation was included in the final committee report which would give authority for the government to implement their drugs reform agenda.

Under the provisions of standing order 276, I must determine, as soon as practicable, whether the matter merits precedence over other business. If, in my opinion, the matter does not merit precedence, I must inform the Assembly of the decision and the member who raised the matter with me may move a motion without notice to forthwith refer that matter to a select committee. If, in my opinion, the matter does not

merit precedence, I must inform the member in writing, which I have done, and may also inform the Assembly of that decision, which is what I am doing now.

I am not required to judge whether there has been a breach of privilege or contempt of the Assembly. I can only judge whether the matter merits precedence. Having considered the matter, having regard to the criteria set out in standing order 279, I have concluded that the matter does not merit precedence over other business. I have informed Ms Lawder of this decision in accordance with standing order 276.

**MS LAWDER** (Brindabella) (3.03): I seek leave to move a motion circulated in my name regarding establishment of a privileges committee.

Leave not granted.

### **Standing orders—suspension**

**MS LAWDER** (Brindabella) (3.03): I move:

That so much of the standing orders be suspended as would prevent Ms Lawder from moving a motion concerning the proposed establishment of a Select Committee on Privileges.

I note in your response to me that you have outlined that I did not provide enough information in my letter as to why this matter might merit precedence, so I am pleased to be able to speak a little bit about why we should do this today.

This motion follows the letter that I sent to you, Madam Speaker. We have a lot of concerns about what was said by Minister Stephen-Smith at the Labor conference not that long ago. It is important that we, as the custodians of democracy and the caretakers of democracy here in the Legislative Assembly, at all times act to protect its reputation in the community. We must make sure there is transparency and accountability in our procedures, and, most of all, we must ensure that members, ministers or otherwise do not abuse their position in this place or misrepresent this place or its procedures.

The motion that I have circulated today aims to provide further information that, Madam Speaker, you said was not present in my letter to you. There appears to have been an appetite to avoid the usual legislative process of the Assembly in this particular matter. I feel that it is important that we remind ourselves that a privileges committee investigation is not a punishment but is a process of investigation. I am not here to say, just as you have said earlier, Madam Speaker, whether there was or was not a breach, but, at first glance, when you read the transcript of what was said at the Labor conference, it raises alarm bells. It sends the red flag up the lamp post.

I have a few snippets from the transcript. I will not mention the article in the *Australian*, because that is not a direct reflection of what Ms Stephen-Smith might have said. What it says is that—

*Members interjecting—*

**MADAM SPEAKER:** Members, enough.

**MS LAWDER:** one of the members of the Legislative Assembly, on a committee on youth mental health, in the last term of the Assembly—the quote from Minister Stephen-Smith was:

Michael sat on a Legislative Assembly committee into youth mental health in the last term of parliament and managed to get a recommendation in there that was supported unanimously ...

Tripartisan support—

for a recommendation to examine simple drug offence notices ...

The committee's recommendation was:

... the ACT Government should consider further criminal justice diversion for young drug users by investigating the appropriateness of a simple drugs offence notice for some drugs.

It is a far cry from investigating, for young people, a simple drugs offence to decriminalising a range of drugs for everyone—for you and you and you and you and you. It has been put as though a mandate was given to do this.

We have also heard that the minister said:

But we could point to our platform and say 'it's in there', so that after the election we were able to work on it quickly.

It was done through a private member's bill, which means it could be done much more quickly.

If the government had tried to do it, I tell you what, it would have taken two years ...

There is lack of trust in our public institutions. This trust has been declining over years. It is at one of its lowest points now, and that is because of incidents where people feel that there is no transparency and accountability. We all here know that committees are meant to be nonpartisan and should not progress the government's agenda. That is what we are all told and what we all would like to think is the case.

Those are just some of the reasons why we think this is a serious matter that should be looked at by a privileges committee, to look at the comments made by the health minister at the Labor conference so that Canberrans can trust their government. (*Time expired.*)

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.08): The government will not be supporting Ms Lawder's motion to suspend standing orders today. The motion brought forward by Ms Lawder does not merit the disruption of business in this place. Madam Speaker, you have already considered the issues raised by Ms Lawder and found that precedence is not merited.



The finding is that there is no need for debate to urgently occur, so I do not think we need to suspend standing orders for it. If the opposition wishes to have this debate, they can slot it into their private member's business. That is available for them into the future.

**MR HANSON** (Murrumbidgee) (3.09): This matter does need to be looked at. I fully support what Ms Lawder has said. Further, I go to the abuse of processes that has occurred. In question time this week, Ms Stephen-Smith was asked whether it is true that Mr Pettersson's motion called for an investigation by the government into several offence notices and that it was the will of the Assembly. The Assembly said, "Calls on the government to investigate"—

**Mr Gentleman:** On a point of order, Madam Speaker: Mr Hanson is debating the motion, not the suspension of standing orders. He needs to debate the topic itself.

**MADAM SPEAKER:** No. He is giving an explanation as to why it should be suspended. There is no point of order. Mr Hanson.

**MR HANSON:** Thank you, Madam Speaker.

What the minister said in response was, "We did in fact do the investigation that Mr Hanson is talking about"—the will of the Assembly to do a government investigation. She said, "That bill was referred to a select committee established to inquire into a bill." The will of the Assembly was for the government to do an investigation. The government did not do that. What happened is that the Assembly did an inquiry.

The government cannot conflate the two. The government cannot say, "We did an inquiry, as was required of us," by saying, "No—the Assembly did an inquiry." There is a fundamental difference. This Assembly is not a tool of the executive. If the executive is told to do an investigation, they must do an investigation. They cannot say, "No—because the Assembly did an inquiry, we have fulfilled our obligations." We are not an instrument of the executive. We are not a tool of the executive, and that is what the minister has said—that we are simply here to fulfil the executive's requirement.

We are going to stand up for ourselves. You cannot have a situation where the Assembly calls on the government to do something and the minister says, "Because we got the Assembly to do it, we fulfilled our obligation." There is a distinct difference between the obligations of the minister and the executive and the rights and privileges of this place. What she has done is abuse that. It is a contempt of the Assembly to do so, and this matter should go before a privileges inquiry. What has happened here is pretty outrageous. It is a failure of this mob, in particular the Greens, to support this. It is an abrogation of their rights and their privileges in this place.

**MR RATTENBURY** (Kurrajong) (3.12): I was as surprised as anybody when, in the first sitting week of this term, Mr Pettersson walked in here with a private member's bill. As you might imagine, I paid pretty close attention during the last election campaign, and I did not hear that matter talked about. So it was surprising. Obviously, things emerge through the course of a term. You do some research and you sit on a

committee, but, in the first week of a parliament, if you are about to turn up with a bill, you might have mentioned it during the election campaign.

That is a political point. That is not a matter of privilege. If you intend to bring something into this parliament, you should have the courage to go to the election and talk about it. You should be proud of what you want to do when you come to this place. Keeping it a little on the quiet side and turning up with it in the first week—that is a political discussion. That is not a matter of privilege, as is being asserted today. Certainly, this matter does not warrant the suspension of standing orders. If you want to bring this motion forward, there is more than enough capability to get organised. Bring it on as a matter of private members' business, and bring it forward as part of Assembly business in the regular program, if that is what you want to do. The debate we are having now is: should we suspend the standing orders.

The Greens will not be supporting the suspension of standing orders today. The Liberal Party has a range of ways to deal with this, just as the members who brought this bill forward did. There are a range of ways you could do it. You could bring it as a government thing; you can bring it as a PMB. There are a range of ways you can do it. That is also a political debating point, but it does not warrant the things the Liberal Party is asking for today.

**MR PETTERSSON (Yerrabi) (3.13):** I did not think I was going to have to speak on this, but, based on some of the contributions, I feel that I must. The reason we are debating this motion today, but, more importantly, the suspension of standing orders, is that this is a response to the right-wing media cycle. The Canberra Liberals only care about drug law reform when something pops up in right-wing newspapers in this country. To me, it is shocking that they bring forward this suspension of standing orders today, on International Overdose Awareness Day. There are other days that they could have chosen to bring this forward, but they did not. I have very strong opinions on drug law reform and they have been canvassed widely in this place. There was the report by the Standing Committee on Education, Employment and Youth Affairs. This—

**Mr Hanson:** Mr Rattenbury did not think so. Mr Rattenbury did not hear it, did he?

*Members interjecting—*

**MADAM SPEAKER:** Members! You are warned, Mr Hanson. It is just irritating.

**MR PETTERSSON:** I do not believe this is a genuine attempt to have this debate. This is simply a response to some newspaper articles that they read a couple of days ago, and they have chosen today to try and suspend standing orders, not Tuesday and not Wednesday. They had the ability to schedule this motion for debate and they did not do that. This is a stunt.

I have to reflect on some of the comments that some members have made. I have always been very open on my views in this space. I am surprised by many of the contributions today that mischaracterise the Standing Committee on Education, Employment and Youth Affairs. Ms Stephen-Smith has characterised that committee. She said it was a tripartisan committee. To some of the members that were not in this

place last term, our committees had majorities. There were often two members of one party and one member of another. There were some that included the Greens, but, due to Ms Le Couteur's availability, she was not on every single committee.

In the committee that I was the chair of, I was the minority member. I sat on that committee with Ms Lee, the now Leader of the Opposition that leads this stunt, and Mrs Kikkert. I find it egregious that, in the motion, someone talked about the false report of proceedings of a committee, because the people that are pulling this stunt know full well that that committee report was agreed by all members! It was a majority Liberal committee and they recommended that a simple drug offence notice be investigated in the ACT—for young people. I agree. I will clarify for members that the wording of that recommendation did refer to young people. Fair enough. I was very excited by that recommendation. I thought that the Canberra Liberals were going to reclaim their legacy of drug law reform. I came into this place one week later. I came into this place on 20 August 2020. That was two months before the ACT election. For anyone to say that this was not in the middle of an election campaign is being disingenuous. Every single motion in this place was shaping up towards that election campaign. The caretaker period started in three weeks.

I will quote from Mr Hanson in that speech because I think it is very important. There is a narrative that is being spread right now that this was done quietly as a result of the actions of this government. That is not true. I broadly agree that this issue was not shouted from the rooftops, but it was a consequential decision of the actions of the Canberra Liberals. Mr Hanson, in his speech, said that there are some circumstances where he could see a simply drug offence notice being useful, such as at music festivals for MDMA. Mr Hanson, two months before the election, implored in the lead-up to the election that everyone in this chamber refrain from politicising this issue. There is nothing more transparent a politician can do than stand in a parliament and express their opinions. The Canberra Liberals have no respect for this chamber. They often run all their agenda through the media first and then the parliament as an afterthought.

I am curious. Madam Speaker, how long after you received that letter did a *Canberra Times* journalist get a copy of it? To me, that goes to the intent of the Canberra Liberals. They do not care about this parliament. What they care about are cheap media stunts, particularly on days when they should not be doing them. (*Time expired.*)

Question resolved in the negative.

## Papers

**Mr Gentleman** presented the following papers:

Australian Crime Commission Act, pursuant to subsection 51(5)—Board of the Australian Criminal Intelligence Commission—Chair Annual Report—2021-22, dated 15 May 2023.

Crimes Act, pursuant to section 442A—Statutory Review Report—Section 66AA, dated August 2023.

Dhulwa Independent Oversight Board—Report 2, dated 19 July 2023, together with a statement.

Heavy Vehicle National Law as applied by the law of States and Territories—  
Heavy Vehicle National Amendment Regulation 2023 (2023 No 128), together  
with an explanatory statement.

Payroll tax exemption proposal—General practices—Assembly resolution of  
10 May 2023—Government response, dated August 2023.

University of Canberra Act, pursuant to section 36—

University of Canberra—Annual Report—2022, dated April 2023.

University of Canberra—Annual Report—2022—Corrigendum.

### **Taxation—general practice clinics—payroll tax waivers—government response**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.19): Pursuant to standing order 211, I move:

That the Assembly take note of the following papers:

Payroll tax exemption proposal—General practices—Assembly resolution of  
10 May 2023—Government response.

**MR DAVIS** (Brindabella) (3.20): I rise to discuss the matter of payroll tax for general practitioners, the implications for health costs in the territory and the importance of accessible and affordable health care.

I want everyone to be able to see a doctor when they need to. We are in a cost-of-living crisis and it is the most vulnerable people in our community who are suffering the rising cost of accessing essential health care. That is why I moved a motion in the Assembly in June calling for greater transparency in doctors' fees and for more government support for the promotion of services that provide healthcare consumers with access to transparent information about doctors' fees and doctors' availabilities. Importantly, the resolution called on the government to do what it could and renew its efforts to increase the rates of bulk-billing here in the ACT.

We know, as the Chief Minister has aptly expressed throughout the debate this week, that we have some of the lowest rates of bulk-billing in the country. Unfortunately, we also have some of the lowest numbers of general practitioners per head of any population in any jurisdiction. I know that GPs put the health and wellbeing of their patients first and that they do their best to support their communities to live their best lives, but the matter of payroll tax application for general practice arose. I think it is important to give a little bit of history, given the distortion of the debate by the Canberra Liberals.

The matter of payroll tax application for general practitioners arose after a tribunal decision in New South Wales in 2012, outside of our jurisdiction. The tribunal in New South Wales determined that general practitioners' wages are liable for payroll tax and they differ from the arrangement that contractors have with businesses. A similar case on the relationship between optometrists and their clinics was ruled on in Victoria in 2018. In both of those cases, court appeals upheld the rulings of the

revenue commissioners. There has been no legislation change. Instead, revenue officers right across the country, including in the ACT, started considering the implications of these rulings on how payroll tax legislation was implemented.

Those relevant tribunal rulings occurred outside of the ACT, but state and territories across Australia, through the Council of Australian Governments, made clear commitments more than a decade ago to harmonise the implementation of payroll tax. Where the ACT differs, in the best possible way—in a way on which I would have expected much greater praise from the Canberra Liberals—is that the ACT has the highest payroll-tax-free threshold in the country, at a whopping \$2 million per annum!

Therefore, payroll tax only captures reasonably large businesses. This threshold has been raised significantly through the ACT's ongoing work of progressive taxation reform. The ACT's position on this issue, which I thank the Chief Minister for outlining, aligns with other states in determining that patient fees for general practitioners do classify as wages for the purposes of payroll tax.

Some states have determined that those payroll taxes will not be applied retrospectively. Queensland came out of the blocks first, determining in December last year that general practitioners were liable for payroll tax, and they established a grace period until June 2025 to allow clinics time to manage their budgets and business models accordingly. South Australia was next, offering an amnesty for general practitioner payroll tax liability to June 2024. New South Wales announced just last week that it would pause payroll tax audits for GP practices for 12 months. It is worth noting, however, that Victoria has not offered any amnesty period and has asked general practitioners to begin paying their payroll tax liability on time and in full.

However, the ACT's position will now include a new exemption on payroll tax for general practitioners that is much more generous than we are seeing in other jurisdictions—until 2025 for clinics that bulk bill more than 65 per cent of their patients. I have been assured by modelling from the Chief Minister's office that only 10 GP practices in the ACT operate above that \$2 million threshold, so the impacts of this decision will be limited.

When the application of payroll tax for general practitioners was first discussed in this Assembly, in response to a motion from Ms Castley, I consulted extensively with stakeholders. I have met regularly with the Australian Medical Association, the Royal Australian College of General Practice, individual general practitioners operating independently or as part of a broader network in my electorate in Brindabella, some specific clinic owners, healthcare consumer associations and, most importantly, constituents of mine who require access to general practitioners. I have appreciated these meetings. I have been informed greatly to assist in my deliberations on this policy challenge. I understand there are a number of challenges. I understand and acknowledge the deep concerns among general practitioners that I have engaged with that they feel they will not be able to provide their services to patients at an affordable cost.

But, ultimately, the ACT will, and the ACT must, stay in line with other states and territories in its handling of the issue. I bold print and underline “stay in line with

other jurisdictions” because it is very important, given an effort has been made by the opposition to attribute this “big new tax” to one individual. I think that is tacky, I think that is grubby, I think that is unfair, and I think that it does not fairly and accurately outline the national situation about the implementation of payroll tax. The ACT must stay in line with other states and territories in the handling of this issue.

We have actually gone above and beyond by acknowledging that we have an ever-diminishing rate of bulk-billing in the ACT and that Canberra families and healthcare consumers are hurting. We all discussed that and we all agreed that in debate on a motion of mine in the Assembly in June this year. Trust me, I was listening. It appeared in that debate that nobody in this chamber opposed increasing the bulk-billing rate.

What we have before us is a policy designed to increase the bulk-billing rate. Protestations from the opposition, who, in June this year, supported on the voices a motion I brought on this Assembly to do exactly that—*increase the bulk-billing rate in the territory*—is galling and surprising. It shows that there is very little policy ambition in their ranks and that they will take their cues from third parties outside of this place, seeking to mobilise them for political advantage. Some of us try to meet with every one of the stakeholders, deeply consider these things and try to come to a more nuanced position.

I bold print and underline that the ACT Greens believe every Canberran should have access to high-quality health care, including primary health care and general practice. The ACT Greens are appalled that the ACT has the lowest rates of bulk-billing in the nation. The ACT Greens know and understand that this impacts Canberra families struggling with the cost-of-living crisis who deserve more affordable, equitable and accessible health care. And the ACT Greens support any and all policy interventions designed to increase our bulk-billing rate.

Question resolved in the affirmative.

## **Gaming Machine Act Amendment Bill 2023**

**Dr Paterson**, pursuant to notice, presented the bill.

Title read by Clerk.

**DR PATERSON** (Murrumbidgee) (3.28): I move:

That this bill be agreed to in principle.

Today I present an important piece of legislation to the Assembly: the Gaming Machine Amendment Bill 2023. The bill will ensure that there will not be authorisation certificates for class C gaming machines permitted in the location of Molonglo Valley or undeveloped areas of the ACT. The status quo of machines and locations will remain, but Molonglo Valley and any currently unleased or rural leased territory land that develops over the decades will never be applicable for a licence authorisation.

This is an important step in our future as a jurisdiction in reducing gambling harm across the territory. Electronic gaming machines, known as poker machines, are the largest contributor to gambling losses in Australia, with about half of all gambling expenditure spent on pokies. In the ACT, Canberrans are losing more money than ever on pokies. Understanding that there were dips during COVID, if we use the 2018 or 2019 data on losses, we see Canberrans lost \$165 million to \$170 million respectively. However, in 2022 Canberrans lost \$186 million. That is an increase of approximately \$20 million post COVID. While machine numbers in the ACT are decreasing, what Canberrans are losing is increasing.

Machines have improved dramatically in their features and functions and their ability to addict consumers. The ACT gambling survey presents a picture of a community that is highly engaged in gambling. Over the 12 months of 2019, 60 per cent of the ACT adult population gambled. However, this resulted in substantial levels of harm, with 14 per cent of the ACT population experiencing harm. One in five people—that is 20 per cent of all adults in the ACT—used a poker machine, and one third of those people experienced harm.

The most striking findings of the ACT gambling survey relate to the impacts of gambling on men. Men in the ACT, particularly young men under the age of 45 years, are disproportionately engaged in gambling activity and, as a result, experience harms at significantly greater rates than women. Males born in Australia aged 18 to 44 are significantly more likely than any other demographic group to participate in the following gambling activities: poker machine gambling, Keno, horse and greyhound racing, sports betting, and informal and casino table games. Males in the ACT are classified as at-risk or problem gamblers at twice the rate of females and are classified as problem gamblers at three times the rate. Unsurprisingly, given the above findings, males under the age of 45 with no degree have a one in five predicted probability of being an at-risk or problem gambler. These statistics are quite astonishing.

The perceptions that Canberra's poker machine players are in an older generation and that pokies are a thing of the past are simply not backed up by the evidence. The machines are more profitable, more addictive and are engaging more young people than ever before. Despite the rise in online gambling, playing a poker machine predicts gambling harm more reliably than participation in any other form of gambling.

Let us turn to the demographics of Molonglo Valley. We have recent census data to paint a picture of a young and vibrant community. Of the approximately 11,000 residents of Molonglo Valley, half are male. The average age of a Molonglo resident is 31, with 82 per cent of the population under the age of 44. Forty-five per cent of Molonglo residents do not have a university degree and the majority of Molonglo residents are born in Australia. The picture I have painted of the demographics of the Molonglo Valley exactly reflect the demographics of those in the community that disproportionately experience gambling harm. If we say we take a public health approach to gambling in the ACT, which I would argue is at times a dubious claim, then a public health approach would suggest that there is a population in Molonglo Valley that is at very high risk of gambling harm.

Further, research conducted by the Victorian Responsible Gambling Foundation conducted in 2020 titled *Proximity to gambling venues, gambling behaviours and related harms* found that the closer you live in proximity to poker machines the more likely you were to gamble. That percentage likelihood of participating in gambling directly correlated with distance from machines. For example, people living 200 metres from a gambling venue were six per cent more likely to gamble than those living more than two kilometres away. This increase in gambling was found to lead to harmful outcomes. People living within 250 metres of a gambling venue were five per cent more likely to experience financial hardship than those living more than two kilometres away. Importantly, the effects of living close to a gambling venue were largest for the most vulnerable populations, such as those with low incomes.

This is the evidence I took to the Molonglo Valley residents when asking them what they thought about keeping Molonglo Valley poker machine free. The Keep Molonglo Pokie-Free campaign was launched on 2 May 2023. I began the campaign by asking residents to pledge their support to keep the area free from poker machines. It attracted 125 pledges from community members who were concerned about the impacts of poker machines in their area. In an extensive letterboxing, doorknocking and street stall campaign, I spoke to hundreds of residents. I did not speak to one person that felt there should be machines in Molonglo Valley. But the discussion around clubs was different. People want clubs, just not with machines.

Ultimately, my experience in Molonglo reflects the territory-wide survey that interviewed 10,000 residents that revealed widespread community dissatisfaction with poker machines, with the majority of residents stating that poker machines do more harm than good. However, the majority of residents surveyed also agreed that clubs make an important overall positive social contribution to the community.

Through this campaign, I engaged closely with ClubsACT, Canberra Community Clubs and the Labor Club Group through discussions about what a club in Molonglo would look like without machines. How is a club viable without machines? I thank the club sector for their public and constructive engagement with this campaign and the discussions that we have had. The thing is that Molonglo residents want facilities and the social amenity that clubs offer. I have had, and will continue to have, discussions with sports groups, social groups, cultural groups and religious groups that seek to establish themselves in Molonglo. It demonstrates that they too are grappling with the where and how, and what facilities would look like. I look forward to working with the club sector and community groups to work through this and to continue to promote and establish a vibrant, flourishing, socially connected and healthy community.

Where the path has taken me through this campaign to reduce gambling harm has found me in a place that sits more in the planning space than the gambling harm space. To me, this is exactly where we need to be, because a club without gaming machines should have no interaction with the Gaming Machine Act, yet every single aspect of clubs is tied up with gambling machine legislation and regulation in the ACT. I will continue to work with clubs and community groups and my ACT government colleagues to explore what conditions need to exist to create and support a club in Molonglo Valley with no pokies. Thank you.

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



## Civil Law (Sale of Residential Property) Amendment Bill 2021

Debate resumed from 9 November 2021, on motion by **Mr Cain**:

That this bill be agreed to in principle.

**MR CAIN** (Ginninderra) (3.38): Pursuant to standing order 152, I move:

That the order of the day be discharged from the Notice Paper.

Question resolved in the affirmative.

## Multicultural affairs—International Day for People of African Descent

**MS ORR** (Yerrabi) (3.38): I move:

That this Assembly:

- (1) notes that:
  - (a) today, 31 August, is the United Nations International Day for People of African Descent;
  - (b) the purpose of this day is to promote the extraordinary contributions of the African diaspora around the world and to eliminate all forms of discrimination against people of African descent; and
  - (c) the ACT is home to a thriving community of African Australians and people of African descent, which grows in population and in community spirit each year;
- (2) further notes:
  - (a) the African-Australian community is represented by its peak body, the African Australian Council ACT, which represents and advocates on behalf of the African-Australian community in the ACT through one unified voice;
  - (b) this community promotes its diversity and celebrates its African cultural heritage in the wider community through many events, including:
    - (i) Africa Day;
    - (ii) Dera Night—‘Our Health, Our Way’;
    - (iii) Africa Festival in the Park;
    - (iv) Africa Youth Soccer Tournament; and
    - (v) Drum and Dance workshops; and
  - (c) the ACT Government is proudly committed to fostering a more inclusive Canberra, which recognises and respects the harmonious cultural and ethnic diversity of the ACT community and does this through many initiatives such as the annual Multicultural Festival and the recent *Multiculturalism Act 2023*;
- (3) recognises and acknowledges the contributions of the African community and people of African descent in Canberra; and
- (4) continues working with the African community to support their initiatives.

I am very pleased to move this motion in the Assembly today, of all days, in celebration of the United Nations International Day for People of African Descent. 2023 is just the third year of this day's observance and, through it, the United Nations aims to promote the extraordinary contributions of the African diaspora around the world and to eliminate all forms of discrimination against people of African descent—something that I think is an incredibly worthy goal. With roughly 1.6 per cent of Australians identifying as being of African ancestry, it points to a significant and growing portion of our population. You can see that manifesting right here in Canberra and definitely in my electorate of Yerrabi.

The African-Australian community here in Canberra takes great pride in their identity as part of the African diaspora, loudly and proudly embracing the rich and diverse cultures related to their heritage. The African Australian Council ACT is the peak organisation that represents and advocates on behalf of the community and leads the way on showcasing this heritage to the broader ACT community in the kaleidoscope of multicultural Australia. I would like to acknowledge the great work they do under the leadership of their president, Dr Yvette Poudjom Djomani.

The African community runs many events throughout the year to share their cultures with the rest of Canberra, and I would like to take the time to mention just a few of them. First, there is the Africa Festival in the Park, which is a celebration of African food, art, culture and music and was hosted for the fourth year running this past April in Commonwealth Park, organised by Africa2Australia. Dera Night, a now annual event timed with Women's Health Week, is a celebration of women prioritising their health and wellbeing holistically in the spirit of the motto "Our health, our way." It recognises that, while mainstream health services can have many benefits and improving the equity of access to these services is vital, cultural competence and positive cultural health practices can significantly improve health outcomes for culturally and linguistically diverse women in Australia. After a very successful 2022 event, this year's Dera Night will be run on 8 September. I encourage all members of the Assembly to consider supporting this worthwhile event.

Another is the Africa Youth Soccer Tournament, also coming up again in September, which is run by Celebration of African Australians ACT. It aims to bring together members of the African diaspora and local communities to share in the excitement of soccer while fostering a deeper understanding of each other's traditions and values. This initiative received a 2023 Youth Week and InterACT grant, a program which provides funding for projects, events and activities that support youth engagement and celebrate the diversity and contributions to our community that young people bring. I would like to thank Minister Berry for her work in supporting this initiative.

In addition to these community events, it would be remiss of me if I did not mention the African-Australian community's very active participation in the annual Multicultural Festival each year, in March, and the thriving African drumming and dance community that shares its practices to all Canberrans all year long.

Today, on International Day for People of African Descent, I am pleased to make specific mention of a few African-Australians here in the ACT whose recent achievements in their chosen fields are representative of the rich contributions to our

Canberra community the African diaspora make. Firstly, I would like to recognise Mr Ebenezer Banful, who was awarded an Order of Australia medal in the King's Birthday Honours List for his service to African communities and health in Canberra. Mr Banful is Ghanaian-born and moved to Australia over 30 years ago and has since made significant contributions to our community by improving our understanding of African culture and values, and volunteers in several organisations.

Next, I would like to give a shout-out to the 2023 ACT Woman of the Year Beatrice, or Betty, Macharia, who is a community sector worker and proud African-Australian woman who has dedicated many years to volunteering in the ACT community services sector. In addition to pioneering and leading the delivery of Dera Night, Betty coordinates support for vulnerable women and is passionate about making a difference in mental health and domestic and family violence, as well as overcoming barriers for culturally and linguistically diverse communities. Also, she volunteers as the executive secretary of the African Australian Council ACT.

Of course, this list would not be complete without mentioning Kofi Owusu-Ansah, the Canberra-bred rapper and musician better known as Genesis Owusu. When he is not performing sold-out headline shows at the likes of UC Refectory or the Sydney Opera House or releasing critically acclaimed music, he is awarded the honour of the 2023 ACT Young Australian of the Year in recognition of his accomplishments and using his music to highlight his struggles with racism and oppression.

As we celebrate African-Australians today, let us also recommit ourselves to the principles of inclusivity, equality and respect. I am reminded today that it is through our work here in the Assembly that we can actively secure the prosperity in the future of the African-Australian community as elected representatives of the ACT. Of particular note is the recent passage of the Multiculturalism Act 2023, which provides the framework for government to ensure we are supporting diversity, inclusion and belonging. I would like to commend Minister Cheyne for making that legislation happen.

I am proud to be on an ACT Labor team that recognises and respects the harmonious cultural and ethnic diversity of Canberra. Let today serve as a reminder that diversity is not just a buzz word but also a source of strength that has the power to drive the ACT forward. I am proud to call on the Assembly to recognise and acknowledge the contributions of the African community and people of African descent in Canberra, and to continue working with the African community to support their very many initiatives. I commend the motion to the Assembly.

**MR CAIN** (Ginninderra) (3.44): I rise to speak to the motion before the Assembly, and I thank Ms Orr for bringing it before us today. The Canberra Liberals will support this motion. This motion calls on the Assembly to commemorate the United Nation's International Day for People of African Descent, which is today, 31 August. The motion notes the commemorative date and further notes the African Australian Council ACT, the peak representative body of the African-Australian community in the ACT, and the various community events held by the council to engage with Canberrans.

The motion calls on the Assembly to recognise and acknowledge the contributions of the African community and people of African descent in Canberra, and to continue

working with the African community to support their initiatives. These are indeed laudable initiatives, each of which deserves the support of all members of the Assembly. The Canberra Liberals support each tenet of the UN International Day for People of African Descent and its role to fight against discrimination on the grounds of race, culture and religion and to honour the contributions of the African diaspora.

I will throw in a few facts. In the ACT, according to the Census of Population and Housing: Cultural diversity data summary, 2021, the ACT is home to about 5½ thousand people with sub-Saharan African ancestry, just over 1,800 people with North African ancestry, and nearly 1,500 people with non-descript African descent, according to the ABS categories. That is over 8½ thousand in the ACT alone, noting that just over 2,000 are of South African and Afrikaner descent, nearly 800 are from Egypt, over 500 are Mauritians, nearly 500 are Sudanese and nearly 500 are Zimbabweans. It is great to see Canberra being an attractive city for people from those countries.

Regarding the African Australian Council and its president Dr Yvette Djomani, a large portion of Ms Orr's motion recognises the events that the African Australian Council provides for the ACT community. I want to similarly recognise these engaging and inclusive events organised by the African-Australian community groups, particularly the African Australian Council. With respect to the wonderful events noted in Ms Orr's motion, I have great admiration for them and have been fortunate enough to attend quite a few. I attended the Africa Festival in the Park in April this year and the 60th anniversary of Africa Day in May. Unfortunately, I cannot make the upcoming Dera Night 2023, to be held at The Link in Ginninderry, hosted by Ms Betty Macharia, the executive secretary of the African Australian Council ACT, but I certainly extend my best wishes to all who attend that worthy event.

While the African Australian Council ACT does tremendous work in the community, I want to acknowledge the various other African-Australian community groups active in the ACT that I have had the privilege of engaging with. Celebration of African Australians ACT and its executive director, Mr Charles Coker, have recently held incredible events, such as the Christmas in July Afrobeat Dance Party, the Canberra Day Singspiration, and the Afro Aboriginal Cultural Entertainment event on Australia Day. I was fortunate enough to be able to attend those.

Celebration of African Australians ACT also have important information events, like the virtual public health information sessions, and health and wellbeing information sessions, including the COVID information sessions during the lockdown period. These featured wonderful African-Australian role models, including my good friend Chiaka Moneke.

I acknowledge as well other groups, including Patrick and Rebecca Lubianji from Harvest Hope Africa, a charitable organisation selling African-themed clothing in order to send funds to villages and others in need in the African community. I acknowledge the work of Dewani Bakkum in Migrant and Refugee Settlement Services, or MARSS, for the important work with many new Canberrans of African-Australian descent, as well as the Canberra Multicultural Community Forum. There are many other multicultural groups that include support for African-Australians.

There are also many national, ethnic and religious groups active in Canberra's burgeoning African-Australian community, including Moses Kamanda and Amadu Barrie of the Sierra Leonean Community in Canberra and Regions ACT for effectively and enthusiastically representing Sierra Leoneans and their culture in the ACT and region. Also, I pay tribute to Mr Francis Kilanga from the Congolese community of the ACT. It was a delight to attend an anniversary of Congolese independence several months ago. The St Mark Coptic Orthodox Church community is another example. I was delighted to attend a Ramadan dinner hosted by this Coptic Orthodox Christian community. I look to upcoming events. The African Youth Soccer Tournament awaits my attendance, as do the African Australian Awards later this year.

It is also important to acknowledge and recognise the positive impact of the numerous diplomatic missions that Canberra hosts as the national capital. Many of the countries of Africa have a representative here, if not all. I would have to check that. Canberra is home to many high commissions and embassies of African nations that provide important diplomatic services for their nation and their expats here. Obviously, they are not just about representing the nation located in Africa but also about supporting the community that has decided to call Australia home. These commissions often frequently host wonderful events that provide an opportunity for cultural engagement between Africans and Canberrans, highlighting in particular African culture. African diplomatic missions have been part of the fabric of our city for many decades, and the city is made brighter by their presence.

I note that, as I have engaged with members of the African community in the ACT, they were looking forward to the promised multicultural centre at EPIC. There was much anticipation of perhaps having part of that facility dedicated to the theme of celebrating African culture. I thought that would be great and a good thing to put in the mix with this promised multicultural centre. However, to the shame of Labor and the Greens, the chance of that idea and many others being realised was quashed before it could even begin. As we are aware, the ACT government has reneged on the promise that was explicitly made in the Parliamentary and Governing Agreement for the establishment of a multicultural centre at EPIC. The outline that a Labor-Green government will "construct a large new multicultural events venue at EPIC for cultural performances and available for hire for large private functions" was the promise. It was a major Labor election commitment and the breaking of that promise will be felt most acutely by ACT multicultural organisations. Many of them have expressed their concern and disappointment to me.

Ms Orr's goodwill and kind words sour quickly when you consider this aspect of the government's approach to the multicultural community—a broken explicit promise for a dedicated multicultural venue at EPIC. It would have been interesting to see if Ms Orr had thought about mentioning that in the motion. Ms Orr and her party might do well to convert this well-meaning sentiment into a deliverable for the African-Australian community and, of course, our broader multicultural community. It is not too late to deliver the promise. It is not too late.

Many in the African-Australian community in the ACT are desperate to see cost-effective and appropriate venues for use in Canberra. The community has very few venue options available for their meetings and events at low cost. More than ever,

they need venue spaces to avoid paying exorbitant costs for private rooms or having to go to the Theo Notaras Multicultural Centre, which no longer offers informal cultural gatherings after certain hours and is too small to accommodate some of the events that the African-Australian community would like to hold.

So, while I do commend Ms Orr for her motion and thank her for bringing it before us today—and the Canberra Liberals will be supporting it—I note that the Labor-Greens government can and must do more for our multicultural community. That includes revoking this broken promise and make sure that the ACT multicultural community have the venue that was promised to them and which they deserve.

**MR BRADDOCK** (Yerrabi) (3.54): The 2021 census shows that at least 400,000 Australians, or 1.6 per cent, identify as being of African ancestry, but this might not be the complete picture. It might not include all the African diaspora living in Australia. For example, there are Afro Caribbeans, Afro Spaniards, Afro Latinos, Afro Canadians, Afro Americans—all people who can trace their descent from Africa. This is a significant and growing portion of Australia and Canberra's population. Yet, in spite of the increasing numbers, the experience and voices of people of African descent in Australia have not been elevated to the level or respect that they deserve. Therefore, I would like to thank Ms Orr for bringing forward this motion for debate.

The International Day for people of African Descent is the United Nations declared observance to commemorate the extraordinary strength and resilience of the African diaspora. It was first celebrated in 2021 around the mid-term of the International Decade for People of African Descent and the heightening of the Black Lives Matter movement after the murder of George Floyd in the US. The International Decade for People of African Descent aims to honour the important contributions of people of African descent worldwide, advance social justice and inclusion policies, and work towards eradicating racism globally. International days reflect the values that society shares. All human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and wellbeing of their societies. Any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous, and must be rejected.

When talking about people of African descent, it is also worthwhile reflecting on the diversity that makes up that massive continent—a diversity that needs to be celebrated for the contribution it makes to our lives. The International Day for People of African Descent is not simply about recognising other diverse cultures and foods. Important as that may be, doing so is performative and tokenistic. When people of African descent are a topic of conversation, it is often in problematising ways—for example, reports of African gangs or what they lack or what skills or culture fit might be the issue. This constructs people of African descent as a problem that needs to be dealt with rather than focusing on the contributions they make to the Australian community.

The International Day for People of African Descent is an opportunity for Australia to promote counternarratives to these deficit discourses. It is an opportunity for non-tokenistic recognition of the valuable contributions of people of African descent and to talk about the barriers they face. I would like to talk to some of the valuable contributions that the people of African descent make to our community here in Canberra.

I would like to thank Ms Orr and Mr Cain for basically striking out half of my speech by recognising the people I had already planned to recognise. I will hopefully add just a few extras that might not have been recognised, but I echo what they have already said regarding the people of the Canberra community. The people I would like to draw attention to are some who have not been mentioned from the African Australian Council executive. Whilst Yvette has been mentioned twice, and deservedly so, I would like to draw attention to Jackie Wairimu Mbonzi. She makes an outstanding contribution to her local community and has been a powerhouse. The youth and community liaison officer, Kofi Osei Bonsu, is another very impressive person. I would also like to recognise the contributions to the African Vibes showcase at the National Multicultural Festival, which I must say went absolutely off and was probably the cause of some of the noise complaints that were received. I would also like to give a shoutout to the East African Community Association of Canberra, which is a veritable social force. If you ever want to have a good time, I recommend you go to one of their events.

I promised I would not duplicate what Ms Orr said, but there is the contribution of Betty Macharia, the 2023 ACT Woman of the Year, as a result of the fantastic work she has done on behalf of her community. It was duly deserved. I am looking forward to attending Dera Night—Our Health, Our Way in the near future. Another person I would like to draw attention to is Dr Bosibori Bett, whose belief in collective partnerships drove her to implement an initiative to improve the livelihoods of small farm holders in Kenya, in collaboration with the Australian High Commission in Kenya, county governments and farmer associations. Dr Bett also volunteers with the East African Community Association of Canberra board and works across the agricultural sector, highlighting the invisibility of sexual and gender minorities in agricultural research.

All these contributions make Canberra a far richer, more interesting and rewarding place for all of Canberrans. To all people of African descent, I say thank you. Your contributions are truly valued. You are an important part of the Canberra community. As an MLA, I am not supposed to say I have favourite community group, but I can say the Africans have the most fun. Thank you.

**MS CHEYNE** (Ginninderra) (4.00): I start by acknowledging Ms Orr's dedicated advocacy for the African community in Canberra and thank her for bringing this motion forward today. As highlighted, today marks the United Nations International Day for People of African Descent. It is a day that honours the remarkable resilience and strength exhibited by the African people.

Just a few months ago, like Mr Cain, I had the privilege of attending the 60th anniversary of Africa Day. Sixty years ago, the African Union was founded to show the determined efforts for unity among African people. Integrated, prosperous and peaceful are the shared values which brought the 55 African countries together as a union, and these values are ones we also pursue as Canberrans. The event was a jubilant celebration of our African community's cultural richness and the diverse heritage of African nations here in Canberra. Indeed, the African community has woven countless accomplishments into the tapestry of Canberra's prosperity and diversity. You have heard many of these being drawn to the chamber's attention today.

We take pride in the thriving spirit of the African community in our city and acknowledge the invaluable contributions of members of the African community. Their leadership and dedication have played a pivotal role in fostering multiculturalism across all facets of our society. This was perhaps never more evident than in 2021, during the height of the COVID-19 pandemic, when African community leaders, in partnership with ACT Health, held COVID-19 vaccination information sessions to ensure accurate and safe advice reached every corner of the African community in the ACT. The African community worked tirelessly in collaboration with the ACT government to ensure that the community was well supported during this difficult time. I continue to commend them. I also commend the African Australian Council ACT for its efforts in representing and advocating for the African community and fostering social inclusion among Australians of African descent.

Our commitment as a government to multiculturalism is underlined through the recent passing and the imminent enactment, tomorrow, of the Multiculturalism Act. At the heart of this legislation is the establishment of the Charter for Multiculturalism, which articulates a set of principles aimed at nurturing diversity, inclusion and a sense of belonging in the community. These guiding principles serve as a compass for the government in steering the development, delivery and evaluation of policies, programs and services to ensure they align with the needs of the community and against which the government will be transparently required to report.

Many of you know that Canberra is a proud member of the Welcoming Cities network, which is a global initiative that promotes inclusive practices and celebrates the cultural contributions of newcomers. In recognition of our efforts and success in fostering economic, social and cultural inclusion, we are now an advanced welcoming city—just the second in Australia to have this achievement.

The National Multicultural Festival, a cornerstone of our city's cultural calendar, is a prime example of the importance that we place on fostering social cohesion and showcasing our diverse heritage to the world. In this year's 25th anniversary festival, we were fortunate to have two wonderful African showcases led by the Celebration of African Australians, incorporated in the African Australian Council ACT. Twenty-one African performance groups delighted record crowds over the three days of the festival, with highlights including One Spirit Africa, Parice, Gervais Koffi, the African Diaspora, and Ras Jamino.

The ACT government's pledge to nurturing diverse cultures is further evidenced by our ongoing initiatives, particularly the Multicultural Participation Grants in the ACT Event Fund. Our funding has supported various cultural showcases and initiatives such as a swim school and the African Youth Soccer Tournament, and has contributed to the African Women's Safe Talk Forum to Take a Stand against Domestic Violence. Earlier this year, we proudly supported the Africa Festival in the Park, at Commonwealth Park, which was the largest African festival in Canberra. This event was a delight to the senses, including a very fierce cooking competition of different nations' versions of jollof rice and a showcase of the rich diversity of African nations.

I also note the accomplishments of the individuals that have been highlighted today, and I offer my enthusiasm and encouragement for all their achievements. Of course,



we look forward to welcoming many multicultural communities to our significantly upgraded Fitzroy Pavilion as that work gets underway.

On behalf of the government, I reaffirm our continued commitment to supporting the African community. Canberra's richness stems from its diverse population. The ACT government is resolute in its mission to foster a multicultural and inclusive city where everyone finds a true sense of belonging, and the African community stands arm in arm with us on that. Thank you.

**MS ORR** (Yerrabi) (4.05), in reply: I will make just a few brief comments to thank everyone for their contribution today. It is very clear that our African community is very much respected and appreciated by our Assembly. I would like to make a comment about Mr Cain's comments on the multicultural centre that Labor committed to. As the mover of the original motion that led to the development of this project, I think it is fair to say that it has not been abandoned. I am happy to get an update. Mr Cain has the information at hand and hopefully will come to appreciate that it is maybe not quite as dire as some of his comments might have suggested. Again, I thank everyone who has contributed today in the spirit of this motion on this day.

Question resolved in the affirmative.

## **Canberra Hospital—specialist medical training accreditation**

**MS CASTLEY** (Yerrabi) (4.06): I move:

That this Assembly:

- (1) notes that the:
  - (a) Fetal Medicine Unit at Canberra Hospital had its training accreditation suspended;
  - (b) Obstetrics and Gynaecology Unit at Canberra Hospital has been placed on Provisional Accreditation for a period of six months;
  - (c) Canberra Region Medical Education Council revoked accreditation for the Plastic Surgery term; and
  - (d) Child at Risk Health Unit is having its training accreditation reviewed following significant concerns about shortfalls in senior specialist numbers;
- (2) further notes:
  - (a) the Minister has attributed these serious issues around the loss, suspension, and review of training accreditation to “known challenges” and “workforce challenges and shortages”;
  - (b) the Chief Operating Officer of Canberra Health Services (CHS) confirmed, in estimates, that doctors who receive reasonable training, experience and support are more likely to stay in Canberra after finishing their training;
  - (c) a draft report from the Royal Australian and New Zealand College of Obstetricians and Gynaecologists (RANZCOG) into the Obstetrics and Gynaecology Unit found that:

- (i) “The hospital has repeatedly been made aware of areas in which the training offered is insufficient.”; and
  - (ii) “The workplace culture had deteriorated to the point where it did not appear to be one which prioritised training.”; and
  - (d) President of the ACT Australian Medical Association said on ABC Radio “I unfortunately have to say that it is more the fault of the government that hasn’t changed its mindset and hasn’t created identity for CHS to be able to then train the junior workforce and have the resources, that requires concerted efforts and I don’t see that happening.”; and
- (3) calls on the ACT Government to:
- (a) report to the Assembly on the training accreditation status of all four units, including the work completed by CHS to restore accreditation to all four units by the final sitting week of 2023; and
  - (b) provide and table the detailed workforce plan requested by RANZCOG for the Obstetrics and Gynaecology Unit in the first sitting week of October 2023.

On 3 August 2022 I asked the health minister whether the Fetal Medicine Unit had lost its accreditation, and she took it on notice before coming back to the chamber that day to inform the Assembly that the unit would have its training accreditation suspended from 1 September 2022.

On 6 June 2023 I asked the minister whether it was true that the obstetrics and gynaecology unit had received a negative assessment and had six months to make widespread changes or lose its training accreditation. Again, the minister took this question on notice; but, rather than her coming back at the end of question time, we did not receive a response for more than three weeks, before it was confirmed that this was true. On 20 July, during estimates, I asked the minister whether any other units were in danger of losing accreditation. The minister answered, “Not off the top of my head.”

I pressed and asked specifically about plastic surgery, and the Chief Operating Officer of CHS said to me during the hearing that he would check on that and come and correct the record if necessary. I did not hear anything for another three weeks. It was then confirmed, in a very overdue answer to a question taken on notice, that not only had the Canberra Region Medical Education Council revoked accreditation for the plastic surgery team—another unit—but also the Child at Risk Health Unit was having a mid-cycle review by the Royal Australasian College of Physicians, due to workforce shortages.

Since August 2022 the alarm bells have been ringing because not only has the minister not known about these accreditation issues each time I have asked but she has also downplayed how serious these issues are.

When Mr Cocks asked the minister, on 23 November, what the problems in the Fetal Medicine Unit meant for parents who needed this vital service, she said, “They will continue to get this service.” In March 2023 we found out that more staff had gone on leave or left the unit. However, the minister reassured us that “the service itself continues to be safe”.

In April it was revealed that CHS had attempted to outsource the operation of the unit. This, to me, does not seem like something you would need to do unless there was a concern that patients were not able to receive a safe service. It was then revealed through an FOI request that I submitted on 24 January that the executive director of Women, Youth and Children said, in a procurement request summary:

The Fetal Medicine Unit has experienced sustained staff shortages. It is anticipated that a sustainable service will be unable to be provided in the first quarter of 2023, posing significant patient safety and reputational risk.

The FOI document goes on to say, when discussing the risks:

There are major risks for compliance and regulation, with training requirements and RANZCOG accreditation requirements not being met.

When this story broke, the minister tried again to deflect the blame away from herself by saying that safety at the Fetal Medicine Unit was not compromised, as mitigation strategies were being used. If these are similar to the mitigation strategies that are discussed in the procurement, I do not hold high hopes for the Fetal Medicine Unit regaining that training accreditation. We still have not received any update from the minister on how CHS is working to ensure that training accreditation is restored in the Fetal Medicine Unit.

The 42-page report from RANZCOG on the obstetrics and gynaecology unit lays bare how neglected a unit must get before a college is forced to intervene. Canberra Health Services obstetrics and gynaecology unit failed to meet five out of six standards set by the college, and only partially met the other. For each standard in this report, the college has outlined a very detailed, abysmal assessment of the conditions that frontline staff face in this hospital. These abysmal conditions are what the minister referred to in estimates and in the media as “known challenges”. I will read a few of them and let members make up their own minds as to whether they think this is acceptable as a response from the health minister for the territory.

The consultant staffing was described as being at a persistently critical level, with the ability to meet clinical needs often impacted by unplanned leave, staff turnover and increasing levels of burnout. Multiple trainees described situations where they had trouble calling in consultants or were advised to perform procedures they were not properly credentialed for. The organisational culture is fractious, with a clear divide between frontline medical staff and hospital executive evident. Top-down communication is poor and there is no trust that concerns will be heard or acknowledged. Extreme escalation is required to achieve any engagement at an executive level, and this was not seen to have any meaningful effect. Saying that these are “known challenges” plays down what are clearly significant issues that are causing burnout and affecting retention.

I hope that, in bringing this motion to the Assembly, I can help by providing extreme escalation to the Minister for Health. Given the minister’s dismissive remarks about these issues, I doubt that this will have any meaningful impact, but I am hopeful. In one way, the minister is not wrong when she says that they are known challenges. The

Labor-Greens government have known about them for more than a decade. In 2010 13 registrars resigned after complaints of bullying and a damning report. That 2010 report found serious shortcomings in staff management, clinical care and training.

In 2014 the obstetrics and gynaecology unit was placed on provisional training accreditation for six months. A visiting assessor described Canberra as having the worst maternity training unit in Australia. If that sounds familiar, it is, because it is an almost identical situation nearly 10 years later. In a *Canberra Times* article in 2014, a person with specific knowledge of the situation said that serious cultural problems existed and they feared a serious accident or staff suicide. They went on to say, “They will need to man up to really make hard decisions.” Did they make any hard decisions? It does not seem like it, because in June 2023 Canberra Hospital’s obstetrics and gynaecology unit was once again placed on provisional accreditation. I seek leave to table the RANZCOG report.

Leave granted.

**MS CASTLEY:** I present the following paper:

Canberra Hospital—Accreditation Review Report of the Obstetrics and Gynaecology Department—Monday 5 June 2023, prepared by the Royal Australian and New Zealand College of Obstetricians and Gynaecologists.

On ABC radio the ACT President of the AMA was asked, “Is the fault with Canberra Health Services or the government?” The ACT President of the AMA, who works at the hospital, said:

I unfortunately have to say that it is more the fault of the government that has not changed its mindset and has not created identity for CHS to be able to then train the junior workforce and have the resources. That requires concerted efforts, and I do not see that happening.

He also said, earlier in the interview, that “it is a problem that the ACT has and is more of a problem than elsewhere in the country”. So there you have it; the President of the AMA—the peak professional body for doctors in the ACT—puts the blame squarely on the government for failing our trainee doctors.

RANZCOG’s criticisms in their draft report can be laid at the government’s door. For example, in reference to insufficient training opportunities, they say:

This appeared to be due to a combination of staffing shortage, minimal workforce planning and poor communication.

The atrocious conditions that have resulted from this minister and the Labor-Greens government’s neglect have created cultural issues and caused staff burnout, and now trainee doctors are at risk of having to move from the ACT’s tertiary referral hospital. Does the minister take any responsibility? Of course not. During estimates, rather than answer a question about the impacts of the RANZCOG report and its effect on reputation, as well as attracting and retaining staff, she decided to blame me. The minister said:

What contributes to reputational damage, Ms Castley, is your ongoing misrepresentation of the issue, as if we are losing training accreditation more broadly than has been the case.

How extraordinary. Not only has the health minister now been forced to admit that Canberra Hospital has lost training accreditation more broadly than had been known, but the ACT President of the AMA stated that these issues with training accreditation were the result of the government's rigid mindset. No candour; no accountability; no acknowledgement of responsibility. This is the third shocking review of the obstetrics and gynaecology unit, all occurring under the management of the Labor-Greens coalition. The minister, following both the foetal medicine and obstetrics and gynaecology training accreditation bombshells, has tried to assure Canberrans that patient care has not been affected, despite FOI documents and RANZCOG reports stating that there have been issues.

I would like to share a personal story of a recent patient who contacted my office when she needed to access care at the Canberra Hospital. This Canberra woman, sadly, had a miscarriage confirmed on 3 August. Mortified, this woman contacted her GP, who told her that the early pregnancy unit at Canberra Hospital would call her to arrange a procedure. But the hospital never contacted her. The next day, she contacted the hospital, who told her there were staffing issues, eight other women were on the call list and it was unlikely that she would be able to get an appointment on the Friday or over the weekend.

On the Friday, the young woman turned to Queanbeyan hospital. A doctor from Queanbeyan rang her within half an hour and said he would try to get her in that afternoon. What an indictment of this government that, for the last 13 years, has starved resources to our obstetrics and gynaecology unit. For this patient, Canberra Hospital, as a major tertiary referral hospital, was less responsive than Queanbeyan. I wonder how often this is the experience of other patients who leave the ACT for New South Wales.

As I have already noted, before estimates we heard concerns that the plastic surgery unit had lost training accreditation. When I asked the minister if she knew about it, during estimates, she replied, "Not off the top of my head." The minister and executives took on notice a question about whether they had received any formal or informal feedback about other units that were at risk of losing training accreditation.

I received a copy of the *Hansard* on 26 July, which meant that the minister had five days from then to answer my question, and what happened was truly bizarre. On 3 August, a day after the answer to my question was due, the Riotact reported that the plastic surgery unit had had its training term revoked, and that CARHU was due to have a mid-cycle review due to workforce shortages. The minister did not sign off on the question she took on notice until 15 August, 12 days after the information appeared in the Riotact and almost two weeks overdue.

I have no idea how it takes almost two weeks to provide a two-paragraph response to the estimates committee. The minister has made a complete joke out of the standing

orders, which clearly state that a member must respond to a question taken on notice in the course of a committee hearing within five business days of receipt of the uncorrected proof *Hansard*.

When it did eventually arrive, the minister's answer said she was advised of both of these accreditation issues on 2 August, almost two weeks after my estimates questions. So much for the minister being interested in these issues. It was on the next day, the 3rd, that the Riotact carried the story about accreditation of these two units, and 12 days after that the health minister deigned to sign off on her answer to the committee. This looks like an attempt to kill off the story, rather than suffer the embarrassment of the minister being seen to be both ignorant and uninterested in training accreditation at the Canberra Hospital. It is sneaky and shameful.

I want to conclude by discussing solutions to the workforce issues that are causing serious problems. The CHS response has cribbed about the plastic surgery unit losing accreditation. I feel that it is splitting hairs, to put it mildly. The CHS job portal shows that there are at least four positions being advertised in the plastic surgery unit.

We heard in estimates that doctors who train in the ACT are more likely to stay in the ACT. With national and international difficulties in attracting doctors, you would have thought that the government would do anything they can to ensure that junior doctors stay in the ACT to train. Instead, we have the President of the AMA telling us that the opposite is true. It is shameful and it is impacting patients, as well as the future frontline workforce in the ACT.

My motion today is a simple one. I am calling on the government to provide an update in September and in the final sitting week so that members and the ACT community can be aware of whether the government has managed to hang on to training accreditation. We deserve to know. I hope that we do restore these training accreditations to all the units and finally make some improvements for these high activity units, improving staffing and culture, and showing our trainee doctors that we value them here in the ACT.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.20): I move the following amendment to the motion:

Omit all text after paragraph (2)(d), substitute:

“(3) further notes that:

- (a) cultural challenges in obstetrics and gynaecology are not unique to the ACT, with a 2021 RANZCOG survey finding the College's results benchmarked poorly against other medical specialties;
- (b) in 2022, RANZCOG published a comprehensive external review of workplace culture from an independent Bullying, Harassment and Discrimination Advisory Working Group that:
  - (i) made 24 recommendations outlining actions RANZCOG should take to support workplaces across Australia and Aotearoa New Zealand to be healthy, safe and respectful; and

- (ii) identified the need for RANZCOG to deepen collaboration with employers, governments, agencies and other medical colleges to promote a sector-wide response to discrimination, bullying, sexual harassment and harassment; and
- (c) RANZCOG released a progress update against actions from the comprehensive external review in July 2023; and
- (4) calls on the ACT Government to:
  - (a) report to the Assembly on the training accreditation status of the three specialty training areas and the post-graduate year one training term, including the work completed by CHS to support the four units training provision by the final sitting week of 2023;
  - (b) table the workforce planning information for the Canberra Hospital Obstetrics and Gynaecology Department requested by RANZCOG in the first sitting week of October 2023;
  - (c) work collaboratively with RANZCOG to support changes it has identified are needed as a result of its own comprehensive external review; and
  - (d) continue working with professional associations and industrial organisations to promote safe training environments across CHS.”.

I was going to table the final report from RANZCOG into its accreditation review of Canberra Hospital, but I note that Ms Castley has already tabled the final report, which is interesting, so I will table the covering letter for that report, which notes:

On behalf of the college and the accreditation panel, the Chair of the Training and Accreditation Committee would also like to take this opportunity to once again thank you and all the other hospital staff for your cooperation and support during this process. It was very much appreciated.

I think it is important to put that full response on record to recognise how collaborative Canberra Health Services and Canberra Hospital have been with the college through this process.

I note that recently Ms Castley was speaking on radio about these matters and she was asked whether the Canberra Liberals had any alternative ideas, solutions, policies et cetera to address these issues. Ms Castley was unable to come up with a single idea or policy—not one. She does not have a single positive contribution to make to this debate—not one.

She said that, at some point, they will have something to say. I would suggest to Ms Castley—and I know that she will throw this back at me—that constantly undermining and misrepresenting what is going on in Canberra Health Services and undermining the reputation of Canberra Health Services is not a positive way to support attraction, recruitment and retention in our health service. That is not actually helpful.

She could balance some of her commentary a bit by saying, “Actually, they provide great services.” I am sure that Ms Castley gets the positive feedback that I get, as well as the negative. She knows that I have had the same letter that she has had in relation

to someone's recent experience with the early pregnancy unit—not the Fetal Medicine Unit but the early pregnancy unit, a different unit and a different team. In fact, it is an incredible service. No, she never talks about the positives—never, ever; not once.

My amendment does a few things. Most of Ms Castley's conversation is focused on obstetrics and gynaecology. It is the largest area that is subject to this motion, so I thought it was important to put on record specifically that the cultural challenges in obstetrics and gynaecology are not unique to the ACT. Ms Castley often speaks about them as if that is the case, but it is true that this is a longstanding issue in obstetrics and gynaecology.

In 2021 the RANZCOG survey, which was a BPA survey, found that the college's results on its culture survey benchmarked poorly against other medical specialties. As a result, in 2022 RANZCOG published a comprehensive external review of workplace culture from an independent bullying, harassment and discrimination advisory working group, which made 24 recommendations that the college is working through. I will table, for the information of members, the summary of facts for the prevalence survey into discrimination, bullying, sexual harassment and harassment for RANZCOG from 2021, and the progress report of 2023 for the Fostering Respect Action Plan 2022-25.

I am very keen, as are other ministers around the country, that health ministers, health departments and health services work very collaboratively with the college to address the culture issues that exist in so many hospitals in obstetrics and gynaecology. The college is keen to do this as well. In fact, this morning I met with the College of Midwives, and they were also keen to ensure that collaborative work is done across our maternity services to improve culture and address some of the cultural issues which are longstanding in these services.

One of the recommendations in this report, and one of the actions that RANZCOG is taking, is to have a stronger focus on culture in accreditation. That is one of the outcomes of the process. Unfortunately, health ministers in other jurisdictions have noted that there is not always good and timely communication between the colleges—not just RANZCOG, I hasten to add—and hospital leadership or department leadership when concerns are identified.

This goes to one of Ms Castley's points about awareness—my awareness and the awareness of senior leadership on some of these issues. Colleges and accrediting committees tend to work directly with the units and divisions of hospitals that they are accrediting. Internally, we have some work to do around communication, but there is also a job of work to do that health ministers and colleges have agreed on to improve communication between colleges and hospital leadership, and the health department leadership and ministers, when these issues are identified.

I have really appreciated that RANZCOG, as part of its national strategy, has sought an ongoing contact point with my office to improve the flow of information. As I have said on previous occasions, I have met with RANZCOG twice recently to talk about not only some of the issues that are specific to the ACT but also the broader work that they are doing on culture.



Ms Castley asked for an update on what we have been doing in relation to Canberra Health Services. To provide some background, before I get to some of the specifics, Canberra Health Services do know that there is more work to do and they have been working on this for some time. When I talk about known challenges, that does not mean downplaying the challenges. It does not mean those things are not important, it does not mean there is not more work to do, and it does not mean that the situation is not challenging for those people working on the ground. But it does mean that we know that there is more work to do.

That is why Canberra Health Services has recently launched, among other things, a clinical teaching and learning strategy and a Canberra Health Services research strategy. It is why we made investments in the 2023-24 budget to address these issues and to improve the on-ground experiences now and into the future of our existing staff and trainees, and particularly junior doctors.

Reviews are really important. The colleges play an important role in the accreditation process because we always want to do things better, and CHS is committed to continual improvement. As I mentioned in question time the other day, there are 12 programs accredited to deliver five years of training at Canberra Hospital. These programs are general surgery, neurosurgery, oral-maxillofacial, orthopaedic surgery, vascular surgery, neonatal medicine, emergency medicine, psychiatry, dermatology, medical oncology, palliative care and haematology.

In relation to what is happening in individual areas, starting with plastics, I can advise that the plastics and reconstructive surgery unit does not and never has had an accredited training program in the ACT, so it is incorrect to say, as Ms Castley regularly generalises, that the unit has lost its training accreditation.

What the question on notice refers to is a recent revocation of a plastic surgery training term, which is one of a number of training terms that counts towards general medicine medical registration for junior doctors. This is for intern postgraduate year 1 training only, and it has impacted on a small number of junior doctors and other medical officers undertaking this work. There is no service disruption, and no junior doctors have been or will be disadvantaged by this, as they have been reallocated to other training terms and will still be able to achieve unconditional registration at the end of the training year.

The junior medical staff in the plastic surgery unit are being provided pastoral care, as required, to ensure that they feel safe and supported and have a clear avenue to seek assistance outside the immediate unit. The unit has also engaged the services of several locum junior medical officers to supplement the registrar workforce, in lieu of the JMOs that have been removed with the loss of the accreditation of the intern rotation.

In relation to obstetrics and gynaecology, a temporary clinical director from outside the area has been appointed to focus on the junior medical workforce with obstetrics and gynaecology, including workloads, training and education and pastoral supports. The unit has undertaken additional recruitment and has engaged the services of several locums to supplement the workforce and provide a better balanced workload and more capacity for access to training opportunities and leave for existing trainees.

My amendment to the motion calls on me and the government to table the workforce planning information for the Canberra Hospital Obstetrics and Gynaecology Department that has been requested by RANZCOG in the first week of October 2023 and to report back to the Assembly more broadly on the trainee accreditation status of the three specialty training areas and the postgraduate year 1 training term by the final sitting week of 2023, as well as to continue to work collaboratively with RANZCOG on its broader work.

In relation to the Fetal Medicine Unit, I can advise that two sonographer positions have been offered: an advanced practitioner role and a senior sonographer manager. The FMU continues to operate with ongoing staff specialist and VMO medical specialist arrangements in place. Ongoing efforts have been undertaken to attract, recruit and retain subspecialists and sonographers, and active recruitment continues for a permanent maternal foetal medicine specialist. Due to national skills shortages in this highly competitive market, arrangements continue to build on the existing resources through the visiting medical officer support.

The VMO support does include two maternal foetal medicine specialists from Sydney, who are covering two days a week, and a visiting consultant sonologist from Melbourne who attends fortnightly to conduct training sessions for registrars. CHS has recently appointed two senior sonographers over the past month. One of these positions will provide advanced practice development and teaching and the other operational support. The local consultants who work in the FMU continue to provide the services for the unit in the intervening days. CHS has continued its arrangement with the two visiting medical officer MFM specialists from Sydney for in-person visits and extended this arrangement to include phone support for escalation of any foetal welfare concerns.

More broadly, CHS has developed a new director of clinical training role. The director of clinical training will provide leadership and management support to training program directors on the program accreditation processes of vocational colleges. In addition to accredited training programs, the DCT will also work with unaccredited medical staff and international medical graduates. There will be an opportunity to liaise with the ANU for medical student training and they will be heavily involved in the implementation of the CHS learning and teaching strategy.

CHS is also putting in place a new clinical medical wellness officer. They will be responsible for the development and implementation of contemporary healthcare wellbeing initiatives for medical officers at Canberra Health Services, inclusive of all sites. The position is a 0.5 full-time equivalent and the duty statement is currently out for consultation, with the position to be advertised at the conclusion of that process.

CHS is also undertaking leadership training for registrars, in conjunction with CRMEC, conducting a leadership training workshop for registrars. Through the 2023-24 budget, as we have previously described—and I will not go into details—we have invested more than \$8½ million to enhance support and wellbeing for junior medical officers.

CHS's clinical learning and teaching strategy was launched in May 2023, and an implementation plan is being developed and is due for completion over the next two months. This strategy identifies opportunities to strengthen learning and teaching governance, including leadership, promoting a learning and teaching culture, supporting workforce recruitment and retention, strengthening and developing impactful and relevant partnerships, and dedicated infrastructure and resourcing to ensure that the CHS clinical workforce can reach their full potential. I have also mentioned the CHS research strategy.

Unlike Ms Castley, we have a lot of positive ideas over here. There is a lot being done. There is a lot that we know needs to be done. If Ms Castley could come up with one positive idea that she thinks we might want to implement, I would welcome her input. I present the following papers:

Copy of letter to the Medical Unit Director, O&G Canberra Health Services from the Chair, RANZCOG Training Accreditation Committee, dated 4 August 2023.

Fostering Respect Action Plan 2022-25—Progress report 2023—Addressing Discrimination, Bullying, Sexual Harassment and Harassment in O&G—RANZCOG, dated July 2023.

Summary of Facts—Prevalence Survey into Discrimination, Bullying, Sexual Harassment and Harassment—BPA Analytics on behalf of RANZCOG.

**MR DAVIS** (Brindabella) (4.36): I commend Ms Castley for this motion and for her dedication to ensuring that our hospitals provide the very best care for patients and are good places for our young and training doctors to work. These people are, of course, the future of our medical workforce. The ACT Greens will support the amendments proposed by Minister Stephen-Smith to Ms Castley's motion, as we believe they add some additional information and context but do not change the motion's intended purpose. The Greens support this purpose. We want to better understand what is happening in our hospitals to support the training of our future workforce, and this requires that more transparent information be provided to this Assembly to help inform future updates on hospital units' training accreditation status.

Our frontline healthcare workers and doctors, in particular, are the backbone of our healthcare system, and one of the best investments that we can make, as a government, in our healthcare system is our healthcare workers. The healthcare sector has experienced significant worker shortages right across the country, from which the ACT is not immune. And nobody, not least the minister, has denied that Canberra Health Services has experienced cultural challenges, though these are not unique to our health service alone.

The Medical Training Survey of 2022 highlighted some of the issues that are contributing to challenges for trainee doctors across the country, including an increase in the trainee workload, a decline in the quality of teaching, a drop in the number of trainees who would recommend their current position or organisation, and an increase in the number of trainees considering a future outside of medicine. It is likely that the pandemic contributed to the decline in these results. These are extremely concerning findings, but I want to reiterate that they are national results. The ACT is not special in this regard.

Anyone who has watched a medical show on TV would recognise that it is a particularly stressful and demanding work environment—let alone one to train a junior staff member in and for them to participate in that training. While not in comparable industries or environments, I myself have experienced what it is like to be a junior in a workplace full of seemingly higher qualified superiors who do not have the time or the patience to support younger workers.

I want to acknowledge the comment in Ms Castley's motion from the Chief Operating Officer of Canberra Health Services, who said that doctors who receive reasonable training, experience and support are more likely to stay in Canberra after they finish their training. This makes complete sense. Of course, if you have a good experience training in a particular place, you are more likely to want to stay there. If you have a negative experience, you are pretty likely to jump at other options when they become available. We have heard similar evidence presented regarding the nursing and midwifery workforce, as part of the Standing Committee on Health and Community Wellbeing's ongoing inquiry into these issues. It is, of course, reasonable that the better we treat our staff, the better our ability to recruit and retain workers to our system.

Ms Castley's motion goes to some of the cultural challenges that I understand can be particularly pervasive in the types of clinical environments that we are discussing. I commend Minister Stephen-Smith for committing to a greater investment in our healthcare workforce, including through the ACT Health Workforce Strategy, which sets out the territory-wide approach to building a sustainable healthcare workforce for the ACT, and the latest budget of \$2.2 million for implementing that strategy.

We often talk about a number of strategies spread across the government designed to fix policy challenges, many of which struggle to come with funding from their beginning iterations, so it is particularly encouraging to see that this strategy has been funded. Previous budgets have also committed funding to address these issues, including \$8.5 million to deliver better support to junior medical officers; \$8.7 million to establish a co-designed wellbeing and recovery fund; \$7.2 million to embed a positive safety culture in our healthcare service; and \$8.1 million for health workforce planning and clinical governance. Changing culture takes time, but, over the three years I have been in this place, as a member of the health committee that has scrutinised the work in the health portfolio and as the Greens spokesperson for health, I know and I believe that we are making sincere efforts and we are starting to see some of that effort pay off.

Given the extremely tight job market and the difficulty experienced by health services across the country to recruit workers, Canberra Health Services needs to make a concerted effort to ensure that it attracts skilled people and is providing appropriate workplaces to train skilled people. We have discussed previously the efforts that Canberra Health Services are making to ensure that they are an employer of choice. The ACT government's \$1.5 million branding and communications project will help to ensure the success of our efforts to attract and retain staff and improve consumer experience in our hospitals and health services.

I point that out because I am the first to admit that, seeing \$1.5 million allocated for branding a government healthcare service, I was initially sceptical. In fact, the first time this was drawn to my attention was live on radio with Ms Castley, and I think my

instinctive reaction is pretty well known. It is important that policymakers in this place do not make their decisions based on instinct—that we go away, ask questions, consider things deliberately, work out exactly their purpose and come to a more considered view. Upon consideration, I can see and understand that the ongoing work of the government to deliver cultural change across Canberra Health Services will not just require a single intervention. Mr Deputy Speaker, you have heard me say about the housing crisis that we need to do everything and we need to do it all at once. I think the same thing could be said about cultural change in our public healthcare system.

These investments do not mean that any level of discrimination, bullying or harassment is acceptable at Canberra Health Services or, indeed, in any workplace. It is not acceptable: not in the medical profession or in any workplace, no matter how strained or stressful the environment may be. I do believe that the minister and Ms Castley are both striving for the same outcomes in this regard: workplaces with staff who are supported, respected and valued; workplaces that support the training of the future workforce; and health care that delivers nothing but the very best outcomes for staff and patients in the ACT.

The minister's amendments to the "calls on" section of Ms Castley's motion, I believe, demonstrate this by asking the ACT government to work collaboratively with the Royal Australian and New Zealand College of Obstetricians and Gynaecologists to support changes that have been identified. It is important to stress "support changes that have been identified", demonstrating that the work ongoing. As to needing improvements, however, we will be continuing to work with professional associations and industry organisations to promote safe training environments across Canberra Health Services. The Greens are pleased to support the minister's amendments to Ms Castley's motion.

**MS CASTLEY (Yerrabi) (4.43):** Five months ago, on 29 March, we debated the serious issues in the Fetal Medicine Unit and the impact that this is having on staff. Through question time we have managed to get some understanding of how the loss of accreditation has affected staffing in the Fetal Medicine Unit. In August 2022, two senior staff specialists were on long service leave. On 30 November 2022, the minister told us that five staff were on leave or working reduced hours in the unit. This year, on 22 March, we learnt that more staff were looking to leave the unit. It was put to me that when staff feel overworked, neglected and underappreciated they protest in more subtle ways, and I believe this is the case in this unit. Staffing shortages, mixed with high workloads and cultural issues in the Women, Youth and Children Division have been in the media since at least 2010. This government tries to spin it that it is fixing the issues, but it is simply not true.

Mr Davis said a number of things during the debate five months ago to try and protect the health minister and in an attempt to grandstand to the ACT, which I would like to reflect on. Mr Davis said, when talking about cultural issues in the Women, Youth and Children Division:

While this is concerning, the minister has assured me that low ratings of workplace satisfaction are taken extremely seriously and that efforts to address culture issues within the hospital are ongoing.

I believe Mr Davis genuinely thought that. He stands by what the minister tells him in his briefings, and no doubt she would have provided assurances, as she has done in the past. This probably explains why Mr Davis was so surprised when he heard from the Australian Nursing and Midwifery Federation in a recent committee inquiry that this was not true. The union said:

... the ACT is not the place to work because the culture is so bad and has not improved.

After hearing these comments from the union, Mr Davis replied in disbelief:

I have to ask: there is no improvement? I accept the evidence you are presenting that it is not good enough and that it is far away from being good enough. But I would hope that, given how long we have been talking in this place about culture in Canberra Health Services, there is some improvement ...

The ANMF replied:

There is probably a minute amount of improvement ... but it is too little too late when we have such a large number of staff leaving.

So much for those assurances in the briefings from the minister! Five months later, the situation is much worse, with four units receiving formal notice that they must improve so that doctors can be adequately trained and conduct their regular duties at the hospital.

The government has announced an \$8 million program for pastoral care for junior doctors. While this is welcome, it falls short, given a decade of neglect from the Barr-Rattenbury government in this area. Furthermore, it is more focused on the symptoms than on the underlying causes of the issues faced by junior doctors; not to mention that this comes from the minister who applauds junior doctors for suing her own government, following claims that they were not paid for unrostered overtime. This is despite the AMA president pointing out that changing the culture was also essential for Canberra Hospital to maintain and attract staff amidst workforce shortages.

The minister's failures, and by extension her government's failures, have created workforce culture issues that have been described as the worst in the country. These are the same workforce culture problems that I spoke about earlier, and they have been ongoing for years. Staff shortages have led to these staff having to work unrostered overtime, and the failure, over more than 20 years, to fix the culture has prevented junior doctors from being paid appropriately. Rather than acknowledging this, the minister, amazingly, tries to claim it as a win for her party: "As a Labor minister, I see that as a positive," she says.

This is a Labor minister who is at the helm of the health system where frontline staff are boycotting her culture survey because they do not see change. She has been criticised by the nurses' union and the AMA for failing to improve things. She now has four units in her hospital that have been found to be inadequate for trainee doctors. This is not positive. It is a Labor failure. Rather than applauding, she should be hanging her head in shame that on her watch these junior doctors have been neglected.

This minister has not been transparent or across her brief about training accreditation in these units.

The minister has circulated some amendments today, which I would like to touch on. Firstly, the minister has not omitted, from my motion, the President of the Australian Medical Association saying:

I unfortunately have to say that it is more the fault of the government that hasn't changed its mindset and hasn't created identity for CHS to be able to then train the junior workforce and have the resources, that requires concerted efforts and I don't see that happening ...

It is interesting. By not omitting the AMA's quote, I am inclined to believe that the government will vote and agree with the AMA's point that this Barr-Rattenbury government has failed our trainee doctors.

The minister also added some notes about reports, which I have just been reading, regarding RANZCOG benchmarking against other medical specialties. She also notes a review that RANZCOG commissioned to support workplaces across Australia and New Zealand. I note that this review was completed in 2022, and an update on progress was provided in July 2023. The minister goes on to note that this report:

... identified the need for RANZCOG to deepen collaboration with employers, governments, agencies and other medical colleges to promote a sector-wide response ...

As far as I can see, the draft report consulted extensively with employers. Amongst those consulted were the medical unit director of the Obstetrics and Gynaecology Department, the clinical director, the theatre manager and the clinical midwifery manager for outpatients. This minister also notes in (3)(a) that:

... cultural challenges in obstetrics and gynaecology are not unique to the ACT ...

While this might be true, it seems to me that this is another last-ditch attempt to deflect blame away from the minister.

Let's not forget that this is the same unit that, in 2010, saw 13 registrars resign after complaints about conditions. In 2014 the unit was placed on provisional accreditation, and now, in 2023, we are here again. I am not sure what the purpose is of including this in the motion. It does seem to be another attempt to point blame elsewhere, but with a track record of at least 13 years failing obstetrics and gynaecology staff, who do an amazing job in a very broken system, I do not accept that RANZCOG is to blame. This is why I will support that the minister has undertaken to agree with my "calls on" and has added that she will work with RANZCOG and other stakeholders, hopefully, to finally improve the conditions in these units for staff, trainees and patients.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

**Appropriation Bill 2023-2024**

[Cognate bill:

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

**Detail stage**

Schedule 1—Appropriations—Proposed expenditure.

Transport Canberra and City Services Directorate—Part 1.6.

Debate resumed.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (4.51): I really welcome the opportunity to speak on the 2023-24 budget relating to my transport and city services portfolio responsibilities. The ACT government continues to build the infrastructure that our growing city needs by making significant investments in active travel, public transport, suburban infrastructure, new waste facilities and better city services. The 2023-24 budget advances our commitment to make Canberra the best place to live.

Through this budget we are investing more than \$26 million in new upgrades and maintenance work to make sure that our walking and cycling infrastructure is safer, accessible and more convenient. These investments support actions under Canberra's first Active Travel Plan and proposed cycling network and walking maps, which were released for consultation last year.

It starts with a \$10.4 million investment in funding for stage 1 of the Garden City Cycle Route, in partnership with the Australian government. This important project will better connect the inner north suburbs and the eastern side of Northbourne Avenue to Canberra's main cycling network, a vision that was outlined originally in the City and Gateway Urban Design Framework. The full route will run through Watson, Downer, Hackett, Dickson, Ainslie and Braddon to the city and, following feasibility studies and the recent announcement of the alignment, the community will be consulted on the path design.

We are also investing more than \$5 million of additional funding to boost maintenance of Canberra's 3,190 kilometres of path and cycle network. This is an increase in path maintenance funding, with over 40 per cent on top of existing allocations, and will help to ensure that we can address issues identified in a comprehensive path audit inspection that we have undertaken in recent years. This funding will help to address the remaining safety hotspots identified by the community, as well as through the audit. It is backed by a further \$3 million worth of funding to upgrade the paths around Lake Ginninderra to improve connections to the many playgrounds, picnic areas and parks located around the lake edge, which is highly popular for recreation. With the path network connecting these facilities, improvements include new connections, wider paths, better drainage, and more lighting and seating. The first stage of the works will start around Emu Bank and John Knight Memorial Park.



We are also spending \$2.6 million in the budget to deliver a new cycleway infrastructure and upgrades between Cunningham Street and Bowen Park in Kingston, in the inner south. These upgrades will improve safety for walkers and cyclists and encourage active travel between the city and Queanbeyan—that connection and principal route—including through the Kingston foreshore. One of Canberra's oldest parks, Telopea Park in Kingston, will also see improvements, delivering on our election commitments, with the construction of new formalised asphalt paths, lighting and landscaping. The government will also supplement infill lighting and community path programs, with \$1 million to fix missing links and gaps in our community path network. More lighting helps to provide safer, walkable neighbourhoods during all hours of the day.

I am very pleased that the budget also makes a \$2.4 million investment to make the road and path network around our schools safer and easier to get around. A package of designs is currently being developed to allow these improvements to be consulted on with school communities. Improvements include the construction of three pedestrian crossings near Canberra High School in Macquarie, two raised pedestrian crossings at St Mary MacKillop College in Isabella Plains and a raised pedestrian crossing near Gold Creek School in Nicholls. Feasibility will be prepared for a controlled pedestrian crossing on Canberra Avenue near St Edmund's College and St Clare's College in Griffith, following community representations to the government. A highly successful school crossing supervisor program will also continue at Canberra Grammar, Duffy Primary, Good Shepherd Primary, St Francis of Assisi Primary and Torrens Primary, my old school.

The government also knows that to get people walking, cycling and using public transport we need to do more in the immediate and future transport priorities for the community. In this budget we have funded the development of the new Gungahlin transport plan to identify immediate and future transport priorities in the growing Gungahlin region across all transport modes.

Through funding provided in the budget, we will undertake a range of feasibility studies and develop designs to strengthen our future active travel network across the city, making sure that priorities reflect Canberrans' travel preferences and support the growth of our city. This includes undertaking detailed design of a number of high priority active travel routes through the Gungahlin town centre. The government has also invested in communications activities to strengthen safety for vulnerable road users and encourage uptake of active travel among school students and the broader community. This include education and campaigns to support behaviour change and to promote our extensive public transport walking and cycling networks.

In support of giving Canberrans more ways to get around our city, our budget increases funding for Transport Canberra to increase bus services and improve reliability through the employment of more bus operators. This is a particular measure in the budget that has been overlooked in the comments in the debate thus far from both you, Mr Deputy Speaker, and the Greens transport spokesperson. It is a significant investment, in the budget, of over \$17 million, which will support an increase in services and improvements to reliability. This measure also supports bargaining outcomes through the next Transport Canberra operations enterprise agreement.

Of course, buses run on the road, and we need to continue to invest in our road network to make sure that it continues to operate efficiently to move people, to move buses and to move freight around our city. Our budget continues funding for a range of existing road projects which are important for that cause: projects like the Athllon Drive project, which will support access to the brand-new Woden bus interchange and provide bus priority so that we can see the efficient movement of vehicles as our city grows, and as we see and expect more congestion in the future.

We are continuing to look at what we can do around network planning, and the government and Transport Canberra will make further announcements on that later on in the year. With the funding that we have been provided in the budget, we will continue to work to recruit more bus operators and look at what we can do to improve the system—the network and the timetable—and to improve patronage on public transport, following the pandemic.

Mr Deputy Speaker raised a range of different issues in his contribution to the debate, and, indeed, in question time, in questions to the Chief Minister. In fact, all three of the issues—the ticketing system, the purchase of 90 electric buses, and light rail stage 2—are positives for the government, contrary to Mr Parton's assertion. We promised at the ACT election, not through the PAGA but as an ACT Labor election commitment, that we would purchase 90 electric buses in this term of government, and we have done that, delivering on our commitment. We have purchased, in fact, more than 90 electric buses—90 directly and the others through lease arrangements, totalling 106 electric buses. We look forward to them all being delivered very soon and entering the bus network to make our transport system more sustainable.

Mr Parton also asked about light rail stage 2A. There is demonstrable work happening out there for the enabling project of raising London Circuit, and it is on track this term to be delivered. There have been significant milestones achieved. A few of those this term have been: obtaining federal government commitment to contribute \$218.4 million of funding for the project in February 2021 and October 2022; progressing delivery of raising London Circuit, the key light rail enabling project, by signing an early utilities works contract in June 2021; receiving works approval in March 2022; signing the main works contract in July 2022, with works well underway; signing the contract in July 2022 for five new light rail vehicles; and retrofitting batteries on our existing fleet and expanding the light rail depot to enable wire-free operations on stage 2.

We commenced construction on raising London Circuit in October 2022. Works have commenced on the expansion of the depot, based on the contract just mentioned. We also lodged works approval with the NCA and the development application for light rail stage 2A in December 2022, both of which were approved in July 2023. We are progressing contract negotiations with Canberra Metro this year, and we are expecting a contract for delivery of light rail stage 2A main works to be signed by the end of the year. There has been significant progress on bringing light rail to the south side, which is a key commitment of our government.

In the budget there is \$50 million to get works well underway on design required to support the four different planning processes for light rail stage 2B. We are looking

forward to consulting with the community next year on the development of an environmental impact statement process for those different planning approvals, which is an important milestone for that project. We are getting on with the work.

In relation to the ticketing system, which continues to be funded in the budget, we have had the signing of an agreement with NEC Australia, who have been appointed to deliver the MyWay+ system. Work is well underway now on the design and implementation of that new ticketing system, with hardware purchased ready for the rollout. This is a significant project and one that has come after some procurement hurdles; we did not achieve value for money in earlier procurement processes.

The opposition would have been the first to criticise us if we had signed a contract that was not value for money, but we decided to not accept those proposals at the time and to go through another procurement process. We have got a partner and we are getting on and delivering all of these different things to improve the accessibility of our public transport system; the flexibility of the new ticketing system; the connectivity, with patronage increase through our extension of light rail; and the sustainability of our public transport system through zero emissions buses.

The ACT government is continuing to make other significant investments to support better city services right across our city by investing in our trees and stormwater networks and improving public spaces. Through the budget, Canberra's trees will continue to be protected and enhanced with a \$23.4 million investment to support more tree maintenance and plantings across our city, with additional staff allocated to support implementation of the new Urban Forest Act.

Funding has also been provided to continue the successful rapid response mowing team for a further year. This demonstrates that we are responding to the environment that we are working with, which has been wet over the past few years, and we have provided funding in multiple budgets for surge capacity to enable us to respond to that. Funding allows the rapid response team to continue to provide additional mowing capacity across the city to respond to weather conditions, and line of sight and safety mowing requests from the community. New investments in stormwater infrastructure will improve the capacity of our stormwater network to manage local flooding. This includes the design and construction of new stormwater infrastructure at the Kippax group centre.

In Gungahlin, Yerrabi Pond District Park has received significant upgrades and funding through the budget. Two new toilet facilities will be built on both sides of the pond near Wunderlich Street, Gungahlin, and Bizant Street, Amaroo. New picnic facilities will be built on the southern side of the lake, as well as more parking on Phyllis Ashton Circuit, and more lighting around the pond. I want to thank Labor Yerrabi members for advocating for those upgrades, which help to deliver on our election commitments to the Gungahlin region.

The government will continue our support for animal welfare in the ACT. We are a leader in this space, and we want to build a bespoke facility for the RSPCA ACT at a new site in Pialligo. This new site will have high quality facilities with best practice canine kennels, cat condos, and adequate spaces for domestic and other animals. This investment we are providing through the budget provides the opportunity for the

RSPCA to grow and increase their support for the community and our community of pets. The construction of a new facility aligns with the objectives of the ACT's Animal Welfare and Management Strategy, which was developed to ensure consistent outcomes in animal welfare.

The ACT government is also making investments to support and foster a circular economy in the ACT. It has been a big week for the circular economy in the ACT: a new strategy, new action plan, a new tender for a new materials recovery facility, and a bill introduced to the Assembly to establish a circular economy legal framework in the ACT. We want to make sure that Canberrans have continued access to recycling services, following the fire at the materials recovery facility in Hume in December 2022. We also want to make sure that our facilities remain safe for the community and to undertake improvements to health, safety and fire management infrastructure at the Mitchell Resource Management Centre.

This budget also funds the next steps for food and garden organics recycling in the ACT by extending the FOGO pilot in four Belconnen suburbs, which has had great outcomes; and by preparing for an industrial-scale composting facility, ahead of the tender process, to ensure that organic waste does not go to landfill. Delivery of this facility, and the continued pilot, will help to support our commitments under the National Waste Policy Action Plan.

Each of these budget initiatives are identified as key actions in the Circular Economy Strategy and Action Plan that I released earlier in the week, and the government remains committed to supporting local jobs. We know that the circular economy and more recycling creates a lot more jobs than when that material goes into landfill. We want to support the innovation of local businesses. We want to support sustainability here, and support our community that are great recyclers, by ensuring that we are growing our recycling sector in our city, diverting as much material from landfill as possible and reducing the harmful effect that that creates through climate change.

Mr Deputy Speaker, I am very pleased to be able to support this important budget that will support the continued delivery of great services to the ACT community and build the infrastructure our growing city needs. I commend this appropriation to the Assembly.

**MR BRADDOCK** (Yerrabi) (5.07): For this section of the budget, I would like to note a few things about Better Suburbs. It is pleasing to see a sustained focus on planting trees in our urban footprint, which will see many benefits occur for our city through increased resilience to climate change, addressing the heat island effect and improving the livability and amenity of our suburbs. I have continued to be disappointed by the lack of performance metrics regarding the planting of shrubs and groundcover. This is something I raised last year, and I note the estimates committee again raised it this year, with recommendation 109 stating:

... the ACT Government should develop and implement performance metrics for the planting of shrubs and ground cover.

The government response said:

Noted.

The priority for the ACT Government is to provide reporting on the progress towards 30 per cent canopy cover or tree canopy equivalents ...

Whilst I am a very keen supporter of trees, it is not all about trees when we talk about what is important to our city; it is also about shrubs, groundcover and permeable surfaces. Through these we can improve the soil quality, reduce sediment and erosion, create habitats for the wider range of fauna and reduce the cost of maintenance. Therefore, we need to measure all the things that make our living infrastructure great. That must include metrics on the planting of groundcover and shrubs. The continued reluctance to measure performance in this area is holding us back.

As a local member, it would be remiss of me if I did not speak to the Gungahlin transport plan, which was a topic of conversation in hearings and a recommendation in the estimates report, which was that the Gungahlin transport plan be a matter of priority. The government, in response, stated:

Existing Government Policy.

The Government is currently planning to undertake consultation on a draft Gungahlin Transport Plan during the first quarter of 2024. Pending the outcomes of this consultation, the plan would be finalised by the end of the 2023-24 financial year.

I am personally committed to prioritising people in Gungahlin and applying the road user hierarchy within the area. I do not want to see a transport plan that makes expensive investments and road duplications while neglecting active transport users who walk, ride or roll their way to or around the town centre.

That brings me to a macro point. As the saying goes, "All politics is local." The feedback from the community is that they are concerned about their local surroundings, whether it be the footpath outside their house, the park at the end of the street, the playground at the local shopping centre or the lighting in the underpass. I support the budget's increased investment in Better Suburbs, particularly to improve the quality of paths in Canberra. However, I have the view that these investments do not go far enough. Further investment is required so that we ensure that our suburbs are built for people, not just cars. For example, the budget includes \$500,000 for street lighting infill. While this is a welcome addition after so little budget for this item for a number of years, this figure is not enough.

Lighting can enable Canberra to provide comfortable, enjoyable and meaningful experiences at night, while accentuating the distinct features and characteristics of the city. There is the ability to unlock the potential of and celebrate our city's identity, improve after-dark wayfinding, improve walkability and cycling routes, and improve the ability for people to interact with their public spaces. It enhances the experience of people in night-time precincts, visually improving the public spaces which they pass through. Therefore, I will continue calling for improved investment in this area.

Proposed expenditure agreed to.

Justice and Community Safety Directorate—Part 1.7.

**MR CAIN** (Ginninderra) (5.11): I rise to speak to Appropriation Bill 2023-2024 as it pertains to my portfolio responsibility as shadow Attorney-General under the Justice and Community Safety Directorate. It is sad to start with a disappointing point, but the ACT criminal justice system, following the Sofronoff inquiry, has been brought into massive disrepute because of that inquiry and what it found. The inquiry led to, according to the Attorney-General, an offer by the former DPP to resign, which has taken place. I realise there are some court actions to follow. It was very distressing to read through this report and realise that some of the practices of our DPP were very questionable indeed. It is obviously another sign of just how badly serviced this community is under this Labor-Greens government.

We are seeing systematic declines in the ACT's key public services and it is very disappointing to see one of the most professional operations in any jurisdiction—that is, the administration of the criminal justice system—so undermined in the community's eyes. In conversations with legal experts and correspondence from concerned constituents, there is a consensus that I am hearing: confidence in natural justice, procedural fairness and the presumption of innocence in the ACT has been diminished. This is very distressing to see, particularly given my own legal background.

The release of the Sofronoff report singled out the conduct of the former ACT DPP, Mr Drumgold, but the responsibility for this really rests with the Chief Minister and the Attorney-General. Obviously, the DPP was subject to an appointment process and a fresh DPP will be selected. During estimates, as the Attorney-General is aware, I asked questions about the appointment process and what is planned. I would urge the Attorney-General to be fully transparent with the ACT community about how such an appointment is made and to be as transparent with the community as possible about who is filling this position, what credentials they bring and what programs they have for improving the reputation of the DPP. I look forward to seeing how that plays out.

One thing that was lacking, as was evident in estimates hearings, was the appropriation for something that I thought was very obvious. It was something the Attorney-General, at annual reports hearings last year, said he would look into. The Attorney-General will be aware that last year I had a visit from a victim of domestic violence and that she told me a very distressing story. During the sentencing part of the trial of the accused, who had been found guilty of domestic violence, the accused made threatening gestures to the camera, knowing that the victim was in another room watching the proceedings. When I brought this to the Attorney-General's attention last year, he indicated some surprise and said that he would look into it. It was very distressing to hear, not many weeks ago, that the Attorney-General has not done anything to improve the quality of court videos at all. It remains an open question: how many similar instances have occurred of threatening gestures or behaviour on camera, intended for a victim, that have not been able to be used in forming a sentencing decision because of the poor quality of the recording?

As the attorney would be aware, in the case I mentioned, the quality of the recording was so poor that it could not be used, in the eyes of the DPP, to add to the argument as

to what the appropriate sentence would be for the individual. It is distressing. I was very distressed to hear that nothing further had been done after the commitment to look into it. In fact, it was quite a dismissal of something that really needs fixing. Any reasonable person would say, "Surely something like that, which is fixable, should be part of the appropriation." It is very disappointing to see that it is not.

There is the mismanagement of the ACT criminal justice system and the damage to our reputation. I have to say that we are again seeing a significant service failure of the Labor-Greens government in an unexpected area, in an area of otherwise highly professional conduct. There is a lack of commitment to remedy something that is so clearly to the disadvantage of victims of domestic violence. Ignoring a simple remedy and not improving the quality of recordings, and realising that it is not a commitment of this government, is very distressing to me.

Australia has been watching the ACT for bad reasons, unfortunately—for reasons that tarnish the reputation of the administration of justice in this territory and also for not remedying an obviously solvable technical problem that is within the reach of the government, if they had the will to do so. It is very disappointing to see they do not have the will to fix such a relatively minor technical problem: the quality of court recordings.

A changed approach is needed. I do not see the energy for it in this government, so perhaps what we need is a change of another sort. It sounds like a change of another sort is needed, and I look forward to the opportunity to present again an Elizabeth Lee-led team in the October 2024 election. I will be encouraging the community to say, "This government clearly does not change very much. It keeps failing in so many obvious ways. How about the change we need?"

**MR MILLIGAN (Yerrabi) (5.18):** I rise today to talk about the area of emergency services provisions in this budget, or, should I say, the lack of provisions, because, while this budget makes some big promises, there is always a lack of delivery with this ACT government. Let me start with the Gungahlin Joint Emergency Services Centre. Two years ago, this government budgeted \$8.5 million for a refurbishment of the building. Two years later, this money has once again rolled over. Meanwhile, this not fit-for-purpose building continues to be crowded and over-utilised, with no end in sight.

It is a bit like the Acton station, which was promised, in 2020, to be operational by the end of 2022. It is nice to see, though, that finally some work is happening on that site.

**Mr Parton:** Only a few years late.

**MR MILLIGAN:** Only a few years late, but, may I say, it is still not operational, though. In fact, it will not be operational until the second half of 2024, and I doubt the Molonglo station, in Mr Cocks' electorate of Molonglo, will be operational any time soon. As I have said, the government are very good at making big promises but not delivering, or not delivering within the time frames that they originally specified and, as a result, not within the original budget either. Now there is a sudden promise of a station in Casey, although there is no detail available on that. In fact, in answer to a question on notice that we submitted, a time frame has not been considered and nor

has a location for the site. It sounds good, though—\$66 million for two stations, at Molonglo and Casey.

**Mr Parton:** It sounds good.

**MR MILLIGAN:** It sounds good, except most of that money is for Molonglo, with less than \$2 million to go towards the design of the Casey station, yet the government does not have a location for that station either. The ACT community can rest easy in the knowledge that they are the proud owners of an electric fire truck. No, it has not been tried. No, it is not operational yet. Yes, it cost twice as much as a normal diesel fire truck. And, no, we do not have the infrastructure to support it and we still need to train the crew to work on it. But get this: the ACT is the first in Australia and in the world to have an electric fire truck, even if the business case for the electric fire truck was potentially drawn up on the back of an envelope.

I will have to disagree with one of the estimates committee's recommendations—that the government should look at investing in more of them. I would recommend instead that the government review the process for getting one, put in an appropriate business plan and wait until the existing one is operational and has been operating for at least a year, and then review its functions—how it operates and works on the ground.

There was also a big announcement about new staff—30, to be exact—in emergency services. The current almost \$3.5 million will not be for extra staff but for improving staff development and wellbeing, which is great, except that almost \$1 million is for a feasibility study, and we all know how this government feels about feasibility studies. Regarding the 30 staff in this year's budget, which was repeated again, there will be those for the communications centre, duty officers and some paramedics. But, no doubt, it is a little bit disappointing for the paramedics who work on our front line, because they need quite a number of new paramedics just to help fix the current rostering system. Some reports suggest that they need up to another 60 paramedics just to cater for the new rostering system, yet this budget is not delivering 30; it is delivering significantly fewer than that.

The lack of understanding by the minister of the issues facing our frontline workers is well documented. I refer to the Walker review. It made very clear that there are serious issues in the Emergency Services Agency, particularly at the executive level. It was disappointing to hear that no money was immediately set aside for the implementation tasks as an outcome of that review. It is hoped that coaching and professional development will address the many issues that were raised by the Walker review, although it is now too late for Ms Whelan, who has fallen on her sword and resigned from the ongoing debacle of the ESA. I would like to acknowledge the work that Ms Whelan did in the ESA over the years that she was there. However, I would like to also point out that she is the second commissioner to take the rap for the mismanagement of the ESA since the minister took over that portfolio. Maybe the fault lies with the minister, instead of the commissioner or anyone else. Maybe it is time for the minister to step aside and hand over the ESA truck to a more competent person before it becomes a complete wreck.

**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) (5.24): In my capacity as Minister for Human Rights, I am pleased to speak in support of the 2023-24 budget. It provides important investments to continue our strong role in protecting and promoting fundamental human rights in the ACT. This budget provides \$3.3 million over four years to establish a child safe standards scheme, implementing the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

The extensive evidence presented by the Royal Commission into Institutional Responses to Child Sexual Abuse supported government regulation of child safe standards. Through this funding, the Human Rights Commission will be able to work with organisations and sectors to increase the understanding of child safe principles; establish processes and practices that protect and promote the rights, wellbeing and safety of children and young people; and ultimately prevent abuse from happening in the first place.

Additionally, the budget provides \$2.9 million over four years to provide additional resourcing to the Human Rights Commission to meet the growing demand for its services. Over recent years, there have been significant and sustained increases of demand for the Human Rights Commissioner's services. These are primarily mental health notifications, notifications about children and young people at risk, and the use of complaint processes. This includes funding for the Public Advocate to improve outcomes for vulnerable Canberrans, including children and young people, and it strengthens the capacity of the Discrimination, Health Services, and Disability and Community Services Commissioner to better support Canberrans accessing the Human Rights Commissioner's complaints process.

This budget also invests an additional \$1.3 million over four years for additional staff for the Office of the Health Services Commissioner to implement the requirements of the National Code of Conduct for Health Care Workers. The National Code of Conduct for Health Care Workers was introduced in the Legislative Assembly in March 2023. This was done to provide clear minimum standards for providing health services regarding matters such as hygiene, privacy, record keeping and financial misconduct. This funding will improve public engagement by allowing the Office of the Health Services Commissioner to answer inquiries, manage complaints, investigate cases and conduct systemic investigations.

This budget also allocates funding for the implementation of phase 2 of the Projects Assisting Victims' Experience and Recovery review, or the PAVER review. The PAVER review was tabled in the Legislative Assembly in June 2021. The purpose was to review the Victims of Crime Financial Assistance Scheme and associated legislation, providing recommendations on legislative, regulatory and organisational reform. The priority was to assess how efficiently the schemes are operating together to support the recovery of victims in an effective, accessible and trauma-informed manner.

The ACT government has carefully considered these recommendations and a cost analysis of the recommendations has also been undertaken. With the support and expertise of the Victims of Crime Commissioner, the ACT courts and tribunal and ACT Policing, we are implementing these recommendations as a priority. This project

will begin reforming victims of crime payments to better meet the needs of victims and support their recovery from the impacts of crime, while improving the capacity and resources for frontline staff at Victim Support ACT to provide near real-time exchanges of information and to modernise the electronic case management system to improve accessibility and service delivery.

Looking forward in the human rights portfolio, we are continuing to develop a model for the implementation of voluntary assisted dying in the ACT. We are on track to introduce legislation later this year, following extensive community engagement and consultation to inform our approach. In June, you will recall that we released a listening report, detailing what we heard from the community in our broad public consultation on what voluntary assisted dying in the ACT could and should look like. We heard from 106 formal submissions, 366 short-answer submissions from individuals, and several roundtables and workshops with key stakeholders. Our approach will be informed by academics who have tested different models, medical experts, health service providers, and individuals from disability and First Nations communities.

We are deeply aware of how long Canberrans have been waiting for this, and I look forward to introducing the legislation in this place later this year. Through the new investments in this budget that I have outlined and the development of our voluntary assisted dying model, we will continue to improve, maintain and celebrate our health services, our human rights and, indeed, our rights as a territory.

I take this moment to thank the fantastic staff in the Justice and Community Safety Directorate who are undertaking such a significant reform of work right across the human rights portfolio, which we will be discussing quite a lot over the remaining sitting weeks of this year. They work incredibly hard, and I am very grateful to them for that work and the very considered way that they undertake it. Their professionalism is absolutely first rate. Could I also put on the record my sincere thanks to all the staff at the Human Rights Commission. There are such hardworking staff there, particularly the frontline staff who support Canberrans at their most vulnerable. We are lucky to have such a dedicated organisation in the ACT. I acknowledge and put on the record again my thanks to outgoing President of the Human Rights Commission and Human Rights Commissioner Dr Watchirs. We wish her well in what she does next. Thanks very much.

**MRS KIKKERT** (Ginninderra) (5.31): I rise to speak about the funding put towards our corrections system. This year, the government made a commitment to do a feasibility study on introducing electronic monitoring for offenders in the ACT. There are certainly potential benefits for detainees, their families, taxpayers and the community at large to reintroducing electronic monitoring if it is administered well. Unfortunately, this government has so far had a poor track record with the management of electronic monitoring. This budget signals their third attempt to implement a long-term, ongoing electronic monitoring program. At the same time, it would be their second attempt to reintroduce electronic monitoring after they scrapped the electronic monitoring program introduced by the Canberra Liberals in 2001.

Two primary reasons as to why the program was scrapped were suggested in estimates hearings. One reason stated for the removal of this tool was the low number

of people found suitable for a home detention order. This is a weak excuse, but they did not stop there. They did not just scrap the program; they also repealed the legislation that allowed it, removing any chance that a judge could sentence someone to electronically monitored home detention, even if they had been eligible for it. If the program is not working as intended but could obviously be made to work better, as evidenced by other states and territories that were, at the same time, running electronic monitoring programs, then you tweak the program, you improve it and you build on it, just like those other jurisdictions did. To just throw the program away was incredibly wasteful and potentially harmed the community.

As we know, electronic monitoring programs provide a means of supervising individuals who have been convicted of certain offences or are on parole or probation. This accountability ensures that offenders are adhering to their legal restrictions and curfews, reducing the risk of them engaging in criminal activities that could endanger the community. The other reason the government had for scrapping the program was that the technology was just not up to the task for use in a home detention program. I completely disagree with this. More accurate statements would be that the government were not up to the task of administering a home detention program or they just did not want to invest money into it. They cut it. That is the reality.

The technology did exist and had been in use in New South Wales as early as 1997. Western Australia was using it for home detention in 1995, as was the Northern Territory. In 2000 Queensland was utilising electronic monitoring at the same time as South Australia was allowing the early release of detainees into the community with electronic monitoring. Internationally, the United Kingdom was trialling electronic monitoring as early as 1989 and continues to use it. The USA already had close to 20,000 people being monitored in 1998 and New Zealand had electronic monitoring in 1999. So not only did the technology exist but it was also widespread.

Was the technology perfect in the 1990s? Of course not. It certainly would have had its limitations, but it was clearly good enough that many, if not all, of those governments still utilise electronic monitoring to track offenders to this day, and I would assume that, since the 1990s, they have matured their programs and updated their devices as the technology continued to advance.

But what did the government do? They ended our program. It was not the technology that was to blame; it was their will and ability to fund the program over time. They had the chance to redeem themselves in 2017 but soon afterwards found themselves making similar excuses to not pursue it, such as service and delivery outcomes, resource implications and technological limitations, which is just government speak for “they did not want to fund it”.

But something appears to have changed. They are again exploring the idea of electronic monitoring, six years after rejecting it. What has changed? Surely it is not that the government are better at service and delivery. Just a few months ago, it was revealed that they had flushed \$76 million down the toilet on a failed new human resources management system. Surely it is not that the government have improved their allocation of resources without debt, costing us \$400 million in interest payments per year. Their procurement processes are currently under the scrutiny of the Integrity Commissioner.

Could it be that the technology is now where they want it to be? According to the minister's answer on what they want the technology to do, they want it to be able to track if an offender is where they are supposed to be at a particular time; they want it to alert authorities when an offender goes somewhere they are not supposed to go; and they want it to be tamper-proof and to have location mapping. Most of the specifications the government are after require GPS and geofencing. GPS has been in use in mobile devices since 1999, and literally everyone in Canberra has had fairly easy access to GPS capabilities on their person for over 10 years. Geofencing was developed in the 1990s and tamper-proof ankle bracelets were in use in Victoria over 17 years ago.

All the technology the government want was available at least 15 years ago. I am sure it is better now than it was back then, but it was good enough that many other jurisdictions were using it. Their decision to cut the program back then may have impacted hundreds of lives. The excuses they made in 2017 just do not hold up. Their reasons for cutting the original home detention program are disappointing. While I hope they do better this time around, the Canberra community has good reason to have doubts.

The reintegration centre continues to be delayed as well, further withholding a valuable addition to the prison that would greatly aid in the rehabilitation of detainees. The detainees being released from the prison are fathers, mothers, sons and daughters. Many will return to their families and many will become our neighbours. That being the case, it is essential that their time in prison is spent improving themselves in skills, education and behaviour. For them to change, our community needs good fathers, good mothers and good neighbours. The government deny our community those kinds of people when they withhold from our detainees the facilities that they need to change.

In this budget the government have also committed to hiring more staff at the AMC. They have committed to doing this multiple times. One of those times was back in 2021, when, under questioning from me, the government revealed that, between 2016 to 2020, a total of 101,909 hours of overtime had been worked by corrections officers, at a cost of just under \$7 million. This staggering amount of overtime was a clear sign that the government had been severely understaffing the prison. The CPSU said at that time that "staff are working longer hours, and that means the prison is not as safe as it can be," and called for more staff and more training. Under pressure, the government conceded that this level of overtime was a concern and committed to reduce it by the next year. This does not appear to have happened. As revealed in 2021, the government spent under \$7 million in overtime payments. In the very next year, 2021-22, overtime payments were just under \$2.8 million, and in 2022-23 it was over \$3.3 million. In just two years, they have hit overtime payments equal to 88 per cent of what they spent over the previous four years.

In the year directly after the government committed to reducing overtime and hiring more staff, overtime hours reached 40 per cent of the overtime hours worked in the previous four years. *(Second speaking period taken.)*

It is astounding to me that, after committing to reduce overtime, they are on track to equal the amount of overtime done in the last four years in half that time. The government must do better. More people must be hired and the government must work harder to retain them, as well as prioritising higher the resources needed to improve their working conditions.

The cost to the taxpayer has been great and can be calculated. What cannot be calculated is the cost to the families of those officers. Long hours in a very stressful environment can take a heavy toll and become a burden that is often felt by the entire family unit, but I doubt that the government consider that. They have shown clearly that they do not understand or care about families.

One part of the budget I am heartened by is the increase in funding to the Inspector of Correctional Services. In my position as shadow minister for corrections, I have been pressuring the government to do this for some time. The government's response every time has been to waffle about how they will assess the increased funding request during budget considerations. Over the past five years, since the inspector first began submitting requests for more funding, they have finally seen the light and the importance of funding our oversight bodies. But, as can be expected, they have still short-changed the inspector. The funds have certainly helped, but, with a prison beset with critical incidents that need reviewing, the inspector's budget will continue to be tight.

It is clear that the government are not capable of running our corrections system. The issues I have spoken about demonstrate this. Governments, both domestic and international, have managed to make electronic monitoring programs work for decades. Ours has not. Governments the world over know that, if you want to reduce overtime, you improve working conditions to retain workers and hire more staff. These relatively simple tasks are somehow beyond our government. Democracies know that well-funded independent oversight bodies are essential for keeping governments accountable and improving policies. This fact is lost on ours. What this government excel at is cover-ups and vanity projects, short-changing and fumbling of taxpayers' funds, and making excuses. They cannot be trusted to govern.

I wish to thank those who continue to keep our corrections system going, flawed as it can be. Things would be far worse without our corrections officers on the front lines and without ACTCS staff to support them and the maintenance of our prison. I thank the inspector for their insight and unflinching reviews that help improve ACTCS policies and prison conditions. I thank them all. Theirs is not an easy task. I hope the time soon comes when their working conditions are improved and their efforts are properly acknowledged.

**MR COCKS** (Murrumbidgee) (5.44): I rise this evening to speak on the impact of crime on my electorate of Murrumbidgee. This is a really critical issue for so many people. I have met with far too many who have been directly impacted by crime, and particularly break-ins and car thefts and crimes which directly impact a person's home.

People have a right to feel safe in their homes, but when someone enters your property and goes through your things without your permission, that puts an end to that. I have met with too many people who have had that happen to them, people who

no longer feel safe in their homes. It is not something that happens in just one part of my electorate. I have spoken with people in O'Malley, in wealthy areas, who have been directly impacted by this sort of problem. I have spoken with people in Weston Creek, in a townhouse near to Cooleman Court—far from a wealthy area. They have been directly impacted. They no longer feel safe in their homes. I have spoken with people across the Molonglo Valley who have seen and been victims of crime.

I had hoped to see, when this budget was announced, a tangible improvement for my electorate in this respect, but sadly we do not. I had hoped to see what we have been campaigning for on this side of the chamber for a long time. I had hoped to see a new police station for the Molonglo Valley. That is the sort of thing which provides safety and security to people who deserve it. I had hoped to see a genuine increase in sworn officers, in police on the ground, so that people could feel safer in our community, but we did not see that. I had hoped that we would have police numbers which meant that people did not have to rely on an online form to report a break-in, because people deserve to feel like the government and the police have their backs. That is not the situation right now, not in my electorate.

Too many people have been impacted by this and too many people have been left wanting by this budget's lack of investment in something that really matters. Madam Speaker, I am not going to speak for long this evening but it is really critical that we make some improvements here. It is really critical that the minister hears this message from my electorate, from across the community. What we see now is not good enough. It is time to make a change, and it is time to turn things around.

**MR BRADDOCK** (Yerrabi) (5.47): I wish to, first, reflect a bit on correctional services before making comment on emergency services. I do not often find myself enthusiastically agreeing with former Chief Minister Jon Stanhope, but there is one matter where I think the two of us could reach a consensus.

The Alexander Maconochie Centre was designed to be, and should be doing everything in its power to operate as, a human rights compliant correctly facility. It is certainly ambitious, but it is worth reflecting on precisely why this is seen as ambitious. Our operational prison culture has evolved out of systems designed and developed for colonial purposes. Under colonial Britain, the purpose of a prison sentence was to get rid of someone and to make the problem go away. Ergo, the shipping away of convicts to the colonies of the empire. That attitude naturally extended to colonial governors and how they would exercise coercive control in the name of the empire, particularly against Australia's First Nations people and other people of colour to discipline them into obedience.

Decolonising those institutions has not been easy. While we now better recognise that the purpose of a prison should be about rehabilitation—ergo, the term “correctional centre”—we are still dealing with systems, infrastructure and workforce cultures growing up around a concept of removal and discipline. No matter how much we push for a human rights focus, we are still finding that prisoners are getting over-classified. The Healthy Prison Review keeps having to make observations about how prisons are not healthy. Inmates remain bored off their face and far too often are coming out in a worse condition than when they go in.

Every estimates during this Assembly, it has been a similar story. The ambition to do better is there but it is struggling to be borne out. As I am sure the Attorney-General can testify from his past experience, this is not a portfolio for the fainthearted. Trying to get a needle exchange program into the AMC is like trying to pull teeth, because the system actively resists it and continues to resist it to this day. Human rights arguments be damned.

I am actively thinking about what we need to do next when it comes to managing our correctional centre. Regardless of every effort we make, keeping people out of prisons remains critically important. We know that jailing is failing. It is when we tackle the social determinants of crime that we can prevent people from ever needing a so-called correctional service to begin with. I would like to draw attention to the government's response to some of the recommendations of the estimates committee. Recommendation 90 says:

The Committee recommends that, as part of the Alexander Maconochie Centre masterplan development, the ACT Government also consider expansion of the Alexander Maconochie Centre to include separated remandee and sentenced detainee accommodations.

The response gives a terse “noted.” It could not even bring itself to agree, in principle, that remandees should be separated from the sentence detainees. This is after the Inspector of Correctional Services stated in the last Healthy Prison Review:

... contrary to s44(2) of the CM Act, the AMC does not currently provide separate accommodation for remandees. This issue was covered at length in the OICS Remand Review *The care and management of remandees at the Alexander Maconochie Centre 2018* (Remand Review).

Speaking of the latest Healthy Prison Review, which provided 29 recommendations for government action so that the AMC could become an actual human rights compliant place of detainment, this budget does not match that scale of ambition as listed by the inspector.

I wish to add, because I was prompted by what Mrs Kikkert said, that I too would like to extend my support for electronic tagging of remandees and detainees. There are many ways that we can prevent people from ever being required to breach the threshold of the AMC. They can remain with their families in the community, with their supports. It is more likely to yield a better outcome for both the detainees and for the community that this trial be successful.

I turn to emergency services. I would have to say that Emergency Services Agency had a bad run of things during estimates. That does not quite do the situation justice. We know that things are in damage control when a government waits until after the estimates hearings have concluded before the minister fires—or, excuse me, accepts the resignation of—the commissioner. It is usually a clear indication of a protection racket: pretend everything is fine and only after the Assembly is no longer in a position to ask the questions, announce the break-up, as if no-one could have possibly seen it coming.

The only remaining question at the end is: who is it intending to protect? It was most certainly not former Commissioner Georgeina Whelan. It would be naive to presume the issue started and ended with her. It was untenable because it became frustratingly clear that cultural change was needed in the ESA and, in such hierarchical organisations, cultural change demands leadership change. In another time and place, she may have been capable of turning the ship around, but not one like this. We will now get to see the extent to which she was in fact a scapegoat.

The ESA executive alignment review found deep-seated problems of disunity and distrust amongst the ESA leadership—persons unnamed. It described that “stakeholders consistently reported behaviours by executives which were not aligned with the ACTPS values”. That is executives in plural. You do not get a report like that when a problem is just one person at the top.

Perhaps most concerning is what the report does not conclude, and it gives the impression it was not permitted to conclude. Governance arrangements, reporting and accountability mechanisms were all out of scope for the review, which feels strange, given the content which was being investigated. During estimates I asked Mr Barr, in his capacity as Chief Minister, to make a declaration for the Public Sector Standards Commissioner to conduct an investigation with respect to the findings of the Emergency Services Agency executive leadership alignment review and/or any related information that may also be available to the government. The answer was no. The reason given was:

The Director-General of Justice and Community Safety has accepted all recommendations and is having regard to effective implementation of the findings, including in consultation with key stakeholders.

Let me be very clear: the director-general’s plan is not sufficient. It is based on the recommendations of a report whose scope did not include the governance arrangements, reporting and accountability mechanisms. It does nothing about ensuring accountability for those who fail to adhere to the ACT public service standards and values. This is not sufficient to ensure that we set leadership and accountability at the very highest levels, to ensure that all ACT public servants adhere to those standards and values. We need to do more to ensure that the cultural problems within this agency are addressed and that the appropriate leadership is provided.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (5.56): I am very pleased to have the opportunity to talk about the government’s investment in the justice and community safety elements of this year’s ACT budget. The nature of this portfolio is that it is very diverse, as we have heard from a range of speakers tonight who demonstrated that point, so necessarily there are a significant number of line items in this part of the budget that impact on all sorts of Canberrans in all sorts of facets of their lives.

What you see in this area of the budget from the ACT government is investment in essential services, investment in some projects in areas of work that perhaps are not



very high profile but are very important, and a real commitment from this government to improve our justice system, to improve access to justice, to improve the style of justice and to reduce recidivism. It is a commitment to think about how we do justice in ways that are an improvement, such that we continue to strive towards our targets of reducing the rate of recidivism in this territory; ensure that we build communities not prisons; avoid having to spend money on a big expansion of the prison, but rather invest in our communities; and make sure that we are building a safer Canberra and a Canberra that looks after some of its most vulnerable. These are the sorts of policy directions that you see as part of this year's budget. I am very pleased to make those broad comments. I will now touch on a few of the specific line items in the budget.

The line items include an investment of \$553,000 of recurrent funding over two years to support implementation of the Disability Justice Strategy by ensuring that disability liaison officers are available to assist people with a disability who are victims of crime, including family violence. I remember when this program started. This investment in disability liaison officers has been very powerful. They sit within a range of agencies Justice and Community Safety Directorate, 2557their job in a way that supports people with a disability to effectively participate in the justice system. Minister Davidson and I have attended workshops with community members and NGOs about the Disability Justice Strategy. I think the feedback is that there is a welcoming of the progress we have made so far but also an ambition for us to continue to develop the Disability Justice Strategy, because what we see in our justice system is an over-representation of people with a disability.

Those disabilities, of course, can take many forms. I think most people who think about disability tend to think about physical disability. Certainly, in the justice space, people with acquired brain injuries, foetal alcohol syndrome and similar issues find themselves getting into trouble with the law more often, in a criminal sense but also often in the civil space as well. So the role of the disability liaison officers is incredibly important for making sure that we are supporting those with a disability in our community to have better access to justice, a better understanding of the justice system and, ideally, less interaction with the justice system.

The next area I want to briefly touch on is the investment of more than \$10 million recurrent funding over four years to continue to strengthen cybersecurity and resilience across government. Minister Steel has already spoken about some of these areas in his earlier remarks in the discussion about CMTEDD line items, so I will not speak in great detail. With Minister Steel's areas of responsibility, digital data and technology solutions, and CMTEDD partnering with the Security and Emergency Management Division in JACS, this is a very important area of work to advance compliance with essential maturity level 1 across directorates. I think we have all, in recent times, had our focus drawn much more to the importance of cybersecurity. There have been a range of incidents, both for the ACT government and across Australia generally, that have heightened community awareness of the importance of this work.

Whilst the ACT government has been taking these matters very seriously, I think we have also seen from some of these recent incidents, and the intelligence that we are receiving from a range of places, that we need to continue to invest and invest

seriously in these spaces to make sure that we are providing the protection our citizens want and deserve, and to make sure that the ACT systems are as strong as they can be and that people can have confidence that when they give their information to the ACT government it is secure and protected.

One area in this budget that I am particularly pleased with—and I spoke about it earlier today, when the legislation was introduced—is the investment of \$8.383 million to expand the Drug and Alcohol Sentencing List from 35 participants to 42 in 2023-24. There is a further commitment of just over \$27 million in funding from 2024-25 to 2026-27, with the release of that additional money being informed by an evaluation of the cost-benefit analysis and a business case in the 2024-25 budget process. This is a perfect example of trying to justice differently, do justice therapeutically and do justice in a way that has a lasting impact on the lives of those with drug and alcohol addiction issues but also makes our community safer.

The evaluation, as I touched on this morning, has shown the success of this program, where those who are deemed suitable to get a drug and alcohol treatment order and who work through the program are seeing improvement in both their own quality of life, their connection with family and significantly reduced rates of criminal offending. The evaluations show that, of those who had successfully graduated at the point in time of the evaluation, none have reoffended. The cohort of people we are talking about here—and I obviously will not speak about individuals but in broad terms—are people who have had significant and ongoing contact with the justice system, people who are repeat offending in our community.

Those repeat offenders are having a significant impact on the sense of safety that our community has, because the types of crimes they are tending to commit do impact on members of our community. Whether it be through burglary, robberies, car stealing or other offences like these, we see a significant impact in our community and an undermining of people's sense of safety in this city. This is, I think, a very significant and worthwhile investment by the government for improving safety in our community. I was pleased with the feedback we saw from the evaluation process. The evaluation was conducted by the Australian National University. It highlighted the significant improvement in people's lives.

The examples cross a broad range of areas, including, as I have touched on, less involvement in criminal activity but also people being able to hold down jobs, undertake training, have better connection with their family and have fewer visits to hospital. The report specifically identified a calculated saving of \$14 million of avoided nights spent in the custodial system. At that point, that was more money than the government had actually invested in running the program. Just on pure economic terms that stacks up. The evaluation identified that it only counted avoided nights in custody. It did not seek to put a value on all of those other measures that I just talked about. I think the power of this program is evident from the results we found in that evaluation. The further work that is scheduled to be done as a result of this budget, with a more detailed cost-benefit analysis, I think will show an even stronger case for that investment.

Members may have seen a recent story on the ABC of a case study of somebody who had been through the Drug and Alcohol Sentencing List. Whilst it was a de-identified

individual, the story was, frankly, heart-warming. We saw that particular lady not only achieve some of the things I have talked about, but she had also been reunited with her children and had regained custody of her children as a result of the progress she had made through the Drug and Alcohol Sentencing List. Whilst we tend to think about these things as justice issues, that is an extraordinarily powerful human story of family rebuilding and family reconnection.

That was an example of what you can achieve through a therapeutic justice process. I am particularly pleased with that investment and grateful for the support of my ERC colleagues and the cabinet process for funding this program, because I think it is making a real difference in our community.

There has been some discussion this evening of the issue of electronic monitoring. As members have noted in the discussion, the government has invested \$377,000 of recurrent funding over two years to undertake a feasibility study on the introduction of electronic monitoring of offenders in the ACT. I have optimism about what this investment will show. Members have spoken tonight of what they see the benefits of electronic monitoring being. I am hopeful that this feasibility study will identify a pathway to implement electronic monitoring in the ACT. Certainly, when you look at other jurisdictions we can see the applicability.

Clearly, we have a range of work to do, not only in examining the technology but in working with stakeholder groups to identify and consider possible unintended consequences. We need to make sure that we set the system up in a way that delivers on the expectation the community has, addresses some of those potential risks and also thinks through the sort of legislative reform that we might need to ensure that a system like this can operate effectively in the ACT.

The next area of budget investment I particularly want to highlight is the \$5.793 million in recurrent funding over two years to provide increased funding to the ACT Intermediary Program to expand its capacity to support vulnerable witnesses in criminal matters as they engage with the police and the courts. This is another program that I recall being launched here in the territory. It is again one of those things that are perhaps not very visible to most members of the public but are incredibly important in our justice system. Whether they are children or people with a range of communication difficulties, what this program does is ensure that those witnesses can give the best evidence that they can. That is really the point of the program.

It is not about getting them to give evidence in a certain way but to make sure that, when they go to the court and they are asked a series of questions—and also during the investigation process with ACT Policing—those witnesses are able to give their best evidence. This will enable both the investigators and the court to have the best set of facts on the table to be able to work through the difficult decisions that can be involved in criminal matters in particular. Certainly, the feedback we have had from ACT Policing about this is very positive. It is run out of the ACT Human Rights Commission, through Minister Cheyne's portfolio but, across the board in the justice system, everybody involved in this program speaks very highly of it, in recognition of the value-add that it makes in the justice system.

An area of capital funding in this year's budget is just over \$2 million over two years for a new client interface platform for the energy, water hardship and complaints team in the ACT's Civil and Administrative Tribunal. This platform will provide better and more timely assistance to customers in financial hardship. This money is currently provisioned, pending an assessment of the design phase outcomes by the budget assessment subgroup to ensure that there is no impact on the bill phase works. The initiative also includes recurrent funding of \$228,000 over four years for licensing and hosting costs for the client interface platform.

In an environment in which we are very conscious of the cost-of-living pressures our community faces, as we have debated this week, this is a really important area of work within the ACAT. This really does assist Canberrans who are doing it tough financially, who are uncertain about how to resolve issues when they get into trouble and get behind on bills, and who are having trouble keeping up, that they are able to go into a process with the tribunal where they can actually get support and help to manage that financial difficulty. I am pleased that this funding will help to modernise the system and make sure that it is meeting client needs in 2023 and in future years.

There is also just over \$1 million of capital funding in this year's budget to replace the current Forensic Medicine Centre cold storage facility and expand its capacity to meet the needs of a growing population. Again, when you talk about areas of the Justice and Community Safety Directorate that are not very high profile, this is certainly one of them. The Forensic Medicine Centre is in Phillip. The area of work they deal in is obviously one of some sensitivity. They deal with deceased persons and with a range of forensic procedures that are obviously critical through the coronial process. Where there is an unexplained death, they ensure that suitable studies are undertaken so that families can be informed and so that the cause of death can be effectively identified. They are a small team but they work very hard. They do their job extremely well. I am pleased that through this budget we have been able to provide the capital funding which will enable the necessary upgrades so that they can have a facility that meets the needs of our growing population.

Also in this year's budget there is \$665,000 of recurrent funding to support the continuation of the care and protection intensive list program within the ACT Childrens Court to provide intensive management and therapeutic support to parents involved in care and protection matters and to deliver better outcomes for children and young people. This is another example of seeking to do justice differently and taking a therapeutic response to ensure that families who do find themselves involved in the care and protection system have the opportunity to have, as I said, a more therapeutic approach to justice. The judicial officer looks at their matter in a very specialised and specific way for that particular family. It is an intensive area of work, but it maximises the opportunity for families to stay together, for parents to get the support they need and for children to remain in the family environment as much as is safely possible.

I talked earlier about the Forensic Medicine Centre, but another important area of investment this year is in our coronial system. This is an area I have taken a great deal of interest in and sought to make real progress in, because going back over a number of years, the ACT government has received considerable representation from a number of advocacy groups that have identified the need for improvement in the Coroner's Court.

I was pleased, in previous budgets, that we were able to fund the position of a dedicated coroner and related support staff and I think that has made an improvement already. There has been a significant effort to get through some of the particularly older cases. I particularly thank Coroner Archer and his team for that focused work because the clear feedback is that it is a significant source of distress for families when cases take a long time. So the endeavour to deal with some of those older matters in particular has been very welcome.

And that is why I am also pleased to be able to inject another \$634,000 of recurrent funding over two years in this year's budget to improve the experience of families engaging with the Coroners Court by making a forensic counselling service available to families involved in coronial process and also by funding a second family liaison officer to support engagement between families and the Coroners Court.

What families have told us in the roundtables we have held with them as we are seeking to think about areas of improvement for the coronial system is that, frankly they suddenly find themselves engaged in a system that they do not understand. They are, of course, highly distressed because of the death of a loved one in unexpected or unexplained circumstances. There is a degree of complexity in the system, and so they particularly welcome the support of things like counselling services and family liaison officers, who both provide the support and help them navigate their way through a system that, to that point in their lives, they have probably never thought about. And so I trust that this injection of resources will make a difference as we seek to continually improve the coronial system.

We, of course, still have work to do in this space. Members may recall previously we have funded an independent externally led process to consider reform in the coronial system. I am expecting that report to come back to me later this year. I saw the independent consulting team who is leading that process recently. Their endeavour has been to work with affected families, advocacy groups, service providers, professionals who work in this space, and also the Justice and Community Safety Directorate is at the table—but as a participant. Not leading the process but one of the participants. That was very important, to make sure all of the voices in that process have an opportunity to be heard. I look forward to receiving that report and thinking about how we move forward in providing support for the coronial system.

The last area I will touch on at this point in my remarks—and I may have to come back later because there has certainly been some issues raised in the debate, and I may take an opportunity to come back later on and address some of those questions—but the last area I want to particularly touch on is the \$2.324 million over four years to support the legal needs of vulnerable Canberrans by providing additional resources to Canberra's Community Legal Centres and the Legal Aid Commission. This includes funding for Aboriginal and Torres Strait Islander and culturally and linguistically diverse client liaison officers, as well as delivering the government's commitment to establish an independent planning advisory service to provide advice to residents impacted by planning decisions or development applications.

The government will also expand access to Legal Aid by increasing the income threshold for eligibility to reflect income growth over recent years. The funding comprises \$1.751 million of recurrent funding over two years for legal resources and

\$573,000 in expense provision funding in 2025-26 and 2026-27. These are incredibly important areas of our justice system when it comes to access to justice. Between them the Community Legal Centres and Legal Aid serve very different roles but they do assist those in our community who potentially would not be able to have their legal needs met without this provision of funding.

Legal Aid in particular, and I want to particularly touch on them tonight, are some real unsung heroes in our justice system. I know the team over there work incredibly hard to support Canberrans and make sure they do have support in the justice system for people who really are doing it tough, whether it is through criminal matters, family and domestic violence matters and the range of other difficult topics that the team at Legal Aid deal with. They work incredibly hard. They also provide our tenant's advice service. I was very pleased to be able to provide additional resources to Legal Aid. They are stretched thin. They work incredibly hard but I know they are passionate and committed to their work. I thank them for their ongoing service to our community.

Those are some of the highlights in this year's justice and community safety budget. I note we will come back to justice and community safety but I am very pleased, at this point, to commend this line item in this year's budget.

**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) (6.19): I was listening to what Mr Cocks and Mrs Kikkert were talking about earlier when they were talking about some of the things that they feel are important in making our community safer. As the minister responsible for youth justice and justice health, there are some things that we should be talking about in terms of how to make our community safer, and how to make sure that we are able to achieve the kind of behaviour change that reduces recidivism in our justice system.

It is important to have these conversations during the budget debate because a budget is all about priorities. If we were to spend all of our available funds on one area of the budget, such as putting more resources into policing and things like that, that would not necessarily leave us with as much money as we actually need to invest in the kind of health and social services that go to achieving behaviour change.

It is really important that we do that. The reason why is that the evidence tells us that, when we invest in things like better mental health services, better family support services, reducing family and domestic violence, and improving people's ability to access the kind of disability support services and drug and alcohol services that they need, we see a reduction in harmful behaviour in the community, both to themselves and to other people in the community. That is why it is so important that we are making the kind of investments that we are making in this budget.

I outlined some of those kinds of investments yesterday, when I was talking about some of the investments that this budget makes in mental health. Safe Havens, as a place that people can go when they are experiencing psychological distress, are really important, because it might mean there is a reduction in people making use of drugs and alcohol to deal with crises or to engage in behaviour that creates risk for

themselves or for others around them. That is really important. More importantly, it goes to the heart of helping people to get through those moments of crisis, to get back on track and to be engaged in their community and in the things that are meaningful in their lives.

I also talked about better integrated mental health and alcohol and other drug services. We have talked many times in this place about how important that is for people and the impact that it can have on recidivist behaviour that might land them in our justice system, when what they really need is for drug and alcohol services to be addressed as a health issue rather than a criminal justice issue. Finding better ways to integrate those services is also really important for community safety.

I will talk in more detail later in the debate about the service response that we are putting in place to deal with raising the minimum age of criminal responsibility, and the kinds of investments that we are making that will help to make our community a safer place. I thought it would be worth briefly touching on some of that now.

This government will continue the reforms required to raise the minimum age of criminal responsibility, and for broader service responses to young people who engage in, or are at risk of engaging in, harmful behaviours. That can include behaviours that might actually land them in contact with the justice system, when what they really need is a health and social services response. This includes funding for an ongoing functional family therapy youth justice program and the establishment of a therapeutic support panel and intensive case management and support services, including accommodation. We know that youth homelessness is a particular issue that needs to be addressed, and we also know that those wraparound supports that young people and their families need are particularly important and need to be addressed.

This work is ongoing, and I thank the Community Services Directorate for the work that they have been doing with the community sector to better understand how we can implement those kinds of solutions in ways that are long-lasting and make a real change for those families who really need it. I attended one of those workshops quite recently, and I have also been hearing back from community sector advocates who have been involved in those workshops and in that engagement with the Community Services Directorate.

The feedback that I have been hearing from people is that they feel that government is listening to and understanding what it is that is so difficult about how to support these families through these difficult situations, and what sort of things we need to put in place and how to make them work well.

This is very difficult work that requires significant time to be done. We know that we will need to have those things in place, but we are also taking a really flexible approach to how we do that and making sure that what we put in place includes a try-test-and-learn component, so that we can adjust as we go and learn from that process to make it as good as we possibly can.

When we are talking about justice reinvestment, we are also talking about our ability to forgive others, and our ability to forgive ourselves, if we have engaged in

behaviour that might create risk for others, and to be able to look honestly at what people need to address their health and social services needs.

There is a whole lot of evidence, including specifically from the ACT, that goes to what the justice system might need in that area. Some of that is available in my office. If Mrs Kikkert or Mr Cocks would like to drop by sometime, I can give them copies of reports, particularly addressing the needs of women in the justice system, and the fact that some of them have had unmet alcohol and other drug support needs, mental health needs or needs around domestic and family violence that have gone unmet for long periods of time, until they ended up in the justice system and were able finally to access supports for those sorts of issues.

It would be great if we could put more of those supports in place in the community so that people can address those needs before they end up in the justice system at all, which means that we will have prevented some of that harmful behaviour and made our community safer.

When we are talking about forgiveness, I would like to quote someone who I think happens to be one of the best bass players in the world, Flea, who said, “The toughest thing there is, is forgiveness.” When we are talking about what that means, we are talking about the ability to take a trauma-informed approach to how we deliver health and social services.

This is particularly important at the moment, as we are working through the process within government of creating a trauma-informed services position statement so that all health and social services are in a better position to understand how they can implement that in what they are doing. That will mean that people can have their needs addressed at a much earlier stage than has been the case so far.

In talking about justice reinvestment, I want to talk for a minute about where justice reinvestment comes from, what is really at the heart of it and what is really driving it; that is, radical love. It is important that, when we talk about how we win in this campaign, in this effort to try and make our community safer, we understand that we win not by fighting what we hate but by saving what we love.

There is no amount of money that ever bought a second of time, and the only thing that we really have as a community, as humanity, is love, and the only way to ensure that love survives is to give it to others. Love has an unlimited supply, and every time a person who is in a state of hurt or pain receives kindness and compassion and receives access to the trauma-informed health and social services that they need, it has the transformative effect of enabling them to recover from that state and to be able to give kindness and compassion to others and to themselves. That is the kind of thing that results in that transformational, intergenerational change that we are trying to achieve here.

A world in which we give nothing away is one in which there is nothing to give. I would ask those opposite to try and be a bit more generous in spirit and understand that we are trying to create safer communities by giving more compassion and support to people who really need it.



It is important that, when love is given, there is no expectation that it will be returned, because kindness and compassion are not transactional, and a transactional arrangement assumes that there is a limit to the kindness given, and it must therefore be compensated or returned. The real test is to offer kindness, compassion and love, not to those from whom we feel a sense of connection, like our friends, our family, our neighbours or our colleagues, but to those from whom we feel disconnected or alienated—people that we do not actually know personally in our community.

Radical love requires that we put aside what benefits there might be for us in giving help and look for how we can better understand and meet the needs of people who we do not necessarily personally know, and that is really hard; because, to act from love, we must be willing to forgive human failings and challenging behaviour and overcome the fear that the person we are trying to help might actually cause us some hurt. What we really need to think about is that change can happen if we create the right health and social services to create the opportunity. *(Time expired.)*

*At 6.30 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.*

**MS CLAY** (Ginninderra) (6.30): I want to spend a little bit of time talking about the MOU funding for the horseracing industry, which is one of the line items in this budget. The Greens oppose this MOU and the funding arrangement in its entirety. We do not think we should be spending taxpayer money on propping up the horseracing industry. In order to look after the people and animals involved in this industry, we have proposed a really sensible course. We have proposed that we should phase out that funding over the course of the MOU. Last year I put up an amendment to reduce funding by 20 per cent. I have put up a similar suggestion this year, and I am genuinely interested to see what will happen.

We have a number of problems with this funding arrangement. The first and clearest is that the social licence for the horseracing industry has run out. This has been clear to me for some time, but it is now clear to most Canberrans. We are a progressive bunch here in the ACT, and we have had enough. A year ago, when I tabled my first budget amendment, the Riotact probed the polls. Riotact asked, “Do you think the ACT taxpayer should support the horseracing industry?” and 1,525 readers voted on that.

What did they say? A whopping 74 per cent voted no; the social licence had run out for racing. Seventy-four per cent of Canberrans say that the social licence has run out for the horseracing industry. That is an overwhelming majority. It is also a huge number of people who voted. Riotact usually only gets a few hundred people voting. This poll got 1,525 readers so riled up that they had to have their say. A lot of people are very angry about this funding deal.

The ACT Greens, of course, do not set our policies based on any poll. We set our policies based on evidence, consultation and what we think is in the public interest. But it was great to see how many people in Canberra said that the social licence had run out for the horseracing industry. Almost three in four Canberrans say that.

Attitudes shift over time. This attitude is no longer shifting; it has arrived. It is rare that I get to speak on an issue with such solid backup from such a vast majority, with three in four Canberrans agreeing that this social licence has run out.

The funds in the budget line item under this MOU are granted under a special deal. Why does the horseracing industry get a special deal? I do not know. These funds have been handed over by ACT Labor to the horseracing industry as part of an MOU. It was not part of a public tender. It was not part of a grant. That alone is a good reason to stop the funds.

Last year's MOU is the third special deal that the horseracing industry has had. In total, ACT Labor has signed three of these special deals totalling 15 years of funding for the horseracing industry. The current 2022 MOU is at least a public document. The previous two were not published. There was very little information or reporting on the funds in the budget, and almost no transparency over what those funds were spent on.

The ACT horseracing industry have been pledged around \$100 million under these special deals. That is quite a lot of money for this small government, and the horseracing industry keep asking for more. They ask for endless public funding and ACT Labor keeps handing it over. What public services are we getting in exchange for this taxpayer money? I do not know. Tenders are usually clear about what services are being provided, but this money was handed over outside the tender process, so we cannot check the register or the contract and find out what services we get.

I checked the MOU to see whether the services were listed there, and I could not find any services. The best I found in the MOU is that, in exchange for the ACT government giving the horseracing industry \$41 million of taxpayer money, the clubs will do this: the clubs will meet some standards that they are already required to meet under our laws and under their own racing rules. The clubs will undergo some inspections that most organisations already undergo, like inspections from WorkSafe ACT and Access Canberra. They will be part of a joint committee to develop policy about their industry. Frankly, I do not know of any other industry group that gets so well paid to help write their own industry policy and regulation. And they will give ACT government some reports. It is really nice work if you can get it.

What will the horseracing industry spend their millions on? Again, I do not know. It is not set out in the MOU. Grants usually require a lot of information about what the recipient will use the money for, but this was not part of a grant process, so there is no information in a grant agreement. That information is also not in the MOU.

I checked the most recent annual report put out by Thoroughbred Park; it is not their most current one but it was the most recent I could find on their website. In that annual report it said that Thoroughbred Park received ACT government taxpayer money of \$6.6 million that year, and Thoroughbred Park paid out \$6.1 million in prize money that year. The people of Canberra publicly provided more funding to the racecourse than the racecourse handed over in prize money. In essence, it looks an awful lot like we are handing over ACT taxpayer money to fund horseracing prize money. Of course, I cannot be clear, dollar for dollar, where our public money is going because it is not set out anywhere.

This special deal gives out taxpayer money outside any public tender or grant process. Why is there so little scrutiny of this? Again, I do not know. We are seeing a lot of attention on the use of public funds and the public procurement process. The opposition is looking at these issues carefully, as are the Auditor-General and other scrutineers. Special deals for the horseracing industry that are run outside public procurement and grant processes seem to be immune. The only scrutiny that this particular deal has received is that led by the ACT Greens.

This funding is also out of step with sports funding. ACT government funds sport. Of course, we do; it is one of the things that government does. It brings pleasure to many, along with the health and wellbeing and economic benefits. But other sports groups do not get anywhere near as much money as this. The Brumbies receive around \$1.8 million each year. The Raiders get around \$2.6 million. The Canberra Capitals and Canberra United receive around \$1.6 million between them over four years.

Our community sports receive up to \$10,000. They have to put in a competitive grant application for that every single year. They have to provide a huge amount of detail about what they will spend their money on. They have to acquit it. For all of that work and scrutiny, they get up to \$10,000 and many of them get much less funding than that. But every year, under this MOU, the horseracing industry gets over \$8 million. Every year the horseracing industry gets over \$8 million in taxpayer money—around \$100 million in taxpayer money pledged or given under these deals so far. The horseracing industry gets more than the Brumbies, the Raiders, the Capitals and Canberra United all combined! The horseracing industry gets 800 times as much funding as our community sports!

This is an extremely strange funding situation, and the ACT Greens are struggling to understand how this is part of the way that we are doing our ordinary business. We raised this issue last year. We are raising this issue again this year. I have some more comments to make, but I will sit down and listen to a little bit of what my colleagues have to say about this matter.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (6.39): Mr Cain raised the issue of the DPP appointment. I did forget to address it in my remarks, so let me quickly address it. He raised the issue about how the DPP will be appointed and he said it is essential that there is transparency around that process, and I agree with him.

I want to quickly outline for the chamber that there will be a fully transparent process. It will be publicly advertised. It will go in national publications and it will go to a range of media outlets. I, as the Attorney, will write to every bar association and law society in each of the jurisdictions. I will write to a range of other community stakeholders, inviting them all to put people forward. This will be a comprehensive search to make sure we identify the best candidate. The ACT government will also use a recruitment agency to assist with this project. I want to assure Mr Cain that this will be a transparent and thorough search to make sure that we identify the right candidate for the position.

**MS CLAY** (Ginninderra) (6.40): I move amendment No 2 circulated in my name and table the amendments [*see schedule 1 at page 2585*].

There is another aspect to this debate, of course, which is the tax revenue. During the debate and the coverage of this issue last year, we heard quite a lot of conversation about that, and I am expecting to hear a few misconceptions about tax paid by the horse-racing industry this year too. That has certainly been the pattern so far.

Happily, this is something that I do know about and I am really pleased to explain. A lot of people seem very confused about how betting tax works. I am sure it is genuine confusion. I am sure it is not any kind of intention to mislead, so I will explain. There is a tax called the betting operations tax. It is collected via online bets placed by a person in the ACT on sports and other events. It is collected on betting on ACT horse racing, but it is also collected on betting on golf, the NRL, the AFL, soccer, tennis, horse racing and many more events that occur in other states.

No industry is entitled to get back the tax they pay. That is just not how tax works. We spend taxpayer money on things that are in the public interest. I do not get my income tax paid directly back to me, nor should I. Income tax, like all tax, is pooled to fund things we need so that we have access to essentials like health care and education, and our access is not limited by what we earn. We are not simply handing tax back in rebates to the person or the industry who paid the tax. There would not be much point to a system like that.

I have heard repeated calls that the ACT horse-racing industry should get government funding because they generate betting operations tax. It is the wrong way to think about tax. It is not how tax works, but let us humour the point. Would you like to know how much betting operations tax the ACT horse-racing industry generates? It generates less than \$250,000 a year. The ACT horse-racing industry gets over \$8 million each year in public taxpayer funds and they generate less than \$250,000 in betting operations tax. I know this because I checked the Australian gambling statistics and then I asked the Treasurer, who confirmed it. The Treasurer said that each year the ACT government collects a tiny amount in wagering tax on ACT horse racing. He also said he did not think an industry is entitled to receive its tax back, even when it is this tiny amount. It is rare that I can so quickly agree with our Treasurer, and I am delighted to do so here.

The horse-racing industry is not entitled to the betting operations tax. That is not the basis on which they get their \$41 million in MOU funding, but, if it were, they would owe this government a lot of money. The horse-racing industry have been put on notice that public funding will stop. They clearly do not believe this, and I am not surprised because they have been on notice for over a decade and the funds keep flowing. In 2011, the Independent Competition and Regulatory Commission said the industry should be self-sufficient. That commission said the horse-racing industry should pay their own way. That commission said that, if the horse-racing industry is given public funds, it should only be for a short and limited period of time. That was 12 years ago. Since then, the horse-racing industry have been given three separate MOUs, each for five years, for a total sum of around \$100 million. No wonder they

think they will get an endless taxpayer subsidy. It certainly looks that way. But the biggest problem I have with this funding is that it does not match our priorities. I am worried about priorities all around.

We agree on a lot in this Assembly, particularly with our partners in government, about what our major problems are and what we should do to address them. But, when it comes to some of the decisions about implementation—what should we do first, when do we deliver it, and where do we direct our funds—I do not always see the follow-through.

The ACT has a lot of challenges. So does Australia and the world. It is a tough time for people on the planet. We have declared a climate crisis, we have declared a housing crisis, we have an extinction crisis, we have a cost-of-living crisis and we have an inequality crisis. We are making some pretty bleak decisions about our future. We are setting up our clubs as places of refuge to protect people from the heat and smoke we know are coming back. It is really important to be clear about our priorities in times like these.

Interestingly, another member of the government opposed the club refuge policy because she was worried about exposing people to gambling harm. I am really interested to see what she will do on this bill. Will she support it to reduce gambling harm from online betting on the horse-racing industry, or is it only clubs that she is worried about?

Giving money to the ACT horse-racing industry does not tackle any of the ACT's major challenges. We are giving \$8 million of taxpayer funds every year—\$100 million in deals so far. We are giving it to an industry that has lost its social licence. We are giving it outside of any public tender or grant process. We are handing it over without any clear indication of what services the people of Canberra get in exchange or how the money will be spent. We are doing so year after year, despite the fact that an independent commission told us, 12 years ago, not to do this. Why are we doing this? I do not know. That is why I have brought forward this amendment.

We all understand the horse-racing industry is in distress. It has lost its social licence and it is in a transition period. This is really tough. We see this with many dying industries. In this economic climate, I think most people are familiar with the concept of a cliff. For many it is something that we experience when we roll off a fixed mortgage rate onto a much higher rate and we suddenly have to find additional money to make our repayments. It is called “falling off a cliff”. A lot of people are in that situation at the moment. I am really worried about them. Any sudden change to your financial circumstances is awful. I would not wish that on anyone. But, when you know a cliff is coming, you can plan for it. That is what I am proposing here. The end of this MOU is a cliff for a dying industry. Please plan for it and please plan for it now. The ACT Greens do not want to impose a cliff on anyone if we can avoid it. We are pushing for a sensible transition.

We want to make sure we look after the people and the animals that are involved in this industry, and that means we need to start now with a sensible transition that includes good change management, good consultation and talking about these issues

with honesty. We need training for the staff who are affected and we need appropriate care for the horse and good rehoming programs where that is needed. This is an industry of another age. We need to think about what happens to the people who are involved in it. Anything less than that is cruel and short-sighted.

Last year, I suggested we reduce funding by 20 per cent. That amendment was voted down by ACT Labor and the Canberra Liberals. I am worried that means the industry lost another year in which they could have planned their transition. But it does not change the need to plan that transition and to do it for the end of this MOU. The cliff is coming. So this year I am moving an amendment for a 40 per cent reduction in their funding. Please let me know anything I can do to assist in this transition and any advocacy I can make to government to help make sure people and animals are properly looked after. I have met with the industry and the community about these issues. I am really happy to meet again and to help in any way that I can.

I want to finish on a point that came up last year when I tabled a similar budget amendment—the amendment to reduce the funding by 20 per cent in the phase-out. The ACT Greens and ACT Labor are two separate political parties. We have similar views on many issues, but on some we differ. We are operating in a partnership government and, as in any mature relationship, we sometimes disagree. We usually work out our differences with a healthy compromise, which again will be familiar to anyone who has experienced a mature relationship, but sometimes we do not agree. That is when we will bring differences to the floor of the chamber. Seeing how infrequently that happens is a mark of how well we operate and negotiate, and today is one of those occasions.

The ACT Greens simply do not think that a taxpayer subsidy to the horse-racing industry is in the public interest. We do not appear to have convinced our partners in government of that yet. I am not sure we have been particularly convincing for the opposition either, so I have tabled this amendment. We would like to amend this one budget item. If we are not successful in this amendment, we will of course support the budget, but we simply cannot, in good conscience, continue to support \$41 million of taxpayer funding going to the ACT horse-racing industry. We cannot do it for an industry that has lost its social licence. We cannot do it when we have such pressing budget priorities. We cannot do it in the manner in which it has been done, under an MOU outside of our ordinary grants and procurement processes. I commend my amendment to the Assembly.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (6.50): The Labor Party will not be supporting Ms Clay's amendment. The ACT Greens understand our position on horse racing and harness racing, and it is disappointing that we need to tread over old ground again. We have had this debate, and every time the Greens try to pull this political stunt it causes enormous stress for the clubs and the people employed in this industry.

Bringing on these amendments at the eleventh hour exacerbates this further. There has been no consultation with the clubs, no consultation with my office or the Chief Minister's office, and no consultation with Canberrans. At the 2020 election, we promised to negotiate in good faith with both clubs for the establishment of the memorandum of understanding. This decision was made with careful consideration on

how a renewed MOU would help to better regulate and manage the industry going forward. On the 1 July 2022, we delivered on that commitment when I signed a new MOU with the Canberra Racing Club and the Canberra Harness Racing Club.

Under the MOU, the government agreed to provide funding to the racing clubs from July 2022 to 30 June 2027. This includes requirements around animal welfare obligations, integrity, ongoing viability, governance accountability and the efficiency of the industry. Under the MOU, the clubs are required to inform the ACT government of an integrity related complaint being made or a breach occurring within 30 days, once the club is made aware of the complaint or breach. Under the MOU, clubs are also required to provide information to the government on efforts undertaken to increase revenue through existing income streams around their viability. Another important aspect of this agreement is that clubs are required to develop new external income streams to support sustainability and their longevity. Clubs are also required to participate in the Joint Racing Industry and Government Committee, which is an important opportunity as a mechanism for the clubs and government to achieve animal welfare obligations and consult on key racing industry issues.

To further strengthen the industry locally, the clubs have agreed to participate in the development of an ACT racehorse traceability framework, in consultation with the ACT government, by the end of the MOU term. In addition to our framework, the racing clubs are required to adhere to the local rules of racing, which contain provisions around rehoming and retraining retired horses. We recognise that the Canberra community has high expectations for safe and well-regulated racing in return for our public investment, and that is why we have moved to provide these additional requirements as part of the MOU.

The proposed amendments would cripple our local racing industry. It would come at the cost of jobs, trust and integrity. Both Labor and the Liberals took a clear policy to the election. Maybe the Greens should have as well.

**MR PARTON** (Brindabella) (6.53): When Ms Clay comes into this chamber and makes speeches like that, it reflects so poorly on the sensible contributions that she makes from time to time in this chamber. Horse racing is not dying. Horse racing is part of the fabric of Australia. Horse racing, harness racing, and greyhound racing—none of these are the sports of kings, as is often claimed by Ms Clay and others; they are the sports of battlers. Their ranks are promulgated mainly by minimum-wage battlers, many of whom do not hold the skills to gain employment in other areas.

The allocation of funding from government, which is much lower than the allocation to every other comparable race club in New South Wales, provides direct and indirect employment to 500 people. In the past, Ms Clay and her band of progressive warriors failed to understand that most of the funding to race club is returned to the community through prize money. They seem to believe that, when it comes to assessing how many jobs are created, we just need to consider the people directly employed by the Racing Club and the Harness Racing Club.

The other aspect of this funding that Ms Clay and her activist mob fails to comprehend is that, in their belief, only turnover on ACT racing should be taken into

account when it comes to the return to government. This is just ludicrous. It is absolutely ludicrous. When we consider the money that is returned to the ACT government coffers through the point of consumption gaming tax, among other things, you cannot just consider the ACT events; you must consider all racing, harness racing and greyhound turnover. Canberrans bet a hell of a lot on horse racing in Melbourne and Sydney. We do not gather a portion of those taxes and return them to Victoria and New South Wales, any more than Victoria and New South Wales return the portion of POC that they get from ACT events. It is just ludicrous. You must consider the turnover on the racing codes as a whole.

The betting operations tax returns \$32 million to the ACT coffers. Most of that money comes from Canberrans betting on racing codes, irrespective of whether the events are held here or in the ACT. I would ask: do we write to the Queensland government and ask them for our cut of their turnover on Canberra races? It is just a ridiculous argument. I would point out that the remaining ACT racing codes—the ones that you have not banned yet—receive the lowest per-capita funding of any jurisdiction in this country, despite the ACT government being the highest recipient of wagering revenue per-capita in the country. The Thoroughbred Park product is beamed around the world to 68 countries.

I am sick of this city being a social experiment. I am sick of crazy, fringe, extremist ideas being brought to this place, and then becoming law somehow because Labor and the Greens are trying to out-progressive each other. I pay tribute to at least the Labor members in this place for standing their ground on this. Quite clearly, we will not be supporting Ms Clay's amendment.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 6

Mr Braddock  
Ms Clay  
Ms Davidson  
Mr Davis  
Mr Rattenbury  
Ms Vassarotti

Noes 13

Ms Burch  
Mr Cain  
Ms Castley  
Ms Cheyne  
Mr Cocks  
Ms Lawder  
Mr Milligan  
Ms Orr  
Mr Parton  
Dr Paterson  
Mr Pettersson  
Mr Steel  
Ms Stephen-Smith

Question resolved in the negative.

Proposed expenditure agreed to.

Major Projects Canberra—Part 1.8.

Debate (on motion by **Ms Cheyne**) adjourned to the next sitting.



## **Adjournment**

Motion (by **Ms Cheyne**) proposed:

That the Assembly do now adjourn.

Question resolved in the affirmative.

**The Assembly adjourned at 7 pm until Tuesday, 12 September 2023 at 10 am.**

## Schedule of amendments

### Schedule 1

#### Appropriation Bill 2023-2024

##### Amendments moved by Ms Clay

**1**

##### Clause 6 heading

Page 2, line 15—

*omit the heading, substitute*

**6 Appropriations of \$8 108 985 000**

**2**

##### Schedule 1, part 1.7

Page 5—

*omit part 1.7, substitute*

<b>Part 1.7</b>	454 193 000	67 907 000	248 440 000	770 540 000
Justice and Community Safety Directorate				

**3**

##### Schedule 1

Page 7—

*omit*

<i>Total appropriated to territory entities</i>	4 648 347 000	2 136 693 000	949 423 000	7 734 463 000
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*substitute*

<i>Total appropriated to territory entities</i>	4 648 347 000	2 136 693 000	946 189 000	7 731 229 000
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**4**

##### Schedule 1

Page 7—

*omit*

<i>Total appropriations</i>	4 648 347 000	2 436 693 000	949 423 000	8 112 219 000
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*substitute*

<i>Total appropriations</i>	4 648 347 000	2 436 693 000	946 189 000	8 108 985 000
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## Questions without notice taken on notice

### Board of Inquiry—Criminal Justice System—funding

**Mr Rattenbury** (*in reply to a question and a supplementary question by Ms Lee and Mr Cain on Wednesday, 30 August 2023*):

Data extraction to disaggregate matters where the Territory is defendant versus plaintiff would be manual and resource intensive. However, there were more than 1,070 matters involving recorded activity by the ACT Government Solicitor associated with litigation over the period 1 July 2022 to 31 August 2023. These matters encompass a broad range of claims and disputes in various courts and tribunals.

The litigation activity relates to areas such as:

Constitutional	Property or construction
Regulatory (for example related to planning, revenue, trees, dogs)	Personal Injury Claims (Public Liability and Medical Negligence)
Employment and industrial relations	Commercial
Public law	Property Damage Claims against the ACT
Child welfare	Other Claims by/against the ACT
Discrimination/human rights	

### Government—human resources and information management system

**Mr Steel** (*in reply to a question and a supplementary question by Mr Cain and Mr Cocks on Thursday, 31 August 2023*):

QON 1146 from 12 May 2023, asked specifically for costs associated with contractors associated with the HRIMS program through to 31 March 2023, and a total cost for the project since its inception in 2016. The response identified a total expenditure of \$75.7m at 31 March 2023 and provided an expenditure of \$44.5m on significant HRIMS suppliers contracts and contract execution dates.

During Annual Estimates Hearings on 31 July 2023, further clarification was sought on all supplier payments made under the HRIMS Program. QTON 179 provided an expanded list of supplier payments at 30 June 2023. These payments include labour hire of expert staff that were directly engaged by the project, and the reimbursements to other areas of Chief Minister and Treasury Directorate for building rental costs, staff and other services provided to the project. The response to QTON 179 excluded costs relating to the reimbursement to other ACT directorates for staff working on the project (\$0.1m) and minor reimbursement to staff (\$2,089.04) which

contribute to the total cost of the project. The total expenditure of the project at 30 June 2023 was \$77.6m.

Please refer to a detailed breakdown of the financials in QTON 1331.

**Government—procurement**

**Mr Steel** (*in reply to a question and a supplementary question by Mr Cain on Thursday, 31 August 2023*):

Based on the scope of Question taken on Notice 185 (QTON185), I am further advised by my directorate that the process to produce this information requires manual development, review and validation of data which impacts accuracy and reliability.

For context, there are currently 41 unions and enterprise unions registered under the *Fair Work (Registered Organisations) Act 2009*. To identify all union affiliates, the Directorate will need to individually review the financial reports of each union branch which would result in approximately 328 financial reports. Making a conservative estimate that each union branch has at least 4 affiliates, there would be roughly 1,300 businesses to validate against the ABNs in the Notifiable Contracts Register in a manual process. This process represents an unreasonable diversion of ACT public service resources.