



# Debates

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**Wednesday, 22 March 2017**

**MADAM SPEAKER** (Ms Burch) took the chair at 10 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

## **Vacant property tax measures**

**MS LE COUTEUR** (Murrumbidgee) (10.01): I move:

That this Assembly:

(1) notes that:

- (a) in Victoria, land tax, unlike in the ACT, is an opt out system that covers all properties with exemptions for properties that are owner occupied, used for primary production or charitable purposes;
- (b) the ACT like other Australian jurisdictions is experiencing an affordable housing crisis and:
  - (i) section 4 of the 2016 Labor-Greens Parliamentary Agreement seeks to address this issue in the ACT, including through development of a new Affordable Housing Strategy;
  - (ii) people in lowest income households are being pushed out of the rental market, and into strained social housing services, poverty and homelessness; and
  - (iii) that solving affordable housing issues requires a multi-layered approach with a large range of responses and initiatives; and
- (c) that the Victorian Government has announced that it will introduce an additional vacancy tax on properties vacant for six months or more in selected suburbs;

(2) further notes:

- (a) it is difficult to ascertain accurate figures on the current number of vacant properties in the ACT but there is no doubt there are some;
- (b) the ACT Government charges land tax on rented properties but not on vacant properties, which is unfair for renters and for property investors who rent out their properties and pay tax;
- (c) there are large numbers of properties left vacant interstate—estimated to be up to 80 000 in Victoria and 90 000 in NSW; and
- (d) if land tax was applied as it is in Victoria or vacancy tax measures were introduced in the ACT, property owners would have an additional incentive to rent out their properties, therefore increasing the supply of rental dwellings; and

(3) calls on the ACT Government to:

- (a) review the current taxation treatment on vacant properties, with a view to extending current land tax requirements to cover all properties unless they are owner occupied, agricultural or charity owned as in Victoria;
- (b) research and provide details on the number of properties in the ACT that are left vacant for a period of six months or more and consider a vacancy tax such as has been proposed in Victoria; and
- (c) report back on these issues to the Assembly by the last sitting day in September 2017.

Housing affordability is one of the biggest economic and social issues that Australia faces. It is an issue the Greens have been fighting to address for as long as I can remember. The motion I am bringing forward today has two positive features: it makes our taxation system fairer and it will improve housing affordability.

For too long the taxation system has benefited investors over home owners. This trend will continue until the Australian government moves to address both negative gearing and the capital gains tax discount. But, in the meantime, we can make some improvements in Canberra for Canberrans.

One of the key points that is often lost in this debate, but it is not one that the Greens lose sight of, is that for the most disadvantaged households housing affordability in fact means the availability of affordable houses for rent. I remember back about 15 years ago a normal vacancy rate was considered to be somewhere between three per cent and five per cent. In February 2017, according to SQM Research, there was a rental vacancy rate of 1.1 per cent in the ACT, and it rarely even gets to three per cent.

Of course, that figure is only calculated on properties that are on the market and available for rent. This is really why we are having this conversation. We cannot have a serious conversation about Australia's housing affordability crisis without addressing the fundamental drivers that permit and, even worse in some cases encourage, owners to leave what may be a significant proportion of the housing supply to waste because we are now in the absurd situation that investors are buying properties purely to benefit from capital gains with no intention to rent them out.

Why should you bother with messy tenant issues when you can buy property, make a capital gain, have that capital gain attract a very minor tax, half-rate tax? From a tax point of view, it is a little winner. These are the properties that are denied to tenants by landlords that have little motivation to generate any rental income. The result is a lowering of vacancy rates. Every home held off the rental market means someone queuing day after day trying to get a home in the January rush. It means rents are a little bit higher than they would be otherwise.

Eventually these things flow through to the market and result in homelessness. Let me be clear here: this motion is not targeting those property investors who have a property that is temporarily vacant while they are looking for a tenant. They are doing

the right things by keeping their property in the market. This motion is targeting the other vacant properties which are not counted in that minor 1.1 per cent rental vacancy rate. It is about the properties that are idle, that are not advertised or marketed in any way.

Why am I focusing on land tax in this motion? Land tax in the ACT is a tax which is targeted to the majority of landlords who do the right thing and rent out their investment properties. Those who withhold their properties from the market do not pay it. This just does not make sense.

Land tax treatments have been an issue of concern for me for many years. Back in 2008 when I was last in the Assembly, the development of a land tax concession scheme for rental properties where they had been rented at an affordable rate to low income families was an item in the Greens-ALP parliamentary agreement. This was not implemented as we envisaged, unfortunately, but I do note that in the 2012 budget land tax was reduced for landlords who rent out low or medium value properties.

The following parliamentary agreement, the 2012 one, also included an item to investigate options for reform of taxation treatment of rental properties to encourage landlords to increase the energy efficiency rating for rental properties. My point is that land tax issues have always been an issue for the Greens. This continues our attempts to make sure that land tax is an issue that we deal with more sensibly in the ACT.

On that note, as members may know, my first degree was in economics. I studied this because it seemed to me that economics plays a big part in determining social justice and in determining what happens to people's lives. I still believe that. That is one of the reasons I have been pursuing changes to our land tax system. It seems wrong to me that only landlords pay land tax and that those costs are passed on to people so that the only people who actually pay land tax are, of course, tenants.

What I am calling for in this motion is improvements in the land tax system that will encourage property owners to rent out their properties. This will therefore add to the size of the rental market. Instead of land tax being a burden, you only pay if you rent your house. It will become a level playing field. Rent it out and pay land tax or do not rent it out and you still have to pay land tax, assuming, of course, that you are not living in your property.

The system I am calling for would simplify the approach and it would include all investment properties, regardless of their vacancy status. In putting forward the motion today, it is beyond me why we cannot do here what other governments are doing throughout Australia. All state and territory governments in Australia, except the Northern Territory, impose a land tax. In the Northern Territory there is no land tax at all. In most other jurisdictions, land tax is based on the total or accumulative value of all unimproved land that you own, other than your principal place of residence in a particular state.

So there are two important differences in land tax between the ACT and the norm in the rest of Australia. First, in other states you are liable for land tax if you are a property owner, but there are certain circumstances under which you are exempt. For

instance, the Victorian system assumes that everyone pays land tax. It is an opt out system. It is up to you to advise the Victorian Office of Regulatory Services if you are an owner-occupier of a property or if it is used for agricultural or charitable purposes. Apart from these exemptions, the presumption is that land tax would be paid regardless of whether or not a property is vacant and/or available in the market.

By contrast, we have here a system in the ACT which requires you, in effect, to opt into paying land tax, that is, an investor is meant to advise the ACT Revenue Office that they are renting out their residential property so that the ACT Revenue Office can charge them land tax. In the ACT you are opting in. In other places you are opting out, which is in many ways a simpler system administratively as well.

Secondly, in other states they add up all an entity's property holdings except, of course, the exempt ones and tax the owner on the combined value of their real estate holdings in that state. This is actually important because land tax regimes normally have a fixed base amount and then a sliding amount which relates to the value of the property. So if all your properties are amalgamated for land tax purposes, then the entities who own many properties will end up paying a higher amount of tax. I actually have no idea how important that is in the ACT, but I think that is one of the things that the ACT government could look at and would look at if my motion was passed today.

While the ACT is quite different from Victoria, I think it is warranted that we do some research and get some data into the hidden vacancy rate in the ACT. While I am mentioning Victoria, they have done quite a lot of work on that. They have looked at water consumption of houses and apartments. There are new blocks of apartments where well over 25 per cent of the apartments, it is believed, have never been occupied. This is on the basis of water consumption data. These apartments basically have never used water; so you could hardly believe that they were ever occupied.

There is a non-profit group in Victoria that has been working on this for a few years. They have figures that suggest that in some suburbs up to seven or eight per cent of all the residential property is unoccupied. This is on the basis of the total lack of water consumption. I doubt that it is anything as bad as this in the ACT but I guess part of my point is, a, we do not know how bad it is and, b, even if it is only a couple of per cent—one or two per cent—this will make a difference to housing affordability.

I imagine, of course, that there might be some people who are concerned about how this might catch property owners who are not actually trying to withhold their property from the market. There are legitimate complications here and there are motivating factors which could lead to buildings being idle. Some of them are undergoing significant renovations and there may be, of course, deceased estates where the family is finding it both practically and emotionally very difficult to get the family home sorted.

The Victorian scheme certainly has exemptions, in particular for deceased estates because of the inherent complicated issues in some of those. I also acknowledge that our population does have some transient elements in it, for example, the diplomatic

community, Defence Force and international students. Sometimes people are posted overseas for a few months, the posting is then extended and things happen.

That is why, instead of putting forward a motion saying, “Introduce land tax on date X,” my motion is, in fact, calling upon the ACT government to investigate this problem, to work through the details, to get back to the Assembly with a solution that will be successful and with all of the complications of the property market accounted for. I would, however, point out that other states are successfully running land tax regimes which aim to tax vacant properties, not just rented properties. I am totally confident that the ACT government can do as well as other jurisdictions.

I understand that there are a number of amendments being moved to this motion but the positive thing is that all three parties in this Assembly are heading in the same general direction here. I am hopeful that as a result of today’s debate we will make a small but important step in improving rental affordability, availability and equity in taxation arrangements in the ACT.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (10.13): I appreciate the opportunity to be able to talk to this motion. Madam Speaker, I have circulated an amendment to Ms Le Couteur’s motion, which I move:

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

“(1) notes:

- (a) the Victorian Government charges land tax differently to the ACT, where it covers all properties, with exemptions for properties that are owner occupied, used for primary production or charitable purposes;
- (b) that the Victorian Government has announced changes that include a vacancy tax on properties that are vacant for six months or more in selected suburbs;
- (c) that the Sydney and Melbourne property markets have seen aggressive investment by property speculators, which makes these markets different to the ACT;
- (d) the complexity of accurately measuring the number of vacant properties in a jurisdiction;
- (e) that improving housing affordability is a key priority identified in both the Parliamentary Agreement for the 9th Legislative Assembly and recent election commitments;
- (f) that improving housing affordability for our community requires a multi-layered approach with a large range of responses and initiatives; and

- (g) the importance of ensuring the Canberra community and, specifically, key stakeholders and subject matter experts are appropriately engaged around responding to complex policy issues such as increasing access to affordable housing options, a process initiated by the Minister for Housing in 2016;

(2) notes:

- (a) the work to date on addressing housing affordability through the Affordable Housing Action Plan over a number of years, including mandating a 20% target for affordable land release; providing development opportunities for new public and community housing; and releasing 17 000 dwelling sites through the accelerated land release program since 2007; and
- (b) that the Minister for Housing and Suburban Development will hold a housing and homelessness summit later this year that will bring together a broad range of industry, community, consumer and expert stakeholders to consider actions for inclusion in a housing strategy; and

(3) calls on the ACT Government to:

- (a) undertake research to measure the number of long-term vacant properties in the ACT, considering the complexities in obtaining accurate data;
- (b) consider the effectiveness of a vacancy tax, land tax arrangements or similar measures in the context of the research and ongoing consultation with key stakeholders and subject matter experts as part of the work contributing to the development of the Housing Strategy, and in the context of future budget decisions; and
- (c) report back to the Assembly by the last sitting day in September 2017.”.

A lot of work is already underway on housing affordability more broadly, but it is also timely to reflect on some of the success of the government’s policies to improve housing affordability to date. Through previous phases of the affordable housing action plan, which we first launched in 2007, the ACT government has demonstrated our long-term commitment and achievements in increasing the supply of affordable housing for all Canberra residents.

This commitment has been instrumental in maintaining among the best housing affordability in Australia against average incomes. The latest figures from the Real Estate Institute of Australia show that average mortgage payments in the ACT account for 19.9 per cent of income and average rent payments account for 16.8 per cent, both the lowest percentages in the country.

One of the priorities of the ACT government’s affordable housing strategy has been to secure an increase in the supply of land and expand the housing options available. The work we have undertaken to this point has provided the most efficient and cost-effective means of addressing housing affordability. The ACT government has released in excess of 37,000 dwelling sites over the past 10 years, which has provided

the catalyst for the renewal and expansion of public housing and an acceleration in the provision of affordable rental properties within the community housing sector. Our strategy has ensured that at least 20 per cent of new estate developments are earmarked for affordable housing.

These efforts have resulted in the construction and sale of 2,650 properties for affordable home purchase and another 2,025 homes under the government's nation-leading land rent scheme. We have also been progressively phasing out stamp duty and providing major stamp duty concessions for first homebuyers and seniors.

Of course this issue that we are discussing today is not new and it is not just a local issue. I have mentioned in my previous comments on housing affordability that we need both levels of government pulling together in the same direction on what is a national issue. Last year the ACT government made a submission to the commonwealth affordable housing working group, and we encouraged them to engage further with options around key policy levers such as negative gearing and capital gains tax discounts. Following that, the commonwealth formed a task force, and then Minister Scott Morrison went to England. We are still encouraging the federal government to look at these issues around negative gearing and capital gains tax.

The ACT government, as reflected in both the parliamentary agreement for the Ninth Legislative Assembly and in recent election commitments, has committed to do more. A new housing strategy will build on the conversations that I started with the community in 2016. It will be a multi-layered approach with a large range of responses and initiatives and will be informed by key stakeholders and subject matter experts with experience in the many complex policy issues.

Unlocking underutilised land and properties has the potential to improve housing affordability, but it is important to note that any consideration of a tax on vacant properties or changes to land tax must be well informed as there are a number of complexities in accurately measuring the number of relevant properties. At any point in time there can be many thousands of dwellings sitting vacant within the normal real estate cycle. Dwellings can also be caught up in prolonged and often complex demolition or renovation processes.

The Victorian government's announcement of a vacancy tax for properties that are vacant for six months or more is an appropriate response in a market that features aggressive, speculative investors who are using their vacant properties as long-term wealth stores rather than making them available to potential renters. We need to make sure that in considering a similar policy in Canberra we have a very close look at what its market impact will be.

I have discussed this option with numerous people in our local sector, including through consultations I held last year. It is certainly worth undertaking more detailed research to understand the potential for any underutilised homes to contribute to improving overall housing affordability and to inform debate ahead of the housing and homelessness summit that I will be holding later this year.

The summit will be another important forum in which we can ask the sector, the industry and the wider community to consider the effectiveness of new initiatives such as these and many other issues around planning reform, the community housing sector, public housing and the homelessness sector.

Bringing together a broad range of industry and community stakeholders will provide another useful platform to consider a new strategy, one that builds on our previous efforts in engaging our community on these questions, efforts which have contributed to the many successes of the affordable housing action plan that we can all be proud of. This summit will further guide us on a path to providing better housing outcomes for those on the lowest incomes.

**MR COE** (Yerrabi—Leader of the Opposition) (10.19): Many people in the ACT are concerned about housing affordability and also the cost of housing, and there is a distinct difference. This government has a tendency to focus on housing affordability rather than the cost of housing which is, in effect, taking for granted the relatively high mean income or median income in the ACT. But for the many thousands of Canberrans on low incomes, housing affordability is particularly damaging, as is the cost of housing. So it is important that we get our terminology right. If we frequently focus on housing affordability then we will perhaps forget about the significant rises that have taken place in the cost of properties in the ACT. Canberra is often seen as an expensive place to live, and this has serious consequences for households and businesses, whether they are businesses already here or businesses that may well set up here.

The reasons for the high cost of housing in the ACT are varied and complex. Some of these reasons, such as interest rates, are beyond the powers of the ACT government. However, others, such as land supply, are firmly within the realm of the ACT government. Not only that, especially with regard to land supply, the ACT government is in a unique position in this country whereby it controls the treasury levers as well as the rates levers as well as all the land supply levers due to the fact of the ACT government, in effect, assuming an amalgamation of local council and state responsibilities.

This motion moved by Ms Le Couteur recognises the need to respond to the problem of housing issues and housing affordability by thinking about the reasons for it and a range of responses to it. For this reason I am happy to support the motion and, indeed, Ms Berry's amendment, but I will also be adding an additional clause to it through an amendment, if it is acceptable to the Assembly.

In addressing housing affordability in general and the particular question of a land tax on vacant properties we need to have a solid body of evidence. It is simply not good enough to go on whims or anecdotal evidence. We have to make sure that there is rigour in this process, and that is why I think Ms Le Couteur's motion is worthy of our support.

Such rigour includes a detailed comparison of the current tax treatment of vacant properties in the ACT and in Victoria. I also think it would be worthwhile to peruse

other jurisdictions as well. Whilst Victoria has a particular model which is of interest to Ms Le Couteur and to the Assembly, I think it would be worthwhile to canvass other states and perhaps even jurisdictions abroad to see whether there are attractive ways forward elsewhere.

We also need to seriously analyse the costs and benefits of the present arrangements in the ACT against the Victorian approach, including analysis of whether the current land tax regime, including the actual tax rate, is a disincentive to renting vacant properties. We need to consider whether some people are making the decision that for even long periods of time it is better to forego rent in order not to be hit with land tax and other costs and risks associated with renting. This is, in part, the basis for my new clause in my amendment.

It is important that we acknowledge that the ACT has a transient population and that there can be many reasons why properties are vacant; some for a short time and some for a long time. We have to make sure that we are mindful of genuine reasons why someone might have a vacant property, not just, as Ms Berry said, as a long-term wealth store.

In approaching this task, it is important that evidence is collated and analysis is conducted without prejudicing the result. We must be careful, as we are looking to solve a problem, that we do not choose an approach that makes little or no difference or, worse, actually creates other unintended problems. Every time we change tax policies there is a very real possibility of causing harm to individuals and the wider community because we do not understand the full implications or ramifications of that policy. Therefore, we have to make sure that we have a very considered approach to this issue.

Madam Speaker, I formally move my amendment, which has been circulated, to Ms Berry's amendment:

Insert new paragraph (3)(c):

“(c) assess whether the current ACT land tax regime provides a disincentive to renting vacant properties; and”.

In conclusion, the opposition is open to a discussion on the land tax regime in the ACT and exploring other options which generate a fairer approach to how land tax is collected in the ACT, with particular focus on encouraging more affordable housing and a more efficient property sector in the ACT.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (10.25): I want to briefly speak on Mr Coe's amendment to my amendment to Ms Le Couteur's motion. I reckon Mr Coe's amendment is already covered in my amendment at 3(b), which states:

consider the effectiveness of a vacancy tax, land tax arrangements or similar measures in the context of the research and ongoing consultation with key

stakeholders and subject matter experts as part of the work contributing to the development of the Housing Strategy, and in the context of future budget decisions;

Interestingly, when I suggested this as a way forward on the radio on 6 February, Mr Coe laughed at me and went on the attack. So it seems he has changed his mind. All of this needs to be considered with the federal government as well, and we will continue to call on the federal government to consider making changes to negative gearing and capital gains tax. Both need to be considered as a way forward in providing opportunities for people to own homes of their own.

**MS LE COUTEUR** (Murrumbidgee) (10.26), in reply: In closing, I am really pleased that all three parties in the Assembly have seen that the land tax regime in the ACT at the very least needs looking at from the point of view of both equity and taxation, and housing affordability. I look forward to further outbreaks of tripartisan consideration of important issues. I thank members for their contribution to this.

Amendment to amendment agreed to.

Amendment, as amended, agreed to.

Original question, as amended, resolved in the affirmative.

## **Self Help Organisations United Together (SHOUT)**

**MS LEE** (Kurrajong) (10.28): I move:

That this Assembly:

(1) notes:

- (a) that SHOUT (Self Help Organisations United Together) is an ACT-based umbrella organisation that has been providing support to over 40 self help and peer support groups for people with disabilities, health and chronic conditions for over 35 years in the ACT;
- (b) SHOUT is funded by the ACT Government until August 2017, but their future beyond that is unclear;
- (c) many of SHOUT's members are small community organisations entirely managed by volunteers and without SHOUT's backend support, they would have no administrative help, no place to conduct meetings and no support and this would have negative impacts on thousands of Canberrans who are most in need of assistance; and
- (d) that SHOUT has had no success to date in securing ongoing funding from the ACT Government, notwithstanding their successful and longstanding track record of delivery and have announced they have no choice but to close their doors in August 2017; and

(2) calls on the:

- (a) Government to commit financial assistance to SHOUT until 30 June 2019, subject to further negotiations at the completion of that period;
- (b) Government to recognise that abandoning SHOUT will have massive flow on effects to dozens of other groups and they too will face a similar future to SHOUT, through no fault of their own; and
- (c) Ministers for health and disability to work with community organisations like SHOUT to enable them to continue their work with ACT self-help groups.

In 2013 the ACT government made the decision to become the first jurisdiction to embrace a territory-wide trial for the rollout of the NDIS, and in April of that year the ACT was the first to commit to full-scheme implementation by 2019. Given our size and perceived ability to effectively manage the sector through the Community Services Directorate, it probably made sense, in theory, for the ACT to take such a lead role.

Our actual experience now tells us that, in doing so, it was possibly not so sensible and not in the best interests of the sector as a whole. My colleague Mr Wall, in his capacity as shadow minister for disability in the last Assembly, recognised the potential difficulties, and is on record urging caution as early as 2013. We made several calls on the government to move with caution regarding the start of the trial. Not surprisingly, his concerns were dismissed, and the ACT government repeated over and over that it was ready to go. However, it was not long before it became evident that the ACT was not quite as prepared as the government claimed or needed to be to ensure a smooth transition, and we are starting to feel the effects of those unheeded warnings today.

By late 2016 there were grave fears that the numbers of eligible participants in the ACT had been vastly underestimated, fears that new participants would need to wait until current participants died before new entrants could be taken into the scheme, and anger that the government had got it wrong.

Whilst I acknowledge that governments at both the territory and federal levels have assured Canberrans that no-one will “miss out”, the anxiety that reverberated through the community about a potential gap of this magnitude and the far-reaching impacts as a result cannot be underestimated.

During this entire state of flux, the ACT government left some of Canberra’s most vulnerable people in limbo, while trying to shift the blame to the federal government. In December 2016 a survey found that more than half of ACT disability service providers believed the impact of the transition to the scheme had been negative. Of the more than 150 community sector organisations that responded to an ACTCOSS survey, over 53 per cent said that the impact had been negative or strongly negative, while 55 per cent of disability service providers said the impact of the NDIS was negative.

Adding to the mix of disaffected participants and anxiety is the ACT-based organisation SHOUT. SHOUT—Self Help Organisations United Together—is a not-for-profit organisation that provide self-help and support in the ACT. They have been operating in the ACT for more than 35 years. In July last year, concerned that their transitional funding would cease in June this year, they approached the ACT government for assistance and advice, looking for some certainty in the context of an uncertain environment. They were forced to do the rounds of government directorates, pushed from Health to disability and back again. They sought meetings with the Minister for Health, who was then the assistant minister, with no satisfactory responses.

Finally, in late August, they secured a meeting with an adviser from the Minister for Health's office. In September they were advised that a brief had been prepared to "go up the line" and that the directorate or the minister's office would be in touch "once a recommendation had been made". In early November another meeting was sought. In late November the adviser they had met with in August told them he would be briefing the minister. In December, with Christmas a week away, they were told that the directorate had not seen the brief but they would be in touch in January.

In January SHOUT were told there was no update. In early February they were told that the brief was "under consideration". In late February they were told that "the minister is busy but the brief is under consideration". Earlier this month, when I asked questions of the minister for disability during the annual reports hearings, she stated that SHOUT was panicking for no reason, that all they needed to do was to submit an application under the information linkages and capacity building framework.

Perhaps in an effort to resile from any responsibility to the group, when I asked questions of the Minister for Health, it was suggested that SHOUT really did not fit into the health space because only four or so of their member organisations have a "health focus". When I discussed these claims with SHOUT, they told me that there were in fact at least nine health-related organisations as members, five of whom have permanent subleases, and that their health-related organisations use up more than 200 hours of SHOUT's meeting rooms per year.

Despite all the briefings and all the apparent concern for the future of this organisation, it seems that the ACT government has failed or refused to find out exactly what work SHOUT does, the extent of the impact of their work, the extent of the reliance of their member organisations on SHOUT and their integral and unique place in our community.

How far removed is this from the optimistic but clearly now misplaced or even misleading statement from the then Minister for Disability in 2013 that "meeting the needs of people with a disability is best achieved through a growing and diverse non-government sector where the sector offers a wide range of choices"? It is disingenuous for the minister to use the availability of the ILCB funding through the NDIS as the basis for withdrawing ACT funding.

This position from the government shows exactly how much they have misunderstood the nature of SHOUT's work. SHOUT is not a disability service provider in the traditional sense. Madam Speaker, if you will, let me remind the Assembly exactly what this organisation does, this organisation that the ACT government believes is not worth funding. SHOUT operates as an umbrella organisation for member and affiliate self-help groups, providing a point of contact for clients and member groups and affiliates, a referral point for the public, and an information resource centre.

SHOUT enables member organisations, many of whom are small volunteer community-focused bodies, to continue to function effectively by providing administrative, back-end support to enable these smaller bodies to focus on delivering front-line services. The infrastructure and community connection made available are critical components of the ongoing viability of these organisations.

In July 2016, in response to a survey of its 47 members and affiliates, SHOUT identified, from the 26 organisations that responded, that 2,600 individuals are being supported via the member organisations; over 2,500 families are being supported, and this number could conservatively be extrapolated to 5,000 families, impacting 20,000 individuals. There are over 500 volunteers supporting the 26 organisations, which could be extrapolated to 1,000 volunteers. Four out of the 26 organisations had no paid staff and eight organisations had three or fewer paid part-time staff. Members and partners see SHOUT as being a vital conduit to the community, and the support and infrastructure provided mean they do not feel isolated. This had given them the ability to be more professional and responsive and to be able to provide a better service to the community. SHOUT provides stable and affordable premises from which the groups can operate and offer training or meeting rooms and administrative support and so that they are able to have a physical presence.

These items are of critical importance to the organisations supported by SHOUT. SHOUT's future relies on continuing base funding to enable it to support its member groups and affiliates.

As Jon Stanhope AO, former ACT Labor Chief Minister and patron of SHOUT, says—and his previous role in the Assembly means his words do carry some credibility when he says this:

Every government in Canberra since the 1980s has, for starkly obvious reasons, regarded the funding of SHOUT as a priority. The decision to cease funding SHOUT has, therefore, to be interpreted as meaning that the government believes that it is either now redundant or at best that its existence and operations are not now regarded as a priority

SHOUT's annual funding from government has been \$124,000, with \$36,000 of this quarantined for rent which is returned to the government through the Community Services Directorate. SHOUT has subsidised the cost of critical infrastructure and staff, recovering approximately \$20,000 from members through individual service level agreements and membership fees. In essence, after staff costs, the organisation is left with just over \$3,000 per month or \$40,000 per year to fund all other operational and program costs. After being told that they would need to change their business

model in preparation for the transition to the NDIS, SHOUT revised their request for funding to \$110,000.

The Canberra Liberals well understand the important role of SHOUT and other similar organisations. That is why, in the lead-up to the 2016 election, we committed \$600,000 over three years to ensure they had ongoing financial security and certainty in the years leading up to full NDIS implementation. In comparison to other spending priorities of this government, it just does not add up.

This is the same government that has found millions of dollars for failed container villages, rusty welcome signs, beach volleyball courts and a gold-plated tram with a gold-plated package for the head of the project. This is the same government that cannot now find \$110,000 for children with cancer, for families with brain injured children, for people with Down syndrome and motor neurone disease, for cancer support groups. It is the same government that yesterday had its Deputy Chief Minister saying:

... we will not be forsaking the people in our community. We will not be ignoring our roles as leaders to bring the voices of some of the lowest paid young women and men in our community—our friends, their kids, people who live in our community ...

Are the Canberrans who live with a disability or a health-related condition not worth this type of passionate response from the government? Sadly, during the preparations for this motion, SHOUT made the decision to issue a final public announcement to the effect that unless funding is committed urgently it will close its doors on 31 May. Not only is this a tragic outcome for Canberra, it is a shameful indictment of this government and where its priorities lie. It is tragic for SHOUT, its board, its members and the vulnerable Canberrans it supports. It is tragic for bodies like Bosom Buddies, motor neurone disease, the thyroid support group and ACT Down Syndrome. These are just some of the people the ACT government has said are not important.

What this government has said to these groups who connect with hundreds of families and impact thousands of people is: you are not as important as a beach volleyball court; you are not as important as the millions of dollars spent to secure AFL games and cricket matches at Manuka Oval. It is also a tragic indicator for many other groups that face similar abandonment because they do not fit the new funding model. And how many more are to follow? Does the ACT government know? Does it care?

One has to ask why the ACT government, in the four or more years it has been in negotiations over the rollout of the NDIS, did not consider providing ongoing funding for such organisations, organisations that are now falling through the cracks. Have the ministers for health and disability met with the thousands of Canberrans that receive vital support from SHOUT and its member groups and affiliates? Have the ministers had the courage to tell thousands of Canberrans face to face that they are not worth supporting?

During the annual reports hearings, the Community Services Directorate spoke with some passion about their community services industry strategy, which took some

years and a great deal of effort to produce. But the lack of action from this government is resulting in a major community organisation being forced to fold for the want of \$110,000.

Once again I quote Mr Stanhope, and I certainly do not want to make it a precedent but, at least on this issue, we are both committed to SHOUT:

The ACT government, with a budget of \$5 billion, can't fund \$120,000 to support children with brain injuries, women with breast cancer, children with cancer? The consequences for our community and our society are quite dramatic.

The ACT government has lost its direction, and in the aftermath of its 2016 election success it seems it has also lost its soul and its conscience. SHOUT are the epitome of the quiet achiever. They go about doing their work assisting hundreds of families on a daily basis, providing valuable services in a myriad of ways, all of this done 52 weeks of the year for 47 groups; groups that are all at risk of going under with the ACT government's abandonment of SHOUT. It is disingenuous for the minister to plead that it is not the decision of the ACT government for SHOUT to close. What choice did the SHOUT board have?

My motion calls on the government to commit financial assistance to SHOUT until at least 30 June 2019, to recognise that abandoning SHOUT will have massive flow-on effects for dozens of other groups and they too will face a similar future, and asks the ministers for health and disability to work with community organisations like SHOUT to enable them to continue their work with ACT self-help groups.

There is nothing in my motion that is unreasonable to ask of any government to provide for our community. What is unreasonable is that this government feels it is perfectly acceptable to let down a vulnerable sector of our society. What is unreasonable is for the Canberra community to have a government that shunted SHOUT back and forth between directorates and ministerial offices for well over six months with no answer, leaving them in limbo. What is unreasonable is for a minister to dismiss SHOUT's calls for help as premature and panicking for no reason, when two weeks later we found ourselves in a debate not about how SHOUT will continue its work but about whether it will at all.

The reason that I wanted to be a member of the Legislative Assembly is to give a voice to those who may not be in a position to do it for themselves. Today I stand here on this side of the chamber to lend that voice to some of Canberra's most vulnerable. Today I call on and implore the government to stand with me to do the same by voting for this motion. I commend my motion to the Assembly.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (10.42): I start by seeking leave to move the amendments circulated in my name together.

Leave granted.

**MS STEPHEN-SMITH:** I move:

- (1) In paragraph (1), omit “notes”, substitute “notes that”.
- (2) Omit all text after (1)(b), substitute:
  - “(b) under the National Disability Insurance Scheme (NDIS), the ACT has been transitioning disability services funding across to the National Disability Insurance Agency (NDIA);
  - (c) specific funding has been provided to help organisations transition to the new funding environment, including SHOUT, which received a \$20 000 grant in 2014 to help it get ready for the NDIS;
  - (d) ahead of the rollout of the Information, Linkages and Capacity Building (ILC) grants, the ACT Government secured transitional funding of \$124 790 for SHOUT from the Commonwealth for 2016-17;
  - (e) the ACT Government recently negotiated a further two-month extension to the transitional funding, until August 2017, which was intended to provide certainty and stability following a delay in the ILC funding rounds; and
  - (f) many of SHOUT’s members are small community organisations entirely managed by volunteers, who rely on backend and administrative support from SHOUT to assist thousands of Canberrans; and
- (2) calls on the:
  - (a) NDIA to provide certainty for community organisations and individuals being supported by ILC-type services, by promptly finalising the outcomes of the recently closed ILC grants rounds;
  - (b) ACT Government to reaffirm its appreciation of the important support that small and volunteer-based organisations have received from SHOUT over many years; and
  - (c) Ministers for Health and Disability to continue working with SHOUT and other community organisations to ensure that its members are supported and that the transition to any new funding arrangement is as smooth as possible.”.

The government recognises that SHOUT has been providing an extremely valuable service for a range of self-help and other community organisations for many years. As I have stated publicly and told SHOUT directly, the government is committed to working with SHOUT and other community organisations to ensure that their member organisations continue to be supported.

I met with representatives from SHOUT on 10 March to discuss the organisation’s funding situation. Suffice it to say that I have a somewhat different interpretation of the outcome of my meeting with SHOUT and was somewhat surprised to see the

organisation announce to the media last week that it intended to make a decision on closure by the end of March. Unfortunately there has been some public misrepresentation of both my public and private comments and the government's overall position.

In my meeting with SHOUT, as in my public statements, I thought I had made it clear that the ACT government is committed to ensuring that community organisations that rely on SHOUT are supported to continue their valuable work. These are organisations such as Parkinson's ACT, ACT Down Syndrome Association, ACT ME/CFS Society and People with Disabilities ACT, as well as a number of the organisations that Ms Lee referred to. I know active members of each of these associations and I fully and completely appreciate the important work that they and the other SHOUT members do in our community. Since the news of SHOUT's decision last week, I have been, along with my office and directorate, seeking to reassure SHOUT member organisations and associates that the government will make sure they continue to get the support that they need.

It is the case that in order to deliver the support, the government had previously urged SHOUT to apply for information, linkages and capacity building funding under the national disability insurance scheme for which applications closed on 8 March. It is also the case that the Community Services Directorate had been working with community organisations like SHOUT since the commencement of the NDIS transition which, as Ms Lee noted, was in 2013 and had provided SHOUT with a \$20,000 grant in 2014 to help it get ready for the NDIS.

Members may be aware that Community Services Directorate officials stated in the annual report hearings on 1 March that they considered that the types of services that SHOUT currently provides actually fit very well with the purposes of the NDIS ILC grants. Indeed, this is why SHOUT received transition funding from the NDIS at 100 per cent of its previous funding levels. Directorate officials also noted that \$3 million would be available in this grant round, compared to \$1.3 million during transition.

Nevertheless, we have been closely monitoring the transition to the NDIS, including the rollout of ILC, and we did act to recognise the uncertainty facing organisations who were applying for ILC funding by negotiating an additional two months of transitional funding from the commonwealth so that these organisations are now funded until the end of August. This additional funding was intended to provide greater certainty and stability following a delay in the ILC funding rounds. This funding is an extension to the transitional funding of nearly \$125,000 for SHOUT that the ACT government negotiated from the commonwealth in 2016-17.

This is something that I think needs to be made clear: the ACT government is not terminating or ceasing SHOUT's base funding, as has been reported. As part of the reform to disability services under the rollout to the NDIS, SHOUT's 2016-17 funding was negotiated by the ACT government from the commonwealth government. This funding is now part of the transition arrangements for the commonwealth ILC grants program under the NDIS, which is why SHOUT was encouraged to apply for ILC funding.

Until recently it was our understanding that SHOUT was going to apply under ILC to support its current activities. As I have said publicly, however, I have also been working with the health minister—and I know that this work has been ongoing for some time—to identify other potential sources of funding, because we did understand that many of the organisations that SHOUT supports are in the health sector.

I do need to go back to something that Ms Lee has said—and she has now said it on a number of occasions—quoting me as saying that I believed that SHOUT was panicking for no reason. I have not been able to find a source for that quote. I did state in the annual report hearings that I thought it was premature to be saying that any of the organisations currently receiving ILC transition funding were going to close. I did believe that it was premature at that time to be stating that any of these organisations were going to close.

As I have said, we were encouraging them all to apply for ILC transition funding—we had also been assured that they were going to do that—and it was a week until that funding application closed. I know that we are now in a different situation but I wanted to put that correction on the record.

As I have said, I have been working with Minister Fitzharris on this issue. We are both keen to ensure that we find a sustainable solution. The government remains committed to working with the community organisations that currently rely on SHOUT to ensure that they are supported and that the transition to any new funding arrangements is as smooth as possible.

**MS LE COUTEUR** (Murrumbidgee) (10.49): I welcome the opportunity to explain the Greens' position on the question regarding funding for SHOUT and in addition provide my support for the government's amendment. It is important to reiterate that the Greens recognise, appreciate and support the wide range of support services that SHOUT provides. SHOUT has been working with a range of self-help and peer support groups for people with disabilities, health and chronic conditions in the ACT for over 35 years. In addition to the infrastructure and administrative support that they provide, self-help groups like SHOUT also provide an extended social support system that is essential to the wellbeing of people with a disability and their families. There is no doubt that SHOUT provides valuable support for organisations in the community sector, many of whom are run and managed entirely by volunteers.

The question at the heart of this issue is where funding for these organisations should come from. Under the national disability insurance scheme, the NDIS, the ACT has been transitioning all disability services funding across to the National Disability Insurance Agency, the NDIA. Having previously been funded through Disability ACT, SHOUT is one of the organisations that will be affected by this transition and I understand that the government has been working with SHOUT to provide support in this challenging environment. Indeed this is what Minister Stephen-Smith has just been informing the Assembly about.

There is no doubt that the implementation of the NDIS has not been without challenges. As the first jurisdiction to undertake the full rollout of the NDIS, the

ACT has of course been at the forefront of those challenges, and many organisations have had to problem-solve their way around the new processes. It is inevitable that with the rollout of such a significant new scheme there will be some hiccups along the way. It is crucial that the government continue to work with organisations on a case-by-case basis to manage any issues that may arise as the transition to the NDIS progresses.

The intention, of course, as we all know, with NDIS is to ensure that people who have a disability have greater control as to how the money allocated for them—in effect their money—is spent and to enable them to purchase the services that they need to improve their quality of life.

During the initial trial period the NDIS focused on providing individually funded packages for eligible people with a disability, and this reflected the role of the services that work directly with clients on a daily basis. But it did not even cover the important capacity building and community support work that organisations such as SHOUT do. With the full rollout of the NDIS underway, this issue is now being addressed.

The NDIA has opened funding rounds to support information, linkages and capacity building services, or ILCs. Unlike the rest of the NDIS, ILC will provide grants to organisations to carry out capacity building activities, making sure that our community becomes more accessible and inclusive of people with a disability and their families.

Up to \$3 million is available for ACT organisations through this funding round and applications closed on 8 March 2017. I understand, as Minister Stephen-Smith has said, that SHOUT were made aware of this, and were encouraged to apply for this funding round as part of their ongoing conversations with the government.

Support has also been provided to SHOUT to help the organisation prepare for NDIS transition, including a \$20,000 grant in 2014 to support adjustments to the new NDIS funding environment. The ACT government also secured \$124,790 in transition funding for SHOUT from the commonwealth for 2016-17. Following a delay in processing the ILC funding round, the minister announced that the government negotiated a further two-month extension to the transition funding allowance until August 2017.

I know that there have been delays and some uncertainty in the community sector with regard to NDIS funding. The Greens will of course continue to monitor the progress of the NDIA rollout of ILC funding over the next few months to ensure that small community groups are being supported through this process. The Greens are committed to ensuring that organisations are not left behind or falling through the cracks as a result of the NDIS transition. It is also important that these organisations are given as much stability and certainty as possible with regard to their funding into the future.

I am pleased to provide my support for the amendment proposed by the government because, crucially, it calls on the minister to continue to work with SHOUT and other community organisations and to support them through the NDIS transition.

It is not realistic or appropriate for the ACT government to provide funding for organisations whose services are covered by the remit of the NDIS. Funding for these organisations is now the responsibility of the commonwealth through the NDIA, following the bilateral agreement which was reached in 2012.

However I recognise that some organisations will require greater support to adjust to the new funding environment. The government can and must ensure that organisations like SHOUT have information, and assistance where necessary, to apply for NDIA funding to continue their important work. To date the government has in fact demonstrated a willingness to assist SHOUT and other organisations with this process and has negotiated an extension to transition funding arrangements, which is just one example of this support. I am pleased that the government has said today that it will continue this approach by working with SHOUT and its member organisations to explore other options for funding and assist with a smooth transition to new arrangements.

**MS FITZHARRIS** (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (10.55): I rise today in support of Minister Stephen-Smith's amendment to this important motion and to make a few further comments to both build on her comments and elaborate further on those matters relating to me and the Health portfolio. As Minister Stephen-Smith and my predecessor have said, we appreciate the long years of service that SHOUT has provided to its member organisations and I know that it is well loved by those members.

We all agree in this place that the NDIS is bringing fantastic new opportunities to people with disability. In making the decision to join the NDIS, I know we are doing the right thing for the people of the ACT now and into the future but, as members have noted, there have been some hiccups along the way.

With reforms such as the NDIS, things do not stay the same and it is simply not possible for the ACT government to maintain, post transition, everything that came before. However I am confident, as are my colleagues, that there is a role here for organisations like SHOUT who do not necessarily provide direct service provision to people with a disability or with chronic healthcare conditions but nonetheless provide valuable support and advice for self-help organisations. There is no doubt that organisations such as these, known as information, linkages and capacity building organisations, are vital to the proper care and support of people with a disability.

That is why, from the very beginning, the government made clear that change was coming. The government worked hard with these organisations to support them through the transition and the many challenges these opportunities posed. The government established the ACT sector development fund to give community organisations the resources to explore new business models and embrace new technologies to keep them strong and viable in the new environment.

As we have transitioned to the NDIS, and have fully passed our funding to the commonwealth through the National Disability Insurance Agency, it is now up to the

commonwealth agency to also step up and appropriately support organisations. The ACT government provides significant funds to the NDIA and it is reasonable that post transition the ACT government can expect that the commonwealth should also better recognise and support the work of organisations such as SHOUT.

To focus on some aspects of Ms Lee's motion that relate to my portfolio specifically, I think it is important to clarify some matters for the Assembly. ACT Health does not currently fund SHOUT and at present only one of SHOUT's members has received funding from ACT Health. But ACT Health has been engaging SHOUT in discussions recently about its future and, as we have stated on multiple occasions, we will continue to do so.

With Minister Stephen-Smith, we will work with other partners and health service and health consumer organisations across the ACT community to further strengthen our ability to provide support for people with chronic conditions. There is an opportunity to integrate this with broader work already underway. That includes the clinical services framework, a range of initiatives already being delivered, as well as commitments made by Labor to invest in preventative health, health literacy and support to people with chronic conditions.

While I agree with all members that it is disappointing that SHOUT has decided to close, I will again reiterate my intention to continue to work with Minister Stephen-Smith and our colleagues and our community sector partners toward as smooth a transition as possible for SHOUT members. We will also explore the opportunities to integrate this into our ongoing work to improve support for people living with chronic conditions and a disability in our community.

If I could just reflect on some of the comments Ms Lee made earlier, I think it would be wrong and misleading for those opposite to imply that where there are multiple directorates and multiple ministers dealing with this situation these organisations have therefore been shunted. It is, in fact, a reflection of the government's commitment to working with SHOUT and other partners in the community sector that they engaged ministers, ministers' offices and a number of directorates in trying to seek a pathway for SHOUT members to ensure that their future support is guaranteed.

There is a fine line between the disability sector and the health sector. That is one we are very cognisant of, one that we have been considering all the way through the transition to the NDIS. We want to make sure that organisations and member organisations that provide vital support services do not fall between the gaps, but there are many opportunities for us not only to include in a new model the current members of SHOUT but perhaps other organisations in the community that provide similar services.

We see this as an opportunity to continue to work with member organisations, and I would note that I am particularly disappointed that Ms Lee would misinterpret the extensive work that is underway by ministers, by directorates and by staff members, and conflate that with no longer caring for vulnerable people in our community. Many of us do work in this place supporting community-based organisations, supporting vulnerable families, and I find it quite insulting that she would conflate extensive

work done to support members of SHOUT with this side of the chamber's lack of interest in community groups. It is wrong. I am disappointed to hear her say that, and although this is a difficult issue for SHOUT it should not be conflated with broader lack of compassion from anyone in this place for vulnerable members of our community and for vulnerable members of our community who choose to come together and support themselves. I support the amendment to the motion.

**MS LAWDER** (Brindabella) (11.01): I am pleased to stand today in support of my colleague Ms Lee's motion about support for SHOUT. It is a very important organisation. It serves as an umbrella organisation to support a large number of not-for-profit and community organisations working in the disability, chronic illnesses, chronic disease and chronic conditions space.

In a nutshell, I strongly believe that the ACT government must remain in this space. They cannot abrogate the responsibility for this important underpinning social infrastructure. Self-help groups generally grow from the ground up; they are not top-down groups. They grow in response to a very real need in our community. That is how many of these small groups came about in the first place.

Over time, governments, of all shapes and sizes and all jurisdictions, have indicated a preference to work with larger groups, often consortia. We saw that more recently in the foster care space when organisations were encouraged to form a consortium. Forming a consortium means that you can provide more efficient services, especially for very small organisations. It means you can share back-end processes like HR functions, finance functions, insurance, payroll—if you are lucky enough to be able to afford paid staff—servicing boards and managing volunteers.

What is sometimes misunderstood is that these very small organisations still have legal and fiduciary responsibilities. They must still meet the same standards as a board member of any board in our community. Whether you are registered with the Office of Regulatory Services or ASIC, your responsibilities as a board remain the same. So while SHOUT have adopted this efficient model to manage their back-end or back office processes—exactly what the government has urged the sector to do for many years—they must still act in a responsible way.

That is why I would commend the board of SHOUT for understanding, for example, that they cannot continue to run if they believe they will become insolvent. It is a core responsibility, as a board member, to understand your financial position. You would be abrogating your responsibilities if you continued to trade when you did not have the financial capacity to meet your bills. You cannot wait on the never-never for some grant to come through—maybe, perhaps. Who knows whether or not you are going to get the funding? You must look at the here and now of your financial position; otherwise you are legally negligent. I am sure the board members of SHOUT, as for any other organisation, do not want to be in that position. The self-help groups that we are talking about under the umbrella of SHOUT do blur the boundaries between disability and health. Irrespective of that, we in the ACT must support them.

The NDIS—as I think Minister Fitzharris or Minister Stephen-Smith has already said—was a good decision. I have been involved with the NDIS long before it was

called the NDIS. It is something that I have been raising for some years as well in annual report hearings and estimates hearings about support for these types of organisations, about the need to support organisations that are not in the service delivery space but in the systemic advocacy space. They are in the referral and information space. It was obvious from day one that there was a need to look at this area very closely.

While I am no longer as closely involved in this area, my understanding is that the information, linkages and capacity tier in the NDIS was not intended for groups like SHOUT. It was intended more for capacity building. So it was perhaps understandable that the board of SHOUT were concerned about whether they would gain funding under that particular model. I would refer you, Madam Assistant Speaker, to the health annual report hearing on 12 November 2013, when I asked the then minister, Minister Burch, about what were then called, I think, tier two services. One of the public servants said:

... being in a launch site we are essentially in the process of resolving these complex issues as we face them.

She also said:

... we are very much in the front seat of influencing the design of a full scheme—

because we were one of the pilot sites. I used the example of the Deafness Resource Centre as I was familiar with their model of working. They may provide some services, but generally they are an information and referral centre for people who may be experiencing deafness or hearing loss in their life.

In the health annual report hearing on 6 November 2014, a year later, I asked the minister at the time, Ms Burch:

... what is happening with peak bodies and systemic advocacy groups rather than service provider organisations?

I had another answer about what would be happening and how the government was looking very closely at this area to make sure that these important services would be funded into the future.

Again, in estimates on 26 June 2015, I asked about peak organisations or what is now called information, linkages and capacity building. So it was not something that should have come as a surprise. During the hearings the minister referred to the \$20,000 grant that SHOUT and other organisations received. It is something that quite clearly, years ago, was at risk of falling through the cracks. It is obvious that SHOUT, an umbrella body covering up to 45 different organisations, are assisting small, grassroots organisations to meet the needs of those families.

The closure of SHOUT, if it happens, is likely to have a profound impact on those 30 or more volunteer self-help groups in the ACT. I will name just four or five of these groups. Ms Lee mentioned all of them earlier. The ones that I feel extremely strongly about—and there are many of them—are children with Down syndrome,

Friends of Brain Injured Children, Bosom Buddies, Brain Tumour Alliance and PWD ACT.

For some families and people with disability, when they encounter their disability for the first time, either as a parent or another family member or as the individual themselves, it is like their whole life lies ahead of them as a journey without a map. These information and referral services can help them to sketch out a road map of where they need to go in future. They can talk with other people who have been through the same thing. For some people, that is so incredibly powerful. Many people feel that they are alone; they do not have anyone to turn to for information. These groups provide those linkages to other people in the community and provide that really vital information.

My colleague Ms Lee referred to the minister's information today as disingenuous. I think Ms Fitzharris talked about disappointing comments. I would go a lot further than disingenuous. To me, it is disgusting. It is despicable, and it is incredibly damaging, potentially, to people with disability and their families and the organisations that have been built from the ground up over many decades to support these people.

We all know that people with disability want the same things in life as other people. They want the opportunity to live an ordinary life—that is, to have housing, to have a job, to have a good education and to have linkages within the community. These groups help to provide that service. I feel very strongly that we, as the Assembly, as representatives of our community, should not be talking about the federal government dealing with this. These are our people. We should not be abandoning them for the sake of a political point. I urge you to support Ms Lee's motion.

**MRS DUNNE** (Ginninderra) (11.12): I realise I have been here before, Madam Assistant Speaker. No more than a year or so ago I stood in this place and, as a volunteer for radio for the print handicapped, moved a motion that called for IRPH to continue to receive ACT government funding because it was one of the orphan organisations that were created through the implementation of the NDIS. These organisations have been called lots of things and "orphan" probably fits the bill. It is an unchanging title.

The government at the time was equivocal and would not support ongoing funding for radio for the print handicapped. Again, they are another longstanding institution here in the ACT. They eventually came up with some small program funding and then they sent them down the ILC path. While I have been very supportive of the application by radio for the print handicapped for ILC funding, I am a little concerned that they probably do not fit the bill for ILC funding and we may have another orphan organisation.

Again, I have to say how extraordinarily disappointed I am to hear the Greens swallow the Kool Aid that comes from the government and accept lock, stock and barrel the sort of pious hope that perhaps the government might do something about this. I have sat through the annual reports hearings. I heard what sounded to me—and I agree with my colleague Ms Lee—like a lot of duck-shoving and a lot of shunting

from one place to another. Ms Stephen-Smith said, “We’re working together,” and Ms Fitzharris said, “We are looking at it, but there is really only one organisation on this list that is health related.” Now she is refining what she said by saying, “There’s one organisation on this list that receives health funding.”

It does not matter whether they are disability organisations or health organisations or just organisations that support members of the community. There are organisations on that list that are neither disability nor health related. Breastfeeding is not a disability, nor is it a health issue. Support for Asian women is not a disability—I think Ms Lee would agree with me on that—nor is it a health issue. There are wider community implications. They are just a couple of the organisations on the list.

SHOUT is an organisation that has served this community since the early 1980s. There was a letter in the paper recently from the inaugural chairman of the SHOUT board, Paul Shelley, who is one of my constituents. He gave the background of the creation of SHOUT back in the 1980s under the then Minister for the Capital Territory, Michael Hodgman. He said:

The idea was to achieve the benefits of scale by having shared administration and single point of contact for the community.

I had the privilege of being the inaugural chairman of the SHOUT board of management and over the following years was gratified by the steady growth of the organisation as many other self-help groups joined.

As many letters to *The Canberra Times* have suggested, the SHOUT model is an excellent one for community groups.

And it is one that I am very conscious that the former Minister for Community Services, Katy Gallagher, tried to advocate for other organisations across the community sector, sometimes with very little success. After all this time, SHOUT is a stand-out example of the sort of model that this government and successive governments have tried to advocate for. But at the moment we are too parsimonious to find the small amount of money that is necessary to keep this organisation going.

I commend the comments made by my colleague Ms Lawder that the SHOUT board have done exactly the right thing. They have acted as a responsible board should do. They have said, “We are so concerned that we will not be able to trade solvently after a particular date. We have to make this known to the public, and then we have to be prepared to close on this date.” They cannot wait on the never-never. They would be in breach of their fiduciary responsibilities. We try to model good governance in this place. That is why the motion brought forward by my colleague Ms Lee is so important and why the proposed amendments that we are speaking to at the moment from the minister and her colleagues and supported by the Greens are so disappointing. We are trying to palm them off.

Ms Lee asked for a commitment until June 2019 so that we can get through this. We have not got through the phase of implementing the NDIS, the NDIA and how to deal with the orphan organisations. We cannot in all good conscience let this organisation fall by the wayside for lack of what is, in effect, an infinitesimal amount of funding.

My staff have spent a lot of time comparing it to the wasteful spending that we have seen on the part of the ACT government. Only today we saw a \$2,000 a day contract for financial advice to the health department, which really should be provided by public servants on something considerably less than \$2,000 a day. The Auditor-General criticised the LDA for a lack of transparency, accountability and rigour when it paid \$1 million to buy a business when it did not have to spend that amount of money on it. That would have funded SHOUT for many years to come. We could always, of course, compare the amount of money being spent on SHOUT to the amount of money being spent on the chief executive of the light rail project. The demands of SHOUT pale into insignificance compared to that.

I think I should conclude on a point that has also been made by my colleague Ms Lee. It comes from former Chief Minister Jon Stanhope. There have been times when Mr Stanhope and I have agreed in the past. It is not unusual.

*Mr Wall interjecting—*

**MRS DUNNE:** They are not as few and far between as Mr Wall might think. On this occasion I congratulate Mr Stanhope on speaking out. He said:

Every government in Canberra since the 1980s has, for starkly obvious reasons—

but they are not obvious to this minister—

regarded the funding of SHOUT as a priority. The decision to cease funding SHOUT has, therefore, to be interpreted as meaning that the government believes that it is either now redundant or at best that its existence and operations are now not regarded as a priority.

We can all accept that prioritising expenditure is necessary and often difficult. We acknowledge that. However, when a government puts a budget together it does so on behalf of all of us, with our money, and, hopefully, mindful of the community's expectation that the priority accorded to expenditure is consistent with its values and its priorities. It behoves the government to explain in detail why a program of inestimable value to the community such as SHOUT, which has been funded for decades with the full support of the community, is to be defunded.

At this stage, with the government clearly moving to withdraw paragraph (2)(a) of Ms Lee's amendment calling on the government to continue financial assistance until 30 June 2019, it shows that they are not prepared to put their money where they should. They are casting around for other options, and you hear the mealy-mouthed words from the Greens supporting this. They should not be looking for another source of funding. They should be going as they have always gone with a clear expectation that the ACT community will fund this important organisation that serves 40 or so organisations and, through that, thousands of Canberrans who pay their taxes.

**MR WALL** (Brindabella) (11.21): I would like to begin by thanking Ms Lee for bringing this motion to the Assembly as it reflects the need and the desire of so many

in our community to ensure that SHOUT and the organisations that it supports continue to operate in a functional way going into the future.

I think it is important to put a couple of facts on the table in this debate. The NDIS, through the NDIA, was designed and has been implemented in the ACT to support people with a disability from birth through to 65 years of age. Currently anyone over the age of 65 who is not in the NDIS is ineligible to access this program. One only needs to cast their eye down the list of organisations which SHOUT supports to realise that many of them provide a great deal of assistance particularly to people who are beyond that 65 year age group. Likewise, many of the organisations on the list that SHOUT supports are organisations that provide support to people with a health problem: chronic disease, illness and the like.

It is important not only that we as an Assembly lead by example but, more importantly, that those on the opposite side of this chamber, as the custodians of taxpayers' money, invest that wisely back into the community. Ms Lee's motion calls on the government to guarantee funding through to the end of 2019. That is a guarantee that the government can give even with a condition saying that if funding for the ILC grants from the NDIA comes through, that offer of government money is withdrawn. That is fine, because funding surety will have been given. Given the guarantee that if the ILC funding does not come through the ACT government will continue to support local organisations, that is a simple solution to this issue. It gives surety for SHOUT and its board of directors to say that they are viable to run into the future and it gives the some 40-odd community groups that are operating under the umbrella of SHOUT the assurance that they can continue into the future.

I will highlight some organisations here, and some of the organisations on this list are all too familiar with the inactivity of this Labor government when it comes to funding shortfalls or the end of funding grants and the inaction that is systemic on that side of the chamber in giving any form of guarantee or support where it is needed.

The ACT Down Syndrome Association does not receive a dime in taxpayers' money, and has not done, but when they lost their corporate supporter a couple of years ago, there was deathly silence from the former minister for disability and from those on the opposite side of this chamber in relation to giving any form of assistance. As a shadow minister, I was the one that managed to help rectify that situation for them. I used business connections that I have. Businesspeople in this community are brilliant when it comes to stepping up to the mark and supporting self-help organisations and community-based organisations, whether they are disability, health or the like, as we are discussing today, or sporting groups and other community activities. It is the business community that unequivocally does the large amount of heavy lifting in this space. They came to the party to make sure that the Down Syndrome Association continued to have their doors open. The Independent Property Group deserves to be put on the record for coming to the party on that issue, as they have, and have continued to do for a number of years now.

All we are asking for is that the government offer a guarantee of \$110,000, in terms of the ACT budget, which is up around the \$5 billion mark, a very small amount. Maybe we should pass the hat around here and all of us can chip in a small portion of our

salary, because that is less than we earn. Let us put it into perspective. This is a very small amount of money to keep some 40 community groups operational, to get the umbrella organisation SHOUT up and running and to make sure that a large portion of the Canberra community have the support and the assistance services that they need in their time of crisis.

**MS LEE** (Kurrajong) (11.26), in reply: I rise to close the debate but also to speak on what has been raised by our colleagues in the chamber. Both the government and the Greens have stated unconditionally the importance of the work that SHOUT does. But when it comes to crunch time and they have the power to make a decision, they are failing to come to the party. The minister's reference to the availability of ILC grants and why that has not been pursued, I have to repeat, fundamentally misunderstands the nature of the work that SHOUT does.

The government has gone to great lengths to state that funding has not been withdrawn but has just gone to a different bucket of money. But what good is that bucket of money when SHOUT are not able to drink from it when they are dying of thirst? The minister says that the ACT government wants to work toward a sustainable solution. How sustainable is a solution when by 31 May we have no SHOUT?

This is the same government that called us out as being heartless when we dared to point out the hypocrisy of attempting to advocate for same-sex marriage on the hill and trying to bind us to a vote here. They called us out for being heartless. This is the same government that is now refusing to advocate for what they say is one of their priorities, looking after our vulnerable Canberrans, looking after the people that need it most. Both ministers have stated, and in fact it is actually in the amendment, that the ACT government will continue to work with SHOUT. By the end of May there is no SHOUT, so I do not know whom they are going to continue to work with.

I am going to list all the member groups, because it is important: Bosom Buddies, Motor Neuron Disease Association, Friends of Brain Injured Children, Canberra Region Kidney Support Group, People with Disabilities ACT, Prostate Cancer Support Group, Brain Tumour Alliance, Heart Support-Australia, Parkinson's ACT, ACT Down Syndrome Association, ACT ME/Chronic Fatigue Syndrome Society, ACT Deafness Resource Centre, ACT Muscular Dystrophy Association, Adoptive Families Association of the ACT, ACT Playgroup Association, Allergies and Intolerant Reactions Association, Arthritis ACT and Osteoporosis ACT, Asthma Foundation, Australian Breastfeeding Association, Autism Asperger ACT, Better Hearing Australia Canberra, Canberra After Suicide Support Group, Canberra Lung Life Support Group, Cancer Council ACT, Compassionate Friends ACT, Diabetes ACT, Directions ACT, Epilepsy ACT, Haemophilia Foundation, Hepatitis ACT, Health Care Consumers Association, Mental Health Foundation, Pain Support, Post-Polio Support Group, Royal Society for the Blind, Support Asian Women's Friendship Association, Sleep Apnoea Association, Solace ACT, SHHH Australia, Thyroid Support Group, TADACT and Tjillari Justice Aboriginal Corporation.

I hope—I sincerely hope—that none of these organisations fold. If they do not, and in a couple of years they are remaining committed to providing the services for

vulnerable Canberrans, it will be because of their amazing resilience when their ACT government let them down.

I want to take this opportunity to say thank you to the board and the volunteers who gave countless hours to SHOUT in supporting the 47 groups. At the end of May, they will know very well that where the community stood by them, the government failed.

It is very disappointing to see that the Greens will not be supporting my motion and that they have supported the amendment. We in the opposition believe that it is the ACT government's responsibility to step in and make sure that groups like this exist and thrive. On that basis, we will not be supporting the amendment that has come through, because it is fundamentally letting down SHOUT and its member organisations.

Question put:

That the amendments be agreed to.

The Assembly voted—

Ayes 13

Noes 10

Mr Barr	Ms Orr	Mr Coe	Ms Lee
Ms Burch	Mr Pettersson	Mr Doszpot	Mr Parton
Ms Cheyne	Mr Ramsay	Mrs Dunne	Mr Wall
Ms Cody	Mr Rattenbury	Mr Hanson	
Ms Fitzharris	Mr Steel	Mrs Jones	
Mr Gentleman	Ms Stephen-Smith	Mrs Kikkert	
Ms Le Couteur		Ms Lawder	

Question resolved in the affirmative.

Original question, as amended, resolved in the affirmative.

## Penalty rates

**MR PETTERSSON** (Yerrabi) (11.35): I move:

That this Assembly:

- (1) notes that the recent decision of the Fair Work Commission to cut penalty rates for employees working on the weekends will negatively impact workers in this sector;
- (2) also notes that:
  - (a) the retail and hospitality sectors employ 2.1 million people across Australia, and employs 28 200 in the ACT;
  - (b) this decision will see a reduction in pay of people in this sector of up to \$6000 a year;

- (c) this will disproportionately affect women, who make up around 55 percent of employees in the hospitality and retail sectors nationally;
  - (d) this will disproportionately affect young people (15-29) who make up around 49 percent of employees in the hospitality and retail sectors nationally;
  - (e) will unfairly target those Australian workers that are already among the lowest earners in the country and rely on penalty rates; and
  - (f) this decision represents the thin end of the wedge for other groups of workers who receive penalty rates, including nurses, paramedics and fire fighters;
- (3) further notes that the ACT Government:
- (a) passed legislation last year to confirm Easter Sunday as a public holiday when falling on a weekend, so as to ensure workers receive the appropriate penalty rates; and
  - (b) made a submission to the Fair Work Commission's Four Yearly Review of Modern Awards—Penalty Rates, urging them to leave penalty rates at their current levels; and
- (4) calls on the Federal Government to intervene on behalf of the workers affected by the Fair Work Commission decision to ensure these workers do not suffer financial harm.

Today I have put forward a motion urging this Assembly to call on the federal government to intervene to protect penalty rates. The Fair Work Commission decision to slash Sunday rates is simply unfair. This cut disproportionately harms marginalised members of our community. At a time when income inequality is on the rise, the federal government wants to make up to 700,000 Australians financially worse off. This is an attack on the foundational principles of fairness and justice in the workplace: principles that Australians have fought for throughout our entire history.

Penalty rates have a long history in Australia. Since the very early years of European settlement, when in 1797 the first organised industrial action was recorded, there has been a strong tradition of workers fighting to protect and improve the material conditions of their community.

Penalty rates were introduced in 1947 after a long campaign by the labour movement. This was to recognise the hardship placed on those who work on Saturdays and Sundays and get less time to spend with family and friends and to participate in their community. It is through the hard work and sacrifice of countless men and women in the trade union movement over many years that we enjoy the workplace protections that we have today in this country.

Today these hard won gains are yet again under attack by a Liberal government. Last month the Fair Work Commission recommended that the current Sunday penalty rates

for workers in the retail, fast food, pharmacy and some hospitality industries be cut to the Saturday rate.

The retail and hospitality sectors employ 2.1 million people across Australia and employ roughly 28,000 people here in the ACT. Workers in these industries are some of the lowest paid in Australia. But our federal government thinks that these are the Australians who can most afford a pay cut.

In retail, full-time and part-time workers will see their rates cut from 200 per cent—double time—to 150 per cent—time and a half. For casuals, the rates will fall from 200 per cent to 175 per cent. Fast food workers will see their Sunday rates reduced from 150 per cent to 125 per cent for full-time and part-time employees. Hospitality workers will see their rates reduced from 175 per cent to 150 per cent. Pharmacy workers will receive a cut from 200 per cent to 150 per cent, whilst casuals' rates will be reduced from 225 per cent to 175 per cent. These cuts represent a loss of up to \$6,000 a year for some workers.

According to the Fair Work Commission president Iain Ross himself:

Many of these employees earn just enough to cover weekly living expenses ...

And:

... the immediate implementation of the variations to Sunday penalty rates would inevitably cause some hardship to the employees affected, particularly those who work on Sundays.

By the president's own admission, these cuts will cause financial hardship on working Australians. This is unfair. As well as targeting workers in hospitality and retail, the Fair Work Commission's decision has opened the door to cutting Sunday penalty rates for workers in other industries, including nurses, teachers, cleaners, and social and construction workers.

If we accept the Fair Work Commission's decision that Sunday is no longer an important day in Australian society, what will stop further cuts across the board? According to Maurice Blackburn Lawyers:

... there is now no barrier to penalty rate cuts being extended to any other industry that also has to work weekends or public holidays ...

The threat of a flow-on cut to other industries is very real. These cuts therefore represent an attack on the rights of all working Australians. Cutting penalty rates will disproportionately affect the vulnerable members of our community: young people, single income families and women.

Young people are being told by this government to "get a good job that pays good money" in response to the housing crisis that is locking them and other low income earners out of the market. Yet this is the same government that wants to reduce the take-home pay of these workers, pushing the dream of owning a home even further out of reach.

The federal government is out of touch. The Prime Minister has previously called himself a feminist, yet he is seeking to cut the pay in industries that are predominantly female. Women are also more likely to be working part time in these sectors, making the loss of income even more devastating. Cutting workers' pay in these industries will worsen the gender pay gap.

Yet again, the Prime Minister has shown how he will sell out his principles to satisfy the right wing of his party. The federal government has nothing but contempt for these members of our community. However, my colleagues and I in the Labor Party will support these workers.

We are not alone in our view that these devastating cuts are deeply unfair. The wider Australian community shares our view of a fair go as well. A recent Essential Poll found that 81 per cent of Australians support penalty rates and a further 63 per cent think those who work on a Sunday should be paid more than if they were working on a Saturday.

More than 5,900 Australians made submissions to the Fair Work Commission and over 95 per cent of these submissions were in favour of penalty rates. Last year, company profits rose by 20 per cent, whilst wage increases slowed to 1.8 per cent. It is clear to me who in our community needs a pay cut, and it is not the workers of Australia.

Despite these facts, the federal Liberal government will do anything for their mates in big business, all the while letting working Australians suffer. Not only will these cuts have a hugely negative impact on individual workers; they will have a negative impact on the Australian economy. In Australia, income inequality is at a 75-year high. Real national disposable income per capita has fallen by 3.2 per cent since September 2013 and wage growth is the slowest it has been since the 1990s.

The economic argument for decreasing penalty rates is deeply flawed. Reducing the wages of Australians reduces demand in an environment where domestic consumption has taken on a more central role in underpinning economic growth. The argument for job creation is refuted by facts. Historical data shows that higher wages are more often associated with stronger employment outcomes, not weaker.

This is in part because household consumption spending, which depends directly on wages, is critical for economic growth. Businesses may now be able to spend less to be open on Sundays, but a huge proportion of customers now have significantly less money to spend.

In the ACT, this Labor government has ensured that people are compensated fairly for working unsociable hours. I am proud to be a member of this ACT Labor government that passed legislation last year to confirm Easter Sunday as a public holiday so as to ensure workers receive the appropriate penalty rates. Our government made a submission to the Fair Work Commission urging them to leave penalty rates at their current levels. The Labor Party will never accept a cut to penalty rates if it means a cut to workers' overall take-home pay.

The ACT Labor government has a clear view on these changes to penalty rates. I wish, however, I could say the same for the opposition. The Canberra Liberals are all over the place on this issue. I am very interested to hearing the members in this chamber on this. I am looking forward to this debate.

It was not always this way, however; not at all. Last year in this very chamber Mr Hanson, the then leader of the opposition, made a strong statement about the Canberra Liberal's position on penalty rates. It is worth reflecting on the exact words he used. Mr Hanson said:

Let me repeat this to remove any doubt whatsoever: the Canberra Liberals will not cut penalty rates. We do not support cutting penalty rates and we will oppose cuts to penalty rates for low paid workers in Canberra.

Now this was not some temporary slip. It was not a brief moment of absent mindedness where the Liberals decided they are actually going to support working people. I believe Mr Hanson when he says it.

Brendan Smyth, the then treasury spokesperson for the Canberra Liberals, reaffirmed Mr Hanson's comments just a few months later. But here is where the confusion sets in. Last year the position was very clear. We have the leader of the party saying that the Canberra Liberals will oppose cuts to penalty rates. We have the treasury spokesperson saying the Canberra Liberals will oppose cuts to penalty rates.

This year, however, we have seen something very different. Following the decision of the Fair Work Commission, Andrew Wall welcomed the penalty rates decision. Mr Wall said online about the decision:

This will create new employment opportunities for many Canberrans, particularly in our growing tourism industry, and make the ACT a more attractive destination in the competitive global market.

Now we have the Liberal industrial relations spokesperson welcoming and praising this decision. If we look to what some of the Canberra Liberals are saying federally, we see similar comments. Zed Seselja is a big supporter of cutting penalty rates. He actually broke ranks from his federal colleagues to get out in front on this issue, to call on the federal government to have the "courage" to dump Sunday penalty rates. I would love to know what is so courageous about cutting the pay of working Canberrans. That is not my idea of courage; that is not my idea of leadership.

The Canberra Liberals' position on penalty rates is not as clear as it once seemed. So this is my question for the opposition, not just to Mr Coe but to every Liberal MLA: what is your position on penalty rates? Do you believe that retail and hospitality staff are paid too much? Does the burden of business opening hours fall on their shoulders? Do you think that asking the lowest paid workers in our community to work longer hours for the same pay is fair? We on this side of the chamber will always protect the rights of working people. It appears, however, that over on that side they cannot make their minds up.

To add to that, this decision is frankly insulting. It is an insult to the 28,000 Canberrans who work in the sectors affected by the cuts. That is why I ask this Assembly to support this motion, for the ACT government to call on the federal government to intervene on behalf of workers affected by this decision and to ensure workers do not suffer financial hardship.

I would hope that the Canberra Liberals support us in this call. I am impressed that they are even in the chamber. The Canberra community deserves better than these cuts, which is why I urge all members of this Assembly to join me in this motion.

**MR COE** (Yerrabi—Leader of the Opposition) (11.46): It seems that the ACT Labor Party is more interested in being the federal opposition than being the ACT government. Each sitting week we have seen those opposite concentrate this chamber's time on commonwealth issues. I am the first to admit that these issues are important, but they are simply not in the sphere of influence for this chamber. Those opposite are determined to grandstand and win applause from their commonwealth comrades rather than concentrate on the issues within this jurisdiction.

There are many issues impacting Canberrans locally, issues such as the cost of housing, utility bills, parking, growing transport disadvantage, to name just a few. These are the issues that partly or wholly are in the scope of the ACT government.

Today's motion does not mention the real history of the Fair Work Commission and the commission's ruling. We know that Labor set up this commission and the process. We know that the commissioner has union links. We know that Bill Shorten said he would support the commission's ruling. In actual fact, we also know that Bill Shorten said that Justice Ross is eminently qualified to lead Australia's independent industrial empire. Mr Shorten went on:

I am confident that under Justice Ross and his team, FWA will continue to build on its excellent reputation for impartial arbitration, expert advice on workplace relations issues, an important role in strengthening the Australian economy and the practical enforcement of entitlements for employers and employees.

However, Labor are not interested in these facts.

The opposition would much rather discuss some issues that this Assembly has carriage of. That is why today the Canberra Liberals have put on the agenda the plight of SHOUT, an organisation that represents numerous other organisations that represent thousands of people who are doing it tough or who need support in one form or another.

We have also put on the agenda the strong need for immunisation policies in the territory and for heritage issues here as well. The Canberra Liberals will continue to focus on issues that are within the remit of this Assembly.

Of course, we are not surprised by Labor's tactics. In fact, I imagine that they will be reading from this playbook for years to come. However, the Canberra Liberals will

not be drawn in. We will continue to fight for the issues that affect Canberrans and that are within the remit of the ACT Legislative Assembly.

**MS ORR** (Yerrabi) (11.49): I thank Mr Pettersson for moving this motion today. Canberrans working in retail, hospitality, fast food and accommodation services are facing unprecedented cuts to their take-home pay as a result of the Fair Work Commission's decision to cut penalty rates. This morning I would like to take the opportunity to highlight the impact these cuts will have on those working in the clubs and accommodation services industries.

We know these people work tirelessly for long hours to be able to provide for themselves and their families. A reduction in their take-home pay will have lasting impacts on their health, wellbeing and financial position. There are many workers in this industry who have shared their stories of how cuts to weekend and public holiday rates will affect them. I would like to share a story from one Canberran who will be impacted by the unfair changes to penalty rates. David is a young man working at the Hyatt. He has been a hard-working and loyal employee for five years, and he works every weekend taking pride in his work. The Hyatt is not a small employer; it employs approximately 400 workers. The majority of staff at one time or another will be rostered to work on the weekend, and they will be hurt by this change.

Workers like David have come from all over the world to make Canberra their home. What have they done to deserve to have their wages cut? David cannot understand why the Fair Work Commission has decided to make his life so much harder and why the federal government will not introduce laws to protect hard working Australians. This is just one example of the thousands of Canberrans who will be faced with no other choice than to work more hours or find a second or third job just to make ends meet from July 1 this year.

The cut to penalty rates is already starting to affect the future of wages and conditions in awards in a variety of other employment sectors. Canberrans working in local clubs are facing an attack from business groups and potentially even their employers. While this first decision of the Fair Work Commission does not have an impact on workers in our local clubs, the commission has called for Clubs Australia and other interested parties to lodge submissions to assist in the determination of the future of penalty rates in the award.

Workers in this industry are now vulnerable to losing a significant amount of their take-home pay, just like those in the retail and hospitality sectors. Local clubs need to stand up for their workers and show that clubs are still operating in the interests of our community. We cannot stand aside and allow Canberrans to be treated in such a cruel and unfair manner. I note the work that United Voice is doing to protect the wages of these workers and the important actions they are taking to ensure employees' rights at work are protected. Without strong union representation in these industries, employers and big business will have the power to slash the wages and working conditions of their hard working employees. I strongly commend United Voice for continuing to fight for their members and workers in the hospitality and other affected industries.

Labor and the union movement will always stand up for workers in our community. In contrast, we see a divided opposition with several Canberra Liberals at odds with one another on this issue. Claiming that this is an issue for the federal parliament and that therefore we should not be discussing the rights of Canberra workers is absolute nonsense. As elected representatives we have a responsibility to stand up and advocate for our constituents, especially low paid, vulnerable members of our community. At a time when the Liberals both locally and federally are running their anti-worker agendas, the ACT government is doing all it can to fight these brutal cuts.

Canberrans can trust that Labor will always stand up and fight for their working conditions. We have a strong track record in doing so, and I know all of my colleagues are passionate to continue this work. This motion is of significant importance to the lives of Canberrans, and I urge all members to support it.

**MR RATTENBURY** (Molonglo) (11.52): I would like to speak in support of this motion of calling on the federal government to intervene and protect penalty rates for workers in the hospitality, retail and pharmacy sectors following cuts announced by the Fair Work Commission. The impact on workers is clear: cuts to penalty rates will not lead to more opportunities for people working in these service sectors. They will simply work to boost the profits of some of Australia's largest companies and shareholders. Penalty rates are recognition of the unsociable hours that we ask many workers in our service industries to work, and I spoke about this yesterday when we were discussing the issue of income security and the consequence of people having to work on weekends and the impacts on families and lifestyles.

While many of us enjoy being able to go to a cafe or go shopping on weekends, this obviously requires staff at these cafes and shops to be at work while the rest of us are enjoying a day off. The recent well-publicised example of a manager at one of Australia's major supermarket chains asking their employees to work several hours of unpaid overtime in return for pizza is symptomatic of the ongoing erosion of protections and certainty that are provided in our workforce. If it is the case that working on weekends and after hours is becoming more normalised, it is a further sign of the precarious nature of work in some of these industries.

We know that working in the retail and hospitality sectors is often the entry point for many of Canberra's young people into the workforce. Employees in the retail and hospitality sectors are disproportionately young people. Working after hours or on weekends is sometimes the only way students can earn an income to support themselves while they complete their studies. I am sure many people in this place have lived that experience. It is that classic case where sometimes you get chatting to somebody in a store or in a restaurant and they tell you about the incredible piece of work they are doing at university, the PhD and the topic they are doing. We all know of those examples.

With that in mind it is clear that cuts to penalty rates will increase the burden on students as they work towards completing their studies with ambitions of improving their career prospects with tertiary or vocational qualifications. That is not a very complex point to understand. If you cut the rate per hour there are only two outcomes:

either somebody has to work more hours to meet their expenses in life or they have to live on less income. That is a difficult choice and one I do not think we would want to wish on anybody. For those who are not undertaking studies, the cuts to penalty rates are just another barrier to getting a start in life. It means it will take longer to save up a deposit for their first home, for example.

Surveys show that the workforce in the industries impacted by the penalty rate cuts is also made up of a significant number of women. The impact on women will simply work to widen the gender pay gap that is already prevalent through much of our economy. A large proportion of women working in these sectors are working on a part-time basis so are reliant on penalty rates to top up their earnings. We know women still carry a disproportionate burden of raising children and running a family. Many are reliant on the additional income provided through penalty rates and casual or part-time work to balance work and family commitments.

As was pointed out by the Director of the University of New South Wales Social Policy Research Centre, a lot of women work Sunday shifts because they do not have to pay for child care to do so. Their penalty rates are being cut at the same time that welfare and family payments are being cut. This underlines some of the various pressures we are seeing coming out of national policy at the moment where this sort of pincer movement is very much in place.

This underlines the point again that I was making yesterday around compensation for people having to work on weekends. In the scenario I just described we see women working Sunday shifts because their partners are at home and can undertake the childcare responsibilities. But it means there are limited opportunities to have time together as a family unit because somebody else is out working. Those parents are balancing that pressure. To take away the compensation or the reward that comes from working what would be considered unsociable hours undermines some of those really important social values that we should also be making the case for.

It seems clear that cuts to penalty rates is a simple matter of the interests of businesses and investors being prioritised before those of women, young people and some of the lowest paid members of our community. As has been pointed out, concerns will now be raised amongst workers in other industries who are likewise compensated through penalty rates for the work they do on weekends, public holidays and at unsociable hours that this decision by the Fair Work Commission will be a precedent that will lead to further cuts in other industries.

It was frankly astonishing yesterday during the discussion on the matter of public importance that, rather than engaging in a substantive debate around the issues of income security and the obvious impact of penalty rates, the Canberra Liberals sought to block the discussion through a series of points of order and then simply say, "We're not participating in this debate." As I said yesterday, that was an extraordinary abrogation of the opportunity to discuss an important issue. You may have different views on what the outcome should be, but to simply say, "We're not participating in this debate because we don't like the tenor of your MPI or your motion," is pretty poor form.

Looking specifically at the industries impacted by the Fair Work Commission's decision to cut penalty rates, the advice I have is that approximately one in seven Canberra workers are employed in those sectors. When such a large proportion of the ACT workforce is likely to be impacted by decisions around penalty rates, there is a responsibility for this Assembly to engage with the issue and advocate in the interests of workers. Clearly it is a responsibility of the Minister for Industrial Relations specifically, but I think it is incumbent on all of us to reflect on these issues and to make the case for our Canberra citizens.

I would like to take note of the work of my Greens colleagues in the federal parliament who have brought forward legislation to provide legal protections for penalty rates. The Greens have led the call for these legal protections, and the ACT Greens are more than happy to support this call for the federal government to intervene on behalf of workers. I am least hopeful that the proposal put forward in the Senate by my colleagues will be successful. Certainly today we are very pleased to support this motion as part of the ACT Assembly conveying our view on a matter of significant importance to many Canberra citizens.

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (12.00): I rise to support this motion today and to commend it to the floor. The protection of penalty rates is a matter of great public importance for many in our country. I have known the importance of penalty rates and the difference they can make to a family's bottom line. Having spent many years working shift work with time away from family and children, I know penalty rates help compensate for that time which has been forgone.

I have spoken in this Assembly before on the long and important history penalty rates have in this country. Established in 1909, they have been a part of this country longer than our city and have always played an important role in protecting those workers who must give up valuable rest time to work and to compensate for the impact it has on their families. Today many low income families across our territory and the country rely on penalty rates to pay rent and bills and to buy food.

Students, single parents and young people are able to achieve a decent standard of living thanks to penalty rates, and their importance remains. I take this opportunity to express my disappointment and upset at the Fair Work Commission's recommendations. In one decision many Canberrans lose up to \$80 a week, or over \$4,000 a year. For a student, that is access to a car or several months' rent; for a single parent that is school supplies or bills; for a young person that is another step back from home ownership. In a time of national wage stagnation, which has seen the lowest wage growth since the 1970s, now is not the time for a wage cut the size of which has not occurred since the great depression.

The decision of the Fair Work Commission provides no economic justification. It contains no evidence of any further jobs being created by this cut and worsens existing structural issues, such as the gender pay gap. It is ultimately a poor decision for the citizens of Canberra and our economy, taking money from those who need it the most.

The ACT government continues to have serious concerns about the federal government's attacks on workers' rights in this country. Cuts to penalty rates, attacks on workers' ability to organise, and draconian measures introduced in the ABCC bill all set a standard by which the federal government is undoing workplace protections and attacking the rights of employees throughout the country. I am proud to see members of the labour movement standing up to such changes and fighting for a better future, one that we can all build together where, instead of attacking the most vulnerable, we seek to improve their lives.

I congratulate Sally McManus on her recent election as Secretary of the Australian Council of Trade Unions, the first woman to take on this role and a fierce defender of workers' rights in the country. Her achievements as secretary of the New South Wales and ACT branch of the Australian Services Union include a successful campaign for equal pay and bringing out an army of volunteers who took on the federal government in the last election.

The spirit of egalitarianism still holds strong in this country and in Canberra. It is a view that has guided this country and is still embedded in our ideals, our actions and our politics. When someone threatens this spirit, we speak out and we push back. The ACT government, of course, is strongly committed to preserving and advancing the rights of the Australian worker. We will always stand up for workers, in every sector of industry in our territory, from the hospitality and retail workers to the public servants who face relocation.

This government will always remain vigilant on the protection of workers' rights, standing in opposition to direct attacks on penalty rates, unions and the workers of the ACT. Penalty rates have lasted over 100 years because of the strong resistance of the labour movement and ordinary Australians. And they persist because they are still relevant and necessary today. The spirit of egalitarianism endures today, and we as a government will not deflect from it.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (12.04): I thank Mr Pettersson and other speakers for their very strong and principled stance on this issue today. The government stands against cutting Sunday penalty rates for two very simple reasons: it will be bad for workers and bad for our economy. The negative impact on workers is clear cut. No-one who cares about the standard of living or economic security of their fellow Canberrans should look past this.

Every Sunday worker in the retail, hospitality or pharmacy sector whose wage is linked to the awards affected by this Fair Work decision stand to see their pay cut by up to \$77 a week. These are people who are working in industries where the average wage is already substantially lower than the national average. The average retail worker earns just \$687 a week, while someone working in a hotel or a bar earns \$524 a week on average.

For these workers, a \$77 pay cut represents more than 10 per cent of their weekly pay. And that is what members opposite who are cheering Fair Work's decision are really

celebrating: their fellow Canberrans are copping a 10 per cent pay cut. The Fair Work Commission itself acknowledges that the effect of this decision will be to cut workers' wages. The commission's decision explicitly states:

A substantial proportion of award-reliant employees covered by these modern awards are low paid and the reductions in Sunday penalty rates we have determined are likely to reduce the earnings of those employees who currently work on Sundays ... most existing employees would probably face reduced earnings as it is improbable that, as a group, existing workers' hours on Sundays would rise sufficiently to offset the income effects of penalty rate reductions.

This is not hyperbole from some media commentator or a union. This is the Fair Work Commission's own ruling. Many people working in retail and hospitality simply cannot afford to take that financial hit. They are already stretched to breaking point or past that point.

We know that Australians in the bottom 60 per cent of incomes already spend as much as or more than they earn each week. So these workers are going to have to work more in order to make up this gap: more hours, just to make the same pay; more time away from family and friends; more missed birthday parties and school assemblies; more early starts and more late finishes; working harder, only to stand on the spot financially.

The fact that the Fair Work Commission's decision will hit low paid workers so hard would be reason enough for any government, or any sensible local member who is in touch with their community, to stand against it. Sadly we have seen just the opposite from Liberal members in this chamber like Mr Wall. When the decision was announced, Mr Wall posted on his own wall on Facebook that the announcement would "provide much relief to retail and hospitality businesses in the ACT". He went on to suggest that it would "create new employment opportunities for many Canberrans". I do not think there is any way of looking at this other than to say that Mr Wall welcomed the decision.

But challenged in this chamber yesterday to provide a shred of evidence for his views or even to repeat them for posterity, Mr Wall was suddenly crab-walking away. This motion is an opportunity to put on the record what people really think about these penalty rate cuts. Mr Wall, the invitation is here in the next few hours for you to come down and repeat in this chamber what you said on Facebook.

Those opposite have proven time and time again that when it matters they will not stand up for workers. But at the very least you would expect them to do what is best to keep the territory's economy thriving and growing. Sadly they are not, though, because they are still supporting this cut, despite the fact that reducing penalty rates is also bad for our economy. All of those workers in Canberra's cafes, bars, shops and pharmacies who are going to cop a pay cut are also the consumers who buy from other shops across this city, who eat and drink in other bars and cafes. You take away 10 per cent of their income and their capacity to spend, and their capacity to spend and to support local businesses will drop away dramatically.

This is no small effect. Private consumption makes up fully one-quarter of the ACT's economy. That was around \$16.6 billion last year. We have worked hard over the years to diversify the territory's economy and to ensure that we have a strong local business sector, with over 26,000 businesses now operating and employing people across the ACT. But there are 28,200 Canberrans working in retail and hospitality, and a great many of them will be affected by this cut to penalty rates. Cutting the take-home pay of such a large number of Canberrans cannot help but hit consumption across the broader economy as well.

As an aside, the argument that businesses will create more jobs and activity by opening on Sundays because of this decision is just a nonsense. The retail and hospitality sectors already have some of the highest rates of underemployment in the country, with thousands of workers currently unable to get the hours they need to support their families and pay their bills. Any extra hours that end up being created by businesses opening for longer will only be absorbed by existing workers having to work for longer, that is, no net gain in employment and no net improvement in people's capacity to spend.

There is also the fact that workers' pay packets do not magically grow because shops and cafes are open for longer. Unless there is a matching increase in their pay and their ability to spend, longer opening hours leave our total business sector no better off and no more able to create jobs than they were before. And that is the real flaw in the arguments put by those opposite and the champions of this penalty rate cut by the federal government. They are arguing to make a small number of business owners better off at the expense of tens of thousands of workers in this city and hundreds of thousands around the country.

But it will not even do that; it will not even achieve the small and self-interested benefit that they are fighting for. All it will do is hurt workers. All it will do is undermine the growth in our economy that has been so hard won in recent years.

In conclusion, this ACT Labor government wants to see strong, growing wages that give Canberrans the economic security that they need and the quality of life that they deserve. We know that this is what is best for workers and what is best for our economy, and that is why we have absolutely no hesitation in standing up in this place against these unfair cuts. Our approach stands in marked contrast to both the empty seats on the other side of the chamber and the lack of any contribution other than a derisory set of remarks from the Leader of the Opposition so far in this debate.

I call on Mr Wall to come out of his office and come down into this place and repeat what he said on Facebook at the time of that decision so that he can put on the public record all of his reasons for supporting the position that he has publicly expressed, which would appear to be at direct odds with the position of his former leader. Now that the Canberra Liberals have taken an even further step to the right after their humiliating defeat in last year's election, perhaps Mr Wall's position, in fact, more accurately reflects the overall view of the Canberra Liberals.

**MS CODY** (Murrumbidgee) (12.14): I rise today to condemn the decision to cut penalty rates. My Labor and Greens colleagues have already raised many pertinent issues and many pertinent points, some of which I will be reinforcing, as this issue affects our local workers. It is an attack on tens of thousands of hardworking Canberrans and their take-home pay. Why is these workers' pay being cut? Whilst the bosses lobby their parliamentary lackeys in the Liberal Party, trying to dress it up as high-minded, it is all simply greed.

The workers who will be hit hardest by these cuts are already among the lowest paid in the country. Making the poor poorer is not an economic policy. It does not produce economic growth, and it does not help our economy. It is just being cruel for the sake of it.

In its submission to the Fair Work Commission, the shoppies union, also known as the SDA, noted that "there are real disabilities associated with working on Sundays". The SDA represents hundreds and thousands of workers, many of whom are, for example, students; students who are already juggling part-time work with their studies.

In harsh contrast to the SDA submissions, the Chamber of Commerce and Industry of Western Australia stated that "the current penalty rates for Sunday work reflect out-dated cultural norms". Sometimes I wonder what other norms this mob would declare outdated if they got the chance. Whatever will come next from the big business lobby and the Liberal Party? Will they declare paying people for work outdated?

I saw the coverage from Sydney Airport earlier this week where the boss thinks it is okay to make people sleep on hard concrete under the airport by the use of tricky shift structures. Whilst these stories have come from interstate, it is critically important that this Assembly and this government pay close attention to these examples of bad bosses abusing workers.

This Assembly and our government should be paying close attention to these examples, as I have already stated. Whilst industrial relations is largely a federal matter, at times like this, when we have a federal government committed to making the poor poorer, we need to use whatever tools we have at our disposal to protect working Australians.

People in my community rely on penalty rates to stay on top of rent, to fill up the family car with a week's worth of fuel, or to buy textbooks for studying. The Liberals across the lake do not understand what it is like to live pay cheque to pay cheque, and that is grossly obvious in their support of these latest attacks. The reality is that the Liberals have a longstanding, pathological hatred of penalty rates, along with other vital services such as Medicare, employer contributions to superannuation and public education. This attack is not a new one. We are seeing, from the Liberals across the lake, that it is a continuation of their longstanding attack on vulnerable, hardworking people and their right to the fair go.

The Chamber of Commerce stated that “a reduction in these penalty rates will have a positive impact on their employment decisions, both in terms of how many people they employ and the number of hours offered to staff”. For students, parents and veterans who rely on penalty rates, the suggestion that they can now work more hours to make up for the pay cut is disgraceful. It is a shocking attack on working people in our community. These people are already among the lowest paid in our society. Anyone who claims that the cuts will have a positive impact has never had to rely on Sunday pay to buy the kids school shoes for the year or to stay on top of rent payments.

Many Canberrans rely on Sunday pays to pay their bills. Wage growth is low and inequality is high. The federal Treasurer, Mr Morrison, is right when he says that low wage growth is one of the biggest economic risks facing Australia today. This is especially true in Canberra, where the manic obsession of the Liberal Party with stripping pay and conditions from public servants is putting our local economy at risk.

The cut to penalty rates looks on the face of it to affect just people in the retail and hospitality sector. But we know it is the thin edge of the wedge; they will be back later to strip more rights off workers. We should also consider the broader economic damage of these changes to our local economy.

As a former small business person—as a hairdresser, for anyone who may have missed it—I can spell out the effects of these changes on local businesses. At first glance, the pay rate of hairdressers and barbers is not a part of this ruling. A deeper look, however, reveals the damage that will be done. Those with the income security and stability of a nine to five job get their hair cut on the weekend or after hours. The people who are losing these penalty rates are the midweek customers that hairdressers so vitally rely on. Across Canberra, businesses like hairdressers are already under pressure from cuts to the public service and cuts to public servants’ pay. These cuts to penalty rates will increase that pressure.

Earlier, we heard Mr Coe tell us that we should be concentrating on Canberra issues. I cannot think of a much more Canberra issue than people’s ability to pay their bills, to be treated fairly at work and to live with dignity. These cuts are a shameful and ideological attack on the most vulnerable people in our society. These cuts will disproportionately affect women and young people. They target workers who are already among the lowest paid in society. How is that fair?

I believe that penalty rates are important and worth fighting for. They play a legitimate role in compensating the people who work long hours at unsociable times. We cannot ask the lowest paid people in our society to take a pay cut. I commend this motion to the parliament.

**MR STEEL** (Murrumbidgee) (12.21): I thank Mr Pettersson for bringing this motion forward today. This decision on penalty rates directly affects the many thousands of workers in the pharmacy, hospitality and retail sectors in the ACT. I can empathise with these workers because, as a young student working in retail, I used to be one of the almost 40 per cent of young Canberrans who earned penalty rates here in Canberra.

Like many people in Canberra, I worked at the Hyperdome, Woden Plaza, the Canberra Centre and Belconnen Mall on Sundays, the weekends being the only time when I was free from university class work. I know that many employers already benefit from discriminatory pay rates for young people based on their age. At least, until this decision was made, penalty rates provided some support for young people.

However, it is not just young people who work in the industries affected. There are many people that work in retail and hospitality trying to raise children, particularly in single-parent households. It is incredible, therefore, that, in the *Canberra Times*, Andrew Wall described the purpose of weekend work as “a bit of pocket money” for young people.

We always knew that the Liberal Party does not stand up for young people, but this decision on penalty rates penalises some of the lowest paid people in our community, many of whom are not in education: the young, the middle aged, and older Canberrans. The Labor Party stands against the Fair Work Commission’s decision, and we will always stand up for workers.

The commonwealth government are by no means the independent, innocent bystanders that they have sought to portray themselves as. They own this decision, even if they do not have the guts to take credit for it. This Liberal government is the one that ordered the Productivity Commission to review penalty rates, the recommendations of which formed the foundation of this decision.

Penalty rates were originally initiated in recognition that Sundays are unsociable work hours, as they still are. There are increased financial costs to working on Sundays due to sparse public transport, but there are also personal costs. For the vast number of families with a parent working a five-day, nine to five job or with children at school, weekends provide the only opportunity to spend a full day together in each other’s company. Making these people work longer for less will force them to spend more time away just to pay the bills.

Many people still take time on the weekends to participate in community life, attending places of religious worship and generally spending time with family. The Liberal Party’s attack on the value of the weekend is an attack on the finances of families and the value of time spent with family. That is why this motion is so important. It is a discussion of values, the values of those opposite and their party. They are totally out of touch. I was happy to see Bill Shorten and Brendan O’Connor introduce legislation into the federal parliament to reverse this decision.

In Australia and throughout the globe, income inequality is steadily rising. We do not want the Americanisation of Australian incomes in this country, with income and social disparity. Under the Liberal Party, this is already happening to many Australians whose pay rises are struggling to keep pace with or are outright flagging behind inflation.

As Ms Cody mentioned, in a speech in February, the Treasurer, Scott Morrison, highlighted his concern about the negative effect of low wage growth on the Australian economy and government revenue. If he was truly concerned about low

wages growth, he would not be cutting the penalty rates of Australian workers. The reduction of penalty rates will only further exacerbate problems of low wage growth. This penalty rates decision will lead to wage cuts of up to \$3,500 a year for some workers, according to the McKell Institute modelling.

The Prime Minister's myth that this is good for the economy also needs to be busted. People in the middle class, and particularly those in the working class, spend almost the entirety of their income on the immediate economy. On the other hand, wealthier people are more likely to spend a greater proportion of their income on investments and high-return capital, not feeding that money back into the further economy. To quote Bill Shorten:

This won't lead to greater employment; it will lead to greater hardship.

Prior to the ruling, a spokesman for the restaurant and catering association admitted that cutting penalty rates is really about getting employees to work longer hours for the same amount of money. Last year, Citigroup conducted a financial analysis which found that many large retail groups such as JB Hi-Fi and Myer were likely to pass penalty rate savings straight to shareholders. Those two chains alone employ hundreds of Canberrans, whose pay will be cut to boost the portfolios of international investors.

This decision attacks the lowest paid and most vulnerable in the community. Suburbs in my own electorate have people in retail and hospitality jobs, and cuts to their pay will significantly affect the community in which I live and the young families living there.

It was ironic to hear Mr Hanson yesterday bemoan Woden's empty buildings, caused by the Liberal Party's cuts to public service jobs. Two weeks ago, we heard that up to another 250 jobs will be going in the commonwealth Department of Health. What does he think will happen when all of the retail workers in Woden Plaza have their take-home pay cut by this penalty rate decision? It will affect demand.

We also know that this decision will disproportionately affect women: 56 per cent of people in retail are female, and 54 per cent of employees in accommodation and food services are women. These workers are far more likely not just to have children, but also to have more children and to be single parents. These sectors also have a disproportionate number of young people and students working in them. Putting further financial pressure on these people will have multiple poor consequences for our society.

For students particularly, forcing them to work longer hours just to get by will affect their study and ultimately their future employment prospects and the quality of the nation's future workforce.

This decision does not affect just those thousands on the industry award; it also undermines the initial bargaining position of every other worker in these industries. With a lower base salary to start negotiations from, all enterprise agreements will inevitably have lowered pay rates as a natural consequence. This decision will affect

millions of workers directly, and the ruling opens the floodgates for the further undermining of conditions for plenty of other industries.

Make no mistake: once the Liberals have undermined this industry's workers' rights, they will go after others. That is why it is so important that every one of us in this place stands up against this decision. Reducing the living standards of middle and working class people is the opposite of the fair go. It goes against the egalitarian Australia that we all enjoy.

Madam Speaker, this is an unfair decision that targets the most disadvantaged in our community. Labor will always stand with working people, and we will not let them down while the Liberals continue to cut their take-home pay, as they always have and always will.

*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 12.29 to 2.30 pm.**

### **Questions without notice**

#### **Gaming—Casino Canberra**

**MR COE:** I have a question for the Chief Minister in his role as the Minister for Economic Development. Chief Minister, was the director-general of the economic development directorate responsible for coordinating the ACT government response to the proposal from Aquis to install poker machines at the casino?

**MR BARR:** The director-general of economic development would have been involved, together with other senior ACT government officials.

**MR COE:** Has Invest Canberra completed their appraisal of the unsolicited proposal from Aquis?

**MR BARR:** They certainly have completed their initial assessment, but there are a number of stages in the process.

**MR DOSZPOT:** Chief Minister, what is the expiry date for the exclusivity provisions for the Canberra casino?

**MR BARR:** I understand it to be a considerable time into the future, a number of decades, but I will get the exact date for the member.

#### **Greyhound racing—government policy**

**MR PARTON:** My question is to the Attorney-General. Attorney, during the annual reports hearings, you stated, "I will not be proceeding further with any conversations in relation to the greyhound industry, seeing that it is a matter before the courts." The *Canberra Times* on 9 March, the day after, reported that the Canberra Greyhound Racing Club had not served the territory with an injunction and, indeed, had not

actually filed any legal document with the courts. Attorney, was your statement at the annual reports hearings accurate? Has an injunction application been lodged?

**MR RAMSAY:** I thank the member for his question. The details around the news reports and the potential lodging of the injunction are as follows: there was a news report on the Australian greyhound news website on 7 March 2017. That purported to state the official position of the Canberra Greyhound Racing Club in relation to the MOU and funding arrangements.

The story was endorsed on the Facebook page of the Canberra Greyhound Racing Club. That was shared by the shadow minister for racing and gaming on his Facebook MLA page. The report stated in unequivocal terms, “Canberra Greyhound Racing Club recently lodged an injunction aiming to stop the cessation of government funding as of the new financial year.” The report purported to quote the spokesperson for the CGRC saying, “The injunction we are seeking should at least in the short term—

**Mr Parton:** Point of order, Madam Speaker, on relevance.

**MADAM SPEAKER:** Point of order, Mr Parton.

**Mr Parton:** The question was quite simply: has an injunction application been lodged?

**MADAM SPEAKER:** The attorney has time left and he will be coming to his answer, I am sure.

**MR RAMSAY:** On 8 March the report was unreservedly endorsed by the CGRC Facebook post with a comment, “An excellent article by Kath Ernst in the *Australian Racing Greyhound*.” With the information to hand on the day of the annual report hearing on racing and gaming, and noting that the article was shared and endorsed by the CGRC and supported by Mark Parton, there was little time to verify the information.

The article and its promulgation gave me cause to conclude that there was an official statement. My office was advised—

**Mr Coe:** Point of order, Madam Speaker—

**MADAM SPEAKER:** Point of order, yes. Stop the clock.

**Mr Coe:** on relevance. The question was: has an injunction application been lodged?

**MADAM SPEAKER:** Thank you. Attorney-General.

**MR RAMSAY:** My office was advised on 10 March that no legal proceedings had been instigated by the CGRC— (*Time expired.*)

**MR PARTON:** Attorney, will you now answer the original question, which is: what is your strategy for ending the Canberra greyhound racing industry?

**MR RAMSAY:** All of the questions that I took on notice have been answered and recorded in *Hansard*.

**MR MILLIGAN:** Attorney, are the future funding arrangements for harness racing and horse racing in jeopardy?

**MR RAMSAY:** No.

### **Racing industry—memorandum of understanding**

**MR DOSZPOT:** My question is to the Minister for Regulatory Services. The memorandum of understanding between the ACT government and the ACT racing industry on funding is due to expire this year. What work has gone into the new MOU between the government and the racing industry and what will be the length of this agreement?

**MR RAMSAY:** I thank the member for his question. I have met with both the thoroughbred and the harness racing clubs. I have had preliminary discussions in relation to the memorandum of understanding. The directorate has also had conversations on it. There are a number of issues being worked through not only in relation to the funding but in relation to the timing of funding and in relation to matters that may be of assistance to either of the two racing industries. That will be a matter for negotiations between the directorate, on behalf of the government, and those industries.

**MR DOSZPOT:** Minister, are you planning to defund harness racing in the ACT at the conclusion of this new MOU?

**MR RAMSAY:** As I have indicated in my previous answer and also in answers in *Hansard*, there is no question over the ongoing funding of harness or thoroughbred racing.

**MR PARTON:** Minister, are you seeking in the future to end all sports involving animals?

**MR RAMSAY:** No.

### **Canberra—events**

**MS CHEYNE:** My question is to the Chief Minister. Canberra has recently hosted an incredible range of events, festivals and exhibitions, drawing in a large number of visitors as well as locals. Can the Chief Minister outline the cultural and economic importance of having this diverse range of events in Canberra?

**MR BARR:** I thank Ms Cheyne for the question. Yes, it is true that we have hosted a range of fantastic events in our city in recent months, and those events continue through the autumn period. We have a bold and diverse events portfolio that attracts people to our city all year round but, importantly, also provides opportunities for 400,000 Canberrans to enjoy the diverse range of experiences that come from living in this the best city in the world.

The ACT government is committed to building Canberra's events calendar and we want to continue our global recognition as a leading events destination. This is largely underpinned by providing high quality events that occur year round, taking advantage of our city's four distinct seasons. We want events that reflect, engage, benefit and bind the diverse communities represented in our city, and we look for events that drive economic growth by increasing the number of event-based visitors.

Canberrans themselves strongly recognise the importance of investing in the events sector. Community surveys show consistently high levels of support for government involvement in events, with the most recent data available to the government showing that 87 per cent of Canberrans support ACT government involvement in attracting and securing events. Events bring life, colour and vitality to our region, shape public perceptions of our city locally, nationally and internationally, and provide an opportunity for us to share the very best of ourselves and our city with the rest of the nation and the world. There are many positive benefits that events bring to the ACT economy through tourism and associated visitor spending, as well as a range of tangible infrastructure legacy outcomes for the city.

**MS CHEYNE:** Chief Minister, what effect do these events have on the Canberra tourism sector?

**MR BARR:** A very positive impact. A diverse, high quality calendar of events enhances the profile of the city and gives us an opportunity to target particularly interstate marketing promotion. There is no doubt that the major events that we held during our city's centenary year in 2013 built a great opportunity, particularly on the infrastructure side, and the momentum from that year has continued to build. Supporting events as a key driver of the visitor economy is certainly one key area in realising our city's tourism potential.

The territory's 2020 tourism strategy aims to grow the value of overnight visitor expenditure to \$2.5 billion by 2020, and for the year ending September 2016 Canberra welcomed 2.35 million interstate overnight visitors. This was up 10.5 per cent on the previous year. Once again, we have attracted a record number of international visitors with more than 207,000 visiting Canberra for the year ending December 2016. Our international visitor expenditure grew to a new record of \$452.2 million, representing an increase of nearly 15 per cent on the previous year, and that was well above the national average growth of around seven per cent.

These fantastic results will drive further private investment in the tourism sector and allow us to continue to attract world-class exhibitions, partnerships and major events into the future.

**MR PETTERSSON:** What are the wider benefits of these events for our local economy?

**MR BARR:** The wider benefits are seen through new investments in our economy. We are seeing new and refurbished hotels, precincts and world-class events attracting record numbers of domestic and international visitors. Singapore Airlines' direct international flights have opened up new international visitor markets. I note visitors from Singapore are up by nearly 75 per cent and are now roaring into the top five for international visitors to Canberra.

We have also seen increased aviation services, with Tigerair commencing very popular services between Melbourne and Canberra. We hope that in the future another low-cost carrier will enter into the market. FlyPelican has also increased its regional services to Canberra airport.

Major events have a proven capacity to generate visitors and economic outcomes for the ACT: events like Floriade and Enlighten, blockbuster exhibitions at our national institutions and major international sporting events. The Asian Cup and the Cricket World Cup are two recent examples. More than 100,000 people attended events associated with the Asian Cup and the Cricket World Cup, bringing a combined \$40 million economic benefit to the territory.

In 2016 Enlighten attracted more than 263,000 people, who spent nearly \$3 million in the territory economy. Next year Manuka Oval will host its first-ever cricket test match, and this will bring another economic boost to the territory. All of this combined provides even more reasons for Canberrans to be proud of the great city in which we all live.

## **Distinguished visitors**

**MADAM SPEAKER:** I wish to acknowledge the presence in the gallery of a delegation from the United Kingdom CPA branch. On behalf of all members, I welcome you to Canberra and to this Assembly. Some members enjoyed the pleasure of your company over lunch, and I thank you again for that. As promised over lunch, it is a very civilised, quiet question time, so you can stay for as long as you like!

## **Visitors**

**MADAM SPEAKER:** Members, also in the gallery I wish to acknowledge a group of parliamentary officers participating in the commonwealth parliament's 2017 inter-parliamentary study program. Again, on behalf of members of the Assembly, welcome to Canberra and to the Assembly.

## **Questions without notice**

### **Molonglo Valley—services**

**MS LE COUTEUR:** My question is to the Minister for Housing and Suburban Development. Residents of the new suburbs in Molonglo Valley are concerned that

they are getting substandard city services like mowing, park maintenance and street sweeping because at this stage their suburbs are still being managed by the LDA, not by transport and city services. They cannot even report their problems using fix my street. When or how will Molonglo residents get the same level of city services as other ratepayers?

**MADAM SPEAKER:** Is it for the Minister for Housing and Suburban Development or the Minister for Transport and City Services?

**MS FITZHARRIS:** I will take it. It is certainly my understanding that any resident in Canberra can log a job on fix my street and have it attended to by Transport Canberra and City Services. I will certainly follow up, but it is not my understanding that that is the case.

**MS LE COUTEUR:** When is the management of these areas going to be moved from LDA to transport and city services? It is certainly the impression of some of the residents that that is the reason for the problem.

**MS FITZHARRIS:** In terms of city services, it is certainly my belief and understanding that city services provide maintenance as they do to any other part of Canberra. It may well be the case that the estate remains under the management of the LDA but, again, I will take that on notice and provide an answer.

**MR WALL:** Minister, why is it that so many Canberrans continue to feel that they are receiving substandard city services under a Labor government?

**MS FITZHARRIS:** I do not believe that they do. I certainly receive a range of correspondence from a range of people throughout the community—

**Mr Wall:** Venture outside this building!

**MS FITZHARRIS:** I venture outside this building every day, Madam Speaker, as you know. I venture across many parts of Canberra. What I can tell you and what we have also already discussed in the chamber—

*Opposition members interjecting—*

**MADAM SPEAKER:** Minister, can you sit down. Stop the clock. Mr Wall, you had the call and you asked a question. I would hope that you would listen to the answer. Minister, can you continue.

**MS FITZHARRIS:** I am getting used again to lots of cheap shots from the other side of the chamber. We certainly have—

*Opposition members interjecting—*

**MADAM SPEAKER:** Minister, continue, please.

**MS FITZHARRIS:** We certainly have discussed in this chamber the significant impact from both the storm event that we had in January as well as the significant rainfall we received throughout the end of winter and autumn last year. That did have an impact on some of the city services. But I remind all members that every year Transport Canberra and City Services receive significantly high ratings from the survey it undertakes each year to inform the annual report. Those issues were discussed recently in the annual reports hearings.

### **Aboriginals and Torres Strait Islanders—unemployment**

**MR MILLIGAN:** My question is to the Minister for Workplace Safety and Industrial Relations. Minister, the recent closing the gap report showed that Indigenous unemployment is almost double that of non-Indigenous Canberrans: 8.4 per cent compared to 4.4. Minister, what is being done to support unemployed Aboriginals and Torres Strait Islanders to get them into the workforce?

**MS STEPHEN-SMITH:** I thank Mr Milligan for the question. Of course, as a general proposition, employment services and employment support are matters for the commonwealth government. However, the ACT government—

*Opposition members interjecting—*

**MS STEPHEN-SMITH:** The ACT public service is taking numerous steps, which we talked about in our annual report hearings. I am not sure if I have the details in front of me, but the ACT public service is certainly taking a lot of steps to improve the employment opportunities of Aboriginal and Torres Strait Islander people in the ACT public service. That includes traineeship and graduate programs that support Aboriginal and Torres Strait Islander people to participate in the public service.

On the broader question of employment support, I will take it on notice to see whether there is any more information that I can provide to Mr Milligan.

**MR MILLIGAN:** What efforts are being made to offer customised training for individuals to ensure that Aboriginal and Torres Strait Islander job seekers are job ready?

**MS STEPHEN-SMITH:** This question goes specifically to the training portfolio. Again I know that CIT, for example, has the Yurauna Centre. So it specifically supports Aboriginal and Torres Strait Islander students at CIT through the Yurauna Centre. I know that it works with Northside to provide support for Aboriginal and Torres Strait Islander students at CIT who need childcare support. It provides a range of other support services to ensure that Aboriginal and Torres Strait Islander students at CIT are able to succeed at at least the same rate as other students at CIT.

**MR WALL:** Minister, what efforts are being made by the ACT government to eliminate barriers preventing Aboriginals and Torres Strait Islanders entering gainful employment in the ACT, including cross-cultural training?

**MS STEPHEN-SMITH:** I thank Mr Wall for his supplementary question. Obviously there is a lot of effort made across the private sector, the community sector and the ACT government to provide cultural training to staff. The ACT public service has an active program on that, and that is part of the effort that they make to improve the employment of Aboriginal and Torres Strait Islander people in the public service.

I know that ACTCOSS continuously provides cultural awareness training opportunities and advertises those regularly in its weekly newsletter to community organisations to both encourage and support their employment of Aboriginal and Torres Strait Islander people but also to support them in their support of Aboriginal and Torres Strait Islander people to build their skills, strengthen their families and make them better placed to gain employment across all sectors of the ACT economy.

### **Government—liquor licensing policies**

**MR PETTERSSON:** My question is to the Attorney-General. Minister, can you explain what is happening to implement the government's election commitment on the regulation of liquor licences?

**MR RAMSAY:** I thank Mr Pettersson for his question. A reform package that promotes a vibrant, fun and safe environment for Canberrans was one of the government's key election commitments, because we know that Canberrans want to enjoy the life their great city offers. We want to allow it to thrive; we want to allow it to grow our music and our arts scene; and we want to enjoy our night life in a safe way for everyone.

ACT Labor's policy on alcohol is to hold these elements together in a sensible, cohesive and coherent way. In order to do this, the government has been listening to the views of local businesses, health professionals and members of the community. As a result of a broad and thorough consultation, this week I will be introducing reforms that will promote and support the development of businesses that offer Canberrans unique, fun and interesting places to go and to eat and to drink, that will improve safety for Canberrans who want to enjoy a night out and that will get rid of unnecessary red tape.

This government's goal is to ensure that each of our laws and our regulations about alcohol ensures a concrete safety or amenity goal. Canberra's rules for the safe consumption of alcohol are under continual review and continual improvement. Independent consultant reviews, a public consultation paper and direct engagement with businesses and the community have resulted in a package of reforms that we believe will help keep Canberra thriving and safe.

**MR PETTERSSON:** Minister, how would the reforms you foreshadowed encourage vibrant nightlife in Canberra?

**MR RAMSAY:** Having a comprehensive regulatory scheme means that the government has the tools available to encourage an industry that benefits the community. Fees, the power of Access Canberra, and legislation to support business

owners will all be reformed. These changes will make Canberra a better place to go out for a meal for a special event or just to enjoy an evening.

As the Chief Minister announced in September last year, our fee structure for liquor licences will reflect a positive focus on smaller venues and restaurants. Smaller venues offer a lower risk environment with less crowding and great opportunities for the innovative, unique dining and drinking experiences that Canberra is becoming known for.

The reform package will come with a 25 per cent reduction fee for small venues. This fee reduction recognises the unique contribution that small venues make to Canberra's night economy and will make it significantly easier for those businesses. Regulation changes will help everyone in the industry to participate in a more vibrant Canberra.

Canberra hosts many food and drink-centred events. Members may have noticed that Canberra's brewers, vine growers and other liquor licence holders will often attend these events, and they will contribute a stall. They may also want to stay open later to accommodate greater numbers of people. Under the new rules, licensees will have up to six extended hour trading authorisations for use for special events. They will be able to host a special event and stay open later more easily.

These are just a few examples of the benefits that will come from this reform package. The government has worked hard with industry and is delivering reform that will help make Canberra a more interesting, fun place to enjoy.

**MR STEEL:** Minister, can you outline how the regulatory changes will contribute to public safety?

**MR RAMSAY:** I thank Mr Steel for his supplementary. The legal reform package combines red tape reduction and small business enhancement with a series of important public safety measures. Alongside legislation, this reform will come with new police resources to patrol and to monitor the most active night venues in Canberra. This is a direct investment in ensuring the safety of Canberrans who want to enjoy a night out.

The new legislation will also contribute to public safety by improving the ability of licensees to manage their clubs with safety in mind; improving the power of Access Canberra to oversee the industry and to require it to take safety measures; and also using funds from licence fees for very high volume retail sellers to educate the public about alcohol.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members! The attorney is answering the question.

**Mr Gentleman:** On a point of order, Madam Speaker, I know you are attending to the members opposite. They did not get the call. You gave the call to the attorney.

**MADAM SPEAKER:** Thank you, minister. I have asked them to be quiet so that the minister can continue with his response.

**MR RAMSAY:** For example, the new legislation will give licensees and their staff a clear and explicit power to evict patrons who are intoxicated or unruly. The new provision will send the message that the government supports businesses that do the right thing. An explicit power to exclude people who pose a risk to themselves and others will mean that licensees and staff can deal more confidently with these difficult situations.

Additionally, the reforms will give the Commissioner for Fair Trading an explicit power to require a licensee to install CCTV cameras. These cameras can help prevent and help investigate—

**Mr Hanson:** Madam Speaker, on a point of order—

**MADAM SPEAKER:** Stop the clock. On a point of order, Mr Hanson.

**Mr Hanson:** I am asking if this is an announcement of policy or foreshadowing policy. The legislation has not been tabled; no-one has seen it. Can you please advise or rule on whether this is foreshadowing an announcement of policy?

**MADAM SPEAKER:** I believe the minister is informing the Assembly of the practices that are in place. Attorney.

**MR RAMSAY:** Madam Speaker, we look forward to diverting a moderate increase in fees to an education campaign about the health consequences of alcohol abuse and to ensure that the risks are appropriately carried by everyone involved.

### **Aboriginals and Torres Strait Islanders—aged-care facilities**

**MRS KIKKERT:** My question is to the Minister for Housing and Suburban Development. Minister, in 2016 five two-bedroom units were completed for Indigenous older residents but, with the growing older population of Indigenous people in the ACT, there is not enough culturally appropriate housing. Minister, why is there a shortage of supply of housing and aged-care facilities for older Indigenous people?

**MS BERRY:** I thank you for the question, Mrs Kikkert. Yes, the ACT government made a commitment in the election last year for a further development for Aboriginal and Torres Strait Islander older people, and that commitment will be met in this term of government. Aboriginal and Torres Strait Islander people make up around 900 residents who are public housing tenants, so we do provide housing for the Aboriginal and Torres Strait Islander community as part of our public housing stock.

**MRS KIKKERT:** Minister, how many more houses are planned that are culturally appropriate for Indigenous elderly and when will they become available? You mentioned this term, but when?

**MS BERRY:** We will be talking with the Aboriginal and Torres Strait Islander community as well as the elected body and the Ngunnawal elders group, UNEC, to find out what would be the most appropriate place in the city for the housing to be built. Once we have completed those conversations and consulted the community more broadly then we will be able to make a decision about where it would be appropriate for that housing to occur.

**MR MILLIGAN:** Minister, you mentioned housing as a priority, but what culturally appropriate aged-care facilities are planned for our Indigenous elderly, and when will this become available?

**MS BERRY:** Aged-care provision is a commonwealth-regulated responsibility. In the ACT, however, we have provided culturally appropriate housing for older Aboriginal and Torres Strait Islander community members through our public housing, and we have committed to do more of that.

### **Government—clubs policy**

**MR WALL:** My question is to the Minister for Regulatory Services in his responsibility for gaming and racing regulation.

**Mr Barr:** Not about penalty rates?

**MR WALL:** It would be out of order. Minister, in regard to the small clubs assistance package announced at the last minute during the election campaign, how did the government arrive at the \$4 million gaming revenue threshold figure to determine what is a small club?

**MR RAMSAY:** I thank the member for his question. Certainly, the government is well committed to ensuring that there is a range of assistance for small clubs. In that regard, it has been a matter of working strongly with the clubs. We have consulted with them. As part of that broad consultation, we make decisions after good consultation with the community as a whole.

**MR WALL:** Minister, are clubs such as the Woden Tradies club with 140 gaming machines and just under \$4 million in gaming revenue considered to be small clubs?

**MR RAMSAY:** For the purposes of the assistance package, small and medium clubs are those with less than \$4 million of gaming machine revenue.

**MR PARTON:** Will the minister consider other relief measures such as for the substantial liquor licence fees paid by our local bowls, golf and cultural clubs?

**MR RAMSAY:** We are looking forward to introducing the support package that we have announced with the election. We will look at the ways in which that package and our ongoing consultations have a positive impact on the community.

## **Transport—public**

**MR STEEL:** My question is to the Minister for Transport and City Services. Can the minister update the Assembly on the progress of the government's current public transport initiatives?

**MS FITZHARRIS:** I thank Mr Steel for his question. Indeed I can update the Assembly on progress of the government's public transport initiatives. Key amongst them is improving public transport both for his electorate and right across our city. This Labor government is continuing to deliver on our integrated public transport plan for Canberra.

Construction of our city-shaping light rail project is powering ahead with Canberra Metro making significant progress in construction along Flemington Road between Manning Clarke Crescent and Kate Crace Street and is looking to begin works in Hibberson Street. As a result, the top end of Hibberson Street will be closing permanently to vehicular traffic from Monday, 10 April.

Relocation of utilities continues across the route alignment and this, along with other construction works, does require temporary closure of traffic lanes in order to maintain both the safety of workers and the safety of the public. Work on the relocation of a large gas main between the Federal Highway and the Flemington Road intersection and Antill Street continues and is scheduled to commence later this month or early April, subject to receipt of planning approval.

This government is also continuing to deliver more buses more often, and I am pleased to update the Assembly that five of our 21 new blue Transport Canberra buses have arrived and are progressively being integrated into service. Another four buses will arrive in early April and all remaining buses will be delivered before 20 June this year.

Seniors, pensioners and concession cardholders are continuing to enjoy free public transport at off-peak periods. Since this initiative commenced in January there have been 366,506 trips taken during the off-peak periods that qualified for this free travel.

I am sure Mr Coe will also be pleased to hear that our free city bus loop service continues to be a success, now having carried over 65,500 passengers since its introduction in July last year. Over the past six months, Mr Steel will also be pleased to know, the Weston line has carried 36,489 passengers. That is a doubling since the introduction of the new Weston line.

**MR STEEL:** Can the minister update the Assembly on the introduction of a new public transport service to Canberra Airport?

**MS FITZHARRIS:** I am very pleased to report that the first transport Canberra bus commenced service at the terminal at Canberra Airport on Monday morning, providing frequent and affordable public transport for Canberrans and visitors seven days a week. Customers now have access to public transport from the city to Canberra

Airport with services running about every half hour or better during peak times on weekdays and every hour on weekends. From the city people will be able to continue on to all other regions of Canberra.

As we know, Canberra Airport plays a major and important role in our city's economy, and this service is being implemented following talks with the Canberra Airport and feedback from the community. Last year the government released the rapid network 2017-20, which shows the roll out of future rapid bus service right across Canberra, including a rapid bus service to the airport in 2020. It is fantastic that we have been able to introduce a public transport link to the airport early, and this service will operate until such time as the rapid bus to Canberra Airport is introduced.

I was there on Monday morning, Madam Speaker, and there was great interest from passengers at the airport. I am very pleased to let the Assembly know that over 200 people have used the airport service in its first two days. Passengers can simply use their MyWay card or pay a cash fare to the driver as usual when boarding. A single adult trip when paying cash costs \$4.80. Of course, there are cheaper fares for students and children, and significant savings can be made when you use your MyWay card. This is just another example of the ACT government's commitment to providing accessible and attractive public transport for Canberra.

**MS CODY:** Minister, what other plans does the government have to further improve public transport in Canberra?

**MS FITZHARRIS:** Our long-term plan for public transport will mean that Canberra does not end up gridlocked, like big cities such as Melbourne and Sydney. We are delivering stage 1 of an integrated light rail network and we have begun work on detailed planning for stage 2 to Woden. We will continue to improve public transport in Canberra and deliver more buses and more services more often. Labor introduced the rapid bus network, and we will grow this network from two services to nine over the next four years, in addition to stage 1 of the city-wide light rail network.

The trend in public transport ticketing is away from stored value cards like MyWay here in the ACT, Opal in New South Wales and myki in Melbourne, and towards new forms of payment, including contactless and mobile phone payments. This year we will make significant progress on a new integrated bus and light rail ticketing system. We will future-proof our ticketing system and ensure that a single, integrated public transport fare system is ready for the start of light rail services in 2018.

An industry request for information will follow a market sounding exercise for future multimodal account-based ticketing, including supporting "bring your own device" and credit or debit card options. This will include mobile phone ticketing applications to support mobility as a service. Based on the approval of the business case and results of this industry request for information, the government plans to go to market for a future ticketing solution in mid-2017.

### **ACT Health—data integrity**

**MRS DUNNE:** My question is to the Minister for Health. Minister, on 8 September last year the Director-General of the Health Directorate wrote to the Auditor-General

about data issues. Minister, what did the Director-General of Health canvass in her letter of 8 September to the Auditor-General?

**MS FITZHARRIS:** I do not have a copy of that letter and I was not the minister at the time. But I expect she would have canvassed the issues that have been canvassed fairly extensively in this chamber. I will take the question on notice and come back to the Assembly with more information.

**MRS DUNNE:** Minister, will you table the letter of the Director-General of Health to the Auditor-General in the Assembly before the end of this sitting day?

**MS FITZHARRIS:** I will certainly consider that and come back to the Assembly before the end of the sitting day.

**MS LEE:** Minister, will you table the written briefing that you and Minister Corbell were given about this issue, by the end of the sitting day?

**MS FITZHARRIS:** I have indicated that both Minister Corbell and I received a number of briefings, both verbal and in written form. It would not be normal practice, of course, to table briefings, but I have been very open and transparent throughout the sitting periods this year and also in the Health annual report hearings. There was not one single briefing, and it would not be normal practice to table those internal briefings from departments to ministers. They are, of course, available if they are subject to the freedom of information framework.

The important thing here is that there is a system-wide review of the data process underway. As I indicated yesterday, I look forward to tabling the terms of reference for that system-wide review in the sitting period next week.

### **ACT Health—external contractors**

**MS LAWDER:** My question is to the Minister for Health. The *Canberra Times* of 22 March 2017 reports that ACT Health has issued a contract to KPMG for a financial controller job for a period of 85 days at a rate of nearly \$2,000 per day, using a single select tender process. I will just repeat that to make sure the minister has it: a financial controller job for a period of 85 days at a rate of nearly \$2,000 per day, using a single select tender process. The report also quotes an ACT Health spokesperson who said that the work was outsourced to “address a short-term gap in capability” and to continue delivering its “innovation and reform program”. Minister, why was this position not filled through a normal staff recruitment process?

**MS FITZHARRIS:** This is a normal process of filling short-term capability gaps across the public service while the directorate takes the time to understand the role and potential future public service recruitment for this position.

**MS LAWDER:** Minister, why is there a short-term gap in capability and why did ACT Health not plan its innovation and reform program such that it was properly resourced before it started?

**MS FITZHARRIS:** It is properly resourced and we will gather expertise from where we need it, both internally—there is much expertise within ACT Health—and on occasion, when needed, bring in external consultants and experts for a short period of time.

**MRS DUNNE:** Minister, why is ACT Health placing substantially increasing reliance on external contractors and consultants; and how is this reliance delivering cost efficiency gains for the directorate?

**MS FITZHARRIS:** I do note that there was an increase over the recent period. One of those significant increases was, I believe, a change in how the dialysis centre was accounted for. That did account for some of the growth in the number of consultants and contractors. That was a technical adjustment, effectively. As members know, ACT Health has a systems innovation program, as I mentioned in my previous response, drawing expertise both from within the directorate and from external experts, to make sure that we maintain the best public health system in Australia.

### **Women—International Women’s Day**

**MS CODY:** My question is to the Minister for Women. Minister, can you as Minister for Women please advise the Assembly how the ACT acknowledged the achievements and contributions of Canberra women in improving the life of women and girls on International Women’s Day, which was held on 8 March.

**MS BERRY:** I thank Ms Cody for her question. We worked with the Canberra community to build a place, and we will keep working with the Canberra community to build a place, where gender equality is an achievement rather than a dream. It is a central focus for me and for the government. It is why I have been keen to talk about our achievements and the work we do as an entire community to keep moving forward.

International Women’s Day this year had the theme “Be bold for change”, asking us all as leaders and activists to make change that will improve women’s lives. On 8 March, the ACT government held its annual ACT Women’s Awards ceremony to again celebrate the exceptional contributions and outstanding achievements that women make to our community here in the ACT. I note that Ms Lawder also attended that event. It was a great way to acknowledge these fantastic contributors in our community.

This year the ACT Woman of the Year award went to Marie-Louise Corkhill, who has spent the past 20 years working with Karinya House and the mothers and babies who are supported through that service. The Senior Woman of the Year award was presented to Ms Andrea Hotchkiss, who has been instrumental in establishing and building the ACT Women’s Soccer Association, since 1978. The ACT Young Woman of the Year award went to Francesca Maclean. Francesca has done many things to be proud of, supporting women and girls in science, technology, engineering and maths education and careers.

**MS CODY:** Minister, can you please advise what the ACT government is doing to improve the status of women and girls?

**MS BERRY:** Thank you very much for the supplementary. At the women's awards ceremony I also launched the first action plan for women—focusing on health and wellbeing—being implemented under the ACT women's plan. The action plan contains a large number of actions that will all work towards a better community and better services for women and girls.

Some of the ideas of the actions included in the plan are: a number of biannual forums with women's peak bodies to consider more ways that directorates and community organisations can advance the culture of respect and equal opportunity; a look at how we can change our procurement processes to promote gender equality; further promotion of women's safety audits at local events; an investigation of gaps and barriers to Aboriginal and Torres Strait Islander women pursuing post-school education and training opportunities; work to ensure that our urban design includes a gender lens to ensure that we are planning and retrofitting our suburbs appropriately; and tools to ensure that we are capturing gender disaggregated data for our government services, programs and events.

All of these are just some of the actions that are listed in the plan, and I urge you to go and have a look at the action plan online.

**MS ORR:** Minister, can you please advise us how else the government will acknowledge women in the ACT for their work in progressing the status of women and girls?

**MS BERRY:** Thank you, Ms Orr, for the supplementary. I was pleased to announce at the ceremony that we will once again develop an ACT women's role so that we can collectively report and acknowledge women across the ACT who are making real change on the ground. In 2011, which was the hundredth anniversary of International Women's Day, the then Minister for Women published a booklet which provided details of some great local women all the way back to 1989.

On having a look back at some of the great women acknowledged in this honour roll, I am reminded of people like the late Kath Bourke—the first Canberra citizen of the year, awarded by the newly formed ACT government in 1989—who took action after she was forced to leave the public service in 1943 when she was married. Kath campaigned to have overturned the rule which barred married women working in the public service. This occurred eventually in 1966.

There are many women like Kath in our community and I am committed to making sure that we are acknowledging and celebrating their greatness and, no doubt, hard work.

### **ACT Health—mental health data submission**

**MRS JONES:** My question is to the Minister for Mental Health. Minister, your office received an advance copy of volume E, chapter 13, of the report on government

services—ROGS—related to mental health in mid-January. It showed that the ACT government had failed to meet deadlines to submit data related to mental health to the Australian Institute of Health and Welfare. Did your office advise you that it had received an advance copy of the report in mid-January and that the ACT had failed to submit data in time for publication of the ROGS?

**MR RATTENBURY:** I will need to check my records on that and provide the information to Mrs Jones as soon as I can.

**MRS JONES:** Minister, were you advised before the report on government services was published that the Health Directorate had trouble meeting AIHW deadlines for mental health data?

**MR RATTENBURY:** Yes, I was.

**MRS DUNNE:** Minister, has there been a breakdown in communication between your office and the Health Directorate regarding mental health data?

**MR RATTENBURY:** I certainly do not believe so. We have a Health DLO in our office now and we are in contact with the directorate multiple times every day.

#### **ACT Health—data submission**

**MS LEE:** My question is to the Minister for Health. Minister, on 16 February you made a statement in the Assembly about ACT Health's failure to submit data to the Australian Institute of Health and Welfare in time for the ROGS. You advised that you were briefed in November that ACT Health was renegotiating the deadline for ROGS and that on 6 February you were formally informed that that deadline had been missed. Was ACT Health able to renegotiate that deadline; if so, why did it also fail to meet the revised deadline?

**MS FITZHARRIS:** I thank Ms Lee for the question. I think I indicated at the time that there was not just one data set that was to be provided through the AIHW to the Productivity Commission for the production of the report on government services; there were a number of different data sets. Some of those were subject to negotiation for extended provision by ACT Health. In some cases that was provided; in other cases it was not. So it is not simply one single data set; it was a number of them. I am fairly certain—although I can check the record—that I did mention that both in the chamber and subsequent to that.

**MS LEE:** Did you ask any questions at any stage between November and February about whether the Health Directorate had met the deadline for the submission of data to ROGS? If not, why not? If yes, were you satisfied with their reasons?

**MS FITZHARRIS:** Yes, I did. I was also on leave for the three weeks prior to my return to work on 6 February. It was in that period that it became apparent both to Health and to my office that some of those data sets obviously had not been provided in time, and ACT data was missing from some data sets in the ROGS report as well. I have indicated in the chamber prior to today, and I reiterate it again today, that it was

not simply one data set. I sought to ask a number of questions about how our data production was going. This all led me to, on my return to work on 6 February, asking Health to conduct the system-wide review of all health data which is underway now.

**MRS DUNNE:** When these issues were raised with you in your weekly briefings, what were you told about the data and why were you not more proactive in dealing with the data issues?

**MS FITZHARRIS:** I did ask how the data was going. I was also advised that there were a number of data sets. There was also communication both between ACT Health and AIHW and ACT Health and the Productivity Commission. It appears that there were some communications within there that were less than satisfactory. Health and I have talked about that. That will not be happening again. Again, I reiterate that all of this led to my requesting, on my return from leave on 6 February, that the system-wide review of ACT Health data get underway.

### **Tradesmen's union clubs—police investigation**

**MR HANSON:** My question is to the Minister for Police and Emergency Services. Minister, what reports have been made to you or to your office regarding a referral to ACT police regarding the tradesmen's union clubs—the Tradies—arising from the Royal Commission into Trade Union Governance and Corruption?

**MR GENTLEMAN:** None that I am aware of.

**MR HANSON:** Are you aware of any current or ongoing investigation by ACT Policing into the tradies clubs or any evaluation of material that has been provided to them?

**MR GENTLEMAN:** I thank Mr Hanson for his supplementary. There is, to my knowledge, no ongoing investigation.

**MR PARTON:** Did the ACT government act on all the referrals, requests and recommendations from that said royal commission which are relevant to the ACT government?

**MR GENTLEMAN:** This portfolio is new to me, of course, for this current year, so I am unaware of government reactions to referrals from the royal commission in previous years. My understanding, though, is that the government has acted. But as to any further detail on that, I will have to come back to the chamber.

### **ACT Policing—recruitment**

**MS ORR:** My question is to the Minister for Police and Emergency Services. Minister, can you update the Assembly on recent recruitment into ACT Policing?

**MR GENTLEMAN:** I thank Ms Orr for her question. I am pleased to advise the Assembly that in April this year 18 new police will commence in ACT Policing. The 18 graduating members include existing AFP employees and new, externally recruited

employees. The group is made up of eight women and 10 men. As the representative for Yerrabi, the member will be interested to note that 10 of the new ACT Policing officers will be deployed to the north district. The remaining eight will be deployed to the south district. Their final stations will be determined by operational demands and, of course, priorities.

These new ACT Policing officers will join a professional, dynamic and service-focused organisation that does an outstanding job in ensuring Canberra remains a safe place to live and work. As I said in the Assembly annual reports hearing just last week, the government's commitment to keeping Canberra safe is only made possible through the dedication and commitment of the Chief Police Officer, Justine Saunders, and her officers and professional staff. Any police force is only as good as its members, and I am proud to say that ACT Policing is very good.

On behalf of the government, I would like to welcome these 18 new recruits. I am sure they will have some fond memories of their recruit college, and I thank them for their commitment to the community. Hats off to the new recruits.

**MS ORR:** Minister, could you please give the Assembly some more detail about the training and induction process undertaken by new ACT Policing recruits?

**MR GENTLEMAN:** I thank Ms Orr for her supplementary. I am pleased to inform the Assembly that ACT Policing places an extremely high importance on training its members. This begins on entry, but by no means ends there. ACT Policing officers continue to participate in professional development throughout their careers.

New recruits to ACT Policing typically undertake the 24-week recruit course at the AFP College in Barton. I have fond memories of the college. During the course police recruits undertake training in a variety of areas, including law and evidence, investigation techniques, police powers, defensive skills and the intelligence process. Of course, also involved are firearms, driver and physical training. Following graduation, police graduates complete a three-week local procedures program which provides the specific knowledge necessary for them to be able to undertake community policing duties in the ACT. This program includes a variety of orientation activities and exposure to specific ACT Policing procedures.

The graduates undertake training regarding effective responses to family violence and mental health incidents. Furthermore, the graduates develop an awareness of the importance of restorative justice practices and the legislative and operational sensitivities associated with children and young people. After completing the local procedures program, all graduates undertake a two-week rotation to traffic before commencing at their designated station.

**MS CHEYNE:** Minister, could you please give the Assembly an idea about the diverse experience and background of officers with ACT Policing?

**MR GENTLEMAN:** I thank Ms Cheyne for her supplementary. ACT Policing members have an extremely diverse range of skills and backgrounds. This is an

essential ingredient in successful community policing. ACT Policing aims to reflect the diversity of the community that it represents.

The newest graduating class, for example, bring a range of skills and backgrounds, and those include degrees in forensic science and biochemistry, science, economics, arts, and prior employment in contract management, child protection, IT, law and management. Along with many other members of this chamber, I can personally attest to the value of a diverse employment history and experience in taking on a role that involves serving our community.

So I commend again those in our community who have taken their own path to ACT Policing and welcome the variety of experience they bring.

**Mr Barr:** I ask that all further questions be placed on the notice paper.

### **Supplementary answers to questions without notice Aboriginals and Torres Strait Islanders—unemployment**

**MS STEPHEN-SMITH:** Earlier today I was asked a question by Mr Milligan regarding Indigenous employment in the ACT. I have some further information on ACT public service initiatives that may be of interest to the chamber. I have been advised that the workforce capability and governance division within the Chief Minister, Treasury and Economic Development Directorate has led a number of programs and initiatives to improve the employment of Aboriginal and Torres Strait Islander people in the ACT public service.

As I mentioned, this includes the ACTPS Indigenous traineeship program, which is a one-year program providing trainees with the opportunity to gain valuable skills and knowledge and to develop networks across the ACT public service. The traineeship also affords trainees professional development through the completion of individual base certifications. Trainees are placed in permanent positions within the ACTPS on the successful completion of their placements.

A second ACTPS Indigenous traineeship was advertised in October 2016 and trainees are commencing this month. In addition, the 2016 and 2017 ACTPS graduate programs have placed a particular focus on advertising to enhance the profile of available positions for Aboriginal and Torres Strait Islander people.

ACTPS-wide initiatives are supplemented and enhanced by directorate and agency-specific efforts to reach the two per cent employment target, including directorate-specific Aboriginal and Torres Strait Islander employment action plans and reconciliation action plans.

The 2016-17 budget included new initiatives that support Aboriginal and Torres Strait Islander people and that progress the commitment to equitable outcomes in the ACT, including improving career opportunities. This includes investment of \$107,000 in additional mentoring and training for existing Aboriginal and Torres Strait Islander staff in the ACT public service to improve their career development outcomes. Madam Speaker, I note that there was more evidence provided on this in

the annual report hearings and I refer the member to the *Hansard* report of those hearings.

### **Planning—west Greenway**

**MR GENTLEMAN:** Yesterday Ms Lawder asked a question about the evaluation report for western Greenway. She reiterated that request later on in the day. As mentioned, I can advise that the report is up on the your say website. You can find it at [yoursay.act.gov.au/western-Greenway](http://yoursay.act.gov.au/western-Greenway).

### **ACT Health data Order to table documents**

**MRS DUNNE** (Ginninderra) (3.30): Madam Speaker, if matters arising from question time have finished, I have a matter I wish to raise. I move:

That, in accordance with standing order 213A(1), the Minister for Health table, by close of business today:

- (1) the letter from the Director-General of the Health Directorate to the Auditor-General about health data issues of 8 September 2016; and
- (2) any briefing to the former Minister for Health or the Minister for Health about this letter and the associated data issues.

**MS FITZHARRIS** (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (3.31): Madam Speaker, I seek your guidance. I have not had a chance to return to my office to seek advice. I do not believe there is an issue with the letter. Certainly, in terms of previous briefings to previous ministers, there may be a number and it may take more time to look through them.

I seek your guidance. As I indicated in my responses, I am happy to provide the letter. I may seek leave of the Assembly to provide briefings so that I ensure we provide a thorough response rather than a rushed one by the end of the day to provide the other information that Mrs Dunne has requested.

Debate (on motion by **Mr Barr**) adjourned to a later hour.

### **Penalty rates**

Debate resumed.

**MS CHEYNE** (Ginninderra) (3.32): I thank Mr Pettersson for raising this important issue today. The opposition was at pains yesterday and today to argue that decisions on penalty rates are outside the remit of this Assembly. Somehow, the opposition fails to understand that penalty rate decisions impact so many people in the ACT.

As I discussed in some detail yesterday, income security is one of the key contributors to health and wellbeing. To just dismiss it out of hand and describe our desire to discuss this in this Assembly as window-dressing is insulting to the 26,000 Canberrans who miss out on their weekends in order to work. Many of them do not do it out of choice but out of necessity. Many of them—women and youth—are among the most vulnerable in our society.

Mr Assistant Speaker, penalty rates compensate many of Canberra's lowest paid for working when the rest of us are enjoying the weekend. The cut in penalty rates undervalues the efforts of hardworking Canberrans who need the extra income to make ends meet. This move risks placing our lowest paid in extremely difficult financial situations.

The penalty rates attached to Sundays have always been designed to compensate for missing out on this traditional leisure time. However, the recent Fair Work Commission's decision to cut Sunday and public holiday penalty rates means that these workers' time away from family and friends is no longer appropriately remunerated or valued.

Even worse, their time to relax will further shrink. In order to pay the bills, workers are forced to work extra shifts just to take home the same pay packet as before. They would have to work 33 per cent more hours just to get a net gain based on this decision. This places further financial and mental stress on individuals and households.

Proponents of this change argue that the negative impact of working on Sundays is no different from the impact of working on Saturdays. I would direct these individuals to a report published by the Centre for Work + Life at the University of South Australia titled *Evenings, nights and weekends: working unsocial hours and penalty rates*.

This report shows that Sunday is still widely seen as a day for connecting with family and community. While we might get our washing done on Saturdays, on Sundays we are having lunch with mum and dad or catching up with friends with a picnic and maybe a game of cricket.

Findings from the Australian work and life index have consistently shown that regularly working on Sundays is noticeably associated with higher work-life interference. Those who work Sundays already sacrifice so much and they now will get less take-home pay because of it.

Finally, the gender pay gap is real worldwide and it is felt in the ACT. We know that women will earn less than men in their lifetimes and we know this needs to change. The gender pay gap means that women in our community are retiring with less superannuation and have fewer life savings. In fact, International Women's Day's theme was "Be bold for change". But the Fair Work Commission's decision to cut penalty rates is anything but bold.

You do not need statistics to tell you that the majority of Sunday workers are women. So it is particularly galling that at a time when there is a call around the world for

everyone to do what they can to achieve gender parity, there is a decision that disproportionately affects women's pay in Australia.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (3.37): I am pleased to stand today to speak in support of Mr Pettersson's motion, for the simple reason that Canberra's workers will be hurt by cuts to penalty rates.

It should be no secret by now that the ACT government is bitterly disappointed by the decision of the Fair Work Commission to cut Sunday and public holiday penalty rates. As my colleagues have said, this decision will cut the take-home pay of some of our lowest paid and most vulnerable workers, those who work in the retail, fast food and hospitality sectors.

Hardworking Canberrans in these industries will see a significant reduction in their pay packets. For many, this will mean they are now looking at their household budgets and working out what they will no longer be able to afford. For some this will mean no longer being able to pay for essentials like rent and utilities. For others it will mean giving up school excursions, trips to the movies or the occasional takeaway.

This decision will also have implications reaching beyond just reducing the take-home pay of those affected. According to the McKell Institute, cuts to penalty rates will hasten the "mass casualisation" of Australia's workforce, leading to a decrease in job security, less paid leave and more workplace stress.

Yesterday in the chamber we heard the views of colleagues on both sides about the importance of income security for Canberrans. This Fair Work decision, by targeting retail and hospitality industry weekend workers, will exacerbate insecure work issues in industry sectors where the rates of insecure work are already high.

Labor strongly believes that all Australians should be able to feel secure in their lives and communities. For many people a job with a steady, reliable income is one of the most important considerations when looking for work. The prospect of finding a secure job with fair pay is one of the things that attract people to the ACT.

Australian Bureau of Statistics data indicates that almost six million Australians held a paying full-time job with basic leave entitlements. That is less than half of the labour force and less than one-third of the working-age population. The persistence with insecure work leaves many households at continued risk of economic shocks and being unable to plan for the future. Insecurity at work is more of a problem for people working in smaller organisations, part-time workers, and, as my colleague Ms Cheyne has mentioned, women.

The Fair Work Commission's decision to cut penalty rates in the hospitality and retail industries is a further blow to many Canberra workers already facing the challenges of casualisation, insecure work and underemployment. Some have suggested that the real effect of this decision will be minimal, because many employees in the affected

industries are on enterprise bargaining agreements that already have reduced penalty rates. But the head of hospitality union United Voice, Jo-anne Schofield, has corrected the record on this, confirming that the vast majority of workers in the hospitality sector are in fact covered by the award, not an enterprise agreement, meaning that these cuts would have a disproportionate effect on vulnerable workers.

Looking at the latest household income and labour dynamics in Australia survey data, we can estimate just how severe the effect of this decision may be in Canberra. From this data we know that around 60 per cent of all people employed in the retail trade industry spend some hours of their weekend at work, while around 75 per cent of those employed in the food and accommodation industry do the same. That means up to 18,700 people in the ACT may be affected by this decision, with the burden falling disproportionately on our youth and, again, in many cases on women.

When we look more closely at some of the data on who receives penalty rates, an even clearer picture emerges of the impact and severity of these cuts. The Australian work and life index is a national survey of work-life outcomes of working Australians undertaken by the University of South Australia's Centre for Work and Life. The centre's October 2014 report, which others have referred to, *Evenings, nights and weekends: working unsocial hours and penalty rates*, found that employees whose combined household income was at or above \$90,000 were less likely to receive or rely on penalty rates, and more likely to continue working without those payments. Those with household incomes below \$30,000 were more likely to rely on penalty rates and less likely to continue working if penalty rates were not offered. Employees in rural or regional locations were generally more likely to receive and rely on penalty rates.

In terms of employment demographics, employees on casual contracts, sales workers, machinery operators and drivers, and employees in mining, retail trade, accommodation and food services, as well as the arts and recreation services, were more likely to work any type of unsocial hours.

Single employees, Mr Assistant Speaker, were more likely to receive penalty rates than couples. Sole parents, as I think you may have mentioned, were more likely to rely financially on penalty rates, followed by couples with children, child-free couples and single employees with no children. Of those employees who received penalty rates for working unsocial hours, more than one in three relied on penalty rates for household expenses and more than half would stop working non-standard hours if penalty rates or additional pay were not offered. Younger workers are more likely to work weekends only, evenings and weekends, or any type of unsociable hours compared with total workers.

What this all adds up to is that the impact of this decision will be most keenly felt by low income households, sole parents and parents in general, as well as young people in our communities. Unlike those on this side of the chamber, who are standing up and fighting for Canberra's jobs and pay, those opposite have welcomed this attack on some of our lowest paid workers. I know other members have already quoted member for Brindabella Andrew Wall, but I will quote him again:

Today's announcement by the Fair Work Commission to modernise penalty rates for weekend and public holidays will provide much relief to retail and hospitality businesses in the ACT.

This will create new employment opportunities for many Canberrans, particularly in our growing tourism industry and makes the ACT a more attractive destination in the competitive global market.

There is no evidence that cutting penalty rates will create new jobs for Canberrans. On the contrary, it has been noted that none of the business owners called as witnesses by the restaurant and catering industry associations to the Fair Work hearings was able to suggest that the cut to penalty rates would cause them to increase either the number of employees or the number of hours worked. I would like to quote a local businesswoman, Roxanne Ebina, of *nie & YU*, which is a clothing shop in Curtin, in your electorate, Mr Assistant Speaker. She said on WIN News on 15 March:

The savings that I'd make ... wouldn't be enough to put on an extra staff member. It's just a little bit of extra money that would go into my pocket, and I don't think it's necessary. I think it's really singling out certain sectors and saying your free time isn't as valuable as other sectors of the workforce. I think it's incredibly unfair.

It is great to hear Canberra employers standing up for their staff and employees. Even the Fair Work Commission itself acknowledges that there would be effectively no meaningful gains to workers at all. I quote from the decision summary:

... most existing employees would probably face reduced earnings ... as it is improbable that, as a group, existing workers' hours on Sundays would rise sufficiently to offset the income effects of penalty rate reductions.

There is no guarantee that this decision will lead to employers hiring more staff, but there is every guarantee that it will have detrimental impacts on workers affected by the change. In fact the Fair Work Commission President, Iain Ross, acknowledged that the changes to penalty rates would cause hardship for some workers. In handing down his decision he said:

Many of these employers earn just enough to cover weekly living expenses.

Make no mistake, Mr Assistant Speaker; while this decision affects only workers in certain industries now, it has implications for all workers who receive penalty rates. Nurses, paramedics, firefighters and many other shiftworkers are watching closely and looking to us to stand up and protect their penalty rates from future attack. Indeed I understand that news broke today that Sonic HealthPlus has proposed a cut to nurses' Sunday penalty rates by 25 per cent in their new enterprise agreement. On this proposed cut, the Queensland Nurses Union has rightly said:

It has now become harder to protect penalty rates in existing enterprise agreements when they expire. We will be fighting hard to retain existing penalty rates for our nurses and midwives but we need to stand up and say this isn't okay.

Labor will stand up and is standing up for all Canberra workers, in contrast to Mr Wall and his colleagues, who have celebrated the decision to cut the take-home pay of our lowest paid and most vulnerable workers. It is time that those opposite stood up to their federal Liberal colleagues, it is time they stood up for Canberra workers and it is time they stood with Labor to fight for Canberrans' jobs and pay. I commend Mr Pettersson's motion to the chamber.

**MR PETTERSSON** (Yerrabi) (3.47), in reply: It is with great pleasure that I stand to close this debate. We have heard from the one Liberal brave enough to come and front us in the chamber, and he has run the line about the independent umpire and respecting that decision.

It was not always that way from the Liberal Party, however. When the Road Safety Remuneration Tribunal, another independent umpire, made a decision to increase pay for truck drivers, the Liberals turned around and abolished the organisation. It seems when an independent body cuts workers' pay, the decision has to be respected, but if a tribunal increases pay, it has to be abolished. This is the hypocrisy we have come to expect from the Canberra Liberals.

*Opposition members interjecting—*

**MR PETTERSSON:** And the interruptions we have come to expect from the Canberra Liberals. I find it astonishing that the Canberra Liberals are just happy to say that this is not their issue. I think their constituents would be upset to hear that this is not their issue. Standing up for workers' pay is everyone's issue. Standing up for people's jobs is everyone's issue.

What we have not seen today is Mr Wall. Mr Wall has been put in the witness protection program. They are too embarrassed to let their industrial relations spokesperson state their position in the Assembly. Isn't that intriguing? I thought he was your spokesperson. I thought he was meant to make statements on the matter. If you are too embarrassed to state your position in this chamber, maybe that should tell you something about the position you hold. I hope next time we debate this topic you will have the courage to front up and tell us what you actually think, because we all know what you think; you are just too scared to say it.

Question resolved in the affirmative.

## **Childhood vaccination**

**MRS KIKKERT** (Ginninderra) (3.49): I move:

That this Assembly:

(1) notes that:

- (a) immunisation is the most significant public health intervention in the last 200 years, providing a safe and efficient way to prevent the spread of many diseases that cause hospitalisation, serious ongoing health concerns and death;

- (b) since the introduction of vaccination for children in Australia in 1932, deaths from vaccine-preventable diseases have fallen by 99 percent;
  - (c) immunisation is critical for the health not only of individual children but of the wider community through the mechanism of “herd immunity”;
  - (d) recent surges in cases of infectious diseases such as measles and whooping cough, both in Australia and overseas, have been linked to insufficient rates of vaccination; and
  - (e) the majority of Australian parents expect childcare centres to be safe places for their children and for the community at large; and
- (2) calls on the:
- (a) ACT Government to embrace uniform “No Jab, No Play” principles, preventing unvaccinated children (without medical exemptions) from enrolling in the Territory’s childcare centres; and
  - (b) Minister for Health to clearly express the ACT Government’s unqualified support for childhood vaccination as an essential public health measure and publicly endorse uniform “No Jab, No Play” principles.

The role of vaccinations and immunisation programs in significantly reducing the occurrence of many infectious diseases has been a singular triumph. As the commonwealth Department of Health notes, immunisation is the most significant public health intervention in the past 200 years, providing a safe and efficient way to prevent the spread of many diseases that cause hospitalisation, serious ongoing health conditions and sometimes death. Likewise, the Australian Medical Association identified immunisation as the second most important public health measure we have today, closely behind access to clean water.

Vaccination for children was introduced in Australia in 1932 and since that time deaths from vaccine preventable diseases have fallen by 99 per cent, despite a tripling of the Australian population over the same period. As a consequence, a great many Australians—and especially those who have been born here—have never had a childhood friend who died from measles or one who survived the infection but lost her eyesight in the process. Many Australians have never personally met a man crippled by polio. Most of us will never live next to a woman whose baby was born deaf, blind or with heart defects or intellectual disability because she was exposed to the rubella causing Rubivirus in the early weeks of her pregnancy.

This is a good thing. It is a modern miracle, if you think about it. But even though many of us have no memory of what life was like only a few decades ago when diseases such as smallpox, tetanus, whooping cough and diphtheria decimated Australia’s children and left many survivors with lingering and often serious health conditions, we can never afford to forget the story of where we have come from and how we got here. This triumph deserves to be celebrated.

Here in the ACT we should also take satisfaction in having some of the highest immunisation rates in the nation. According to the latest annual report from the commonwealth Department of Health, we have the highest proportion of children fully immunised at age 12 months, the second highest proportion at age 24 months, and the third highest proportion at age 60 months—behind only Victoria and Tasmania—and yet we cannot afford to become complacent. The success of any immunisation program relies upon what medical experts call herd immunity.

In all communities a certain number of individuals cannot be vaccinated, either for medical reasons or because they are too young. In addition, vaccines are never 100 per cent effective and a certain number of those who have been vaccinated will not develop immunity. To keep all of these vulnerable individuals safe and to successfully interrupt disease transmission more broadly, it is necessary for the vaccination rate to be very high, with the goal set at 95 per cent in most instances, a rate that we have come close to in the ACT but have not yet reached.

All of this becomes tremendously important when we realise that, after years of remarkable success in tackling the occurrence of vaccine preventable diseases, many of these diseases have started making comebacks both in Australia and internationally. Only three years ago the World Health Organisation announced that measles elimination had been achieved by Australia; later that same year a surge in the number of measles cases in our nation hit a 16-year high. Measles outbreaks occurred in both Perth and Sydney this past December. Currently a seven-year-old girl is in a Brisbane hospital in a medically induced coma, having been diagnosed with tetanus. In every case, these outbreaks have been linked to insufficient rates of immunisation. We can certainly be grateful that such outbreaks have not occurred in the ACT but we need to be vigilant.

As Dr Michael Gannon, President of the Australian Medical Association, recently noted, about 10 per cent of Australian parents are “so-called vaccine hesitant. They worry about vaccination and they can be swayed very easily by any message which might be seen to question the validity of the science”. It is for this reason that governments must be very clear in their messaging. Any ambiguity, even if unintentional, can easily be misinterpreted.

Consequently, the recent proposal for the states and territories to adopt uniform no jab no play laws has received bipartisan support at the federal level and universal support from the medical community, including the Australian Medical Association. Dr Gannon has gone on record praising the effectiveness of the commonwealth’s no jab no play policy, which increased immunisation rates by three per cent in its first six months of operation. Dr Tony Bartone, vice-president of the association, has described no jab no play as “a bonus or a plus” in this argument.

Much of the effectiveness of such policies comes not with the one to two per cent of the population that Dr Bartone has identified as hardcore opponents of vaccination who are unlikely to change their minds but with the remaining eight to nine per cent who, according to the AMA’s Dr Gannon, are the parents who fail to get their children vaccinated on time, in large part because they lead busy lives. Incentives, in

the form of the proposed policy, are designed specifically to help remind and encourage these parents.

We can see the need for these kinds of reminders and this kind of encouragement in the Australian childhood immunisation register statistics for the ACT for 2014-15. In that year more than 90 per cent of one-year-olds had been fully immunised, except those in south Canberra, where the proportion was between 85 and 90 per cent. Statistics were even better for those who had already been asked to provide immunisation records to their schools upon enrolment, with more than 90 per cent of all five-year-old children across the entire territory being fully immunised. But for the cohort in the middle, children aged 24 months, vaccination rates were under 85 per cent in south Canberra and under 90 per cent in both north Canberra and the Woden Valley. These are precisely the children who are most likely to be enrolled in the territory's childcare centres.

As indicated in the recent Australian child health poll by the Royal Children's Hospital in Melbourne, this issue is a concern for many parents, 70 per cent of whom reported that knowing the percentage of under-vaccinated children in a school or childcare centre would influence their decision to send their child to that facility.

I am personally grateful that the Minister for Health in yesterday's question time stated the ACT government "does support the no jab no play approach". I also understand that the details of such uniform laws would need to be hammered out by the relevant health ministers from all states and territories and then taken back to their individual parliaments. In the meantime let us make our position clear by supporting this motion and sending a firm, unmistakable message publically expressing the government's unqualified support for childhood vaccination as an essential public health measure.

**MS FITZHARRIS** (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (3.59): I thank Mrs Kikkert for the motion today. Certainly as Minister for Health I welcome the opportunity to speak on the important issue of immunisation in our community.

As I have said in this place before, Canberra is one of the healthiest communities in the country in one of the healthiest countries in the world, leading the nation in many key health indicators, including our immunisation rates. To build on our healthy environment the ACT has a strong record in taking a proactive approach to health promotion, health protection and disease prevention activities. This includes immunisation.

Immunisation is one of the most important and cost-effective public health measures protecting people in our community against vaccine preventable diseases. Immunisation is extremely important and has repeatedly been demonstrated to be one of the most effective interventions for protecting children and adults from the devastating effects of vaccine preventable disease. We know that, when coverage rates are high enough, immunisation protects not just the individual but also the wider community by stopping vaccine preventable diseases getting a foothold.

This helps protect babies too young to be vaccinated and those vulnerable to disease, such as the elderly or those with weakened immunity as a result of treatment such as chemotherapy. It is important to emphasise that the benefits of vaccination far outweigh any potential dangers.

As a result of our successful vaccination programs, we no longer see diseases such as tetanus, diphtheria and polio. As Mrs Kikkert also noted, it is sometimes easy to forget that this is a result of immunisation. A recent case of tetanus in an unimmunised seven-year-old child in northern New South Wales was a stark reminder that the organisms that can make us very ill with these diseases are still around and we cannot be complacent.

It is also worth pointing out that 25 years ago in the ACT we had 10 to 20 children hospitalised with serious diseases such as meningitis and epiglottitis caused by a bacteria called haemophilus influenza type B, commonly called HIB. The introduction of a vaccine for HIB in 1993 saw a dramatic drop in the disease, and I am pleased to say there have been no reports of HIB in the ACT in the past 20 years.

Vaccines are safe. Vaccines save lives. Rapid advances in the science of immunisation mean that modern vaccines are extremely safe and serious reactions to them are rare. Safety testing is also a key component of vaccine development. Before a vaccine is included on the immunisation schedule in Australia it is carefully examined for safety and effectiveness. It is also worth noting that we need only take a look at other countries around the world where immunisation is not provided and does not have an effect in the community to see the devastating impact of diseases that we now consider no longer affect the Australian community.

There is also, sadly, a lot of misinformation on vaccines promoted by a very active anti-immunisation lobby. Such groups raise doubts in parents by linking vaccines to conditions, links that are simply unproven. Numerous studies and reviews have produced conclusive proof that there is no credible scientific evidence that vaccinations lead to an increased risk of illness, in particular autism. Nevertheless, we need to continue to make the case for vaccination in our community and reassure parents who might have questions that vaccinating their children is safe and the benefits far outweigh the risks.

The ACT government is committed to maintaining and increasing the high rates of immunisation in our community. In recent years the government's immunisation strategies have aimed to build on our success in this area and expand the focus of immunisation to the whole of life. This strategy helps to reduce hospital admissions for vaccine preventable diseases, particularly in high risk groups. ACT Health has implemented a number of initiatives to increase coverage rates in all age groups, including following up unimmunised and under-immunised children, capturing data that may have been lost and transcribing overseas immunisation records.

I am pleased to say that the ACT, as has been noted, consistently leads Australia in childhood immunisation rates, with the latest quarterly report from the Australian childhood immunisation register showing the ACT achieved 94.9 per cent

immunisation coverage for children aged 12 months. The ACT also often achieves the highest immunisation rates for two and five-year-old children as well. Our efforts in this space are recognised by the commonwealth. The previous minister for health wrote to me in December last year to commend the ACT's efforts to improve our immunisation rates and noted that we had achieved all four performance benchmarks for vaccination, resulting in a reward payment to the territory of more than \$120,000. In saying this, we can always do better and we should not get complacent.

There may be a range of reasons why children in the community are not vaccinated, perhaps due to disadvantage, because they are recent immigrants and do not yet know about our vaccination programs. So we must continue to look for ways to engage with families who may not be up to date with their immunisations to see what else we can do to make it easier for children to get immunised. On this note, ACT Health undertakes a range of activities to educate families on immunisation and also remind parents of vaccinations if they are overdue, as do members of other directorates, notably the Community Services Directorate.

This action includes postcards sent to the parents of all children when they are 12 months, 18 months and four years old to remind them that immunisations will soon be due. Parents of Aboriginal and Torres Strait Islander children also receive postcard reminders at two, four and six months, and a quarterly mail-out to parents of children that are recorded in the Australian immunisation register as overdue for immunisation.

In addition to work that increases vaccination rates in Canberra, the ACT government has acted to increase access for people to get vaccinated. An example of this was the introduction of pharmacist vaccinations for influenza last year, complementing existing immunisation services available through GPs and other primary healthcare providers and workplace vaccination programs. Every year, during the winter months, influenza, or the flu, is responsible for major outbreaks of respiratory illness, and we know that vaccination against the flu is an effective intervention. That is why in time for last year's flu season the government amended the Medicines, Poisons and Therapeutic Goods Regulation 2008 to enable authorised pharmacists to administer the influenza vaccination to adult patients.

Our pharmacies play an essential role in our community, providing localised access to primary healthcare needs and relieving some pressure on our hospitals from non-critical cases. In 2016 over 30 pharmacies across the ACT administered the flu vaccination, offering a further option to adult patients in the ACT. The improved access and availability of flu vaccines for adults helps increase immunity across the ACT community and last year we had over 3,700 Canberrans take up the offer of conveniently receiving their flu vaccines from ACT pharmacists.

I would like to take this opportunity also to remind Canberrans that winter is coming, and I would encourage people to get the flu vaccination when it becomes available to protect against this nasty virus.

Another vaccination that is incredibly important is for pertussis, or whooping cough. We know that vaccination against whooping cough is the most effective way to avoid whooping cough infection. As part of the national immunisation program, vaccination

is recommended for all Australian children, with the first dose of pertussis containing vaccine given from six to eight weeks of age, followed by doses at four and six months, a booster from 3½ to four years of age and a further booster at 12 to 17.

Here in the ACT, though, we also have the ante-natal pertussis vaccination program which vaccinates pregnant women in their third trimester for free. This program started in the ACT in April 2015 just one month after the recommendation was included in the Australian immunisation handbook. The government provides the vaccine to be administered at 28 weeks gestation or as soon as possible afterwards. This is because vaccination during pregnancy has been shown to be effective in preventing pertussis disease in newborn infants by the transfer of protection from mother to the unborn child. I am pleased to say that to date nearly 9,000 pertussis vaccines have been distributed to general practices and hospital maternity units and data returned indicates that approximately 76 per cent of pregnant women received the pertussis vaccine in 2006 through this program.

In relation to the federal government's no job no play policy, the Prime Minister, as I have indicated, has written to the Chief Minister requesting discussion on this issue at the COAG first ministers meeting later this year. The Prime Minister has called for a consistent national approach to this issue, which the ACT supports. Later this week I will have an opportunity to raise this with the new federal health minister, Greg Hunt, during our health ministers meeting in Melbourne, and I look forward to that discussion, as do my state and territory colleagues.

We are supportive of no job no play in principle and certainly welcome any conversation about what can be done to ensure that more children are vaccinated in our community. The ACT has had legislation in place since 1994 requiring parents to provide copies of their child's immunisation record when enrolling their child into child care, preschool or school. This allows unimmunised children to be excluded if a vaccine preventable disease occurs at the centre or school. If the Chief Health Officer believes on reasonable grounds that there is a significant risk to public health from an occurrence of a vaccine preventable disease at a school or childcare centre or in the community close by, the Chief Health Officer may give a written direction to exclude all non-immunised children from the school and centre.

I note that this issue has become a topic of conversation, which is welcome. Again it encourages us to have a conversation about the importance of vaccinations. It is important also to note that the Prime Minister has called for a national approach. I very much look forward to hearing from the commonwealth health minister and also, through the Chief Minister, from the Prime Minister about what the commonwealth has in mind regarding this national approach. We hope that it will enable us to consider all the implementation issues that will come into consideration in this policy.

Most notably I want to indicate that there are some groups in our community who, through reasons of disadvantage or vulnerability, or perhaps newness to Australia and unfamiliarity with English, simply do not have access to or are not aware of our immunisation program. To the extent that we do not want to further marginalise already disadvantaged groups, this national approach—certainly the approach we will take here—must ensure that we see this as an opportunity to encourage immunisation

and not to discourage children from attending child care or school. That is a very important point for a very important group of potentially vulnerable children and families.

Before concluding today, I move the amendment circulated in my name to Mrs Kikkert's motion:

Omit all words after (1), substitute:

“(1) notes that:

- (a) there has been long-standing bi-partisan support for Australia's immunisation program which provides a safe and efficient way to prevent the spread of many diseases that cause hospitalisation, serious ongoing health conditions and sometimes death;
- (b) since the introduction of vaccination for children in Australia in 1932, deaths from vaccine-preventable diseases have fallen by 99 percent, despite a threefold increase in the Australian population over that period;
- (c) the ACT's current childhood immunisation coverage rates for 1, 2 and 5 year olds are 95, 92 and 94 percent respectively, which is higher than the national average;
- (d) the former Federal Minister for Health, Sussan Ley, wrote to the ACT Minister for Health on 22 December 2016 commending the ACT's efforts to improve immunisation, noting that the ACT had achieved all four vaccine performance benchmarks, and releasing a reward payment of \$120 718; and
- (e) there is significant effort by the ACT Government's Health Protection Service to educate parents about the benefits of immunisation; and

(2) calls on the Government to:

- (a) support in-principle the implementation of a 'No Jab No Play' policy to prevent unvaccinated children (without medical exemptions) from enrolling in the Territory's childcare centres;
- (b) continue to strongly argue for a nationally-consistent approach to immunisation in concert with all jurisdictions and that this be underpinned by a properly funded and universally accessible national immunisation program; and
- (c) ensure that any changes to national and state or territory policy on immunisation policy and practice address the needs of a small minority of children who for reasons of disadvantage are not immunised.”.

I say again that I am pleased that in the ACT our immunisation rates are very high, particularly in some of our youngest age groups. In saying this, I reiterate that we can do better and would like to remind the community about the importance of immunisation, which has repeatedly been demonstrated to be one of the most effective

interventions for protecting children and our community from the devastating effects of vaccine preventable disease.

I would also like to take this opportunity to acknowledge that achieving such high rates of immunisation is a collaborative effort between ACT Health, the commonwealth Department of Health, the Capital Health Network, our many private and community sector immunisation providers and of course the ACT community.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (4.11): As Ms Fitzharris has identified, there can be a tension between two very important interests here, that is, the health of a child and the education of a child. Preventing disease outbreak and supporting each child to a high standard of health is in their best interests. This is extremely important and also in the best interests of the wider community. The ACT government will continue to sustain and improve our already very high childhood immunisation rates. The Minister for Health has detailed our commitment to preventing infectious diseases, and I fully support her.

It is also extremely important to give every child access to education that will establish them on a path to a good life. Education is life changing, and it is founded in the education in the early years of a child's life. More and more evidence is showing that early childhood education can be a determinative of a child's success in school.

The debate so far has focused on parents who consciously choose not to immunise their children. These parents are in the minority. For those children who are not immunised, vaccinations are missed generally because of practical issues, disadvantage and social exclusion. Overwhelmingly it is also children living in disadvantage that are not able to access early childhood education. The last thing our community should be doing is creating further barriers for these children or punishing them for their life circumstances.

Enhancing access to education and care for disadvantaged families is likely to improve childhood immunisation by providing better access to accurate advice and support. As the government develops a strategy for early childhood education and care, we will be looking at ways that we can better connect children, particularly those who may be disconnected, to the health and community services they need. The Labor government is focused on equity, on bringing people together and making sure that no-one is excluded from our society.

It is important to note that education and early childhood development ministers will be meeting in a couple of weeks and they have some carriage of this issue through the national quality framework, which ministers will discuss at the ministers meeting. I thank the Assembly for the chance to discuss this very important issue, and I support Ms Fitzharris' amendment to the motion.

**MRS DUNNE** (Ginninderra) (4.14): I thank Mrs Kikkert for bringing forward this important motion today. I am pleased to speak in support of the motion and also to

make some comments on the Minister for Health's amendment. I will start on this important issue by reflecting on the fact that the good work of immunisation was in many ways done many decades ago. I think there is a sense in the community amongst some that we can be complacent because people no longer see the results of not being immunised against tetanus and polio.

Mr Gentleman, Mr Doszpot and I are probably old enough to remember that there were people in our classes who disappeared from school for long periods of time. I sat next to a girl in first grade who suddenly became ill and missed an entire year of her schooling because she contracted tetanus. It was very touch and go for quite some time, and she bears the scars to this day of the long-term tracheotomy she had to allow her to feed and breathe over the extended period of her very painful hospitalisation.

I also have friends and colleagues who have suffered from polio, and I understand the long-term debilitating effects that poliomyelitis caused for those people who were lucky enough to survive the condition. When you see some of the commentary about vaccination in this day and age from some less informed people, I think we have become complacent because we do not see before us, as we did in previous generations, the sheer volume of diseases.

According to the World Health Organisation, polio was eliminated from the western Pacific, including Australia, in the year 2000. The last reported case of poliomyelitis acquired in the wild in Australia was in 1972. This is important because there are whole generations of children who have grown up being inoculated against poliomyelitis and their parents have never seen it and they sometimes, I suspect, wonder why they bother. This is a very important aspect of our education program, and I applaud the minister for her emphasis on the importance of the constant education we need to ensure that these once life-threatening and highly contagious diseases have become almost a thing of the past.

Measles had a high level of occurrence. When I was a child and there was no immunisation against measles it was common practice for parents in family groups that if a child had measles you put all the kids together in the hope that the other kids would get the measles and then that would be out of the way. Parents did not understand the long-term health implications of what appeared to be a very mild disease. But we know that in a small number of cases the implications of measles are extraordinarily debilitating and often fatal.

This is why the commonwealth and the states have endorsed the no jab no pay policy which began in January 2016. The policy means that parents miss out on childcare benefits, rebates and the family tax benefit part A if their child is not fully immunised or not on a recognised catch-up schedule. There are, of course, exemptions available, but objection to vaccination is not one of them.

Recently the Prime Minister wrote to the states and territories, as the minister has said, asking to extend the no jab no pay policy to a no jab no play policy, which requires much more collaboration from the states and territories. I note that Queensland and Victoria already have such legislation in place. Again, exemptions are available, but

vaccination objection is not a valid objection in Queensland and Victoria. But, sadly, Queensland and Victoria are so far the exception rather than the rule.

New South Wales has a bizarre piece of legislation in place which includes parental objection as an available objection. It is irresponsible government policy that flies in the face of history, effectiveness, achievements, sensibility, and the commonwealth policy. All other states and territories are silent on the question of no jab no play. I note that the minister spoke about the current legislation but as it comes into effect it is not very proactive. It does not encourage early intervention, and it could be characterised as closing the door after the horse has bolted.

Giving the Chief Health Officer power to exclude children after there has been an outbreak is only marginally useful given that, for instance, the incubation period for some of these diseases is up to a week before any symptoms occur. Many of the unimmunised children who come into contact with someone with a disease are at risk of catching the disease before anyone notices. That is a most important issue, which is why the no jab no play process is important.

I take the point the minister has made about the risks for vulnerable groups within the community that they might be further excluded, and I concur with the points she has made that this should not be a punitive process aimed at excluding people from educational opportunities but, rather, an opportunity to educate people as to why it is important that they and their children are vaccinated. We should also be using the opportunities around vaccination to educate parents not just about why it is important that their children are vaccinated but why there should be an ongoing program of vaccination into adult life.

As a recently-minted grandparent, I had to go out and have my pertussis injections, along with everybody else in the family. As a family where we have people with chronic illnesses, we are quite switched on to the exigencies of immunisation and vaccination and we make sure we get our flu injections every year. We probably need to make this process one which is designed around informing people so that we get a better outcome. I agree with the minister: it should not be about punishing people, but informing them.

The number of people who conscientiously object to vaccination is very small. There are a number of people in the community who, for various reasons—life is busy, life is chaotic—may miss these opportunities, and we need to take this opportunity to ensure that they have every chance to get themselves and their children fully immunised for the long-term health and benefit of the entire community.

I think we need to be a little careful not to be too smug. I notice that the tone of much of what the minister said is, “We’ve got the highest rates in the nation.” We have the highest rates in the nation in some cohorts, but it is still not enough to ensure herd immunity, especially for measles, where the herd immunity requirement is above 95 per cent. We just cannot sit here and blow our own trumpets and say, “We’ve got the highest rates in the country and therefore we don’t need to do anything about it.”

I commend Mrs Kikkert for bringing forward this important motion. I was aware of the backwards and forwards between Mrs Kikkert's office and the minister's office about the minister's amendment, which I think has got to about the right place. I commend Mrs Kikkert for bringing this to the Assembly and thank the minister for her cooperation in the matter.

**MR RATTENBURY** (Molonglo) (4.23): I welcome the opportunity to discuss this important matter this afternoon. Immunisation is one of the most successful public health initiatives ever developed and the Greens join health and scientific experts in absolutely supporting immunisation as a safe, proven and critical preventative health measure. However, I rise today to propose an amendment to this motion because I have concerns about the no jab no play principles and their effect on disadvantaged families. I will speak more to these concerns in a moment.

First, let me outline why immunisations are so important for the health of individuals and the broader community. Before the major vaccination campaigns of the 1960s and 1970s, diseases like tetanus, diphtheria and whooping cough killed thousands of young children each year. Today, deaths from these diseases are extremely rare in Australia, as other members have noted, and across many parts of the world as well. It is estimated that immunisations currently save up to three million lives worldwide each year.

In Australia, and particularly here in the ACT, immunisation rates are high and have been increasing over recent years. According to the Australian immunisation register, almost 95 per cent of 12 to 15-month-olds in the ACT are fully immunised. At 24 to 27 months, the rate is 92 per cent, and for 60 to 63-month-olds the rate is 94 per cent.

While these figures are encouraging, and in all cases above the national average, we can do better and we should be wary of the consequences of complacency. It is easy to forget the horrifying effects of many of the life-threatening illnesses that are now a distant memory in Australia thanks to the success of immunisations. Not only do vaccines offer protection for individuals who are immunised; there is also a community benefit, again, as other members have touched on today.

If enough people are immunised against a disease, an infection will not be able to spread across the population, and this protects vulnerable members of our community. These include children who are too young to be vaccinated, people with immune system problems, pregnant women and those too ill to receive vaccines. This feature, known as herd immunity, is achieved at different levels for each disease, but the required immunisation level can be as high as 95 per cent for some highly infectious diseases. On the other side of the story, as vaccination coverage rates drop, the risk of disease outbreak increases.

From a public health perspective, there is a clear need to boost vaccination rates. The question is how best to achieve this. When considering this question, we need to understand the different reasons why parents may not vaccinate their children. There is a very small percentage of people who have genuine medical reasons for not vaccinating their children, and these children are the ones who need protection

through herd immunity. These people are currently exempt from the commonwealth's no jab no play policy, and I imagine similar exemptions would exist under the principles referred to in Mrs Kikkert's motion.

There is also a small group of people who consider themselves to be conscientious objectors, who do not believe the science behind vaccinations. When numbers were last recorded, these children made up 0.94 per cent per cent of all children in the ACT. This represented 371 children. These people make up the minority of those who have not vaccinated their children and are unlikely to be influenced by any campaigns. What is most important is that the misinformation distributed by anti-vaccination groups is corrected so that other parents are able to make informed decisions.

Equally, this cohort were not, and are unlikely ever to be, persuaded to engage by these effectively punitive measures. This is evidenced by the latest reported data on the percentage of Australian children fully immunised by 60 months of age, which shows a very small 0.1 per cent increase since the previous report, to a total of 93.2 per cent. This time period incorporated the full implementation of the no jab no play policy. Some of those parents may have found less expensive child care—for example, family day care centres—or made other financial decisions that allowed them to keep their children in care, as required, due to working commitments. Others, from higher SES backgrounds, may simply have absorbed these costs.

There is also a group of people who might be called hesitators. They are not strongly opposed to vaccination per se, but they have heard that there might be some risks and thus are unsure about those risks. These are people who have read things on the internet and the like. The Australian child health poll survey found that, while around 95 per cent of Australian children are fully vaccinated, one in three parents held concerns about vaccinations. The most recent data indicates that there are approximately 2,000 children in the ACT whose parents may be these so-called hesitators. Many of these people are at risk of not immunising their children, but can be effectively targeted with education and health promotion campaigns.

The science behind immunisation is proven, sound and beyond doubt. As a government, in conjunction with health professionals, we should be able to explain these benefits to the vast majority of Canberrans to ensure our immunisation rates continue to increase. My concern with the no jab no play principles is that they risk ostracising a group of people and pushing them from being hesitators towards being full-blown sceptics. The policy's aim is well intended, but I believe that it punishes some people for a lack of understanding or for disadvantaged life or financial circumstances that make it difficult to access immunisations.

It is the Greens' belief that introducing the no jab no play policy could result in entrenched disadvantage, social isolation and reduced engagement with a range of positive social and medical interventions for the very small numbers of unimmunised children in our community, with negative impacts far beyond any immediate effects. Other approaches, such as education and community-wide campaigns, would be equally effective and not risk excluding children and families from accessing important early childhood education services.

One of my main concerns about today's motion is the quantifiable and easily anticipated negative impacts this would have on these children. It is well accepted that early childhood education care services provide an essential avenue of early identification of possible learning difficulties and developmental delays which have nothing to do with immunisation compliance. Exclusion from these services would greatly reduce the opportunities for early intervention of occupational therapists and speech pathologists, for example, with long-lasting implications for that child's development and life educational outcomes, and ultimately place a burden on the limited resources of government services.

Children who do not attend early childhood education and care and preschool—as we know it in the ACT—suffer educational disadvantage, which can carry on for years in some cases, and require increased support and investment over and above other students. It can also greatly damage that child's social skills development and self-esteem and further embed social isolation. The proposal may also severely impact on the ability of parents to work and, therefore, increase existing financial hardships and potentially compound disadvantage.

Some childcare providers already choose not to enrol children without full vaccination. Whilst this is not government policy per se, as commercial providers that is, of course, their right. Most providers, however, quietly accept these children, small in number as they are, in the recognition that there is a low risk of cross-contagion. Providers may also advise parents, regardless of the child's vaccination status, of a fair policy of extended exclusion of infected children for certain periods of time to reduce the likelihood of exposure.

I also note that there are other ways governments can support those families who have not yet vaccinated their children. Childcare centres provide a great opportunity to interact with parents and provide information about the national immunisation program schedule. Governments can help facilitate the required liaison between health professionals, parents and childcare centres to ensure that children can catch up and receive any vaccinations they may need. Compliance with the national immunisation program does not have to be enforced through punitive measures because I believe the vast majority of parents would choose to vaccinate their children when provided with adequate information and logistical support.

The Greens would support the federal and ACT governments working together on targeted and consistent health promotion and education campaigns to promote the benefits of immunisations. The Public Health Association of Australia has been calling for the development and implementation of this sort of proactive public community strategy, especially in areas influenced by anti-vaccination groups and where coverage is low in specific age brackets.

The Greens know there are challenges with this approach. It is so easy for one piece of information to undo years of hard work, and Pauline Hanson's comments earlier this month are a clear demonstration of this fact. But the unintended upside of Senator Hanson's dangerous and uninformed remarks is that it has triggered a national conversation on the importance of immunisation. Now we must continue to reinforce the public health messages that have been so strongly highlighted these past couple of

weeks. Maintaining consistent, accurate information in the face of misinformation is crucial to ensuring that parents know vaccination is the safest and best way to protect their children from preventable diseases.

To conclude, I would like to add my voice to those of the Australian Medical Association, the Public Health Association of Australia and health experts and professionals across the world in supporting immunisation as a crucial life-saving public health intervention. The discussion we are having today is not about the science of vaccination or immunisation—I think there is clear agreement that it works and that it is vital, and I think members have provided some important examples of that today—it is about how we maximise the number of people who access vaccination. This is a genuine matter of solid public policy development that should be founded on medical evidence and scientific rationale. I invite colleagues to reflect on the many possible and, indeed, likely unintended negative consequences that may arise if we as a society exclude and isolate children in our community.

My final comment is to those who may be unsure or hesitant about vaccines, the science and the evidence. These are absolutely clear. Do not let doubts stop you from giving yourself and your children potentially life-saving health care. Immunisations are safe and proven. Do not believe everything you read on the internet. Please see your GP or your health professional, whom you trust, for expert advice on why immunisations are so important. I now move the amendment circulated in my name:

Omit paragraph (2), substitute:

“(2) calls on the Government to:

- (a) work collaboratively with the Commonwealth Government to develop and implement a proactive public education and communication strategy, especially in areas influenced by anti-vaccination groups and where coverage is low, to promote the benefits and encourage uptake of immunisations;
- (b) continue to argue for a nationally-consistent approach to immunisation in concert with all jurisdictions and that this must be underpinned by a properly funded and universally accessible national immunisation program;
- (c) ensure that any changes to national and state or territory policy and practice on immunisation does not result in entrenched disadvantage for children or families; and
- (d) reaffirm its commitment to the right to education for every child as provided for in the ACT *Human Rights Act 2004*.”.

As I say, I believe that this offers a better pathway forward than a proposed no jab no play policy. In fact, alternatively it calls on the ACT government to work collaboratively with the commonwealth government to develop and implement a proactive public education and communication strategy, especially in areas influenced by anti-vaccination groups and where coverage is low, to promote the benefits and encourage uptake of immunisations. I commend my amendment to the Assembly.

**MRS KIKKERT** (Ginninderra) (4.35), in reply: I wish to respond to both of the amendments. Firstly, I wish to openly thank the minister for seeking my input on the amendment that she has moved today and for implementing every single change to the amendment that I requested. This level of cooperation will also assist in making our message today absolutely clear, and I thank her.

I appreciate Minister Rattenbury's input in relation to this motion, and I thank him. However, there are a few things in his amendment that I do not agree with. He has completely removed support for no jab no play and replaced it with education and communication. But that is something that we are already doing for the most part.

In relation to paragraph (2)(d), it sounds like he has left a door open for the enrolment of children who have been vaccinated, though the motion discusses only childcare centres. The no jab no play policy is designed to pick up rates in the childcare years and, if it works, the numbers in schools will be in the safe zone for herd immunity.

In closing, I express my appreciation that we have reached an outcome today that is good for the territory's children and for all ACT residents, and we have done so in a bipartisan manner. Maintaining high levels of childhood vaccination in the territory and, indeed, increasing the rates of such vaccination whenever and however possible are essential public health measures. The unambiguous message that leaves the chamber this day will be that the ACT Legislative Assembly is united and firm in its absolute commitment to good public policy such as no jab no play.

For all of the reasons discussed earlier, it is crucial that we make this statement and do so clearly. Much, of course, remains to be done, but we on this side of the chamber will await the model legislation that will come back from COAG and other relevant meetings. I commend the motion as amended.

Question put:

That **Mr Rattenbury's** amendment to **Ms Fitzharris's** proposed amendment be agreed to.

The Assembly voted—

Ayes 2

Ms Le Couteur  
Mr Rattenbury

Noes 21

Mr Barr	Mrs Kikkert
Ms Berry	Ms Lawder
Ms Burch	Ms Lee
Ms Cheyne	Mr Milligan
Ms Cody	Ms Orr
Mr Coe	Mr Parton
Mr Doszpot	Mr Pettersson
Mrs Dunne	Mr Steel
Ms Fitzharris	Ms Stephen-Smith
Mr Gentleman	Mr Wall
Mr Hanson	

Question resolved in the negative.

**Ms Fitzharris's** amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **ACT Heritage Council assessments**

**MS LAWDER** (Brindabella) (4.44): I move:

That this Assembly:

(1) notes that:

- (a) the ACT Heritage Council make assessments on heritage listings;
- (b) the Heritage Council has a backlog of assessments;
- (c) at the end of the 2014-15 year 143 nominations were waiting to be assessed;
- (d) at the end of the 2015-16 year 136 nominations were waiting to be assessed—a decrease of only seven; and
- (e) as of the end of February, there were still 131 nominations—a decrease of only five; and

(2) calls on the ACT Government to:

- (a) prioritise clearing the backlog of the nomination register;
- (b) prioritise the nominations that have been on the register for extended periods of time;
- (c) make contact with the nominators for the assessments that have been waiting longer than 12 months and update them with how the application is progressing; and
- (d) report back to the Assembly by the end of August with an update.

I am pleased to bring this motion about ACT heritage listing assessment waiting periods to the attention of the Assembly today and I hope the government will support the intent of the motion.

The ACT heritage register lists those places and objects of heritage significance in the ACT. The ACT Heritage Council is an independent council that makes assessments on heritage listings. We were told by the relevant minister, Mr Gentleman, during annual report hearings recently, that there are currently 1.6 staff members who make these assessments and that there were 131 nominations still waiting for an assessment at the end of February 2017. Some of those nominations have been on the waiting list

for quite a long period of time, in fact, since this Labor government was first elected.

Heritage listing is an important part of managing change and keeping heritage places authentic, alive and useful for the ACT community. A listing gives public recognition to heritage places. Listing as a heritage place or precinct is a mark of community distinction; it recognises the special qualities of a place and can give owners improved access to heritage grants and architectural advice from ACT Heritage and the Heritage Advisory Service on how to make sympathetic changes if applicable.

It is important for us all to retain the old as we move into the new. It enables us to continue to enjoy our history. You could think of the Kingston powerhouse, which is where the Canberra Glassworks are now, or the transport depot, now the Old Bus Depot Markets, and how much we enjoy using those spaces. There are many other examples around the ACT. It is therefore imperative that applications for heritage listings be determined in a timely and efficient manner.

As I have already mentioned, there were 131 heritage nominations waiting for assessment as at the end of February this year. As at the end of the 2015-16 financial year, there were 136 nominations, so there has been a decrease of only five. Only five items in the backlog have been addressed. That is not necessarily counting new applications but, in the past eight months, there has been a decrease in the backlog of only five. In the prior 12 months, there was a decrease of only six. This backlog is stopping people from having certainty about their properties. Canberrans in many cases like to have some certainty so they can plan for the future.

To give one example, I have met with some people from Oaks Estate who have spent a good part of the past two decades waiting for a response from the Heritage Council about heritage listing. I personally do not have a view on the heritage value of any of those nominations; it is not my place to make those assessments. What I am talking about here is the process, and the process as it stands does not appear to be meeting the needs of Canberrans. The long waiting list is preventing people from Oaks Estate from being able to properly plan for the development of their property and their community.

It is happening to other people, not just people from Oaks Estate. In the past 29 years, the ACT government has conducted three assessments on the heritage value of nominations in Oaks Estate. The latest one was in 2013 by Philip Leeson Architects on behalf of the ACT environment and sustainable development directorate.

Philip Leeson Architects were the heritage advisory service contracted to the heritage unit and the Heritage Council. Their investigation found that Oaks Estate meets the thresholds for heritage significance as set out in sections 10(b), (c), (e), (f) and (h) of the ACT Heritage Act 2004. What we have here is the government's own contracted experts who have found that Oaks Estate meets the criteria for heritage protection on multiple fronts. Yet the government or the Heritage Council still have not made a decision.

In a letter to the Oaks Estate Progress Association on 1 March 2016, the chair of the ACT Heritage Council wrote that the precinct nomination had been considered a

priority for assessment since 2014. That is three years on the priority list and 14 years overall on the list. In this same letter, the chair stated that for a fee of \$10,000 the Oaks Estate nomination could be transferred to the urgent list.

You would have to start to question how seriously the government takes heritage issues in the ACT. While we appear to be a relatively youthful territory compared to some other areas in Australia, and certainly internationally, there is a rich and varied history here in Canberra that is worth preserving in some parts for our future generations. It relates to the way we have interacted and become the national capital. It relates to our earlier rural settlements as well as our Indigenous community.

In April—next month, Madam Deputy Speaker—the ACT will celebrate Heritage Week and the ACT Heritage Festival. Heritage Week, as I understand it, has been held in the ACT since 1981. It provides us all with an opportunity to further understand where we have come from and to define our identity based on our past. Heritage gives the community a sense of continuity and connection with the story of progress through time. It enables our journey to continue into the future.

As we head into Heritage Week next month, it is vital that the government acknowledge the important place that heritage plays here in Canberra and that places are given the respect that they deserve. There will be some nominations on the heritage list that will not gain heritage listing on the nomination list, but there may well be some that deserve recognition and placement on the heritage list.

We have an opportunity for the government to prove to the ACT community that it takes the issue of heritage protection seriously. That is why I have brought this motion to the Assembly today, asking the ACT government to prioritise clearing the backlog of the nomination register, to prioritise the nominations that have been on the register for extended periods of time, to make contact with nominators for the assessments that have been waiting for longer than 12 months and update them on how their nomination is progressing, and to report back to the Assembly by the end of August with an update.

Dealing with the backlog of nominations in a timely and efficient manner will go a long way to making sure that confidence in that ACT heritage program is maintained. It may be that circumstances have changed since some of those nominations were first made. They may no longer be valid. The people involved with them may have changed their minds. In some cases, the building itself may have been demolished while people were waiting for an assessment to be made. We need to see the list dealt with in a timely and efficient manner. Having something waiting on the list for 15 or 16 years just does not make good sense. If they are no longer valid nominations, they should be dealt with accordingly; just leaving them on the list does not make sense.

I am asking the government to do its part, to work with the Heritage Council, which the minister spoke about during annual report hearings, and to prioritise clearing the backlog of nominations so that the work of the Heritage Council can proceed as nominations are received. I commend the motion to the Assembly.

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (4.53): I thank Ms Lawder for bringing forward this important motion today. It is important, of course, to talk about heritage and how we can recognise it as we proceed with Canberra’s future. Canberra has inherited a rich cultural and natural heritage. Some of the assets in that heritage reflect our history and our community values as well.

The government recognises the significance of conserving our heritage while also building a vibrant and sustainable city into the future. The Heritage Act was passed in 2004. It provides for the recognition, registration, conservation and promotion of places and objects of natural and cultural significance, including of Aboriginal and historic significance.

Following a peer review and public consultation, an amended act was debated and passed on 25 September 2014. The amended legislation builds on the framework and achievements of the existing system and seeks to deliver a more strategic and transparent approach to heritage matters. It introduces a number of provisions to strengthen the existing framework for the recognition, protection and conservation of heritage places and objects in the ACT.

To complement the legislative reforms, a five-year heritage strategy and accompanying communications strategy is currently being developed to guide a strategic and proactive approach for the recognition, conservation and promotion of the ACT’s heritage into the future. As I said, it is appropriate to ensure that we keep as much heritage registered in the ACT as possible. In that context, I move the amendment circulated in my name to Ms Lawder’s motion:

Omit all words after “That this Assembly, substitute:

“(1) notes that:

- (a) the ACT, as with all jurisdictions, has a list of places and objects nominated to the Heritage Register that require further assessment against heritage significance criteria in order for the independent ACT Heritage Council to make decisions on registration;
- (b) the Heritage Council is passionate about Canberra’s heritage and has a strategy for addressing the list of places and objects nominated to the Heritage Register requiring assessment;
- (c) the Heritage Council has substantially reduced the nominations list. Since reaching a peak of 320 in 2008, the list of nominations is currently 131;
- (d) any member of the community can nominate a place or object to the Heritage Register, so the long list of nominations reflects the community interest in heritage matters; and
- (e) in some cases, nominations may be straightforward and can be easily assessed. In others, such as with precincts, a single nomination may take much longer to assess, due to the complexities involved; and

(2) calls on the ACT Government to:

- (a) continue providing administrative support to the independent Heritage Council to assist in the timely decision making of nominations;
- (b) request that the Heritage Council, where appropriate, prioritise nominations that have been waiting for assessment for an extended period of time;
- (c) make contact with the nominators for the assessments that have been on the list longer than 12 months and update them on how the application is progressing; and
- (d) report back to the Assembly by the end of August with an update.”.

All the amendment does really is reflect the governance, if you like, of the Heritage Council under government. Ms Lawder’s motion calls on the government to prioritise the clearing of the backlog of the nominations register when actually it is the Heritage Council that has the backlog. But, of course, we want to support them in doing that work.

In relation to the amendment, paragraph (a) refers to continuing to provide administrative support to the independent Heritage Council to assist in the timely decision-making of nominations. As I have previously committed in my recent amendments to the Heritage Act, addressing the list of nominations through the heritage register will continue to be afforded the highest priority to ensure that decisions are made to give certainty to the heritage status of nominated places and objects. Of course, that is what Ms Lawder just spoke to.

The Heritage Council has substantially reduced the list of nominations. Since reaching a peak of 320 in 2008, the list of nominations is currently 131. The government will continue to support and work closely with the independent Heritage Council, which is responsible for assessing nominations and making registration decisions on mechanisms for quickly reducing the list of nominations. Whilst the government is committed to reducing the nomination list, ultimately the decision on whether or not to register a place or object on the heritage register rests with the Heritage Council as the independent decision-making body.

The government demonstrates this commitment by having a range of Heritage Council functions delegated to the secretary—the manager of ACT Heritage—such as notifying registration decisions, provision of conservation advice and consultation with representative Aboriginal organisations to help facilitate registration process. This enables the Heritage Council to give more focus and resources to assessing nominations and making registration decisions.

However, I would like to take this opportunity to make the following comments about the complexity of dealing with lists of nominations awaiting assessments. The nomination list is not necessarily a reflection of the number of staff resources assigned to undertake heritage significant assessments. Matters are much more complex than

that. Long nomination lists are a common feature of heritage systems in all jurisdictions in Australia and internationally.

In the ACT any member of the community can nominate a place or object to the register. The long nomination list reflects strong community interest in heritage matters. As part of the recent amendments to the Heritage Act a number of models in use by other jurisdictions were explored in relation to nomination management. Essentially, two models of nomination management exist.

One model includes imposing a statutory time frame for the assessment of nominations and an annual limit of nominations accepted onto the heritage register. The other model is the status quo whereby anyone may nominate a place, there is no annual limit of nominations accepted onto the heritage register, there are no statutory time frames for assessment and, as such, nominations do not lapse.

The first model mentioned—the statutory time frames and annual limit imposed model—is a similar system to that used by the commonwealth and some other jurisdictions. Such nominations must be accepted for priority assessment under the act and can be considered for such acceptance in two consecutive years. After this time, if not accepted, nominations lapse. While this gives the appearance of a shorter nomination list, it is essentially a nomination management technique.

The government did not adopt this approach as it does not improve heritage outcomes and might actually have adverse consequences. A decision by the government not to place annual limits or statutory time frames on nominations, and as such have a longer nomination list, generally improved heritage conservation outcomes. While there is still the required assessment, nominated places and objects are protected under the act.

Provisions of both heritage and planning legislation establish a process where development proposals affecting nominated heritage places are referred to the Heritage Council for conservation advice. The Planning and Land Authority must often consider the Heritage Council's advice in determining whether or not to approve a development application.

Paragraph (b) of my amendment requests the Heritage Council, where appropriate, to prioritise nominations that have been waiting for assessment for an extended period of time. Every year, the independent Heritage Council determines an annual priority list of nominated places and objects to be assessed. At its first meeting this year, held on 9 February, the Heritage Council decided on its annual priority list for the year.

The government recognises that there are a number of nominations that are yet to be assessed but considers that the approach suggested by Ms Lawder—that being to prioritise assessment because of age of nomination—should not drive the Heritage Council's assessment process as it does not facilitate best practice heritage conservation outcomes for at-risk heritage places. Rather, the Heritage Council's priority afforded to the assessment of places and objects on the nomination list is guided by a strategic approach.

Priority is determined based on the following factors: nominations likely to affect development and land release programs; nominations affected by impending development threats; nominations that will address the thematic gap in the register; nominations that can be considered in the context of related themes, as assessing related nominations is more efficient to more comprehensively and expediently consider and compare related values; and removing duplicate nominations or nominations that are afforded protection and development control under other legislation such as the Tree Protection Act, the Nature Conservation Act and the commonwealth's environment and biodiversity protection act.

Additionally, other issues must be considered in determining priorities and staggering assessments and decisions, such as the risk of appeal and extensive consultation due to significant numbers of interested parties. These factors significantly divert resources and affect the Heritage Council's ability to make headway on the nomination list.

Under the act, the Heritage Council must also manage any urgent nomination applications or other priorities that may arise outside the identified priority themes during the course of the year. Applications may also be made to cancel or amend an existing registration.

For urgent nomination applications, once the application is made and the fee paid, under the act the Heritage Council must, as far as practicable, make a decision within 30 days for an individual place and within 60 working days for a precinct. In some cases, nominations may be straightforward and can be easily and quickly assessed. In others, such as with precincts which may contain, for example, up to 300 individual dwellings, a single nomination may take many months, or even years, to assess due to the increased complexities involved and the high number of interested parties that need to be consulted.

Another factor in assessing nominations is that the quality of information provided in older nominations made prior to the introduction of the current act contain limited or no information about potential heritage significance. The old act allowed nominations of multiple individual places and precincts to be accepted without an indication of their potential heritage significance.

In fact, nominations generally fall into four distinct groups. A small proportion are by individuals. The other three groups are more or less split evenly, being nominations from the National Trust ACT, the Institute of Architects or the Heritage Council itself. Assessment of these older nominations requires extensive research to be undertaken by the Heritage Council in the absence of the original nomination application providing this information.

Under the current act, a much higher level of information and an assessment against heritage significance criteria is required for a nomination application to be accepted by the Heritage Council. If the required level of information is not provided with a nomination application made under the current act, the Heritage Council has the provision to dismiss the application.

The Heritage Council must also balance the requirement to assess nominations with its other statutory reporting and advisory functions as prescribed under the act. This can, and frequently does, involve resource-intensive appeals on registration decisions to the ACT Civil and Administrative Tribunal, ACAT, and the Supreme Court.

While appeals on registration decisions reflect community interest in heritage matters, they, like urgent nomination applications, divert resources allocated to assessing the list of nominations. As part of the ACT government's commitment to transparency, fair decision-making and natural justice, many registration decisions can be appealed, including decisions to cancel, amend and register, or not, heritage places and objects. The ACT has the highest number of decisions that can be appealed and interested parties who may appeal them. In many jurisdictions the minister is the decision-maker, or has the call-in power, and no right of appeal exists.

As previously mentioned, ACAT appeals are resource intensive and divert resources allocated to assessments. Over the years, decisions of ACAT have set precedents that have meant that higher levels of research, information and assessment against the heritage significance criteria are now required by the Heritage Council.

The Heritage Council's ability to deal with the list of nominations is also constrained in that its members are part-time office holders. This is common across jurisdictions. To get the best quality Heritage Council members necessarily means that members often have other work commitments and, therefore, are not available full time as Heritage Council members.

In response to Ms Lawder's motion, paragraph (c) of my amendment proposes:

make contact with the nominators for the assessments that have been waiting longer than 12 months and update them with how the application is progressing.

One of the roles of ACT Heritage within EPSDD is to provide administrative and secretariat support to the independent Heritage Council, who are responsible for undertaking heritage significance assessments of nominations and making registration decisions. This includes notifying interested parties of decisions relating to nominations, assessment and registration. It also includes undertaking public consultation on private registration and final registration decisions.

Of course, heritage nominations affect a much wider range of interested parties and not just the nominator. Those parties could include the owner, occupier, lessee, architect, designer et cetera. Provisions for who must be notified and consulted with, the time frame and the method in which to notify and consult are determined under the Heritage Act.

ACT Heritage also informs other key interested groups, such as the National Trust, the Canberra and District Historical Society and the United Ngunnawal Elders Council, of decisions. For some nominations, such as precincts and places related to natural values, hundreds, and in some cases thousands, of interested parties must be notified at each stage of the decision-making process.

Finally, in the government's commitment to heritage and the Chief Minister's digital strategy I have recently committed funding for a much needed upgrade to the heritage database, which is a key management tool for the Heritage Council and ACT Heritage.

The upgrade will enable the system to deliver timely and accurate reporting and statistics on the heritage register; deliver heritage information to a web interface, including spatial information on the location of sites; deliver a system that interfaces with the government spatial database such as ACTMapi; improve the management of heritage registration processes; and improve notification to interested parties, including improving access and integration within the Commissioner for ACT Revenue's database, resulting in significant efficiencies.

Madam Speaker, as stated in the amendment to Ms Lawder's motion, we will report back to the Assembly by the end of August with that update.

**MS LE COUTEUR** (Murrumbidgee) (5.08): I will be voting for Minister Gentleman's amendment, although on almost all grounds I also support Ms Lawder's original motion. There is a lot in common between the two. I would have been very happy to support Ms Lawder's motion except that it was pointed out to me that the amendment clarifies an important point, that is, the Heritage Council is independent. I accept the minister's point that it is not appropriate for the Assembly to be calling upon the minister to tell the independent Heritage Council how it should do its work.

The other reasons I am prepared to support the amendment are because, apart from having very similar content, it also takes on two key points from Ms Lawder's motion, which is that the government makes contact with nominators who have been waiting for more than 12 months and that the government reports back to the Assembly by the end of August. It is really important that there is a date on all these things so that we know what is happening and that nominations do not continue to be in the never-never. I do not know really where they are, and that is the whole point of Ms Lawder's motion: we do not really know where they are.

I will mention another heritage nomination in a slightly different category which we do not really know what has happened to, that is, the inclusion of the central national area in the inner hills on the National Heritage List. I know this is a matter for federal and not ACT listing, but I asked questions about this as part of the annual report hearings and it would appear that the ACT is resisting or not supporting or not facilitating—whatever whatever negative words you want to use—this. Given our role as the planned, intended capital of Australia, the ACT should take this quite seriously.

A listing that is well done could protect the things that everybody in Australia, not just in the ACT, would see as the important parts of the ACT while still giving the ACT ample scope for development to meet the current needs of our community. That is a listing which has been held up for far too long. Clearly it is not part of Ms Lawder's motion or Minister Gentleman's amendment, but it is equally worthy of consideration and work by the ACT.

I agree with the sentiments put forward by Ms Lawder and Minister Gentleman that heritage is clearly something that is important to Canberra. As a young city we do not have that much heritage, and it is particularly important to preserve, as we have in many cases, some of our pre-national capital heritage. I love seeing St John's because there is just so little around that is actually old and human heritage in the ACT. Out in Namadgi some wonderful rock paintings have been preserved as heritage, and I think that is great.

Basically I effectively support both the motion and the amendment, and I will vote for the amendment.

**MS LAWDER** (Brindabella) (5.12), in reply: To close, it is fair to say there is a lot of commonality in what we have discussed today. I thank Minister Gentleman for his comments and his amendment and Ms Le Couteur for her comments on behalf of the Greens. There is a real desire to ensure that relevant and appropriate parts of our history are maintained for future generations.

It was interesting to see a bit of a hands-off approach in talking about the Heritage Council being independent when today we spent quite some time debating an issue that is determined by an independent federal body. Apparently it is not appropriate for us to direct the work of a local so-called independent body. It is an issue of heritage that Mr Gentleman was more than happy to take questions on and talk about during the annual report hearings, which is why I felt he was perhaps the best person to address my motion to today. I will quote from the hearings on 6 March when Mr Gentleman said:

As you are probably aware, there are 10 criteria that need to be looked at with each nomination, so it is quite an involved process. During that process we look at all aspects of heritage nomination. Indigenous aspects and architectural aspects of heritage nomination need to be looked through. Overarchingly, we are now receiving more nominations, and the amount of work involved in looking at each nomination is quite detailed.

Those comments led me to believe that Mr Gentleman would be in a position to ensure that what I have called for in this motion may be able to be addressed. However, I am quite willing to accept his comments today about the independent body and that the directorate provides the administrative and secretariat support to the Heritage Council. But I reiterate the comment made that the decision rests with the Heritage Council as the independent decision-making body—that is quoting pretty much verbatim what Mr Gentleman said—whereas in other areas those opposite do not appear willing to make that distinction about an independent decision-making body.

As I have said, heritage places bring the ACT's rich history into the spotlight. Heritage listings are not just about buildings; they are about landscapes, gardens, parks, farms, streets, towns, cemeteries, Aboriginal sites, archaeological relics, bridges, railway stations, churches, objects and natural places.

Almost two years ago to the week, this chamber last discussed the heritage listing of Oaks Estate. Our Chief Minister, Andrew Barr, stated that:

Undoubtedly, Oaks Estate has a long and storied history, and it is indeed a strong and proud community—an integral part of the ACT but one with a distinct identity of its own

Yet in the ensuing two years nothing has changed with respect to the heritage assessment for Oaks Estate, or at least nothing that is in the public realm that we have been made aware of.

At the beginning of this month, the minister stated:

It's vital that we work together to recognise, protect, conserve, and celebrate unique heritage for the ACT.

That is exactly what my motion is calling on today: that we have a plan and a commitment to heritage in the ACT, and we want the government to take heritage and heritage listings seriously. We acknowledged today, I believe, that there is a backlog of assessments and that perhaps additional resources are needed in this area. Heritage listing can bring greater certainty to people in the community about the changes that may take place to their areas or homes or buildings nearby and whether things will be sympathetic to identified heritage values.

With respect to the backlog of nominations, I bring to the Assembly's attention the story in the *Canberra Times* in January this year of some buildings that were demolished in Narrabundah while waiting for heritage assessment. The article states:

The Narrabundah community has lost its fight to save four brick duplexes from demolition but may yet see the destroyed homes heritage listed.

Workers took to the Boolimba Crescent double-storey buildings on Wednesday to make way for nine new public housing units.

The Old Narrabundah Community Council had pushed against the development arguing it was yet to hear back about the heritage status of the duplexes.

I am not in any way making a judgment about the heritage value of any particular buildings. So leaving that aside, a backlog like this for the Heritage Council will mean these types of instances can happen again and again. Whether those buildings deserved heritage listing is not up to me and not up to this Assembly, but we can try to ensure that things are addressed in a timely manner. The article goes on with some other points about some views that those duplexes had heritage value, but that is not the point here. The point is that we need to ensure that the Heritage Council can go about its work in the most efficient and effective manner to ensure the history remains for our future generations as is appropriate.

That is why I call on the government today to prioritise clearing the backlog and prioritise clearing the nominations that have been on the register for an extended

period of time. I take Minister Gentleman's point that the Heritage Council determine their work in a strategic manner and it is not necessarily by the oldest nomination. But it simply does not pass the pub test having something on the list for 15 years. Fifteen years waiting to hear about an assessment just does not make sense.

I will take on board Mr Gentleman's points and I thank Ms Le Couteur for her kind-of support—a bet both ways, I think. I will support Mr Gentleman's amendment, given that I must acknowledge that the Heritage Council is an independent body. I look forward to Mr Gentleman's report back to the Assembly by the end of August and I sincerely hope there will have been significant progress on reducing the number of nominations on the heritage assessment list by that time.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **Women's equality**

**MS CHEYNE** (Ginninderra) (5.20):

That this Assembly:

- (1) recognises the significant and critical contribution of women and girls to the cultural, social, political and economic fabric of the ACT;
- (2) acknowledges the need for continued commitment to further building the social, economic and political equality of women, noting that:
  - (a) the full-time average weekly earnings for a woman in the ACT are 11.5 percent less than that of a man in the ACT, and 16 percent less nationally;
  - (b) on average, Australian women retire with half of the superannuation of Australian men;
  - (c) 90 percent of adult victims of sexual assault are women;
  - (d) women are underrepresented in leadership positions across the Australian private, government and non-government sectors; and
  - (e) women are still more vulnerable than men in the areas of health, economic security, housing and safety outcomes; and
- (3) notes the sustained focus by the ACT Government to improve the status of women in the ACT over successive years, and it being a national leader by:
  - (a) actively participating in, and promoting, celebrations for International Women's Day, the United Nations Day for the Elimination of Violence Against Women, and the 16 Days of Activism Campaign;
  - (b) advocating against retrograde changes to Australian laws and policies that will unfairly impact women, such as cuts to penalty rates;

- (c) developing and delivering the ACT Women's Plan, and the first Action Plan 2017-2019, to improve outcomes for women and girls across the whole community;
- (d) establishing and maintaining the Office for Women as a central policy, strategic and coordination point for gender issues across the ACT Government;
- (e) providing additional funding for women's sport to encourage stronger participation, better infrastructure and setting new benchmarks for female representation on sporting group boards;
- (f) establishing the \$21.42 million Safer Families Program which will enable the biggest ever funding injection into programs and services that enable a holistic response to tackling domestic and family violence; and
- (g) contributing to the achievement, along with the other parties, of being the first majority-female parliament in Australia's history.

Labor is committed to the cause of gender equality. We recognise that inequality between the sexes is unfair, unjustified and in 2017 is unacceptable. Women and girls are pillars of our communities. They are qualified and capable in our workforces and they are indispensable voices in our governance structures. Unfortunately, this is often not reflected in the value we as a society place on women and their work.

We can begin to quantify the undervaluing of women if we look at the pay gap which is evident at every level of a woman's career. From her first job and at every stage of her career a woman will, on average, earn less than her male colleagues. The issue is exacerbated by the under-representation of women in leadership positions. It turns out that in 2017 you are more likely to be the CEO or chair of an ASX 200 company if your name is Peter, John or David than if you are a woman. Let me say that again: Peter, John or David. Those three male names are more likely to be CEO or chair of an ASX 200 company than any female names. It is 2017 and it is disgraceful.

The under-representation of women in full-time work and the lack of flexible working arrangements also mean that women are retiring with half the superannuation of men. The decision by the Fair Work Commission will further entrench this pay gap. Cutting penalty rates will disproportionately impact women in our community, who make up 55 per cent of the hospitality and retail industries. So not only do working conditions unfairly limit women to casual and part-time work in many circumstances, but those same women are now being financially penalised even further.

Socially and culturally, we are also still denied equality. Sexual and domestic violence statistics are staggering. Sadly, the numbers on their own cannot convey the tragedy of every woman who has felt the acute fear of violence, whether at the hand of a partner, from a stranger on a walk home at night or in countless other scenarios.

It is clear that achieving gender equality requires strong and broad commitment and leadership. The ACT government is proudly leading the way with a 10-year plan for women and gender equality in the ACT: the ACT women's plan 2016-26. The plan

sets out the ACT government's ongoing commitment to work in partnership with non-government organisations, business and the broader community towards gender equality for all ACT women.

The comprehensive plan covers health and wellbeing, access to stable and affordable housing, safety at home and in the community, economic security and leadership. The plan supports actions to remove barriers and enable women and girls to reach their potential, contribute to innovation and ideas and take up leadership positions. The plan is being implemented through a series of three-year action plans.

At the ACT women's awards on the eve of International Women's Day, the government launched the first action plan under the ACT women's plan. The first action plan supports the wellbeing of women and girls in our community through focusing on communities where women and girls are empowered and safe, and supporting gender equality in the ACT government. This includes work on culture, education, city planning, transport and policy development. Through the first action plan the ACT government is setting a positive example for the rest of the community and more widely for our counterparts in other states and territories and internationally.

On International Women's Day, which we recently celebrated, on 8 March, and on every other day of the year, for that matter, it is important to celebrate the social, economic, cultural and political achievements of women in our community. It is also a day for raising awareness of the struggle women continue to face in reaching gender equality. The ACT embraced this event with many International Women's Day events. For example, the United Nations Women National Committee Australia hosted a lunch celebration in Canberra. I attended the British High Commission and the Australian British Chamber of Commerce's breakfast event, with panel members discussing how they have been bold for change in their lives, and a number of multicultural and other community groups celebrated the day through gatherings and storytelling.

I also had the privilege of talking to the young women of Melba Copland Secondary School about how they can be bold for change as they complete their studies and make choices about their future careers.

As part of International Women's Day, women in our community were acknowledged for their contributions via the 2017 ACT women's awards. Marie-Louise Corkhill was named ACT woman of the year. Francesca Maclean, whom I spoke about yesterday, was named ACT young woman of the year, and Andrea Hotchkiss was named ACT senior woman of the year. These three women have demonstrated their long-term commitment to supporting women and girls in the ACT. They have each made an important contribution across a range of areas, including supporting vulnerable women, supporting women and girls' participation in active recreation and promoting gender equality in the traditionally male-dominated fields of science, technology, engineering and maths, or STEM.

The need for gender equality in STEM fields is particularly important because we know this is where the jobs are going to be globally; so it follows that this is where the money is going to be. If women are not in these fields, the gender pay gap will

only widen. I thank all members of the community for their enthusiasm and support for women in our community through the International Women's Day events.

The ACT government also recognises the central role of women in Canberra's multicultural community. At its very core, multiculturalism is about respecting and valuing difference. This includes differences of values, culture, religion and gender. Multiculturalism enriches the lives of all people and provides a rich diversity for our community to embrace and build on. Women in the multicultural community foster a sense of belonging which is particularly important for new people settling in Canberra and helps them to cope with a new society and to break down the barriers of social isolation. Belonging, respect and celebration help to support all people in leading productive and meaningful lives.

There are many groups which support women from culturally and linguistically diverse backgrounds, such as the ACT Muslim women's organisation, Initiatives For Women In Need, Support Asian Women's Friendship Association, ACT Chinese Women Cultural Association and the ACT Pacific Islands Women in the Capital. All of these groups received funding from the ACT government through the 2016-17 participation (multicultural) grants program.

The ACT government and the ACT community continue to work together in harmony to provide multicultural services for women. These services are responsive, fully accessible and, most importantly, target those who are most in need in our community. The ACT government recognises that women and girls from diverse backgrounds may need information and services that are tailored to their needs. This is articulated in the first action plan that I mentioned before, and it outlines a range of initiatives.

Women also make a valuable and significant contribution to the social fabric of our community, and this is an achievement of which we should be very proud. One important area in which women have continued to achieve is in sport and active recreation. The ACT recognises that there is a link between sport and social inclusion, and belonging. Under the first action plan the ACT government addresses the health needs of women and girls. Our government has also committed \$2.5 million in funding to women's sports.

Women in the ACT make a strong contribution to the economy, with 106,000 women over 15 years of age in the workforce in the ACT. However, despite this participation, women still earn 11.5 per cent less than a man in the ACT, and 16 per cent less nationally.

The gender pay gap means that women in our community are retiring with less superannuation and have fewer life savings. Nationally, on average, Australian women retire with half the superannuation of Australian men. Furthermore, a cut to penalty rates will exacerbate the gender pay gap and have a huge impact on women's lives. Women will be disproportionately impacted by the cuts to weekend penalty rates in the ACT, with 55 per cent of the affected people expected to be women. I do not need to remind this chamber that many women do not choose to do this work; they do it out of necessity.

When the number of women working part time is taken into account, the gender pay gap increases from 17 per cent nationally to 33 per cent. The opposition tried to argue yesterday and today that income security is not a matter for this Assembly. With this information presented so clearly to them, I challenge them to argue that position again.

The ACT government has a long history of recognising women and seeing women in leadership roles in our community. Indeed our first ACT Chief Minister, Rosemary Follett, was the first woman to be the head of any Australian state or territory, and we continue to celebrate that achievement. Since the ACT became a self-governing territory in 1989, the government has continued to have high numbers of women MLAs, women undertaking the role of Speaker and Deputy Speaker and a second female Chief Minister. We can now celebrate the achievement of being the first majority female parliament in Australia's history.

Women have made incredible progress in this jurisdiction, but we still have a long way to go. Although we have a majority in the Assembly, we need to keep working and not assume that because we have a majority of females in here, all voices of females in the community will be represented. We cannot assume that a female majority in parliament, indeed in this Assembly, is the new norm.

The ACT government has a long history of recognising women and seeing women in leadership roles in our community. We also have strong leadership credentials in the ACT public service, with women making up 42 per cent of executive positions. While these examples of women in significant leadership positions are to be celebrated, we know that women continue to be underrepresented in leadership roles across all sectors of the workforce and central decision-making positions across the country.

The ACT government is committed to maintaining the office for women as a central policy, strategic and coordination point for gender issues across the ACT government. Apart from developing the ACT women's plan and the first action plan, the office for women undertake many other duties to support women and gender equality in the community. These include delivering the ACT women's awards, administering a number of grant programs that are available to support women and promote gender equality, developing and implementing the ACT prevention of violence against women and children strategy 2011-17, and taking carriage of working with all directorates across government to develop action plans for each directorate to progress appropriate actions which support the prevention of violence against women in the ACT.

Gender inequality pervades every aspect of our society. It is absurd and baseless, but it is the case. As the government, we recognise how important the issue is and we are taking concrete steps towards gender equality. On that note, Madam Deputy Speaker, I seek leave to move the amendments that have been circulated in my name together.

Leave granted.

**MS CHEYNE:** I move the following amendments to the motion standing in my name:

(1) In paragraph (3)(f), omit “and”.

(2) Add:

- “(h) actively working to recruit, support and retain women in our Emergency Services, through targeted recruitment strategies and dedicated support programs;
- (i) recognising that the ACT Emergency Services Agency has a policy to provide, as is practicable, appropriate toilet facilities at fire staging areas for female firefighters, and that this policy will be monitored to ensure available resources are being used to their fullest extent;
- (j) working to establish prison industry employment opportunities for women and continuing to enhance training for women at the Alexander Maconochie Centre, along with essential rehabilitation and support courses; and
- (k) understanding the need for women to have privacy and security in breastfeeding rooms in public sector buildings, noting that the ACT has led the way in enabling breastfeeding friendly workplaces, and committing to actively assess a wider rollout of door locks, while taking into consideration the safety and security aspects of lockable doors in such spaces.”.

I will speak very briefly to the amendments. I would like to thank Mrs Jones for bringing the issues to light and for the opportunity to be able to put on the public record, by way of these amendments, that these are matters that we as a government are keen to keep working on. ACT Labor is committed to ensuring that women are provided with appropriate facilities for work and training that cater to their particular needs. We will need to work together to ensure that these issues are addressed for all women in the ACT. The amendments recognise that Labor is working to meet the needs of female firefighters and breast-feeding mothers in the ACT government. We are also working to establish prison industry employment opportunities for women and continuing to enhance training for women at the Alexander Maconochie Centre, along with essential rehabilitation and support courses.

I commend the amendments to my motion to the Assembly.

**MRS JONES** (Murrumbidgee) (5.35): I am really pleased to stand today and respond to my colleague’s significant motion on women, and I thank Ms Cheyne for the motion. Indeed, we have a great deal to celebrate in the ACT, and I acknowledge the tripartisan nature of the support. I guess we are learning to say “tri” instead of “bi”.

As the Minister for Women pointed out in her ministerial statement on the occasion of International Women’s Day 2017, the disparities across social, political and community spheres are glaring. These disparities are a stark reminder of the urgent

need to bed down gender equality and better outcomes for women. The women's plan is a really good start, and I think the minister is learning that my focus in this area is on very practical, very specific things we can do to improve the work experience of women. Equality of opportunity, access, security and independence is one of the main suggestions of the women's plan. It also includes freedom from any form of discrimination; understanding the intersection of gender with other factors, such as race, culture, disability, sexuality, experience of violence and economic status; working with women and men across government with non-government organisations, businesses and communities to achieve gender equality; diversity, where every woman is valued for her uniqueness; and all women and girls having the right to live safely and without fear. I commend the government for these aspirations. They lay a solid foundation for the office for women to advocate for women's needs.

I note that the Organisation for Economic Co-operation and Development, OECD, released a report earlier this year titled *Connecting people with jobs: key issues for raising labour market participation in Australia*. The report notes that the area in the Australian workforce with the greatest untapped potential is that of women, especially women with children. Women in the ACT have a vast array of underutilised skills which we could do with and which will contribute to their own and the whole community's benefit.

A number of issues have come to light with regard to women in the workforce in recent times. The first one I wish to raise in the Assembly is the lack of portable toilets for firefighters. It is a serious concern that women firefighters on the front line do not currently have the appropriate facilities to use to ensure their privacy and maintain their dignity. In this day and age it is not good enough that we would expect women to relieve themselves or change a tampon in the bushes.

Minister Gentleman said in the annual reports hearings—and I acknowledge and thank him for being here for this debate in the chamber:

We strive to ensure that we are doing the very best for gender balance in our emergency services.

The minister then went on to say:

In fact, this is why we have a strategic target for bringing more women into the service.

It was of particular concern, therefore, to hear from the head of the Emergency Services Agency during that annual report hearing that because the issue of portaloos had not been raised directly with him—which I contest anyway—he had no intention to resolve the issue. The head of the agency said:

You may have received representations from women in relation to seeking additional portaloos on the fire ground. I have not at this stage received any such request from women.

I was shocked that the head of an ACT government agency would approach a sensitive issue in this way. I understood that ACT government directorates have

champions and diversity officers, human resource managers and sections to provide a safe and secure environment for everyday employees who have less power than the head of service to raise concerns or issues that they experience. As I said at the hearings, I wonder how many other departments assume there are no issues if they are not raised with senior management. I think this is uncommon these days.

I hope this is not a regular answer in this day and age. Does the minister or head of service want a woman to knock on his door, sit down for a nice chat and say, “Excuse me, sir. May I have access to a toilet? I feel uncomfortable changing my tampon in the bushes.” When I asked the head of service if he could guarantee that portaloos would be available in the future, he said he was not sure.

I recently learned that setting up ablutions, which is another word for “toilets”, is a part of the ACT Rural Fire Service’s standard operating procedures under a document which I have here called “Establishment of a staging area”. I assume the same standard applies to Fire & Rescue. If not, why not? It says that identifying an area separate from but close to the staging area for catering, ablutions and other welfare services is a normal part of setting up a staging area. I hope that that will be paid more attention to as we go forward.

Throughout this whole exchange, the minister sat quietly in mutual agreement. Women have to fight for every appropriate respect and proper treatment. Minister Gentleman stands up here and gets in on every International Women’s Day and white ribbon day. And good on you. But when called out on this issue that he can fix, so far we have not seen a major change. It is a pretty breathtaking example of perhaps blindness. If they knew—if these people, the minister and his head of service, understood—how this situation strips women of dignity and leaves them vulnerable in the workplace, even operating purely out of self-interest, they would want to fix it.

How does this inability to guarantee match up with the ACT government’s women in emergency services strategy. The strategy includes an action framework. Strategies include identifying potential barriers to an inclusive and diverse workforce and developing initiatives that reduce or eliminate their impact on women; increasing staff awareness in relation to gender and stereotyping; and improving conflict resolution and complaint handling processes, including promoting a system of feedback to ensure that issues can be addressed proactively. Given that they are coming to me and not the minister or the ESA head, maybe there is an issue with that strategy and how it is being rolled out. It also promotes compliance with anti-discrimination legislation and policies. I note that this includes a focus on privacy and dignity.

While the strategy and procedures document is in alignment with the women’s plan, the minister’s inaction in the area and the attitude of the head of service is not. The view that he does not need to act unless the matter is directly raised by lower level female staff directly with him is not really acceptable.

I have calculated that to buy an additional 20 portaloos would cost \$16,000. The ESA budget is \$258 million. Surely we can find \$16,000 to buy a set of portaloos, put them in the area where all the staging area equipment is housed and have them taken out to fire grounds.

Another area of concern that has emerged in recent weeks is the women's accommodation at the AMC, the Alexander Maconochie Centre. The minister has admitted that there have been times when 32 women have been housed in an accommodation facility with 29 beds and they are then spilling out into other areas of the prison which, I want to clarify, he has made very clear are not male areas but, nonetheless, they are not built for purpose.

I also note that the government spent \$7 million expanding accommodation and work industry facilities for the men in the prison, yet failed at the time to consider and have a plan for the needs of women and their accommodation. That is not okay. How are these administrative decisions in alignment with the ACT women's plan?

I am confident that the Minister for Women would agree with me that these situations that have been highlighted reflect agencies currently not in alignment with the women's plan.

Lastly, let me address an area of interest to the many women in the ACT who choose to have children. I commend the ACT government over the last many years for leading the nation in providing breastfeeding rooms in ACT government departments. However, I understand that a number of these rooms have no lock on the door. One point which needs to be made very clearly—and any mother hearing this will understand—is that when one is breast pumping, one is semi-naked. For those who do not know, I have brought in a breast pump to show you.

**MADAM SPEAKER:** Mrs Jones—

**MRS JONES:** This is required in order to breast pump—

**MADAM SPEAKER:** Mrs Jones, please sit down.

**MRS JONES:** Can you stop the clock, please?

**MADAM SPEAKER:** Yes; please stop the clock. I have been very clear on this: props are not encouraged. I think you have made your point. I ask that you remove it, as I asked Mr Rattenbury to remove a prop before. Thank you, Mrs Jones.

**MRS JONES:** When one is breast pumping, one is half-naked. The pump attaches to the chest. Therefore, to have privacy assured, there has to be a lock on the door, as per any other personal ablutions where one is half-naked. If women are not confident of their privacy, they will be reluctant to breast pump. Given how the let-down works in the breast pumping physical reality, if a woman is nervous or stressed, it can affect milk let-down. Pumping is a more common experience in the workplace than breastfeeding a baby, because it allows women with less than six months of properly paid maternity leave to continue supplying breast milk to their babies after return to work if they leave them in some form of child care.

I therefore would like to go back to what the OECD said: young women are the group with the greatest untapped potential in Australia. How can we tap into this potential when we cannot guarantee the privacy and dignity of breast-pumping women?

What is the government's plan to ensure that all directorates are kept accountable to the women's plan? I will support anything that does this. I want to see women here in the ACT applying for jobs as police officers and firefighters without hesitating because of their gender. When I was young, I was an army reservist and it was an empowering experience. I want to see mothers confidently applying their skills in the workforce without fear of losing their jobs or experiencing too much stress and embarrassment because of their children and their personal sanitation needs. I want to see women in the prison having the opportunity to develop their skills in a wide variety of industries so they can gain the benefits of these upon their release into the community.

This government, I believe, or at least some members of it, want to be the most inclusive jurisdiction in the country. Yet when the prison was expanded, there was not initially a plan for equal opportunities for women in the programs that were being developed for the men. This government want to be the most welcoming jurisdiction in the country, yet some women are not catered for properly in our ACT government controlled workplaces.

I hope these issues will be resolved. I will welcome it if they are. I hope the government and the Greens will support the amendment that Ms Cheyne has moved. We will be supporting it. I commend the motion to the Assembly.

**MS LE COUTEUR** (Murrumbidgee) (5.46): I am pleased to stand today in support of this motion and also to be part of the first female majority parliament in Australia's history. The Greens, of course, also recognise the significant and critical contribution of women and girls to the cultural, social, political and economic fabric of the ACT. I am also pleased, of course, to support Ms Cheyne's amendments, which I think have been a very good take-up of Mrs Jones's proposed amendment. I think that the particular virtue of Mrs Jones's proposed amendment was to concentrate us on the real, practical, day-to-day issues which sometimes in the Assembly we probably lose sight of. I think that was a very valuable proposed amendment and it is great that the two sides worked together.

We know that women make up 52 per cent of both our community and our Assembly but we know that women are vastly underrepresented in many areas of civil society. This is not a Canberra phenomenon, an Australian phenomenon; it is a worldwide phenomenon. A recent report by Oxfam, which some people may have seen, suggested that eight men own the same wealth as the 3.6 billion people who make up the poorest half of humanity. That is an appalling statement. They are all men!

As Ms Cheyne mentioned in her speech, research shows that fewer large Australian companies are run by women than by men named John, Peter and David. Those straight, white, able-bodied men between the ages of 40 and 69 represent the majority of Australian leadership; yet they make up only 8.4 per cent of our population. The other thing on this note—and you probably all saw it this week—was that awkward photo of President Trump refusing to shake Angela Merkel's hand. That was news because the world's press was there.

All of the MLAs here now, with one exception, are women. Minister Gentleman may also have seen this but we have all seen this all the time: the female is the one who is ignored. If we work our way into the picture, then yes, we are included; but they were not quite sure what they were going to do with us because we were not quite part of the original plan.

It is not totally getting better. The number of women in key leadership positions has fallen in recent times, with only nine women CEOs and 10 women chairing boards of the top ASX 200 companies. Overall, only 24.79 per cent of board directors are women, with only 12.7 per cent of ASX boards having a gender target at all. Such disproportionate representation of men in key positions does a disservice to everybody: to organisations, shareholders, business community, Australia overall. We are missing out on the benefits that our 52 per cent of the population can provide. Having more women at the decision-making table makes sense, because women can bring a different point of view. As Albert Einstein said, we cannot solve problems by using the same kind of thinking that we used to create them.

It makes sense to ensure that we do capture the voice of women, because we are capturing our voices, observations, analysis and understanding of the world view, and we can influence outcomes. There is a pool of talent that is just not being fully tapped into. Diversity and gender balance are engines of innovation and the key to ensuring that the status quo shifts and affects meaningful change.

Looking at it financially, the business case for gender balance is rock solid. Research by Catalyst found that of the Fortune 500 companies in the US, the ones with the highest percentage of female corporate officers reported, on average, a 35 per cent higher return on equity and a 34 per cent higher return to shareholders than the companies which had the lowest proportions of female corporate officers. It makes sense to include more women. Striving for gender balance—and of course diversity as a whole, not just gender balance—is the right thing to do.

I would also note that the gender pay gap unfortunately appears to be increasing rather than decreasing, and we need to make sure there are deliberate initiatives to reduce this gap. In Australia the gender pay gap sits at 23 per cent, with men earning on average \$26,000 a year more than women. Sixty-nine per cent of men are employed full-time, compared to only 40.7 per cent of women, 16.3 per cent of CEOs are women and 28.5 per cent of key management personnel are women.

These depressing numbers highlight the inequities faced by women in Australia and across the globe, for that matter. We are often employed in low pay sectors, face high levels of discrimination in the workplace and take on a disproportionate amount of unpaid caring and thus find ourselves at the bottom of the pile.

I am told that on current trends it will take 170 years for women to be paid the same as men, and, I fear, all of us will not be around to see this. All of this results in women having less retirement savings and a significantly increased risk of insecure housing or in fact homelessness as they age. Older women are the fastest growing group of people experiencing homelessness or severe housing stress.

As was mentioned this morning in the current debate on cuts to penalty rates, this also disproportionately disadvantages women, because they are the majority of part-time workers in hospitality and retail, noting that the retail industry is the largest employer of women under 25. This persistent but subtle trend of economically poor treatment of women results in high level of disadvantage socially and economically.

We all know that there are disproportionate numbers of women who experience sexual assault and domestic violence. I commend the ACT government for its efforts in this regard. The ACT prevention of violence against women and children second implementation plan and the ACT women's place action plan are clear indications that these issues are being taken seriously. The plans outline the government's commitment to work in partnership with non-government organisations, business and the broader community towards gender equity.

The role of the office for women has been very useful in providing central policy, a strategic and coordination point for gender issues across government. Their support will continue to be invaluable, I am sure, in assisting the government to cast a gender lens across its policy, legislation and initiatives. The gender lens is another thing that the Greens managed to secure in the parliamentary agreement, to undertake disability and gender impact analysis as part of a triple bottom line assessment framework. This is particularly important because many policies impact differently on men's and women's lives, and this is because of economic, social and physical differences between men and women.

Policy and legislative consequences, both intended and unintended, often vary along gender lines. It is only through a gender analysis of policy that these differences become apparent so that solutions can be devised, such as some of the issues that Mrs Jones raised in her proposed amendment to the motion and in her speech. The risk in failing to do so is that public policy responses will not only perpetuate existing forms of oppression against women and limit women's and men's autonomy but will also potentially create new forms of gender oppression and undermine broader efforts to achieve equality.

We know that addressing issues of violence against women is intrinsically connected to society's attitudes to women and girls and intrinsically connected to the role of women in society. The World Health Organisation suggests that promoting gender equality is a critical part of gender prevention. Domestic and family violence and sexual assault are clearly gender crimes. Gender stereotyping, sex discrimination, unequal power relationships between men and women are significant factors contributing to the prevalence of violence against women and men. Traditional gender roles and attitudes, whether held by women or men, are associated with a greater acceptance of violence against women, while attitudes that support gender equality are associated with less violence.

What is trickier is changing how work which is often performed by women—the caring work, nursing, elderly care, disability support and child care—is valued in society. This is all people-based caring work. Possibly if we valued it more, we would end up with a happier society with more emphasis on people and how we get on with

each other, and less emphasis on things. On this note I suggest that we could possibly follow Bhutan and have a national happiness index rather than a GDP, and hopefully this would lead to happier people, more equal people and less stress on our environment and our planet.

But I think it is important to note that we need to hang onto our wins and ensure that we do not go backwards. I think this has been an excellent motion, because it is important to continue our resolve and remain focused on these issues, and understand the links between gender equity, reduction in violence against women, and a general increase in economic prosperity and happiness for the world.

In the spirit of the International Women's Day theme this year, we must be bold for change and we must work collectively across all political divides to ensure that gender equity gains are achieved, maintained and progressed. I am very pleased to be part of a tripartisan agreement on this motion.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (5.57): I would like to thank Ms Cheyne for this important motion and her amendment to the motion, which goes to some of the issues that Mrs Jones has raised in this place.

I want to start by acknowledging some of the work that Mr Rattenbury has done as well around supporting women and gender equity. It also gives me a chance to talk about Minister Gentleman. I think some of the comments that Mrs Jones made about Mr Gentleman were a little unfair. Mr Gentleman has been a sole parent, has worked in multiple jobs, having to depend on penalty rates to raise a family. His experience has, I think, led him to have greater empathy for some of the issues that women struggle with and go through. I have appreciated his support in this place, and acknowledge his role as a white ribbon ambassador. We need to encourage men and our colleagues in this place to stand up and talk about women and gender equity as well. For all of that change to occur, we all need to be leaders and advocates on this issue.

As I outlined in my ministerial statement yesterday, it is fundamental that we continue to make gains in the area of gender equality in the ACT, and certainly we have talked about it in the first couple of weeks of this new parliament, often every sitting week and every sitting day. I do not think a day goes by where women's issues are not discussed in some way, more than I have ever experienced before, and that is absolutely due to the fact that we have a majority of women elected to this Assembly. We know that the lens on issues that affect women is absolutely there because of more women being here. That is something that we should continue to celebrate and it is something that I really enjoy being part of.

All of these achievements highlight the importance and the value of all of us taking direct action, and this is something that the government has done through setting targets and mandating organisations to consult the office for women prior to board appointments being made.

*At 6 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 BERRY:** The achievements that we have made of 48 per cent of women on ACT government boards, however, contrast starkly to the persistent presence of violence that is perpetuated against women and children who live in the ACT. During the same time as we have made gains here in women's leadership and pay equity, the Domestic Violence Crisis Service and the Canberra Rape Crisis Service, providing our city's primary response in the area of domestic violence and sexual assault, have both seen a substantial increase in demand for their services.

We know that women who have been exposed to violence have a greater risk of homelessness and poverty and are at greater risk of developing a range of health problems. We also know that domestic violence has a significant negative impact on children and young people's behaviour, cognitive and emotional development, wellbeing and lifelong opportunities. The ACT government continues to work on policies and responses to raise awareness. However, it really all has to be an all-in solution. So it is great to see all of us supporting this motion today.

We are working hard to create a shared commitment across the community with business, sporting associations, educators and the media to address violence against women and children. Last year in the 2016 violence prevention awards we recognised individuals and groups from businesses, the media and the community groups' achievements in taking a stand to reduce violence against women in our community.

Ernst & Young received an award in the private sector award category for their work to organise ways in which the Canberra community can come together to provide in-kind assistance to those who have left abusive relationships. In the education category, sports professional Alan Tongue, a former Raiders captain, was recognised for his work for using his high profile in sport to educate and be a role model for young people, with a particular emphasis on assisting young men in developing positive behaviours and attitudes. Anyone who has seen Alan deliver his program will be in awe of his capacity to interact and connect with them and to deeply engage with young people that he has been working with. We need more people like Alan Tongue and more organisations like Ernst & Young to keep working on solutions for change.

There has been increased recognition that to make a substantial and lasting impact on addressing violence against women it is necessary to advance gender equality across the board, including addressing gender stereotyping, challenging discriminatory attitudes towards women and improving women's economic and housing security. In some cases it is as simple as having the nerve to stand up and say, "Well, that's not right and that's not acceptable behaviour," without expecting to be trolled, bullied or shamed in return. I believe that we can do this calling-out with respect but we must have the nerve to do it in the first place and we must stand with our sisters and brothers—and we do—when they have the courage to call it out.

All areas of ACT government are committed to contributing to the advancement of gender equality in the ACT. The first women's action plan sets out how each area of government will contribute to advancing gender equality and improving health and wellbeing outcomes for women and girls. Work in this area will include the establishment of a gender equity and education advisory group. To drive work in this area we are boosting funding to women's sports initiatives, we are developing gender impact statements for use across directorates, we will look at our procurement strategies with a view to ensuring companies who receive money from the ACT government have sound gender equity policies and practices.

The plan also sets out priorities in the area of better addressing women's health needs. Research will be conducted to identify emerging mental health issues for women and girls in the ACT. Recent research by Resilient Youth Australia has found that 25 per cent of girls and 21 per cent of boys feel anxious and under strain. Alarming, these levels shoot up to 69 per cent of girls in year 12. nearly double the rate of boys, at 36 per cent. We need to make a difference for young women in the ACT.

There will be a particular emphasis on understanding and meeting the diverse nature of women's needs and circumstances and the way factors of discrimination can multiply to create particular disadvantage for women. We need to take measures to counter this disadvantage. It is unacceptable in our city, where opportunities are available to many, that some women experience multiple and debilitating barriers.

We will work to increase the extent to which all women across the community can share these gains equally. We will host forums at least twice a year to ensure that we are heading in the right direction and to incorporate many perspectives into the planning and implementation of new programs. Activities to address gender-specific health, wellbeing and safety needs of women from diverse backgrounds will be undertaken, including the creation of targeted health promotion resources.

The ACT is leading the way in many indicators of gender equality. The ACT government will work with determination to translate our accomplishments in the area of gender equality to create a city in which violence against women is not tolerated and in which all women in the ACT are able to access opportunities equally.

**MS ORR** (Yerrabi) (6.05): I am pleased to support this important motion and I thank Ms Cheyne for moving it in the Assembly today. Since the last sitting of the Assembly I, along with many of my colleagues, celebrated International Women's Day. Each year, the day provides us with a chance to celebrate goals attained and victories won, but it also gives us an opportunity to review and evaluate what remains to be done for women in our society.

I would specifically like to highlight the economic disadvantage women face across Australia and here in the ACT. I note that there are many different kinds of families in our community. Same-sex couples, single parents, carers and extended families all create safe environments for their loved ones, with and without children. The family I grew up in, which fostered many children, is a testament to the diversity a family can take.

I also note that women's roles in our society are not confined to the home—our female majority parliament is a great example of this—but division of labour remains one of the major issues facing gender equality today. The 2011 census data shows that 60 per cent of Australian couples with children under 15 have a father who works full time and a mother who either works part time or not at all. However, the inverse of this statistic is that families with a mum who works full time and a dad who works part time or not at all make up only three per cent of Australian couples. Seventy-six per cent of full-time working dads have a partner who works part time or not at all. This partner conventionally does unpaid work looking after children, cleaning and preparing meals, and this partner is typically a woman. The work of women in the home is economically undervalued. This seems a pessimistic and regressive view to take, but it does describe part of the contribution many women make to the economic and social fabric of Canberra.

For the hours women spend doing paid work, the situation is equally dissatisfying, especially for the 81 per cent of single parents who are women. Australia's national pay gap currently sits at 16 per cent. That means that if you are a woman who works full time, on average you will do more than \$1 million in unpaid or underpaid work. Things fare slightly better for women in the ACT, who earn only 11.5 per cent less on average than their male counterparts. However, if you are a woman of colour, a transgender woman or a woman with disability, you can expect to earn even less.

Research done right here in the ACT at the University of Canberra's National Centre for Social and Economic Modelling means we are able to forecast the progress people are likely to make over their careers. A 25-year-old woman with a postgraduate qualification who works for 40 years is expected to earn \$2.49 million over her lifetime. This does not sound too bad until we find that a man exhibiting the same demographic characteristics can bet on earning \$3.78 million over the course of his career, which is an additional \$1.29 million than the woman who sat beside him in class.

Economic disadvantage is evident in the housing market, where women are disproportionately less likely to own their own home. They are more likely to be the subject of family violence and they are more likely to experience poverty. This demonstrates the cyclical and systemic nature of disadvantage.

The ACT government understands many women experience multiple disadvantages and how outcomes for health, safety, education, housing and economic prospects are often interconnected. Much of the economic strain on women is exacerbated at the end of their life. Without the pay rise associated with being male, women's super upon retirement is devastatingly low. With an average of half the superannuation of a man in retirement, women receive half of the security and half of the autonomy. Some of this can be attributed to time taken off to have children, but the current establishment exacerbates the already lower income of one gender for the preference of another.

For women with children, economic disadvantage compounds over their life course, starting with the pay gap, and becoming exacerbated through years with children and

into retirement. Superannuation on unpaid maternity leave is a crucial step in addressing this issue. Gender equity is about much more than pay. Here in Canberra public sector workers make up a third of the population, so addressing gender equity in the APS has to be a priority.

The federal public service has issued a gender equity strategy that looks to increase women's participation, which is now at more than 50 per cent, but more needs to be done to get women into senior positions. Thanks to the ACT Labor government's efforts, the gender pay gap in the ACT public service is only 3.6 per cent, and women are flowing into senior positions. Women make up 65 per cent of ACT public service employees, 41 per cent of senior executive positions and the majority of directors-general.

It was fantastic to hear the Minister for Women talk yesterday about the ACT women's plan and other ways the ACT Labor government is supporting women. The ACT women's plan focuses on outcomes for women with disability, Aboriginal and Torres Strait Islander women, women who are culturally and linguistically diverse, older women, women who are single parents and women who are socially isolated. These women contribute to every aspect of life in Canberra and deserve our support.

The safer families program, the women's information service and use of the ACT grants program are set to deliver on goals defined through consultation. The ACT government continues to seek out and fight gender inequality in all its forms. Great strides towards gender equality have been made in the past few years. Australia's first female Prime Minister, ACT exclusion zones, sex discrimination laws and paid parental leave have all been hard-fought successes for women. It is encouraging to see the ACT government continuing proactive work towards gender equality, and I look forward to seeing further progress made for ACT women.

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (6.11): I thank Ms Cheyne for bringing forward this important motion. I want to add my emphatic support to those who have already spoken to the motion today. It very clearly outlines the important contribution made by women and girls and reiterates the government's support to removing barriers to their full participation and success.

I would like to spend a couple of minutes directing my comments towards the contention in Mrs Jones's speech that the government does not provide, as a matter of course, portaloos facilities at fire staging areas once a significant fire has been established. The ACT government is always mindful of ensuring the personal comfort of our emergency services staff and volunteers while they are protecting the Canberra community. This is also an important consideration in removing barriers or disincentives to the participation of women in the ESA.

I can advise the Assembly that, contrary to Mrs Jones's statement, there is already an arrangement in place through the ESA Resource Centre to supply portaloos to the scene of emergency incidents. ACT Fire & Rescue also has three decontamination

Pods containing showers and toilets that can be deployed. The decision to set up portaloos or provide ablution facilities in addition to the facilities provided in staging areas is made by the on-site controller. In making this decision, the on-site controller takes into account matters such as the location, size, scale and complexity of the bushfire event and any facilities that are already available nearby. Typically, in the event of a bushfire, staging areas—that is, areas where crews are typically brought for briefing, tasking et cetera—are set up with the appropriate toilet facilities. The toilets are individual unisex toilets that have been appropriately fitted with sanitary requirements for male and female members.

In addition, the bush firefighting course conducted by the ACT Rural Fire Service provides training for all volunteer members and includes hygiene matters. Volunteers are reminded that when they are on standby, they need to be ready to respond at a moment's notice. In this regard each volunteer is required to have a kit bag ready with the items that they may require, and a roll of toilet paper is listed as an item a volunteer must have as part of their kit bag.

I have asked the ESA to look at the most recent feedback in relation to the availability of toilet facilities for women in the event of a bushfire and to ensure that all the resources available are being used to the fullest extent. I can advise the Assembly, however, that we cannot guarantee that portaloos or ablution facilities will be set up at every bushfire event.

Bushfires are dynamic situations that can cover large swathes of land and move rapidly, requiring the deployment of crews over large distances. It would be irresponsible to guarantee the provision of portaloos at every fire site. Based on feedback I have received from other volunteers, this is a view shared by others in the ESA.

Let me assure the Assembly that I am not dismissing the concerns of those who want to ensure that all possible barriers to women increasing their participation in our emergency services are removed. I share those concerns. Furthermore, as a matter of good operational practice, the ESA is always willing to hear comments and feedback from staff and volunteers. In fact, I direct the Assembly's attention to the fact that the ESA has recently held four comprehensive roundtables to discuss a broad range of issues with staff and volunteers.

The ACT Emergency Services Agency is a leader in Australia in its work to attract more women into emergency services roles and to ensure that the best people thrive, regardless of their gender. I will continue to work closely with the ESA to work through all issues of importance to women and ensure they are appropriately addressed.

**MS CHEYNE** (Ginninderra) (6.16), in reply: Members today have heard about the significant work that ACT Labor is doing to ensure women and girls in our community are treated as equals in the economic, social and political spheres. We know that this is a complex issue, so we are tackling it from many angles. We recognise the importance of celebration and recognition to support social change, as

demonstrated by our active participation in a number of local and international events that promote women's rights.

We recognise the need for government, private business, NGOs and the broader community to work together against inequality. So we have developed the women's plan and the first action plan which set out how we can work in partnership to take targeted and practical steps towards equality. We recognise the impact that family violence has on women's wellbeing, social participation and work. We have established the safer families program to strengthen the government's holistic response to family violence.

We recognise how important women's sport is to promote community empowerment and health. We are supporting many programs that encourage women to get involved in sport, create pathways to elite level playing, and to ensure that women are better represented on sports boards.

We are also working to ensure women are provided with appropriate facilities for work and training that cater to their particular needs. Carers rooms are provided in all major ACT public service workplaces. There may also be dedicated areas for nursing mothers and, where there are smaller tenancies, an appropriate facility is identified within the local precinct. Carers rooms are separate from first-aid rooms but are multipurpose, including for breastfeeding and expressing if there is not a separate facility for these purposes. We recognise the importance of privacy for nursing mothers and for carers and, as a minimum, there should be clear signage indicating whether or not the room is in use.

As existing facilities are refurbished and new facilities are fitted out, locks for carers rooms and nursing rooms are being considered, subject to risk assessments to determine the security and privacy provisions for users. Further to this, a review is underway to go about fitting locks to existing facilities.

We also know that women are unfairly impacted by the Fair Work Commission's decision to cut penalty rates for hospitality and retail workers. That is why we made a submission to the federal government against this misguided decision and continue to advocate against it. Unfortunately, the opposition today and yesterday still seem not to be able to comprehend the impact that this decision will have on many women in Canberra who are working to make ends meet. Ms Le Couteur flagged before that in the Assembly we sometimes do not concentrate on the real, practical issues. I can assure those in this Assembly that the pay gap is a real, practical issue that has practical ramifications for women in the ACT and across the country.

Even if we were to adjust for the demands of motherhood and for part-time work, we still have a pay gap. Men are paid more for no reason other than being male. As a case in point—to finish—a USA study found that, as the proportion of male nurses increased in the USA, a gender pay gap actually emerged. By 2011, female nurses were earning 16 per cent less than their male colleagues.

We still have a long way to go to achieve gender equality, but ACT Labor recognises the issues, and we are not resting. We will continue to act to promote gender equality.

We, as a government—and I think today it is clear as an Assembly—will and should continue to add all our voices to this so that we can all benefit from the full and fair participation of our women and our girls in our community. I commend the motion, as amended, to the Assembly.

Amendments agreed to.

Original question, as amended, resolved in the affirmative.

## **Adjournment**

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

That the Assembly do now adjourn.

## **Brumbies rugby union team**

**MR COE** (Yerrabi—Leader of the Opposition) (6.20): I rise this evening to speak in support of Australia's premier rugby union team, the Brumbies. I believe my remarks tonight are timely amid the ongoing speculation that Super Rugby's governing body, SANZAAR, is seeking to remove an Australian team from the competition, and there is some speculation that the Brumbies could be that team. Canberrans must not allow this to happen. Tonight I am pleased to commit the support of the Canberra Liberals to keeping the Brumbies in Super Rugby and keeping the Brumbies in Canberra.

The history of rugby union in our region goes back to the 1800s. In 1899 the British Lions opened their Australian tour with a match in Goulburn. The first meeting of the Federal Capital Territory Rugby Union was held in 1937. Fast-forward to 1995, and off the back of a solid season from the Canberra Kookaburras in the New South Wales rugby premierships, the Brumbies were formed as the third Australian provincial team to compete in the new Super 12 competition from 1996. The Brumbies made the final in 1997, 2000, 2002 and 2013, and were champions in 2001 and 2004. The Brumbies' involvement in Super Rugby has been with considerable success and has put Canberra on the international rugby map.

Today the Brumbies face a new challenge. Canberrans love the Brumbies, and we need to show our support for the team. The Brumbies are part of our city's modern identity, and they continue to make a strong social, cultural and economic contribution to our city.

I commend the players, staff, board and broader rugby community for what they do for Canberra, and indeed for the sport. In particular, I acknowledge the coach, Stephen Larkham; joint captains, Sam Carter and Christian Lealiifano; chief executive, Phil Thomson; chairman, Robert Kennedy; and president, Bob Brown.

As we always have, Canberrans must get behind the Brumbies, just like the Brumbies have got behind Canberra. I wish the team all the best for 2017 and look forward to many more seasons and many more premierships ahead.

**Mr Steve Posselt**  
**Climate change**

**MR STEEL** (Murrumbidgee) (6.23): On Saturday, 25 February it was great to attend the kayak to Canberra climate change petition welcome rally at the West Basin at Lake Burley Griffin. It was a welcome event for Steve Posselt, who is an Australian engineer, environmental activist and climate campaigner who has paddled thousands of kilometres around the world for climate change awareness and to urge governments to recognise the importance of climate change action.

Steve recently paddled 1,150 kilometres from Ballina on the New South Wales north coast to Moruya. He then transported his kayak 180 kilometres to Canberra by land, collecting signatures for his petition along the way. The petition was launched to urge the Australian parliament to declare a climate emergency and to initiate climate action. The petition was launched on June 2016 with the support of Nobel Laureate Professor Peter Doherty and Ian Dunlop, former chair of the Australian Coal Association. On Saturday, Steve delivered the petition, with 18,000 signatures, to Pat Conroy, Labor member and shadow assistant minister for climate change. It calls upon the government to recognise that action on climate change is crucial and that we need to mobilise our resources to combat climate change.

The event raised the important issue of Australia working towards cutting greenhouse gas emissions. We committed to that following the Paris climate talks, but the ACT is recognised as a national and international leader on renewable energy, and we have been at the forefront of addressing climate change as a city of clean energy and innovation.

The ACT already has one of the lowest emission rates in Australia, and the ACT government is committed to further reducing emissions, with the most ambitious greenhouse gas reduction targets of any jurisdiction in Australia. Most notably, the ACT government has legislated for a 100 per cent renewable energy target by 2020 and zero net emissions by 2050. By 2020 the ACT will also be reducing its total emissions by 40 per cent comparative to our emission levels in 1990. This will see a transition into the use of more renewable energy sources.

The ACT government has also set up the Climate Change Council, which was established in 2011 under the Climate Change and Greenhouse Gas Reduction Act 2010. The council consults organisations and businesses regarding climate change and provides annual reports on the ACT government's progress on meeting these goals. The Climate Change Council was also a strong proponent for our 100 per cent renewable energy target.

In order to properly address climate change, there must be a collaborative effort from subnational groups and organisations. The ACT government is setting an example for our nation to pave the way in creating an innovative and sustainable climate policy framework for Australia and the world. This event was a fantastic opportunity to acknowledge the climate change petition, to showcase the leadership that the

ACT government has demonstrated and to show and renew the government's continued support for addressing climate change nationally.

I would like to extend my thanks to Steve Posselt and everyone who attended the event, which raised important awareness of the climate emergency that we face as a nation and as a jurisdiction here in the ACT.

### **Tjillari Justice Aboriginal Corporation**

**MR MILLIGAN** (Yerrabi) (6.27): I would like to bring to the attention of the Assembly the plight of the Tjillari Justice Aboriginal Corporation, one of the many organisations with limited income who have relied heavily on SHOUT and their services. With reference to the disappointing result from today's motion, I would like to highlight the wonderful work of just one of the organisations that have used the SHOUT premises for meetings and training facilities. This is yet another organisation that is going to have great difficulty in continuing to operate without them.

Tjillari Justice Aboriginal Corporation exists to reduce the number of children transitioning from parental incarceration into the juvenile justice system and on to adult offending. A not-for-profit organisation, it has been wholly dependent on self-generating funds and the generous support of others through grants and donations. One of those donations has come from the United States, yet this organisation that does so much good work cannot get support from our own ACT government.

There is a significant problem in Australia. Each year more than 80,000 children experience the trauma and stress of having a parent in the Australian justice system. Of these, it is estimated that 70 per cent will go on to become juvenile offenders, and more than 85 per cent of these will also become adult offenders. The recent COAG closing the gap report states that in the ACT 19.4 per cent of these prisoners are Indigenous, and that that number is growing. Research has also shown that the toxic stress and repeated trauma of having a parent in prison has a significant effect on the development of the brain of young children, leading to offending behaviour as young people and graduating to adult offending.

Tjillari justice is working to break this cycle of intergenerational crime by working with vulnerable families and offering them support for the psychological, social and educational needs of children with a parent in the justice system. They work to empower parents, carers, foster parents, grandparents, teachers and members of the community using proven, neurologically based, therapeutic approaches designed to break the cycle of intergenerational offending.

There is a significant gap in the ACT in relation to the support of offenders' children and families. These families, and the children, who are most vulnerable, do not receive support unless they are already in the care and protection system. Yet the aim of the Tjillari system is to keep these children out of the system and in the care of their community.

Tjillari justice was begun in 2014, but since its foundation it has not had any government support or funding. In fact, for the past four years this hardy band of

volunteer workers has worked tirelessly to support the needs of the Aboriginal community in this area but cannot even get a meeting with the minister for Indigenous affairs to discuss their needs, vision and aspirations. They need offices, they need access to meeting spaces, and they need a more regular source of funding, which could be drawn from the small grants program which the Labor government promised to establish on being re-elected.

Tjillari justice does not work in isolation, working in partnership with Marymead and, until the recent closure, utilising the services of SHOUT. We would like to commend this organisation to the Assembly and hope that by bringing its needs to its attention it will find the support it needs to continue its excellent work.

Question resolved in the affirmative.

**The Assembly adjourned at 6.31 pm.**