



# Debates

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## **Wednesday, 20 March 2019**

**MADAM SPEAKER** (Ms J Burch) took the chair at 10 am, made a formal recognition that the Assembly was meeting on the lands of the traditional custodians, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

### **Reference to members Statement by Speaker**

**MADAM SPEAKER:** Members, Mrs Dunne yesterday after question time raised a point of order concerning what sanctions are available for members who persistently call a member by a particular name. I remind members that standing orders 54 and 55 state:

#### **Offensive words**

54. A Member may not use offensive words against the Assembly or any Member thereof or against any member of the judiciary.

#### **Personal reflections**

55. All imputations of improper motives and all personal reflections on Members shall be considered highly disorderly.

Standing order 56 provides:

When the attention of the Speaker is drawn to words used, the Speaker shall determine whether or not they are offensive or disorderly.

I also remind members that the companion states:

Until the Assembly otherwise directs, Members should not use the Member's Christian name, given name or versions thereof when referring to another Member. A Member may refer to a Member by title, such as Minister, Chief Minister, or Leader of the Opposition, or may use the prefix Mr, Mrs or Ms. Where a Member is entitled to use a substantive military, academic or professional title, this title will be used if the Member so wishes. A Member may also be referred to as the Member for his or her electorate.

That is somewhat difficult in a multi-member electorate.

I ask that members bear in mind both the standing orders and the extract from the companion that I read out in referring to all other MLAs. Of course, members will, in the cut and thrust of debate, criticise other members, but this must be done in an orderly way. A continual breach of this standing order or practice, if it is continually abused, may require the chair to issue a warning.

## **Crimes (Anti-Consorting) Amendment Bill 2019**

Debate resumed from 20 February 2019, on motion by **Mr Hanson**:

That this bill be agreed to in principle.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (10.03): This government is unequivocally and firmly committed to keeping Canberrans safe. Violence has no place in our city, and this government has been diligent and determined in pursuing new laws and new resources for our police to ensure that all Canberrans feel safe and are safe.

Today's debate between the Canberra Liberals and the government is not one fundamentally about goals. We agree that keeping Canberrans safe is vital. But, unlike the opposition, we cannot pretend to make promises about safety and then not worry about their connection with reality. In government we make decisions about how to prevent crime based on evidence. On examination of the evidence, it is clear that the bill before the Assembly will not contribute anything to making Canberrans safer. We will never adopt ineffective legislation just for the sake of a headline.

This government's promise to Canberra is that we will support our police and criminal justice system in ways that are practical and proven to prevent crime and keep our community safe. That is why we will continue to work with police, with prosecutors and with our courts to ensure that they have the tools they need to uncover and prosecute organised crime.

The bill before us today was introduced off the back of years of scaremongering by the Canberra Liberals. They have done their best to politicise responses to organised crime by making promises about safety. But those promises simply do not stack up on an examination of the evidence.

In introducing this bill, Mr Hanson made the claim that Canberra is a haven for bikies. His evidence for this claim is a list of media headlines which he continually and mistakenly referred to as "facts". He and the Canberra Liberals have repeatedly seized on those headlines to call for legislation that will not do anything to prevent the incidents that they are talking about.

Promising safety is not the same as delivering safety, and scaremongering will not deliver safety. Unfortunately facts do not seem to worry the opposition when it comes to this topic. We cannot just quote headlines or, even worse, aim to make headlines to effectively stop crime. We have to look at the evidence available. I will provide examples from experts on crime and voices from our community.

Associate Professor Mark Lauchs from the Queensland University of Technology described these laws as not a solution to street violence "because it still happens in jurisdictions where anti-consorting laws already exist". Former senior police officer and Bond University criminologist Dr Terry Goldsworthy said that anti-consorting had become "political window dressing". And that is what the Canberra Liberals are offering today: ineffective political point-scoring. It is gutter politics at its worst, and it offers no real solutions to tackle organised crime.

These expert opinions are borne out in ACT statistics. ACT outlaw bikie gang membership numbers have remained relatively stable in recent years. In recent years

we have seen a change in the make-up of bikie gangs in the ACT, with members patching over to other clubs, or changing their colours, but overall the numbers have remained relatively the same. We also have low numbers proportionally, compared with other jurisdictions, with around 60 patched members in the ACT in comparison to more than 4,700 across the country. As was stated yesterday in this place, this is a lower number of criminal gang members per 100,000 of population than in any state with anti-consorting laws.

The problems with anti-consorting legislation go beyond its effectiveness at preventing organised crime. There is a significant risk of unintended consequences. In New South Wales similar legislation has proven to disproportionately affect vulnerable groups such as Aboriginals and Torres Strait Islanders and homeless people. In fact the first person convicted under the New South Wales version of this law was not a bikie at all. He was a 21-year-old man with intellectual disabilities and no bikie connections. He was charged for taking a number of shopping trips with other people who had convictions.

The New South Wales Ombudsman reported in 2016 on the significant unintended consequences these laws can have. We must be mindful of that evidence. We need to respect and protect the basic human rights of everyone. Human rights are not something that you can just choose to apply to some people and not to others.

Mr Hanson had clear advice from the Human Rights Commission on the reasons why this bill is not compatible with human rights when it was introduced, though I note that he did not choose to draw this to the attention of the Assembly. I assume that, as on other occasions, the Canberra Liberals have decided that those reasons were simply inconvenient truths and therefore not worth mentioning. But those reasons echo the findings from New South Wales and concerns already expressed in our community about disproportionate impacts on vulnerable people.

As a government we remain committed to ensuring that our rights and our safety are both protected. Of course taking a human rights approach to organised and serious crime does not mean that we are soft on crime. The government has delivered a number of legislative measures, including anti-fortification laws, stronger crime scene powers for police and a new offence with stronger penalties for drive-by shootings.

In addition to the new legislation we have delivered, it is important to note that here in the ACT we already have laws that prohibit association with certain people. Under the Bail Act, conditions can be imposed to put limitations on bail that prohibit people charged with crimes from associating with others. For people convicted of crimes, a non-association and place restriction order, or NAPRO, can be part of the sentence or part of parole. Those orders act as a deterrent for the offender to associate with people who will increase their chances of recidivism, including other criminal gang members. These legislative measures, coupled with over \$7 million in funding for Taskforce Nemesis since 2016, demonstrate that the ACT government is serious about disrupting the activities of criminal gangs in the territory.

Our legislative and resourcing efforts are showing strong results. In the past 12 months alone, ACT Policing has laid 78 charges against 29 criminal gang members

and executed 101 search warrants. The results demonstrate that the government is effectively dealing with criminal gangs. And, in line with our evidence-based approach, we are targeting proceeds of crime. Last year \$980,000 was appropriated for the Office of the ACT Director of Public Prosecutions to boost their ability to seize criminal assets. We have also publicly committed to the introduction of unexplained wealth laws. The aim of these laws is to detect and deter crime by following the money trail and chasing down assets associated with criminal activities. The laws directly target the financial motivations behind organised crime.

Our work in government to protect Canberrans has been robust, responsible and, most of all, focused on achieving real-world results. It is all too easy for members of the opposition to promise that new laws will end gangs in Canberra and stop all shootings. But no jurisdiction governed by any party with any police force can responsibly promise that. Again, the sad reality is that the Canberra Liberals have long since given up on relying on making responsible promises

This government will not play politics with people's fear. Neither will we be drawn on our engagement with police officers, whom we are proud of and work to support, by the mere fact that another jurisdiction has tried a new law. We will continue to engage with police, with experts and with our community on a principled and evidenced-based approach to crime. That is how we will keep up our success in disrupting, preventing, and enforcing laws against organised crime.

Mr Hanson's legislation will not deliver safety. It is transparently motivated by the sensational and heavily politicised headlines that he has quoted in introducing it, and it only offers more headlines in response. As a responsible government we are opposing this bill because the evidence shows that it will be ineffective. As a progressive government we will continue to oppose scaremongering as a means of shaping public policy. And as a government delivering on its promises we will keep pursuing an evidence-based approach to help keep Canberra safe.

**MR RATTENBURY** (Kurrajong) (10.13): The ACT Greens are concerned about the activities of outlaw motorcycle gangs, or OMCGs, in Canberra. However, our focus has been on implementing responses that have a lasting impact. To date, our research and analysis have found that anti-consorting laws are not an effective or appropriate tool for combatting this criminal activity.

Criminal gangs continue to affect all jurisdictions in Australia, and no state or territory legislation has eliminated organised crime. Furthermore, anti-consorting laws in other jurisdictions have been used to disproportionately target vulnerable members of our society. For these reasons we will not be supporting Mr Hanson's bill.

The bill will make it an offence for a person over the age of 14 years to consort in person or by other means on at least two occasions with each of two or more named offenders who have been convicted of an indictable offence after being given a warning either orally or in writing by a police officer in relation to those offenders. Warnings issued by the police to a person under the age of 18 will expire after six months while warnings issued to other persons will expire after two years. The

offence carries a maximum penalty of three years imprisonment, a \$24,000 fine or 150 penalty units or both.

A range of exceptions to a charge of consorting will apply whereby the court must disregard consorting in certain situations if it was reasonable in the circumstances. Provision is also made for the ACT Ombudsman to review and report on the operation of the legislation after two years.

Our primary concern with anti-consorting laws and similar legislative responses in other jurisdictions is their disproportionate impact on vulnerable members of our society. Mr Hanson has been very clear about his bill being based on the anti-consorting legislative regime in New South Wales. A New South Wales Ombudsman review into those laws found that they were disproportionality used to target vulnerable groups not affiliated with organised crime, particularly Aboriginal and Torres Strait Islander people, people experiencing homelessness, and children and young people.

I know members in this place are very concerned about the over-representation of Aboriginal and Torres Strait Islander people in our justice system. Members have heard me speak about this on numerous occasions, and I know that this is something the Canberra Liberals are concerned about as well given their recent policy launches.

The over-representation of Aboriginal people in our criminal justice statistics creates a substantially increased risk that they will become subject to anti-consorting laws. The New South Wales Ombudsman found that around four out of every 10 Aboriginal men will fall within the definition of a convicted offender—40 per cent—and any person who associates with these men could be issued with a warning for consorting. The Ombudsman further found that 37 per cent of all people subject to the consorting law during the review period were Aboriginal. Half of the women issued with warnings or charged under the legislation and 60 per cent of children and young people were identified as Aboriginal.

Anti-consorting laws are put into perspective by looking at the first individual charged under the New South Wales anti-consorting legislation, about which the attorney spoke about earlier. He was not a member of an unlawful motorcycle gang; he was a young man with an intellectual disability charged while out shopping with friends and sentenced to nine months jail. Fortunately the conviction was later overturned.

Anti-consorting laws are contrary to the types of freedoms we expect as a society, particularly freedom of association. The laws criminalise people associating with one another, and that even includes phoning or emailing, before they have committed a crime. The crime is the association.

They are certainly not helpful for helping people with criminal convictions who want to reintegrate into society. Remember that anti-consorting laws do not just apply to people with convictions associating with other people with convictions; they can be used to prevent anyone, with a conviction or not, from associating with a person with a conviction. So much for the idea of, for example, people with convictions joining

sporting teams or clubs or engaging in society in other ways that may actually be rehabilitative.

The breadth of anti-consorting laws is of significant concern as it means that the main constraint on their application is the exercise of discretion by police. The New South Wales Ombudsman found anti-consorting laws were used in relation to a broad range of offending, including minor and nuisance offending.

As noted by the Standing Committee on Justice and Community Safety in its scrutiny report released by Mrs Jones on 12 March—just a couple of days ago—Mr Hanson’s bill prohibits a person from consorting with a person convicted of an indictable offence irrespective of whether the offence has any connection to organised criminal activity or whether it is related to intimidating, harassing or violent conduct. There is also no limit on how long ago the offence may have been committed.

Back to the New South Wales circumstances, unfortunately the Ombudsman found an exceptionally high police error rate particularly in relation to the laws being used against children and young people. The Ombudsman’s report further found that consorting warnings were given that breached the privacy of convicted offenders by disclosing their convictions to others. It said that most of the official warnings that police issued about consorting with a person aged 17 or less were actually unlawful.

It said that mostly the laws were not used to address issues connected to serious and organised crime. For me, that is the guts of it. For me these are laws that have great media headlines but do not do the job they claim to do. That is the very core of why we cannot support them in this place.

The New South Wales Ombudsman made a number of recommendations regarding the New South Wales anti-consorting laws to increase the fairness of these laws and to mitigate unintended consequences of their operation. Unfortunately, only some of these were implemented by the New South Wales government.

The New South Wales Ombudsman considered that absent these changes being made it was likely that the New South Wales consorting laws will continue to be used to address policing issues not connected to serious and organised crime and criminal gangs and in a manner that may impact unfairly on disadvantaged and vulnerable people in our community.

These comments are equally applicable to Mr Hanson’s bill as it has failed to take into account the legitimate concerns of the New South Wales Ombudsman in relation to anti-consorting laws. The Greens are concerned that Mr Hanson’s bill does not have sufficient legislative safeguards to prevent these powers from being misused.

The bill gives police a broadly unfettered discretion which we have seen misused in New South Wales with respect to vulnerable groups, and I have seen no evidence that the operation of anti-consorting laws in the ACT would be different from New South Wales. It is disappointing that Mr Hanson has not taken on board the findings of the New South Wales Ombudsman, the Legislative Assembly’s own scrutiny committee, and the ACT Human Rights Commission.



In addition to the perverse impact these laws have on vulnerable groups, there are serious doubts regarding the effectiveness of anti-consorting laws in disrupting OMCG activities. The Canberra Liberals claim that this piece of legislation will prevent OMCG activities in Canberra and even prevent bikies from assembling together in Canberra. However, Nomads life member and retired bikie Mohammed “Moudi” Tadjour, recently told the ABC that anti-consorting laws will not stop OMCG-related activities. He said that regarding the actual criminals on the streets of this country, it did not change—

**Mr Hanson:** Your advice comes from bikies?

**MADAM SPEAKER:** Mr Hanson, you will have your chance in the debate.

**MR RATTENBURY:** I think it is relevant to reflect on people who have some lived experience in this space and the likely impacts of these laws.

**Mr Hanson:** Your expert advice is bikies.

**MADAM SPEAKER:** Mr Hanson, enough. It is too early in the day to be giving you a warning but, please, no more.

**MR RATTENBURY:** Mr Hanson, of course, is using his preferred method of interrelating with people in this chamber, which is just to heckle, belittle, and mock when, in fact, he will have a perfect opportunity in a short time when he will have 15 to 20 minutes to speak. I am sure he will continue with his commentary then, but the fact that he needs to do it while other people are speaking is symptomatic of the style of conduct he brings to this chamber and the standards he thinks are right for this chamber.

This team constantly give us feedback about the concerns they have about bullying in schools, yet they are demonstrating in this chamber the exact behaviour they complain about that takes place in schools and other places. The rank hypocrisy of that is absolutely stunning, and I am sick and tired of it.

I am sick and tired of the double standard that the Canberra Liberals bring to this place, their complete inability to reflect on their own conduct and the inconsistency of the approach they take to their own behaviour. I was quoting from an article that ran on the ABC on Sunday night. It also ran online. It carried the observation from those who have been involved in these activities that they would not find these laws a barrier to their own activities. They do not actually see these laws as a problem. The quote was that in respect of:

... the actual criminals on the streets of this country, it didn't change a single thing ... I don't see no sophisticated organised criminals getting on their phone, going out in public, and talking about crimes ... They're doing it secretly, so nothing's changed in the aspect of ... organised crime.

Mr Hanson can interject and mock that I am taking my advice from criminals. I take my advice from serious research, but I think it is interesting to reflect on the fact that

the people he thinks he is targeting think that these laws will make no difference. They are saying, “We don’t give a damn.” That is the very point of my observation.

His comments about the effectiveness of anti-consorting laws have been backed by academics, including Bond University criminologist Dr Terry Goldsworthy. Professor Goldsworthy said that anti-consorting had become “political window-dressing” that actually led to lazy policing policy. He has noted that in Queensland more than 1,000 notices had been issued in relation to anti-consorting laws, yet only three people had been charged. He went on to say:

Whenever the bikies play up its good to out and we’ve issued 1,000 consorting notices, but ... what does that actually mean? How is that restricting criminal enterprise? How is that restricting those engaged in serious organised crime? You really never get an answer to that.

That is the question we are asking today. Mr Hanson is asking us to support these laws when there is clear evidence that they do not have the impact he is claiming they will have. The Greens believe that the recent measures taken by the government are the right sort of policy options for effective targeting of OMCG-related activity. These were developed in consultation with ACT Policing and in response to specific incidents where police identified gaps in their ability to investigate and disrupt OMCG activity.

Last year, the Assembly passed the Crimes (Police Powers and Firearms Offence) Amendment Bill 2017. That legislation creates a new offence to capture drive-by shootings. This new offence will better target situations where a person shoots at a building, including homes and businesses. Previously, it had been difficult to prove an offence where shootings were aimed at empty buildings.

This new offence will capture OMCG activity where drive-by shootings are often done to intimidate or terrorise members of rival gangs. This bill has also given police new powers to secure a crime scene. This will enable police to enter a crime scene to secure evidence and to prevent any evidence from being destroyed or removed from a scene.

The government has also introduced a fortification removal scheme in the ACT, similar to those in operation in other jurisdictions in Australia. Across Australia, including in the territory, law enforcement authorities have come across numerous examples of outlaw motorcycle gangs and other criminal groups using fortifications to prevent police from entering a premise, including when the police had obtained a search warrant.

This measure was introduced in response to a specific incident when ACT Policing identified an OMCG clubhouse that was fortified with heavy steel doors preventing access to the clubhouse using traditional methods of forced entry. It is now also an offence to fortify premises where a person knows that the premises are connected to a fortification offence and intends that the fortification will prevent the uninvited entry to the premises or part of the premises.

The government, of course, has also given extra resources to the Director of Public Prosecutions to handle confiscation of criminal asset matters. Confiscation of assets deprives criminal gangs of the financial means and incentives to engage in crime. Recently, residential properties, vehicles and cash have been forfeited to the territory as part of enforcement activity designed to disrupt OMCG-related activity. These laws, and other existing police powers, have resulted in a significant number of arrests and charges, with 17 detainees at the AMC currently believed to be patched members, nominees, former members or associates of outlaw motorcycle gangs.

Of course, there has also been the additional resourcing for policing, which I am sure Minister Gentleman will speak to. But these resources for Task Force Nemesis will be more effective in combatting OMCG activity, and more effective than I believe the false promises of Mr Hanson, as contained in this bill, can be.

The Attorney has given the figures on the numbers of arrests we have seen. The number of search warrants indicate that police have significant powers to intervene. The additional resources and the additional measures, such as working with the DPP, are I think the sorts of measures that we need to see that are actually proving to be effective, are actually resulting in disruption of activities.

The position the Greens have adopted for some time now is that we are unwilling to support legislation that criminalises people for whom they associate with, and that instead we should target the offending behaviour. This is a principle that we will continue to keep in mind when considering legislation that targets OMCG activity so that there are no unintended consequences. We are open to new initiatives but they must be effective and must seek to avoid the sort of perverse outcomes that we have seen in New South Wales.

**MS CODY** (Murrumbidgee) (10.28): Today, once again, we see the Liberals' answer to organised crime. I will not speak for long. My colleagues Mr Ramsay and Mr Rattenbury have already covered off most of what should be said. But I also will not speak for long because no means no. I taught my sons that. It works in all kinds of contexts. I will just briefly remind Mr Hanson why no is still no and will still be a no, no matter how many times he asks.

As Mr Rattenbury remarked, the scrutiny report can help in explaining why I am a hard no on anti-consorting laws. The scrutiny committee reports that the consequences of this law will fall particularly hard on Aboriginal and Torres Strait Islander people, young people and marginalised people. Yes, Mr Hanson's answer to organised crime is ordering the cops to be bigots and to target kids and the disabled. By contrast, Mr Ramsay and Mr Gentleman are running a criminal justice system that is focused on crime, not just the nearest young Indigenous child who cannot defend themselves.

ACT Policing deserve great praise for their campaigning against racism and discrimination of all kinds. ACT Policing's achievements in working with our multicultural communities to ensure that everyone in our community is safe and feels safe, no matter what their religion, is commendable. They also deserve great praise for

the success of Operation Nemesis. We do not have more bikies in town. The gangs have been split up, their organisation disrupted, and more and more of their members are facing charges or are already in jail.

That is how it should be. It is succeeding. Congratulations to ACT Policing and everyone in our criminal justice system for doing an excellent job fighting organised crime. Praise also to Mr Gentleman and Mr Ramsay for their leadership. And, Mr Hanson: yeah, nah; not a chance.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement, Minister for Urban Renewal) (10.31): I also rise to make a brief contribution to oppose Mr Hanson's Crimes (Anti-Consorting) Amendment Bill. The Canberra Liberals do have a silver bullet mindset across so many areas, but this is one of the clearest. As in so many places, the Liberals see complexity as an inconvenience and continue to perpetuate the myth that outlaw motorcycle gangs and organised crime would simply disappear from our community if only these laws were passed. This is not true. This is not what the evidence tells us.

Fundamentally, as the Attorney-General and Minister Rattenbury have already explained, anti-consorting laws would not only breach the human rights that we seek to protect as a human rights jurisdiction but, most importantly, they would also not work. They are not effective and they are not evidence based.

By contrast, others have noted the significant impact of both resourcing provided to Task Force Nemesis and the additional measures this government has undertaken to address outlaw motorcycle gangs and organised crime in the ACT, and the significant impact that those arrangements have had. Others have also already noted that interstate we have seen the misuse of anti-consorting laws and the targeting of vulnerable groups of people, including Aboriginal people and people with a disability.

The review by the New South Wales Ombudsman into the use of anti-consorting laws introduced in that jurisdiction detailed the use of the consorting law in relation to disadvantaged and vulnerable people, including Aboriginal people, people experiencing homelessness, and children and young people.

In addition, this review found an exceptionally high police error rate when issuing consorting warnings in relation to children and young people. Demographic analysis of the consorting data included in the report revealed high use of the consorting laws in relation to Aboriginal people. The report found that 38 per cent of people issued with official warnings under the legislation were Aboriginal, despite accounting for only 2.5 per cent of the New South Wales population.

The report highlights a number of case studies to illustrate just how the laws have been misused against vulnerable groups. I would highlight the case study of E as just one example. As the report sets out, E is a young person who accesses the youth service regularly. In his teens, E was hit by a train and acquired a brain injury. Among other effects, the acquired brain injury resulted in limited impulse control. E has been

homeless since the age of 13 and, given his tendency to occupy public areas, has had regular contact with police.

In some instances, this contact led to charges, including resisting arrest and offensive language charges. E was issued with several consorting warnings for associating with his peers in public areas such as the local mall. After receiving these warning, he would become upset and confused, stating that he had not committed any crime and that he lives with the people he had been warned about consorting with.

The appropriateness of issuing consorting warnings in these circumstances was raised by youth service staff at an integrated case management panel meeting involving Corrective Services New South Wales, police, Juvenile Justice and New South Wales Housing, and attended by the commander of the local area command.

Madam Speaker, we are committed to the development of a disability justice strategy in this government. I am absolutely committed to ensuring that our justice system becomes a fairer and more accessible system for people with a disability, not a less fair and more punitive system for people with a disability through the introduction of ineffective laws that risk further targeting and further penalising people who already have difficulty engaging with the justice system and who we already know are over-represented in their interactions with police and corrective services.

In his review of the laws, Professor John McMillan stated that the anti-consorting laws introduced to declare outlaw motorcycle gangs illegal criminal organisations had failed. He said:

We have concluded that the Act does not provide police with a viable mechanism to tackle criminal organisations, and is unlikely to ever be able to be used effectively.

The ombudsman recommended that the laws in New South Wales be repealed but also outlined how they had failed in Queensland and South Australia, and lain fallow in Western Australia and the Northern Territory. Yet here we are debating a bill to implement measures that are proven to have failed where they already exist.

Winnunga Nimmityjah Aboriginal Health and Community Services chief executive, Julie Tongs, has publicly expressed concern that, as in New South Wales, if anti-consorting laws were to be introduced in the ACT they would be used to target Aboriginal people, the homeless and young people. Ms Tongs said:

You can't just have blanket legislation impacting on the vulnerable ...

She went on to say:

A lot of Aboriginal people are already targeted by the police, so it just gives them another avenue to arrest people.

Minister Rattenbury has already talked about the over-representation of Aboriginal and Torres Strait Islander people in our justice system, another unacceptable fact that

we, as a government, are committed to addressing but which this law will do nothing to support.

While the work initiated by the former chief police officer has gone some way to building better understanding between our police force and Aboriginal and Torres Strait Islander Canberrans, the fact remains that we need to do more to build this relationship and cultural competence rather than erode it with the introduction of this type of law.

Madam Speaker, in the face of the evidence from other jurisdictions, the bill before us can at best be seen as lazy policy. The simple fact is that there is no simple solution to address violence and organised crime in our community. On this side of the chamber, we are committed to a safe community and have invested in our police and justice systems accordingly. But we are also committed to action that is based on evidence.

**MR WALL** (Brindabella) (10.38): I rise today in support of the bill brought to us by Mr Hanson. I applaud his and his office's work on this very important piece of legislation.

I stand here today representing the residents of Tuggeranong, where, alarmingly, the statistics tell us the majority of the outlaw motorcycle gang related crime is occurring. Calwell, Gowrie, Kambah, Richardson, Gordon, Theodore and Isabella Plains have all seen some pretty terrifying crime over recent years. We have heard about drive-by shootings and firebombed cars and even seen the very alarming vision of an all-out gunfight and brawl in Calwell. All of this has been confirmed to be a result of escalating rival gang warfare and related to bikie gang activity playing out the streets of our suburbs.

When we see headlines such as, "Bikie violence surges", "Children in houses where shots fired" or "More shootings across the suburbs", as a community we are alarmed. But when these events are happening in your street or in your suburb this alarm turns into terror. I have heard from a number of Tuggeranong residents who tell me that they are fearful that this crime is happening in their backyard. At the same time they express complete dismay that seemingly nothing is being done about it.

As Mr Hanson said in his presentation speech, this legislation is not a matter of politics or ideology; it is a response to a cold, hard reality and has a basis in fact. The fact is that this bikie gang related criminal behaviour has escalated in the ACT since the introduction of anti-consorting laws across the border in New South Wales. We have become a safe haven for these criminal gangs. Something needs to be done. This is not scaremongering. Outlaw bikie gang activity is worsening, and the danger to the general public is ever increasing. A bikie war is being waged on our doorsteps.

As far as members of the public can see, the priorities of this government are all wrong. The fact that this government refuses to accept the need for anti-consorting laws or additional powers such as these is just plain irresponsible. That is also the view expressed to me time and time again by constituents who are having to live among this violence: residents of Tuggeranong who are forced to accept this kind of lawlessness in their streets on an all too frequent basis.

I will quote from a couple of emails I have received in recent times. One constituent says:

... it makes no sense for the ACT to be an island of refuge for OMGs coming in from interstate. What possible reason can there be not to immediately adopt NSW anti-consorting legislation (complete and unmodified) in the ACT? Does our government have some sort of inferiority complex where they're afraid of "copying someone else's work"; or do they think they know better? Their inaction is a decision in its own right.

Another constituent writes:

Why are outlaw motorcycle gangs setting up in Tuggeranong? Is it because the ACT lacks the legislation that is in place in NSW? What is the ACT Government doing about it? As a Tuggeranong resident I can't help but think that we are low down on the ... Government's priorities. Having one party in power for so long results in corruption and complacency. When will the people of Canberra wake up?!?

Another resident has written:

Does it take someone to be killed before they do anything? If you want to commit crime come to Canberra.

Since my being elected to the Assembly in 2012, a consistent theme coming through when I speak with residents has been a perceived lack of a police presence in Tuggeranong. Many constituents are critical of what they see as the failure of the Labor-Greens government to adequately resource our police. In addition to the increasing feeling of being consistently neglected and overlooked as a region, the increase in outlaw biker gang activity in Tuggeranong suburbs adds a whole new level to this sentiment.

I quote from another resident:

I used to walk my dogs around my suburb after work but I won't do that anymore in winter because it is dark and we walk in some lonely areas and I've seen seriously dodgy groups of people hanging around. There is also the perception that no one in government really cares if Tuggers has a crime problem anyway.

These are the words of constituents whom those members for Brindabella represent. This is how they feel, based on what is happening around them. Their perception is sadly becoming the reality.

The most frustrating thing about this situation is that there is a solution at hand. Mr Hanson has done the work and brought a considered solution to this place. He is aware of the implications of not enacting anti-consorting laws similar to those that were introduced in New South Wales back in 2009. And he has been consistent, as has the opposition, in his vocal approach ever since.

What has happened and indeed is happening right now in our suburbs is unacceptable. We needed this legislation in 2009. We desperately need this legislation now. By voting against the introduction of these laws, clearly the Labor and Greens members of this place are showing just how stubborn and irresponsible they are all willing to be while in power. What will it take for them to take action? My fear is that it will take a death or, even worse, multiple deaths, before this government is embarrassed into taking action. These tragedies could be avoidable. We simply cannot sit back and wait for that to happen.

We accept that there are no silver bullet solutions in dealing with criminal gangs. However, every possible option should be enacted to give our courts and our law enforcement officers every chance of beating this problem. Again I commend Mr Hanson for his work and consistency on this real and present danger to our community. I urge those opposite to consider their position on this. Consider how tenable it is in the long term if this issue does not rectify itself.

We continue to hear from those opposite that the number of gang members in the ACT has not increased. But you only need to talk to community groups who work with some of the most vulnerable in our community, like Indigenous service providers who are dealing with kids coming through the AMC. They tell stories of young kids from their communities being drafted into perpetrating some atrocious crimes on behalf of motorcycle gangs. The membership is not increasing; they are not patching them over. But they are using standover tactics. They are leaning on these individuals who are vulnerable, who are susceptible, to commit the crimes on their behalf. The numbers that are portrayed here are only touching the surface of those who are actually being drawn into the ever-continuing and escalating bikie war.

We keep hearing arguments about the human rights implications and that we need to protect everyone's human rights. What about the human rights of the innocent bystander? What about the human rights of the children who are part of the families who are having their homes shot up? The question we all need to be asking is: how do we balance the human rights of the perpetrator and the victim? It seems that in this instance the perpetrator is getting more protection than they deserve or than they are entitled to. If you want to commit crimes—shoot people—you deserve the full strength of the law. I do not think anyone in the community thinks that there should be a defence for those kinds of actions or any excuse for not implementing every legal avenue possible.

This is a polarising issue, it seems, for the Canberra community as they head towards the next election between parties of government that do not want to enact harder laws, resource our courts and resource our front-line police officers with every option and every resource that could possibly be put at their disposal, versus the Canberra Liberals' position, which is very clear that this kind of violence, these kinds of behaviours, in our community are not acceptable and that everything should be done to stop them.

**MRS JONES** (Murrumbidgee) (10.47): I stand to speak in support of the anti-consorting amendment bill moved by Mr Hanson. With the role and



responsibility of shadow minister for policing in this place, but also as the wife of someone who has gone overseas to serve Australia in uniform, I have a strong understanding and appreciation of the risks our front-line serving men and women undertake on our behalf.

I feel very strongly about the government's lack of backing for their police force. I have a great deal of concern right now at the disregard being shown by this government to the requests of those who serve us in uniform, who do not come to work in a nice, safe indoor office as we do, who do not go home when it gets dark as we do, who put on a uniform and give their everything for us day in and day out.

Canberra is now experiencing armed thugs on a regular basis on our streets. Just think about that for a moment. There are people with guns shooting at each other and at homes, torching cars and spreading violence on a regular basis in our city. Over the last year or two this problem has developed into a situation where there is a bikie-related incident every week and a shooting almost once a month. It is a disgrace. This government must make it stop. It is not good enough.

We have presented this bill here today to do this. ACT Policing and the Australian Federal Police Association have made it abundantly clear that they want anti-consorting laws. That is an indisputable fact. They have stated clearly that this is what they need and want. Former CPO Saunders said it. Even the current CPO has said that they are part of the toolkit they need. The AFPA has come out and said that the troops need and want them.

But the minister would rather rely on the opinion of a Queensland academic studying violence with OMCGs who says that violence with OMCGs will still happen. But will it happen weekly? Will there be a monthly shooting if these laws are enacted? I doubt it very much. Talk about selective use of information, as the minister likes to. How clear can the police be? I would trust the front-line officers who face criminals eye to eye every day on the powers that they need, over a Queensland academic. This minister and this government are failing the police, and they know it.

The minister described our voicing of these desires of the police and of those impacted by this terrorism on our streets as a scare campaign yesterday. What an embarrassment, what an absolutely useless tactic, to accuse us of a scare campaign. We are not running the scare campaign; the criminal bikie gangs are running the scare campaign. And this government refuses to stop them.

There are known and committed criminals walking our streets at night with loaded weapons, and these weapons are being fired. There is a battle. There has been and continues to be hostility, conflict and intimidation, in Kambah, Theodore, Waramanga, Gowrie, Stirling, Chisholm, Kaleen, Gordon, Fisher, Isabella Plains, Calwell, Page, Chifley, Harrison, Theodore and Ngunnawal in the past two years. The residents of these suburbs know very well what is going on and they are no longer listening to the excuses from this minister.

Keeping citizens safe is one of the most fundamental responsibilities of government. Responding to crime and giving people the confidence that government will not let our streets become a literal battle zone is a fundamental basic of government.

The government responds, “We have Taskforce Nemesis and we are locking them up.” Good. There are eight full-time members, to my knowledge, and about \$1.8 million per year is spent on the task force. Fortunately for the minister this unit is filled with brave and committed members of our police force. They work day and night to disrupt the actions of OMCG members whose intent is their own criminal success, no matter the price that others in Canberra pay. Yes, there have been a number of arrests and some of our bikies are in our prison. This would be a success story if it were having an impact on stopping the bokie war on our streets. But it is not. The numbers continue. The attacks continue at a fairly regular rate.

Mr Rattenbury refers to comments of the scrutiny committee. If Mr Rattenbury read the entire section, he would see that the scrutiny committee says that its opinions relied upon for the commentary in that report were based upon the New South Wales law before the New South Wales government amended their laws. This bill is based on those amended laws, so Mr Rattenbury needs to have a think about that. Mr Rattenbury also quoted someone who talked about “police laziness”. I absolutely refute that there is any issue with police laziness. Our police go out each and every day and work a whole lot harder than we do in here.

Ms Stephen-Smith referred to Aboriginal people being affected by these laws. These laws specifically exclude kinship ties in the use of these laws. So maybe Ms Stephen-Smith needs to read at least the exposure statement to the whole bill.

The only thing proven to have failed is this government. The balance is wrong, and the public knows it. We have 75 fewer police officers now than we had 10 years ago, yet the population has increased by some large amount. The police know that the government does not back them properly. That is why they themselves continue to seek anti-consorting laws.

The whole idea that we justify not taking further action because there is a task force making arrests and working like crazy with insufficient powers is like sending an electrician to do a job while the power is on. It is like expecting construction workers to work without safety equipment and, when they are going at it and achieving something, the supervisor standing back and saying, “It’s all fine. They’re achieving something.” Sending your police force to do a job with half the powers they need and want is irresponsible and no justification at all.

As soon as one violent criminal is locked up, he is replaced with another. What about firefighters? We know that the fires in Canberra have been called to car fires not even knowing that they are driving into the middle of a bokie attack. I have been told by members of the force that that has happened. We are failing our front-line operators.

We in the opposition will not stand by. We will not just wait for you to have an epiphany and suddenly realise that your response is completely and obviously inadequate. I urge you to support these anti-consorting laws to finally tackle the bokie war in our streets and to actually have an impact on the number of events that are occurring.

**MR GENTLEMAN** (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (10.55): I want to once again thank and congratulate ACT Policing on the work that they do. Through Taskforce Nemesis, ACT Policing continues to proactively disrupt criminal gang members, to deter and detect criminal activity. This includes the confiscation of criminal assets.

Serious and organised crime is not limited to openly identifiable criminal gangs, and ACT police will continue to proactively target, prosecute and disrupt those involved in serious and organised crime in the ACT, regardless of their individual affiliations. ACT Policing has deployed resources flexibly, and will continue to do so, to ensure an appropriate police response to target and disrupt those seeking to cause harm in our community.

In the government's 2018-19 budget we made a commitment of \$1.594 million over four years to bolster the capability of Taskforce Nemesis. It provides one forensic accountant, a surveillance team member and associated equipment and training. These funded positions will enhance ACT Policing's capability to respond to serious and organised criminal activity in the ACT. Mrs Jones mentioned this figure and said that she looked forward to supporting it. Unfortunately, the Canberra Liberals voted against the budget that supported ACT Policing.

*Opposition members interjecting—*

**MR GENTLEMAN:** Mrs Jones laughs across the chamber. Mr Hanson interrupts. When we talk about supporting police, we support them both through resource funding opportunity and also in different legislation, as I rolled out yesterday. If Mrs Jones wants to think that she is supporting police, she can stand up in this place and vote for the funding that we provide for ACT Policing.

I would also like to note Mr Wall's comments about numbers. There has been a lot of discussion about bikie numbers in the past. I am very pleased that Mr Wall said, "The numbers have not recently changed." They remain the same, Madam Assistant Speaker. Some of the arguments that we have heard have now been refuted by Mr Wall.

Police have established a whole-of-government inter-agency working group, with representatives from a number of local and commonwealth government agencies, to consider all aspects of criminal gang behaviour in the ACT. The group is based on the commonwealth national anti-gang squad model that brings a whole-of-government approach to addressing the issue. Members of the working group include ACT Policing, ACT Housing, the New South Wales police, the Australian Border Force, the Australian Criminal Intelligence Commission, AUSTRAC, the Department of Human Services and the Australian Taxation Office. It is a broad effort, if you like, dealing with outlaw motorcycle gang activity in the ACT.

I will just reiterate the figures that I gave yesterday on the way that ACT Policing and Taskforce Nemesis are approaching this. Criminal gang members charged: in 2018, 27; this year, 13. Offences charged: last year, 78; this year, 27. Search warrants executed: 100 last year, 13 this year. Firearms seized: 20 last year.

ACT Policing continue to do a very good job in dealing with criminal gang activity in the ACT. They have my full support. We would like to see full support from the Canberra Liberals when it comes to budget time.

**MR HANSON** (Murrumbidgee) (10.59), in reply: I thank people for their contributions, most importantly Mrs Jones, who has been strongly advocating for police since she became the shadow minister, and Mr Wall, whose comments are particularly effective in his electorate down in Brindabella, the people of Tuggeranong.

I also thank those opposite for their comments. They were very illuminating about what really is driving their agenda, what sits behind their refusal to introduce these laws. At the most fundamental level, this is a government and these are ministers who do not trust our police. That is what they were saying today. They were saying, "We do not trust our police. If we give them these powers, we believe that our police are going to abuse these powers."

We have elements of this legislation that would preclude that from happening, but fundamentally it is a different approach. We support our police; we trust our police; we want to give them the powers that they need on the front line to tackle the insidious scourge of motorcycle gang violence that we are experiencing in Canberra today. We put our police first and we respect our police on the front lines. That is where we are getting our advice from.

I will go to that point and the expert advice that Mr Rattenbury and Mr Ramsay are quoting. We have a Queensland academic and we have bikies. It is like asking the Mafia what they think about organised crime laws. They do not like them? They do not support them? Well, who would have thought that bikies do not like these laws?

Mr Rattenbury, the minister for justice, comes into this place and in part puts the argument that we do not want these laws because the bikies do not like them. Well, that is the whole point of these laws, Madam Assistant Speaker. The bikies do not like them. No, they do not. No, they do not like them. If he had quoted more extensively from the article he quoted from, he would have noticed that it said:

... they believed they would ... stop bikies visiting the capital on national runs.

Mr Rattenbury excluded that when he was quoting the bikies. If only he got as passionate and as upset about women being shot in our suburbs as he does when we laugh at him for quoting bikies not liking bikie laws.

We also heard about how this might be applied against vulnerable groups. What the ministers have failed to recognise is that the laws as they are applied in New South

Wales have been amended, and those amendments, following the Ombudsman's report, have been incorporated into our laws and provide exclusions for young people; for people consorting with family members; for people consorting in the workplace; and training and education; and, specifically, for Aboriginal kinship groups. That has been ignored. They are talking about laws in another jurisdiction that have been subsequently amended. They are using old laws in another jurisdiction to critique the laws in front of them. When Mrs Jones raised that point, Minister Stephen-Smith looked bemused. She did not know that that was in these laws that have been tabled and that we are debating today.

We have experts, and I will be quoting from them. Our experts are on the front line of territory policing. They are people like Rudi Lammers, the former Chief Police Officer; Justine Saunders, the former Chief Police Officer; Angela Smith, the Australian Federal Police Association president, who represents all of our police across the territory; and a former Attorney-General, Simon Corbell. I would rather take advice and expert opinion from those directly associated with fighting crime in our suburbs than from bikies, as Mr Rattenbury has, and from a Queensland academic, which is all that Mr Ramsay could pull out.

They have made much of human rights. They are saying, "We cannot possibly support this because of human rights." I remind members that the last time I brought a bill into this place to deal with this, the criminal control order bill, it was deemed human rights compliant by the Human Rights Commission. The Human Rights Commission described it as the best legislation of its sort in the country, and the Labor Party and the Greens still rejected it. They are hiding behind this myth of human rights or trying to say that it is not going to be effective. Ask women being shot in Richardson whether they think the current laws are effective or not; they might give you a straight answer.

Fundamentally, the most illustrative contribution to the debate was from Ms Cody. Ms Cody's response was, "In terms of these laws, yeah, nah." That was her quote. That was her opinion, her view: "Yeah, nah." That is the Labor Party's position, because that is what Labor ministers and Labor members are told their position is by the factions in the unions: "Go in there. We don't care what you say. We really do not care if you are quoting from bikies or from Queensland academics; your position is 'Yeah, nah.' That is your position."

Mr Gentleman said that the Labor Party had a budget and the Liberal Party voted against it. There are many reasons why we voted against that budget, but if he wants to restore the \$15 million that the Labor Party ripped out of the police budget and bring that back as a separate line in the budget, I am sure we would support it. Feel free to bring the police budget in as a separate line item, with the \$15 million restored that you ripped out, and then let us have that debate. They will not do that. They will not do that because they are not supporting our police. This is the party that does not trust our police. They think they will abuse these laws. They said as much: that the police will abuse these laws. This is the party and the government that ripped \$15 million of funding out of the budget.

Since we tabled this legislation, there has been a shooting. I have been warning for many years—as have others, as have the police—that eventually a member of our community would be shot. Since only the last sitting, when these laws were tabled, a woman in Richardson was shot. Thankfully, she did not die. Let me quote from a media article:

A woman is in hospital with a gunshot wound to the shoulder after a bikie-related drive-by shooting in Richardson in the early hours of Monday morning.

Police said the home had been targeted in an attack on members of the Nomads outlaw motorcycle gang.

Three people were inside the suburban home when the bullets struck. The victim was not a member of the gang ...

The article continued:

Superintendent Moller described this attack as a worrying development.

That is the man leading the task force saying that this is a worrying development. While the government is saying, “We have this in control; we have this in hand,” the police, the superintendent leading this investigation, are saying, “This is a worrying development.”

The article continued, referring to Superintendent Moller:

“It is a conflict between gangs,” he said.

“All these incidents are worrying and that’s why we are committed to pressing on with this investigation and seeing every avenue through to the end.”

He would not say at this time whether this drive-by shooting was linked to recent drive-by shooting incidents, although the modus operandi was clearly a familiar one to Canberra residents.

Bullets were fired at a two-storey house in Harrington Circuit, Kambah on February 4, and three vehicles were set on fire outside the house. Police confirmed that people living in the Kambah house had “connections” to outlaw motorcycle gangs.

Last year bikie gangs were responsible for multiple drive-by shootings and targeted attacks across Canberra, including one on a Calwell residence in which bullets were fired into the home and cars set alight ...

While the ACT government provided more powers to police last year, it has stopped short of matching the powerful anti-consorting laws adopted by the Queensland and NSW governments, and which the Liberal opposition and the federal police union actively support.

I note that Queensland has a Human Rights Act and Victoria has a Human Rights Act. Both have tough anti-consorting laws. So do not hide behind your Human Rights Act

as an excuse when other Labor jurisdictions are putting the safety of their community first.

The article continued:

Anti-consorting laws have been used by the NSW anti-gangs team, Strike Force Raptor, to effectively target and disrupt outlaw motorcycle gang activity in that state.

Since the introduction of the Queensland and NSW legislation, the number of outlaw motorcycle gangs active within the ACT has jumped from one, the Rebels, to four and now includes the Comancheros, the Nomads and most recently, the European-based Satudarah.

The concerning fact is that this has happened since the bill was tabled but the government have done nothing and still come into this place and say that these laws are not needed. They peddle the myth that there is no reason for these laws. But as that article illustrated, since the other jurisdictions brought in their laws and this pig-headed government refused to do so, we have seen an increase in the number of bikies and we have seen the number of gangs explode.

They have said that there has been no increase in the number of individual bikies. Back in 2016, the former Attorney-General was looking to introduce anti-consorting laws. He put out a discussion paper and draft laws because he thought that they were needed. The previous Attorney-General thought they were needed. The discussion paper said that the ACT had three OMCGs; we now have four. It said there was a total membership of 45. In the answer to a question yesterday we were told it is now 60. That is a 25 per cent jump in just two years. Any organisation would be pretty happy with that increase in membership numbers. I bet the Greens would be happy if their membership increased by 25 per cent in two years. To say there has been no increase in the number of bikies when there has been a 25 per cent increase is a nonsense.

And the government's own paper said, and this is important, that this does not include associates—that is, those people who actively engage with OMCG members in furtherance of their criminal activity, which significantly increases the number of persons participating in the organised criminal network. It is not just about patch members. Patch members have gone up by 25 per cent, but all of the associates have increased in number as well.

We know from media articles, with statements from police, that the bikies are targeting high school children. They are out there trying to recruit in our high schools. That is what is happening under the current laws.

But the most concerning thing, in terms of the numbers, is not just the individual bikies and their associates but the number of gangs. That is the point. If any other jurisdiction in Australia had had a fourfold increase in gang numbers, just imagine the concerns that would be raised and the outrage. That is what has happened here. It would have been a fifth, but I think the Finks have failed to establish. They may be trying again; we will wait to see.

Madam Assistant Speaker, we do need these laws. If you do not believe me, listen to Justine Saunders, the former Chief Police Officer. She said about the absence of the laws:

I believe that's a factor in the decision to come here and undertake their activities.

She talked about gang activity as the one thing that kept her awake at night.

If you think that the Canberra Liberals, as Mr Ramsay will say, are fearmongering in any sense, was the Chief Police Officer fearmongering when she said that this keeps her awake at night? I am sure it keeps many people in Richardson, Theodore, Kambah, and elsewhere where these crimes are being enacted awake at night.

If you do not believe us, listen to Rudi Lammers, a former Chief Police Officer, who said:

There is a need for strong laws in the ACT that stop a fourth, or a fifth or a sixth outlaw motorcycle gang getting a foothold and stopping the expansion of outlaw motorcycle criminal activity in Canberra.

For those groups who say this is an affront to human rights, I'm wondering how much they think is enough.

If you do not believe the Canberra Liberals or the chief police officers, let us remember what the former Labor Attorney-General Simon Corbell had to say:

... the changes would help police to respond more effectively to outlaw motorcycle gang activities, which commonly include violence, drug trafficking and money laundering.

It will give the justice system improved capabilities to prevent and target crime at an individual level, where it has been shown most effective and disruptive to organised criminal activity.

He also said:

... because the fact is that this is a small number of people but with a very disproportionate impact on the level of organised crime in our community ...

A *Canberra Times* article reported:

He said there was also a risk that the ACT's lack of consorting laws was making it a visiting place for bikies, including for gang leadership.

"They are coming to the ACT because they are able to meet together in person here, whereas they can't do that in other jurisdictions," Mr Corbell said.

"So national leadership groups are meeting here in Canberra, and organising and planning their activities here in Canberra face to face.



“I don’t want those people here in the ACT, and I don’t think anyone else does really either.

Well, what happened to Mr Corbell?

Let us listen to the Chief Police Officer. *(Time expired.)*

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 11		Noes 14	
Miss C Burch	Ms Lee	Mr Barr	Ms Le Couteur
Mr Coe	Mr Milligan	Ms Berry	Ms Orr
Mrs Dunne	Mr Parton	Ms J Burch	Mr Pettersson
Mr Hanson	Mr Wall	Ms Cheyne	Mr Ramsay
Mrs Jones		Ms Cody	Mr Rattenbury
Mrs Kikkert		Ms Fitzharris	Mr Steel
Ms Lawder		Mr Gentleman	Ms Stephen-Smith

Question resolved in the negative.

## **Culturally and linguistically diverse Canberrans—access to disability services**

**MS LEE** (Kurrajong) (11.19): I move:

That this Assembly:

(1) notes that:

- (a) more needs to be done to ensure that Canberrans from a culturally and linguistically diverse (CALD) background living with a disability can better access disability services in the ACT;
- (b) disability can affect people of all ages, socioeconomic positions, and cultural backgrounds;
- (c) seniors from a CALD background living with a disability are particularly vulnerable when it comes to accessing disability services in the ACT; and
- (d) disability advocacy groups in the ACT perform a vital function of providing outreach, understanding and engagement for those within the disability community in the ACT but are limited in what they can specifically offer to the CALD community due to a lack of ACT Government support; and

(2) calls on the ACT Government to establish, by June 2019, a grant programme for disability advocacy groups in the ACT to specifically fund:

- (a) a CALD advocate; and

- (b) appropriate programmes to better meet the needs of Canberrans from a CALD background living with a disability.

The introduction of the national disability insurance scheme is probably the single most significant policy and fiscal change for the disability sector since federation. The NDIS was intended to be the driving force in transforming the lives of people with disabilities. The ACT took the brave step to become an NDIS trial site from 1 July 2014 and the first to undertake a whole-of-area rollout. It was warmly embraced and seen as an opportunity for people to be able to move to individual choice and control over what they needed and how they wanted to live their lives.

The ACT government made the decision to gradually withdraw specialist disability and therapy services and early intervention services, and in 2016 the ACT became the first jurisdiction in Australia to accept all eligible participants into the scheme. But, as with all things that are a first, the NDIS both nationally and here in the ACT has been beset with challenges. We have all heard stories about the underestimation of how many would be included in the scheme in the first place, the failure to attract sufficient service providers, and the development and delivery of individual plans being a hit and miss affair with some people delighted and others shattered by their experiences in negotiating their new living and financial support arrangements.

At the government level there was enormous upheaval in service delivery arrangements. The familiar frontline services offered by the Community Services Directorate all changed and 500 frontline roles were gone. For many people relying on those services this was a loss of familiar contacts and familiar arrangements. Today, five years later, things have become a little better but there are still enormous gaps, unintended consequences, frustration and anger in many quarters. The Minister for Disability has not had an easy introduction to ministerial responsibility in dealing with these complex issues.

The ongoing uncertainty of what and who might qualify under the NDIS has waxed and waned and continues today. People living with psychosocial difficulties have been particularly let down with continuing uncertainty about whether they qualify. We know that the lack of support for equipment and assistive technology was another unintended gap with not-for-profit organisations and ACT Health often left to fill the gap in providing much needed mobility equipment.

We know the ongoing issues about disability advocacy groups who are almost but unintentionally left out of fiscal arrangements. Assumptions have been made that such services would somehow continue and be included in individual plans, but they were not.

Umbrella groups like SHOUT and individual service delivery advocacy groups like Bosom Buddies and Pegasus find themselves in nowhere land, and rounds of temporary top-ups, money for strategic planning exercises that were probably only appropriate for some but not all groups caused enormous concern, frustration and fear within the disability community. We know SHOUT is now on somewhat safer financial ground, but there are others that are still feeling their way in this new world order.

There are still difficulties for people trying to regularise their plans and have plans reviewed or altered as their needs changed, and there is still a huge demand from the disability community for support from advocacy groups like People with Disabilities, Communities@Work, Hartley Lifecare and Advocacy for Inclusion.

Just today the federal government has announced an additional \$6.5 million to access a skilled disability advocate and funding for legal services to assist in the NDIS appeals process, including \$80,000 to Advocacy for Inclusion. That gives some indication that the system still has a long way to go before it is a seamless process.

All these issues are affecting families who were born in Australia, who have lived in the ACT all their lives and until quite recently knew how the system worked. Many of them are still struggling to negotiate the new administrative arrangements, the new terminology and the new way things are being done. Now think of the many hundreds of people with a disability living in the ACT for whom Australia is not their birthplace and English is not their first language. Start to imagine what complicated pathways they struggle with: a physical disability, an intellectual disability, a language barrier and cultural differences and difficulties.

We know that Canberra is a proud multicultural city. According to the 2016 census, 26 per cent of the capital's population was born overseas. That is over 100,000 people, and there are thousands more who are the children of migrants to the ACT. Every year we all enjoy going to the Multicultural Festival and experiencing the slices of different cultures there. I know many members always enjoy the many functions and celebrations from our multicultural community at the Theo Notaras Centre.

We are home to hundreds of diplomatic missions from all around the world and we hear hundreds of languages being spoken in our community. But there is another side. In my role as shadow minister for disability, I have had numerous discussions with many disability advocacy groups in the ACT about the issues they see in the sector. One that is frequently raised with me is the difficulty they have trying to support people from the multicultural community accessing disability services. I have raised these concerns with the minister and officials regularly during annual reports and estimates hearings.

The CALD community, or people from culturally and linguistically diverse backgrounds, represents 26.4 per cent of the ACT population but comprises only 10 per cent of the 7,000 NDIS plans operating in the ACT. This means that the Canberra CALD community is significantly underrepresented in accessing disability services. This confirms the anecdotal evidence I have also received.

It is understandable that many in the CALD community feel uncomfortable and overwhelmed when trying to access services. Many do not even know how to start looking or where to seek help. It is often not for the lack of trying or desire to have a go; it is simply the reality that there are not clear pathways of support. As with many things, you do not know what you do not know, making the intimidating world of disability services even darker.

If accessing and negotiating ways through the NDIS are difficult for people for whom English is a first and often only language and who have family support and family members with strong negotiating, advocacy and fluent English expression skills, then what hope have people who often have limited mobility, limited English and in many cases also limited formal Australian education?

What is a glaring and probably unintended omission in disability advocacy service delivery is dedicated support for people from a multicultural background with a disability. In fact, the ACT is one of the few jurisdictions not to have one. Yes, we have a range of very active, very effective multicultural community groups, and I have already mentioned a number of the disability advocacy groups that are doing a great job in our city. But neither of these sectors is appropriately resourced to provide appropriate and adequate support for the detailed, specialist needs of someone from a CALD background with a disability.

In talking with numerous disability organisations, each have acknowledged that more can and should be done for CALD people living with a disability. This is not to say that both multicultural organisations and disability groups within the ACT are not doing their best to ensure that the CALD community has access to disability advocacy services and information, but each of them says they wish they were able to do more.

Due to finite resources they lack the appropriate skill set in understanding both the disability sector and the cultural awareness and training to appropriately and effectively deal with people from myriad cultural backgrounds. Without additional support, these groups are limited in what they can do, and without the specialised resources I am calling for today, my concern is that there will be more people who fall through the cracks.

I am not advocating for a new organisation to be set up. Our size probably does not warrant an entirely separate group. What I am proposing is that the government commit to providing a dedicated packet of money for providing this specialist service within an existing group. People with Disabilities applied for a grant under the participation (multicultural) grants program in 2018-19 to develop and promulgate a policy statement addressing the issues for people with disabilities who come from culturally and linguistically diverse backgrounds. They were not successful, and perhaps their lack of success might be because there was not sufficient cross-sector understanding between health, disability and multicultural sectors or the recognition of this gap and an acknowledgement that this gap needs to be addressed.

The grant program I am calling for in my motion would allow a disability advocacy group to establish a specialised cultural advocate or officer within their organisation to provide both culturally appropriate and sensitive advice and advocacy for CALD people living with disability.

As I said earlier, it is difficult enough for people whose first language is English and whose only home has been Australia to work their way through the NDIS bureaucracy or the disability service sector. For those who are more recent arrivals, the pathway is a very dark alley.

Language barriers are but one factor, and it is not just a matter of simple translation services. The intricacies of an area of service delivery as complex as disability requires more than straightforward translation. A disproportionately high number of people from the CALD community face technological barriers. Where sometimes we take our immediate access to information and services online for granted, it is not the same for many of our multicultural community, particularly for our ageing CALD community.

The cultural barriers which require culturally sensitive and appropriate understanding come with training and listening, all requiring resources to be able to have someone dedicated to spending the time to ensure that every one of our CALD community members living with a disability has the culturally appropriate support they need.

My parents came to Australia as a married couple in their 30s with young children. They had no English, and it was difficult navigating the language barriers, the cultural barriers, the challenges of finding a place to live, enrolling us in primary school, learning English and finding a job just to make ends meet. That in itself was hard enough, but imagine if my father, my mother, my sister—I had only one then—or I had or acquired a disability.

If there was such a position as a specialist CALD advocate available for people in the multicultural community who have high needs and require the appropriate care, knowledge, skill and understanding of cultural sensitivities and the needs as well as specialist knowledge in disability services, it would make that journey just a little bit easier. A CALD disability advocate would be in a position to discuss the needs of a particular family and engage on a cultural level with a family to ensure the best outcome for that person, that family and the entire community.

I stress that this grants program would not be the be-all and end-all of access issues for CALD people with a disability. But it is important that the ACT government, which serves the entire community, does its part to maximise access to and literally speak the language of those in need. The ACT should not shirk its responsibility to provide a vital bridge between the two worlds of both culturally and linguistically diverse backgrounds and the ever more complicated world of the disability sector. I commend my motion to the Assembly.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement, Minister for Urban Renewal) (11.32): I thank Ms Lee for the opportunity to talk about the importance of supporting people with disability from culturally and linguistically diverse, or CALD, backgrounds. I also thank her for reflecting on a number of the NDIS issues that the ACT government has repeatedly raised and lobbied the federal Liberal government about.

The ACT government is committed to building an inclusive city where everyone can fulfil their potential and fully participate in the civic life of our community, regardless of race, gender, sexuality, disability or socioeconomic status. We understand that

CALD people living with disability experience multiple barriers to the full enjoyment of the rights and opportunities experienced by others in our community. This is true of the challenges people face in accessing both mainstream and disability services, including the national disability insurance scheme. The NDIS is making real changes in the lives of people with disability, and the ACT government remains committed to the implementation of this important social reform.

The NDIA have however acknowledged the need to better engage with participants from a CALD background. The latest data from the NDIA states that, as at 30 December 2018, 694 NDIS participants in the ACT identified as being from a culturally and linguistically diverse background. This equates to only 10.4 per cent of the 6,675 active participants in the ACT who have received an approved NDIS participant plan over the life of the scheme.

The review of NDIS processes, improving the NDIS participant and provider experience, released in February 2018, recognises a number of cohorts that need a tailored participant pathway to ensure that their NDIS experience is as good as possible. The review noted that CALD NDIS participants may face particular barriers to accessing appropriate information, engaging and communicating in their preferred language; that NDIA processes and service providers need to acknowledge and understand cultural sensitivities; and that an explanation of key NDIS terms and concepts in a culturally sensitive context may be required.

The NDIA has advised that they are progressively rolling out improvements to the participant pathway for all participants, including people from a CALD background, to ensure that they have better engagement with participants at the start of their interaction with the NDIA, from first learning about the NDIS, during the planning process and throughout plan implementation.

In May 2018 the NDIA released the cultural and linguistic diversity strategy 2018 as a public statement of its commitment to work alongside people with disability from CALD backgrounds. The strategy sets priority areas for action focused on building connections and positive relationships with CALD communities, broadening choice and control and increasing cultural competency within the NDIS. Over time it is intended that the strategy will drive increased participation in the NDIS by people from CALD backgrounds.

The ACT government continues to advocate to the NDIA the importance of establishing improved participant experience as soon as possible, including ensuring improved experiences for participants from a CALD background. The ACT government is also aware of concerns about the quality and capacity of the NDIA's local area coordinators. I have raised these concerns directly with the NDIA in recent correspondence and I will continue to advocate for LACs that have strong connections to the community and knowledge of local service systems.

While we know that the ACT LAC has diverse staffing—and Ms Lee and I both went to the launch of the LAC, and that was obvious—a lack of broader connections to the community and the Australia-wide concerns about the capacity of LACs to undertake their broader community connection work due to the significant demand for

individual planning are certainly evidence here. The ACT government has recognised that, while the NDIS has provided greater support for many Canberrans with disability, it has also increased the need for independent, individual advocacy as Canberrans learn to negotiate the new service system.

The ACT government is still very aware of the need for independent advocacy to assist people with disability with complex, specialised and often serious issues. This can include supporting people with disability to understand their rights and responsibilities, resolving issues about government supports and accessing housing and education.

Advocacy organisations can also help people understand the NDIS and what it has to offer. They can also participate in meetings with the NDIA and help participants who are not happy with the support they are receiving through the NDIS. People from culturally and linguistically diverse backgrounds can access services from the ACT-based advocacy organisations, Advocacy for Inclusion and ACT Disability, Aged and Carer Advocacy Service, better known as ADACAS.

The ACT government's recognition of the importance of individual advocacy was demonstrated by the investment of \$400,000 over two years in the 2018-19 budget. This is shared between these two local organisations who both have deep connections to our community. Additionally, the ACT government established the integrated response program which provides short-term coordination and emergency funding for people with disability who otherwise would meet the disability access requirements of the NDIS but do not meet the residency requirements or are in crisis. This includes people who may be humanitarian visa holders and have limited financial means to purchase supports. This is part of our commitment to being a refugee welcome community.

Members would be aware that the commonwealth government is also responsible for funding advocacy services through the national disability advocacy program. I note, as Ms Lee has mentioned, that the federal Liberal government, on the eve of an election and after significant advocacy by states and territories, has belatedly increased funding for the national disability advocacy program and the NDIS appeals providers. I hope that some of this money will flow to the ACT and I will again be advocating for this to my commonwealth counterparts.

The ACT Human Rights Commission also has a role in resolving complaints and promoting rights of people with disability. The role of the Disability and Community Services Commissioner, Ms Karen Toohey, is to consider complaints about the provision of services for people with disability and/or their carers. The commissioner's role is also to promote improvements in the provision of services for people with disability and their carers, the rights of users of services for people with disability and their carers and an awareness of the rights and responsibilities of users and providers of disability services.

Sitting within the Human Rights Commission is the Public Advocate, who protects and promotes the rights and interests of anyone in the ACT who is experiencing vulnerability. The Public Advocate can monitor the provision of services, provide

oversight of these services and hold the ACT government to account on issues affecting people experiencing vulnerability. If you experience discrimination because of your race or your disability you can also lodge a complaint with the ACT Human Rights and Discrimination Commissioner.

The ACT government's official visitors for disability services provide an important role in undertaking visits to Canberrans living in disability accommodation or relying on services for day-to-day support. The official visitors consider complaints, visit and talk privately with people about the supports they are receiving and keep an eye out for systematic issues. They report directly to me, as Minister for Disability, and work closely with the Public Trustee and Guardian and the Human Rights Commission.

The official visitors, Ms Narelle Hargraves OAM and Ms Mary Durkin, have built relationships with Canberrans who need these services and they are on call to respond to anyone else who may need their services. The ACT government recently ran an awareness-raising campaign for the official visitors and in my regular meeting with Ms Hargraves and Ms Durkin they reported that the campaign is helping to raise their profile.

Individual advocacy plays a critical role in assisting individuals to navigate complex systems and sort out complaints and other problems. Equally, systemic advocacy plays an important role in shaping and improving legislation, policy and programs. The ACT government currently funds four systemic advocacy organisations: Women with Disabilities ACT, People with Disabilities ACT, Carers ACT and National Disability Services. All of these organisations have deep connections to the local community with hard work going over decades to know our community and whom to speak to when problems arise.

The government provides support to People with Disabilities ACT to operate as a peak advocacy organisation for people with disability in the ACT. The organisation takes a leadership role in our community and regularly runs consultations, prepares submissions for government consultation, holds events and forums and meets with MLAs and decision makers to represent the issues and priorities of the people with disability in the ACT. I recently met with People with Disabilities ACT, where we discussed ways to further raise the organisation's profile, and I look forward to seeing how these efforts shape up over the next little while.

The ACT government also offers a range of disability and multicultural grants that have supported projects and programs to support CALD people living with disability. This includes grants such as the disability inclusion grants and the multicultural participation grants. Disability inclusion grants provide support to community organisations and small businesses to provide more accessible services. This could be additional training for staff or volunteers or making physical improvements to buildings.

Last year the grants supported the East African Community Association who received funding to undertake disability awareness training to increase awareness and advocacy of social inclusion within their community. This is a great example of a culturally and linguistically diverse community organisation taking the initiative to



use ACT government support on offer to provide better support to people with disability.

The multicultural participation grants promote cultural diversity, social harmony and inclusion initiatives which would apply to people of CALD backgrounds with disability.

Through the 2016-17 participation multicultural grants round, funding was provided to People with Disabilities ACT to facilitate community engagement with people from culturally and linguistically diverse backgrounds. On 4 April 2018 People with Disabilities ACT hosted a forum on disability and multiculturalism. At this forum it was noted that there was no organisation in the ACT to specifically advocate for people with disability from CALD backgrounds, as Ms Lee has noted. PWDACT undertook to commence work with existing organisations in the CALD community space to advocate for this population and cohort.

The ACT government strongly believes that it is critical to ensure that people with disability are in a strong position to advocate on issues that are crucial to their lives. This is why we established the disability reference group, in addition to the peak organisations, to guide the ACT government's continued implementation of the national disability strategy 2010-2020. Membership of this group has included culturally and linguistically diverse people living with disability.

In my former role as Minister for Multicultural Affairs I appointed Mr Darryl Alexander as the peak community representative to the ACT Multicultural Advisory Council. On the Multicultural Advisory Council Mr Alexander represents the interests of People with Disabilities ACT and advises on matters affecting people from a CALD background who identify as having disability.

One of the things that we have really tried to do across our advisory councils is to ensure that there is cross-representation and intersectional representation so that the Multicultural Advisory Council is considering issues from the point of view of people with disability, and the disability reference group is getting input from people from culturally and linguistically diverse communities and other communities such as Aboriginal and Torres Strait Islander communities to ensure that all of our policies are consistently informed by a broad grassroots section of the community.

The ACT government acknowledges the barriers faced by those experiencing intersectional disadvantage, including CALD people living with disability. We are happy to commit to ensuring that the existing disability advocacy, inclusion and multicultural participation avenues and grants are able to support the needs of Canberrans from a CALD background living with disability.

However, it is not appropriate for this Assembly to require, through a motion, the expenditure of funds on a specific program and, while Ms Lee's motion is drafted in a way to say that this needs to be done by June, it is very clear that what she means is that it should be done through the budget. Therefore, I move the amendment circulated in my name which would call on the government to ensure that disability

advocacy, inclusion and multicultural participation grants are able to support the needs of Canberrans from a CALD background living with disability. I move:

Omit all words after “calls on the ACT Government”, substitute:

“ensure that disability advocacy, inclusion and multicultural participation grants are able to support the needs of Canberrans from a CALD background living with a disability.”

**MS LE COUTEUR** (Murrumbidgee) (11.45): I thank Ms Lee for bringing this motion forward today. I have to agree that of course more needs to be done to ensure that Canberrans from culturally and linguistically diverse—that is, CALD—backgrounds living with disability can better access disability services in the ACT. When you look at the data it is very surprising to realise that despite people from a CALD background making up 26.4 per cent of the ACT’s population only 10 per cent of people accessing the NDIS in the ACT are from a CALD background. This is only 694 people out of the 7,451 adults and children who are participants in the NDIS.

My understanding is that this under-representation of the CALD community is throughout Australia and is not a unique ACT problem. Nonetheless, it is a problem that the ACT Legislative Assembly need to be concerned about. I am not trying to suggest otherwise. What that data says is that something is not working for CALD people in terms of accessing the disability supports they need.

It is not surprising because we know that being a CALD person with a disability means that you are experiencing intersectional disadvantage. Ms Lee’s speech to some extent did go through those sorts of intersectional disadvantages. Over the years we have become much better at realising that specific groups can require specific focus because of their features or identity, for instance, being Aboriginal or Torres Strait Islander, being a person with mental health issues or a disability, being LBGTIQ or even being a woman. But far too often we forget that people can and often do have multiple features that contribute to their disadvantage.

This motion speaks to the interconnection between having a disability and also being from a culturally diverse background. Even within this group there can be further aspects of a person’s life that can contribute to experiencing more discrimination and marginalisation, such as the colour of your skin, your religious beliefs or, very frequently, your level of income.

We already know that people with a disability earn less on average than the person without a disability. If you are a woman with a disability the chances of your having a full-time job are even less. If you are a CALD woman with a disability I suspect your chances of full-time employment are abysmal.

Back to the supports that are needed, when looking at the data provided by the NDIA we see that autism and intellectual disability are the most common primary disability types amongst active participants with an approved plan. Twenty-six per cent of participants have autism as their primary disability and 20 per cent of participants have intellectual disability as their primary disability. These two

categories with the highest levels of support are both categories where people experiencing them would have difficulties or challenges in not only understanding the ins and outs of the NDIS but in being able to articulate how they would like to exercise choice and control in their lives. They would have difficulties in finding out what support exists let alone knowing where to go to get the supports they need.

Speaking as someone who was on the committee looking into the NDIS system, it became abundantly clear to us that most people who did well out of that system were people who had family support for advocacy. For people from a CALD background their family will also be from that background and may well find it harder than Anglo-Saxon families to organise that support and advocacy. That was one of the reasons one of the recommendations from that report was for the ACT government to increase support for advocacy. That is absolutely vital to getting a good outcome and particularly in these cases.

The situation, of course, gets worse for our older citizens. One in 10 of us will experience dementia after the age of 65 and three in 10 after the age of 85. Dementia is the single greatest cause of disability and is the second leading cause of death for these age groups.

We should all appreciate and know that as we age we revert to our mother tongue as the preferential way of communicating. If you have dementia the chances that you understand clearly what you need and where to get the supports you need are minimal, particularly if the information is in what has become to you—or maybe always was—a foreign and unintelligible language.

Add to that the experience of discrimination. The survey of disability, ageing and carers undertaken by the ABS indicates that in 2015 almost one in 12 Australians with disability—281,000 people or 8.6 per cent—reported that they had experienced discrimination or unfair treatment because of their disability. Young people with disability—that is, those between 15 and 25 years—were more likely to report the experience of discrimination—20 per cent of them—than those aged 65 or over, which was only two per cent. I suggest that that was because the aged people were being discriminated against on grounds other than just being aged.

Over one-third of women and over one-quarter of men aged 15 or over had avoided situations because of their disability. That is not only discrimination because of their disability. One in five Australians has experienced racism in the past 12 months according to one of the biggest surveys ever conducted on racism and prejudice in Australia commissioned by SBS with the western Sydney uni in 2017. To my knowledge, there is no comprehensive data collection that looks at both racism and disability discrimination rates together, but I imagine that if there were the figures would shame us all.

I note the NDIA has a specific cultural and linguistic diversity strategy which was developed last year in consultation with key peak bodies and people with disability. It is scheduled to conclude in 2019, by which time their aim is to have 20 per cent of participants from CALD backgrounds. On their website information is available in

12 languages: AUSLAN, Arabic, simplified and traditional Chinese, Filipino, Greek, Hindi, Italian, Macedonian, Samoan, Vietnamese and French. This fits in, of course, with the predominant language groups in the ACT, which are English, Mandarin, Vietnamese and Cantonese.

This is part of the answer to ensure that information is available in a range of accessible formats, because everybody has the right to live in communities that are welcoming and inclusive. This should not change because of the language you speak, or because of your cultural background.

Barriers to access include having a disability in the first place; knowing which services to use; language; religious or personal beliefs; where you live; information that does not suit your needs; not enough information about supports; and service providers that either cannot or do not know how to help.

I believe that part of the solution lies with NDIA service providers and disability advocacy services to ensure that they have sufficient cultural diversity in their staff and know where to go for additional cultural advice or interpreters. Similarly, cultural organisations need to ensure that they are disability aware and accessible. They need to build relationships with each other, because strong relationships are important for building trust. With that trust comes better service provision and increased client engagement.

The National Ethnic Disability Alliance encapsulate the challenges well when they say:

People with a linguistic disability who are from culturally and linguistically diverse (CALD) backgrounds will be more likely to experience multiple forms of discrimination throughout their lives. They are likely to experience discrimination from the wider community due to their ethnicity and discrimination from both within their cultural group and the wider community due to their disability.

They recognise the importance of building partnerships with key stakeholders to promote the rights and interests of people from CALD backgrounds with disability in all areas of Australia's policy and practice. This fits with the need for organisations to be agile, flexible and relationship-building so that they can call in the assistance they need to ensure that their services meet the needs of clients and prospective clients.

Disability advocacy organisations should already have culturally diverse staff or access to cultural advisers in order to ensure that their organisations are accessible to this group. Similarly, multicultural organisations need to ensure that their services are accessible and that they have staff who either have a disability or understand disability issues. Either way, dedicated and specific strategies can also assist to bring deliberate focus to an organisation's goals to increase participation by community members of culturally and linguistically diverse backgrounds or people with disability, or both.

I believe the motion put forward by Ms Lee with the best of intentions does not quite address the problem, and that is why I am supporting the amendment put forward by the government. Grants for programs do not need to be specific for each distinct group.

Rather, the criteria for grants programs need to take the distinct marginalised or disadvantaged groups into account. In that way the entire community has more awareness and visibility of these groups.

*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 11.57 am to 2.00 pm.**

## **Questions without notice**

### **Light rail—safety**

**MR COE:** My question is to the Minister for Transport: I refer to the two recent serious incidents between a light rail vehicle and members of the public. Minister, when will the government release an audit of all incidents that have occurred during the construction and testing phases of light rail?

**MS FITZHARRIS:** I thank Mr Coe for the question. There is currently a range of regulatory and certification processes that Canberra Metro is going through in order for light rail to become operational. The government has great confidence in these processes to make sure that light rail operates safely for our community.

I will advise the Assembly on some of those systems that are already in place. Canberra Metro is subject to internal audits on its safety systems, including a review of the safety assurance deliverables by the territory as well as the project's independent certifier and review by the independent safety assessor. Overall independent regulation of project safety includes through WorkSafe ACT in terms of construction site safety; the Office of the National Rail Safety Regulator, ONRSR, an independent body enforcing safe rail operations; and the utilities technical regulator, to review and certify the system as safe to operate, which includes the issue of a provision of service licence to enable operations.

These are very robust processes and they are what the government is relying upon to ensure that there is a safe light rail system operating in Canberra.

**MR COE:** Minister, despite all those processes and agencies, why did the safety standards fail to prevent the incidents occurring in Canberra?

**MS FITZHARRIS:** There were two incidents, as Mr Coe referred to, and these are exactly the sorts of incidents that we are spreading awareness about. Certainly in terms of the pedestrian incident there have been quite significant campaigns run by Transport Canberra and, indeed, Canberra Metro. But of course, as is the case, this really unfortunate event has meant that, I think, community awareness has been heightened.

Certainly in terms of Canberra Metro's response to a vehicle travelling through a red light, as has been stated publicly, that driver has been suspended and an investigation is underway. I am advised that that was a matter of driver error and not a matter of a signalling error.

**MISS C BURCH:** Minister, what have you done following these traumatic incidents to address public safety concerns around light rail?

**MS FITZHARRIS:** I would say that on such a significant project, of course, there has been a lot of community discussion. That is exactly why we have a very robust safety framework in place and a nationally robust safety framework, which Canberra Metro must comply with through ONRSR, to be able to make sure that the system is operational. As minister, I have requested and received assurance that all those processes are being followed.

You will have seen increased awareness raising, principally because of the incidents, and people taking more care around the light rail corridor, which is something that I began a campaign on over a year ago. We have further campaigns to roll out as we get closer to operations. Clearly, there is a focus along the parts of the corridor where light rail has only just commenced testing, that is, the southern end of the corridor along the Federal Highway and Northbourne Avenue.

There is sufficient and adequate signage onsite. More recently, members of the community would have seen customer service operators on those busiest pedestrian intersections, particularly at peak hour, guiding pedestrians across the intersections.

### **ACT Policing—body cameras**

**MS LE COUTEUR:** My question is to the Minister for Police and Emergency Services. While the Greens support the recent announcement that police officers will be equipped with body cameras which will start recording when they draw their Glock or taser, I have a question. Will police officers have the ability to turn on their cameras other than when drawing their Glock or their taser, as I understand is the case in other jurisdictions?

**MR GENTLEMAN:** I thank Ms Le Couteur for the question. I do have quite a bit of detail on the way that these operations work but not immediate detail as to whether they can separately turn on the body-worn cameras. They are activated on the drawing of a firearm or taser and they are buffered before and after any drawing occurs. But that particular detail I would have to take on notice.

**MS LE COUTEUR:** I fear that this may also be taken on notice, but if the technology is available for cameras to be turned on in other instances—and I understand this is used in other jurisdictions—why are ACT police officers not equipped with this technology, and can it be used specifically for prosecutions in domestic and family violence?

**MR GENTLEMAN:** I will take that part on notice, too.

### **Light rail—safety**

**MISS C BURCH:** My question is to the Minister for Transport. I refer to the government's "Are you rail ready?" online quiz as a component of the rail safety

campaign, in which it asks participants questions like: “When did the first light rail vehicle arrive in Canberra?” and “How many vehicles are in the fleet?” Minister, how do these questions prepare Canberrans for the potential dangers surrounding the light rail network?

**MS FITZHARRIS:** It is a very comprehensive safety campaign raising awareness about the system as a whole. It has been developed by experts in this field and I have confidence in them. The campaign has also been assessed and analysed, and the advice to me is that the take-up rate and people’s awareness from this campaign have increased.

**MISS C BURCH:** Minister, what do these questions have to do with preparing Canberrans to be light rail ready?

**MS FITZHARRIS:** It would be interesting to know if the opposition know how many light rail vehicles there are.

**Mr Hanson:** Too many!

**MS FITZHARRIS:** Of course, under the opposition there would be none.

**Mr Hanson:** Too many!

**Mr Barr:** It’s good to see you’re still fighting the good fight.

**Mr Hanson:** I’m still there in the trenches when everyone has moved on. But I’m still there.

**Mr Barr:** That’s about right, yes.

**MADAM SPEAKER:** Chief Minister, there is no need to encourage Mr Hanson; he does not need any encouragement.

**Mr Barr:** That is true, Madam Speaker. I apologise.

**MADAM SPEAKER:** Minister.

**MS FITZHARRIS:** I never thought I would see the day where we had Punch and Judy with Mr Hanson on light rail. Nevertheless, it is certainly the case that it is important for Canberrans to understand how many vehicles there are in order for them to be aware of how frequently light rail vehicles will be travelling along the corridor.

**MS CHEYNE:** Minister, is the safety campaign planned to continue and to roll out more broadly?

**MS FITZHARRIS:** I thank Ms Cheyne. Yes, indeed it is. We have a campaign that is imminent with the ACT Brumbies that I think will engage the community in a whole different way. It is quite reminiscent of, and people might know of it, the Air New Zealand and All Blacks campaign around safety on airlines. There has certainly been

a significant effort put into campaigns that we know have worked in other places and other contexts about maintaining safety. That is what has been behind this campaign. I am confident that the Canberra community is becoming increasingly aware of light rail and what it means for them particularly as they travel along or cross over the light rail line.

### **Disability services—government support**

**MR PETTERSSON:** My question is to the Minister for Disability. Minister, could you please update the Assembly on the progress of establishing the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

**MS STEPHEN-SMITH:** I thank Mr Pettersson for his question and for his interest in the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

People with a disability deserve a life of choice, dignity and respect, like anyone else. The ACT government has long supported a royal commission into violence, abuse, neglect and exploitation of people with disability, and acknowledges that a royal commission instigated by the commonwealth is the best way to confront the violence, abuse, neglect and exploitation of people with disability.

The voices of people with disability have been silenced on this issue for too long, and it was clear in the days and weeks surrounding the votes in the parliament of Australia on this issue just how widespread and how common the despicable crime of abuse of people with disability has been.

The ACT government strongly advocated for the voices of people with disability to be heard throughout this process, including in the drafting of the royal commission's terms of reference. It has been a positive step to see the draft terms of reference broadly reflect what Disabled People's Organisations Australia called for in its road map for the royal commission.

Through the Disability Reform Council, all states and territories reached the unanimous view that consultation on the terms of reference should take place over four weeks, to enable particularly people who have difficulty engaging in such processes, such as people with cognitive disability, and also people from rural and remote areas, to fully engage in the process. However, the federal Liberal government has chosen a limited window for consultation running for two weeks.

I recognise that some people who have been advocating for this for a long time are saying, "Get on with it." In light of this, I strongly encourage people with disability and their families, carers and advocates to participate in the consultation via the Department of Social Services engage website.

**MR PETTERSSON:** Minister, what action has the ACT government already taken to protect people with disability from abuse?



**MS STEPHEN-SMITH:** I thank Mr Pettersson for the supplementary. As so many people with a disability will want to share their story with the royal commission, it can reasonably be expected that the commission will run for a number of years. It is therefore important that we continue to ensure that we strengthen our safeguarding within our jurisdiction and nationally.

The ACT government is strongly of the view that the royal commission should take as long as it needs to so that everyone who wants to share their story can do so. But we are also acting now to further safeguard people with disability from violence, abuse and neglect. Members will be aware that the Human Services Registrar retains responsibility for ensuring that existing safeguards and standards are met for specialist disability services in the ACT.

The registrar has oversight, and monitors compliance, under the Disability Services Act and subordinate instruments. Some of these responsibilities will transition to the new quality and safeguards commission in the NDIS and the ACT government has worked to ensure that the transition is as smooth as possible and has worked to implement the nationally consistent workers screening scheme for NDIS services.

We also have, Madam Speaker, as you will be aware, official visitors and the Human Rights Commission, particularly the Disability and Community Services Commissioner and the Public Advocate, in place to support people with disability where they have concerns about their quality of care.

Last year the government also established the Office of Senior Practitioner to work on the reduction and elimination of restrictive practices by service providers in the ACT. The senior practitioner works with providers to inform and assist in developing strategies to ensure best practice. Part of its role is educative and it has started a regular seminar series. These events have been well attended, with over 200 people attending the most recent forum in February. This shows the goodwill and commitment of Canberrans to improve services to recognise the rights and dignity of all people with disability.

**MS CODY:** Minister, what is the ACT government doing to ensure that people with a disability can access justice through the legal system?

**MS STEPHEN-SMITH:** I thank Ms Cody for the supplementary. The ACT government is committed to ensuring that we have the best measures in place to continue to protect vulnerable people from violence, abuse and neglect. We are also developing a disability justice strategy which will be finalised mid-year and which aims to ensure that people with disability have equal access to justice in the ACT. Too often we hear stories of people who have been subjected to violence, abuse or neglect not having their voices heard in the justice system. And this is something that must be addressed.

That strategy is being developed following wide-ranging consultations throughout 2018. It is being guided by a disability justice reference group which includes people with disability and lived experience of the justice system, as well as representatives

from government and non-government agencies across the justice, disability and human services sectors. The reference group provides advice and ensures that the lived experience of people with disability is central to the strategy development. I particularly want to acknowledge the roles of Dougie Herd, the chair of the disability reference group and co-chair of this reference group, and Yenn Purkis, who has shared their story of lived experience with the justice system as a person with autism.

While the strategy is being finalised, this government is already taking steps to improve access to justice for people with disability. Funding was provided in the 2018-19 budget to enable the continuation of Canberra Community Law's Socio-legal Practice Clinic which provides intensive early intervention legal and social work assistance for people over 18 who have a high level of vulnerability and no support. The continuation of this clinic was identified as a high priority by stakeholders during consultations on the development of the disability justice strategy.

Work has also been undertaken to improve training availability for people across a range of front-line positions within the justice system. This training will focus on supporting people with cognitive disability who have further vulnerabilities. I look forward to continuing this work with the community.

## Visitor

**MADAM SPEAKER:** I acknowledge the presence in the gallery of a familiar face, former OLA staffer Neal Baudinette. Why in question time, one would ask; but anyway, welcome back.

## Questions without notice

### Light rail—safety

**MS LAWDER:** My question is to the Minister for Transport. Evidence from other light rail networks suggests that a spike in accidents could be expected following the launch of the light rail. Minister, what have you learned from the recent incidents to minimise any spike in accidents and injury from light rail in Canberra?

**MS FITZHARRIS:** It is certainly the case that there are many people working on this light rail project who have also worked on other projects around the country, including some of Australia's most recent light rail projects, and certainly it is the case that there will be learnings taken from this. I think the community has learned more from this incident as well.

**MS LAWDER:** Minister, how can you claim that enough has been done to ensure the safety of Canberrans around the light rail given that so far more Canberrans have been hit by the light rail than have travelled on it?

**MS FITZHARRIS:** I refer Ms Lawder to my previous answers.

**MISS C BURCH:** Minister, without any public audit or report into these safety incidents how can you assure Canberrans that all is being done to keep them safe?

**MS FITZHARRIS:** I refer Miss Burch to my previous answers. There is a very robust framework in place that can give the Canberra community assurance about this process. It is a nationally recognised process. ONRSR is a very well-regarded, nationally recognised body that has certification and regulatory responsibilities for all rail projects in Australia.

### **Light rail—emergency preparedness**

**MR HANSON:** My question is to the minister for emergency services. Will all emergency equipment needed for operation of light rail be ready on 20 April?

**MR GENTLEMAN:** I thank Mr Hanson for the question. Yes is the answer. We are already prepared for light rail. We have specialised pods and equipment already in place and the truck used to transport them to an incident is already staffed 24 hours a day by trained firefighters. The equipment that has been purchased are two 50-tonne hydraulic ramps and two 35-tonne air bags used to displace or remove industrial-strength or heavy objects. Noting that the mass of light rail is 40 tonnes, the equipment allows rescuers to lift a light rail vehicle to a sufficient height to access any trapped casualties.

As part of the planning process ACT Fire & Rescue benchmarked rescue techniques and equipment used for light rail services nationally. ACT Fire & Rescue is confident that planned arrangements for emergency incidents including the light rail provide an appropriate level of protection to ensure public safety. The community can be confident in the knowledge that trained firefighters with the right equipment will come to their aid in the unfortunate event that they are required.

**MR HANSON:** Do emergency services staff have the required people ready for a response to a light rail incident should it occur on 20 April?

**MR GENTLEMAN:** Yes, as I said earlier, trained staff are ready to respond 24 hours a day with the appropriate equipment.

**MRS JONES:** Have emergency services personnel had adequate training to deal with what they might have to deal with in the event of any light rail incident after 20 April?

**MR GENTLEMAN:** Yes, they have been trained. We used experiences in other jurisdictions to ensure that people undertaking the levels of training are competent to deal with these sorts of events. I am very confident in the training, the qualifications and the skills of ACT Fire & Rescue to deal with any such event.

### **Light rail—emergency preparedness**

**MRS KIKKERT:** My question is to the Minister for Police and Emergency Services. Minister, have front-line firefighters employed by ACT Fire & Rescue received hands-on training to deal with a light rail incident?

**MR GENTLEMAN:** Yes, they have.

**MRS KIKKERT:** What training have they received and how many have completed the training?

**MR GENTLEMAN:** I did go into some detail about the training earlier, in my answer to the previous question. The training is of course continuing. They deal with these sorts of incidents of recovery on many occasions. The training modules are being rolled out.

**MRS JONES:** Minister, how many hours of training has each member of our emergency services staff received in how to deal with light rail incidents?

**MR GENTLEMAN:** In relation to the hours of training, I will take that on notice and come back to the chamber.

### **Light rail—completion date**

**MR WALL:** My question is to the Minister for Transport. Minister, I refer to the *Canberra Times* article on 18 March this year that states that in August of 2018 the minister was given repeated briefings from Canberra Metro stating:

... Canberra Metro have used most of the contingency allowances held within the program and are therefore at a higher risk of missing the forecast completion date.

A *Canberra Times* article on 24 October last year said:

A Transport Canberra spokesman said the track was now “essentially complete”.

Minister, why in October of last year did you direct Transport Canberra to give public assurances that the rail would be delivered on time when you were being repeatedly advised by Canberra Metro that there would be severe difficulty in meeting your proposed December deadline?

**MS FITZHARRIS:** I did not give that instruction to Transport Canberra.

**MR WALL:** Minister, why did you make repeated assurances during this time that the project was on track to be completed in December of 2018?

**MS FITZHARRIS:** As I indicated last year, it was not until Canberra Metro advised that they could no longer meet the December time frame that I advised the community; I believe it was the next day. Prior to that I had said repeatedly that this is a very complex program. It is a major infrastructure project and there are always risks in a major infrastructure project. We had confidence around the construction and needed to start talking to Canberra Metro about when the date would be that operations would commence.

I said repeatedly that there remained risks to the project, which are many and varied, in my advice and communications with the community and with the Assembly.

I advised the community the day after I received advice that they could no longer meet the December time frame.

**MISS C BURCH:** Minister, given that you have now announced a commencement date for light rail caveated around accreditation, and that Canberrans have still not had any assurances about that accreditation process, how confident can you be that the light rail project will be accredited on time?

**MS FITZHARRIS:** Certainly Canberra Metro have advised that this is the date they expect to start operations. But I say again as I have said all along, this is a major project. It is still the case that a number of certifications need to be received, as is the case with any project. None of this is any different to any other major infrastructure project.

I have also said that when we have a date for the commencement of operations we will advise the community. Of course there may be unexpected or unanticipated things that arise that the regulators and certifiers would like further information on. I cannot be any clearer. I know where the opposition are going with this, but I have been very clear. It is a major project; there are risks.

As I said yesterday, we now have a date from Canberra Metro and we can advise the community of this hugely significant day for our city. We now have a date that we are planning for the launch of light rail, that is, Saturday, 20 April.

### **Woden town centre—renewal**

**MS CODY:** My question is to the Minister for City Services. Minister, can you outline how the Woden experiment is helping to rejuvenate the town centre?

**MR STEEL:** I thank Ms Cody for her question and note her genuine interest in the future of Woden town centre. It is great to see the town centre going through a period of regeneration. Previously empty, abandoned federal public service buildings are being transformed into new mixed-use developments. It is really coming to life following the federal Liberal government's cuts to the public service.

Our government is focused on creating really great quality public spaces in our town centre. That is the key focus of the Woden experiment in the town square, a very significant investment by the ACT government to transform this often windy and challenging space into a vibrant place for people to spend their time.

The upgraded square has brand-new furniture, with a mix of lounge chairs, hammocks, tables and even charging stations for your devices, plus flexible table settings next to areas set aside for pop-up food and drink vendors, turf areas with sun lounges, and outdoor table tennis facilities for a bit of fun as well. There is also more green space, with both artificial and irrigated grass areas and tree plantings, complemented by a nature play area, providing a more natural feel to the middle of the town centre.

There is a workshop available to be booked, which provides a great opportunity to get out of the office and into the square. A community hub room can also be booked,

whether you are a community group wanting to find a space to meet or just looking for a place to spend time with your friends.

**MS CODY:** Minister, how is the government working with the community to activate the square?

**MR STEEL:** I thank Ms Cody for her supplementary. The community has had a huge role to play in the design and development of the new town square. I was pleased to engage in the discovery phase of the Woden experiment earlier last year. It included a hands-on discussion with a room full of Woden residents at a town hall meeting as we explored the square's future and new ideas.

Now that the Woden experiment is up and running, we are bringing Woden town square to life. Whilst the furniture activations are adding a lot to the square, performances will soon begin as part of the experiment as well. The government is working with Woden Community Service and the Tuggeranong Arts Centre to deliver a program of activities and events to take place during the activation over the next six months, utilising the new stage area in particular. This will give Canberra artists a new venue to perform in.

We are also expecting that there will be a degree of spontaneous performances available to activate this space. We have also had some interest from some yoga groups as part of the activation and using that space. I look forward to seeing the creative events that may be on offer in the square to further enhance this important public space for the Woden community.

**MR WALL:** Minister, were any existing local traders given the opportunity to hold a pop-up stall, or will they be approached to do so?

**MR STEEL:** We are very interested in hearing from the entire community about what they can offer to the Woden experiment during the next six months of the activation, particularly performers and artists but also those who may want to run other activities in the square. All this is designed to encourage people to come down and use the square. I hope that Woden residents take up the opportunity to come down.

We will also be doing an evaluation of the number of visitors in the square over the six months.

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

**MADAM SPEAKER:** Minister, resume your seat, please.

**Mr Wall:** Madam Speaker, on relevance, the minister was asked specifically: were existing traders approached to hold a pop-up stall or will they be approached? I ask that he be directly relevant to that.

**MADAM SPEAKER:** He went into some detail in the answer about consultation and interest in hearing from groups but perhaps in the time that you have left, minister, you might be able to get to that point.

**MR STEEL:** Thank you. We put out an expression of interest process for people who wanted to get engaged in the square, and that continues to remain the case. I encourage anyone who wants to be involved in the pop-up to get involved by contacting the Woden experiment team. As part of that, we will be evaluating how the activation has actually worked. If it is successful, we will make the furniture activations permanent. But we also want to make sure that there is an ongoing suite of performances in this square to bring people down, whether it is to eat at a pop-up cafe or to enjoy the space with friends, play a bit of table tennis and see a performance.

### **ACT Emergency Services Agency—consultation**

**MRS JONES:** My question is to the Minister for Police and Emergency Services. On 13 March 2019 the meeting of the emergency services operational review group was cancelled with less than one hour's notice. Why was the meeting cancelled?

**MR GENTLEMAN:** I do not have any detail of the cancellation of the meeting, so I will take that on notice and come back to the chamber.

**MRS JONES:** Minister, given that attendees were told that there may be an extension to the bushfire season, when did the ESA Commissioner first start considering an extension, and what is the outcome of those considerations?

**MR GENTLEMAN:** The commissioner advised me that he had considered the extension to the bushfire season due to the dry conditions. I have not got the particular date. I was briefed on it only on Monday, but I will come back to the chamber with those details.

**MR HANSON:** Minister, are you aware that the cancellation of the emergency services operational review group meeting was at such short notice that some members had arrived at ESA headquarters only to be told that the meeting would not proceed?

**MR GENTLEMAN:** Again, Madam Speaker, I will take that on notice.

### **ACT Emergency Services Agency—personnel**

**MRS DUNNE:** My question is to the Minister for Police and Emergency Services. Minister, is someone currently performing the duties of the director of people and culture in the Emergency Services Agency?

**MR GENTLEMAN:** I imagine so. I do not have the detail in front of me of the minutiae of what occurs in our directorates, but I will take that on notice and come back to the chamber.

**MRS DUNNE:** When you take that on notice, minister, can you also inform the Assembly whether all ESA staff have been made aware of who is performing this high level executive role, given that you do not know who is doing it? And if not, why not?

**MR GENTLEMAN:** Yes, certainly. I will take that on notice.

**MRS JONES:** Minister, are you satisfied that all staff within ESA are receiving the necessary support and information from their leadership in order to fulfil their roles?

**MR GENTLEMAN:** I am very confident in the leadership in ESA. ESA do a fantastic job for the territory. Canberrans feel safe around Canberra and ESA are doing a great job in ensuring that we have a safe community. Whether it is in regard to preparing for bushfires, whether it is doing fuel load reduction, whether it is doing ambulance paramedic work, Canberrans feel very safe.

### **Childhood sexual abuse—government support for victims**

**MS CHEYNE:** My question is to the Attorney-General. Attorney, how is the government's new criminal legislation strengthening our ability to hold people who abuse children responsible?

**MR RAMSAY:** I thank Ms Cheyne for the question. Ensuring the protection of children now and in the future is our top priority. The royal commission gave us a detailed account of our collective failure to protect children and a road map to prevent the failings into the future. We have to acknowledge our collective failures to protect children in the past and take responsibility for protecting them in the future.

A core part of our work is to ensure that the criminal justice system responds strongly and effectively when a child is harmed. Last year this government delivered legislation to ensure that the courts are able to take account of witness testimony about ongoing and historic abuse. We also changed our sentencing laws to ensure that where people had access to children because of their good reputation, that reputation cannot be used to mitigate a sentence.

Our criminal laws have also gone further. Last year we introduced a new crime for people who are in positions of authority over children and who knowingly fail to protect them from sexual abuse. That crime was an important acknowledgment that we have a responsibility not only to respond when children are abused but also to take steps to protect them in the first place.

I am proud to say that this government introduced a new criminal law that recognises our shared responsibility to report abuse. The royal commission showed conclusively that a culture of silence in institutions exposed our children to horrendous and repeated abuse. Following the passage of the legislation yesterday, all Canberrans will have a legal duty to report abuse to police. Our laws will support a culture of reporting and, when abuse is reported, offenders will be held responsible.

**MS CHEYNE:** Attorney, what are some ways that the government is demonstrating to survivors in Canberra that their reports of crime will be treated respectfully and pursued vigorously?



**MR RAMSAY:** I thank Ms Cheyne for the supplementary question. The key purpose of the royal commission's criminal justice report was to eliminate cultural and inaccurate biases against the credibility of survivors. Here in the ACT we have introduced measures to reduce the trauma of the court process and to ensure that evidence presented to court is not discarded because of inaccurate perceptions about how survivors recount their testimony.

The importance of continually reforming how we treat survivors in court was dramatically underscored with the public sentencing of George Pell. The royal commission proved conclusively that there is no basis for believing that abuse cannot happen at senior levels or be perpetrated by people who purport to be amongst our most trustworthy.

Yet still senior Liberal politicians and conservative media pundits across Australia demonstrated the very biases against survivors that the royal commission documented so thoroughly. It was astounding to see those biases repeated even in the face of a jury finding, and it underscores just how important it is to drive real cultural change.

This government's legislation on child safety makes no exception for any institution or religion. We will keep demonstrating our support for survivors in reforms to our criminal justice system, in our public commitments, and in our acknowledgement of the collective failures to protect survivors.

This government will keep working to change our culture of responding to survivors, and in every engagement with our community we will demonstrate that they are supported and they are believed.

**MS ORR:** Minister, what further measures is the government taking to support survivors of child sexual abuse who choose to come forward?

**MR RAMSAY:** I thank Ms Orr for the supplementary question. The royal commission and the brave survivors who came forward during the process have brought to light failings, and they are entitled to our support. We can expect that more people will come forward as the process of reform continues. Our criminal law reforms will support them to tell their stories in court and hold offenders to account. And we are also providing avenues for them to seek personal redress.

It is critical that survivors can access the right support. Our investment in the national redress scheme is just one example, with over \$100,000 going to the Canberra Rape Crisis Centre to assist people who are seeking redress. Survivors will have access to legal advice, to counselling and to administrative help working through the redress process.

We reformed our civil laws to ensure that survivors who seek compensation for abuse can do so effectively. Last year we abolished the Ellis defence which had allowed churches in other jurisdictions to avoid paying compensation through legal technicalities. We also abolished all time limits applying to law suits for historic sex abuse.

The ACT will keep working hard to ensure that our response to the royal commission puts children first and that our services are oriented around supporting survivors.

### **ACT Fire & Rescue—equipment**

**MR PARTON:** My question is to the Minister for Police and Emergency Services. Since July 2017 the ACT's only Bronto has been unavailable for 2,354 hours, or roughly one day per week. A replacement was provided for only 925 hours. This means that the ACT was at serious fire risk without a Bronto for over 1,400 hours, or 60 per cent of that time. Minister, why have you allowed the ACT to be at fire risk with no available Bronto for over 1,400 hours since July 2017?

**MR GENTLEMAN:** I refer Mr Parton to my detailed statement yesterday with regard to that appliance.

**MR PARTON:** Minister, in what month will the new aerial pumper appliance be delivered and operational in the ACT?

**MR GENTLEMAN:** The process for a new aerial appliance is detailed. As soon as the appliance is commissioned, road ready and delivered to the ACT, I will make that announcement.

**MRS JONES:** Minister, when will a full-size replacement for the current Bronto be delivered? Do you even know?

**MR GENTLEMAN:** It is not our intention to replace the Bronto as such. The Bronto is the appliance which sits on top of the cab chassis. The appliance that we are replacing or procuring is a new aerial appliance. It is superior to the current one. I have given the details of the procurement for that process. It should be delivered as soon as it is constructed.

### **Schools—safe and supportive schools review**

**MS LEE:** My question is to the Minister for Education and Early Childhood Development. Minister, yesterday you announced a committee set up under the Education Act to review safe and supportive schools practice across public schools. Minister, why are parents and teachers excluded from contributing to this committee?

**MS BERRY:** They are not.

**MS LEE:** Minister, why can individual schools not have their concerns investigated by this committee?

**MS BERRY:** This advisory committee is set up to investigate the processes, policies and systems in place to ensure that when bullying or violence occurs in our schools we have the appropriate settings in place to make sure that the victims of violence, the perpetrators of violence and others involved are supported. This is not an inquiry for individual circumstances to be made a spectacle of or to have fingers pointed at

individuals or schools. That is not a constructive way forward to ensure that school cultures are safe and supportive.

**MR WALL:** Minister, why was an advisory committee established, as opposed to an independent inquiry?

**MS BERRY:** I refer the member to my previous answer.

### **Government—space industry policy**

**MS ORR:** My question is to the Chief Minister. Chief Minister, since the political announcement that the headquarters of the Australian Space Agency will be moved to Adelaide what steps has the ACT government taken to make sure that Canberra still gets some economic benefits from the creation of the agency?

**MR BARR:** I thank Ms Orr for the question. Last week the ACT became the first jurisdiction to sign a memorandum of understanding with the Australian Space Agency. It represents our commitment to advance and grow the local space sector in an industry that is globally worth \$420 billion annually and growing at 10 per cent each year. This is a partnership that will ensure that the ACT will continue to see growth in our space industry. The Australian Space Agency has been tasked with tripling the size of our nation's industry to \$12 billion and to create 20,000 jobs by 2030.

The MOU we have signed ensures that Canberra remains front and centre of this significant opportunity and that the ACT government will continue to support and promote the range of skills and expertise that the Canberra region has to offer. We do so because we understand that a successful Australian space industry requires a nationally collaborative approach to the development of the industry. For that reason, we were the first state or territory in recent times to advocate for the creation of the Space Agency to bring a focus to the Australian industry.

Our leadership in this area will continue and, despite what was a blatant political decision to relocate the headquarters away from Canberra to Adelaide, we are not going to let this setback stop our local space sector benefitting from the agency's establishment.

**MS ORR:** Chief Minister, which jurisdiction has the most space jobs?

**MR BARR:** Given this city's long and direct involvement with some of the biggest events in international space exploration history—from the support for the first moon landing in 1969 to the Mars Phoenix landing in 2008—the answer should not surprise anyone. Canberra has the most jobs of any state or territory in the space industry.

We are home to one in four jobs in the Australian space industry. These jobs comprise personnel engaged at many of our local innovative SMEs, global exporters and multinational primes with large space programs, as well as those working in the industry at our higher education institutions, particularly the ANU and UNSW Canberra, both of which offer space research and development capability.

The fact that our city is home to all of these jobs and the fact that the local industry's capability is internationally renowned explains why it was so perplexing that the federal coalition government made a decision to uproot the agency from Canberra and move it to Adelaide.

It is timely to be debating decentralisation of the public sector more broadly today because this decision is a further example of the self-defeating actions in moving important national agencies away from Canberra. In the context of the Australian space industry, where we have one in four jobs already and that national and international capability, the decision to headquarter the agency in Adelaide is even more absurd.

**MR PETTERSSON:** Chief Minister, what is next for the space sector in the ACT?

**MR BARR:** Following the signing of the MOU with the agency we will continue to work on significant initiatives to support our local industry. That includes the investment of a further \$9.75 million over three years in stimulus and innovative infrastructure projects under the priority investment program.

We are partnering with the agency to promote Canberra's space industry capability at the 35th Space Symposium in Colorado Springs next month. We are exploring a similar opportunity to partner with the national agency in October 2019 at the International Astronautical Congress in Washington DC.

Canberra is hosting the ministerial summit for the intergovernmental group on earth observations in November 2019. This summit brings together representatives from 105 countries and 100-plus international organisations providing an opportunity for our city to showcase its space capabilities to a global audience. We are also working with the Space Industry Association of Australia to host a space industry forum later this year.

Of course, in July we will be undertaking a range of activities led by Minister Gentleman to commemorate the 50th anniversary of the first moon landing to celebrate and recognise Canberra's involvement in the *Apollo 11* mission, to promote our local space industry capability and to help inspire the next generation into STEM and space careers.

Madam Speaker, I ask that all further questions be placed on the notice paper.

### **Supplementary answer to question without notice ACT Policing—body cameras**

**MR GENTLEMAN:** In relation to the questions Ms Le Couteur asked in question time, I am advised that the body-worn camera technology is only currently activated when a taser or firearm is drawn. The technology is capable of broader use. However, the current restriction to taser or firearm use-of-force incidents will not be revised until appropriate governance is developed and approved, in conjunction with key stakeholders. Ultimately this is a decision for the Chief Police Officer.

Separately from body-worn cameras, ACT Policing routinely record evidence-in-chief interviews in the field for use in criminal proceedings. These evidence-in-chief interviews are primarily with victims of and witnesses to family violence incidents and are done with a digital camera.

## **Culturally and linguistically diverse Canberrans—access to disability services**

Debate resumed.

**MRS KIKKERT** (Ginninderra) (2.47): I thank Ms Lee for bringing this very important motion before the Assembly today. I rise to speak in full support of it.

As I have previously noted in this chamber, Australia is one of the most culturally diverse nations in the world, exceeding New Zealand, Canada, the United States and the United Kingdom in the proportion of residents born overseas. Our national capital reflects, and on some measures even exceeds, this diversity. According to the latest census figures, 32 per cent of Canberra's residents are migrants and more than half of us have at least one parent who immigrated. A non-English language is spoken in nearly one-quarter of the territory's households. This means that our community is, without question, culturally and linguistically diverse, a descriptor that is often abbreviated to CALD.

Previously I have spoken about how CALD populations in Australia are less likely to access mental health services. At the time I made specific suggestions about ways the ACT government could help to address this service gap in our local system. The statistics clearly show that, in a similar way, culturally and linguistically diverse Australians are hugely under-represented when it comes to accessing specialist disability services. For example, despite estimates that about 22 per cent of those enrolled in the NDIS should be from CALD backgrounds, the reality is that only nine per cent are.

In the past, some have explained away this disparity by suggesting it is caused by the so-called healthy migrant effect, in part due to the health screening of potential migrants by government immigration policy, as well as self-selection in the process of immigrating. On this point, however, the data are clear. Australia's overseas-born population has the same rate of disability as those born here, and when it comes to people with profound and severe disability requiring specialist services, those born overseas actually have higher rates of disability.

As already noted by my colleague Ms Lee, the lower than expected number of people from CALD backgrounds who access specialist disability care may in part be due to cultural expectations that families will take care of their own. Like Ms Lee, I honour that choice. After all, the NDIS is intended to provide people with the opportunity to pick the specific options that work for them. But this reality merely emphasises how important Ms Lee's proposal is.

For a choice to be effective, it needs to be informed. This means that Canberrans from culturally and linguistically diverse backgrounds who live with disabilities need to fully grasp the options so that they can seek the supports that suit them as individuals within the cultural frameworks that give sense, meaning and purpose to their existence. This is a process that we all engage in, but it is easy for those who fit comfortably into the dominant culture to completely overlook how culturally determined their own needs and expectations are or how much the policies they implement and the services they provide are reflections of cultural expectations that are not shared by everyone.

The simple reality is that CALD Canberrans also live with disabilities of various kinds. If those opposite genuinely care about that fact, we will no longer be the sole jurisdiction in Australia without a designated advocate and appropriate programs to breach the space between disability services and multicultural residents, including seniors. Providing a CALD advocate and these programs would help to address the following issues.

The first is cultural competence. John Stone has noted that this concept:

... implies the ability to understand and respond to the needs and concerns of individuals and their families from ethnic and minority communities, with responses based on an accurate understanding of their specific cultural practices.

Simply put, people will not access services that are not culturally relevant. It is difficult for all disability advocacy groups in the ACT, many of which are small operations, to help at a sufficient level of cultural competence. It requires a person who has actually been trained to know how to work with people from different cultures who live with disabilities. This includes the necessary ability to engage in cross-cultural communication. Without this ability, many other efforts, no matter how well intentioned, are doomed to fail.

Second, a dedicated CALD advocate and appropriate programs would also help to address the persistent lack of information experienced by many culturally and linguistically diverse Canberrans. It is one thing if people know about available services and decline them but in many cases, research has found, people in multicultural communities have no idea what services actually exist or how to access them. Having key information translated into relevant languages is crucial.

It is also necessary to provide information in relevant community languages via face-to-face meetings and a variety of media. An advocate who understands what needs to be shared and can make sure that those messages reach their target is an essential element in making sure that choices made by CALD residents with disabilities in Canberra are genuinely informed. Another important role of an advocate in this space would be to link agencies that provide disability services with those in the multicultural sector, guaranteeing a free flow of information back and forth.

Last, as experts have pointed out, cultural explanations and perceptions of disability can influence people's willingness to seek support and the type of support they will

seek. While always honouring culture, an important role of a disability advocate specifically for Canberrans from CALD backgrounds would be to demystify and destigmatise issues of disability, or to raise expectations or a vision of life where disability does not present insurmountable obstacles. To be done right, however, this task must be performed by a professional who has been trained and has the skills to engage in this kind of educational outreach with complete cultural sensitivity.

The alternative is to allow people to potentially make choices they might well make differently if they understood their situation more fully. This alternative also includes a willingness to allow certain Canberrans to enjoy less fulfilling lives simply because they somehow do not rate highly enough to get this government's serious attention.

Ms Lee's motion makes a simple request, one that could easily be agreed to by those opposite. ACT government publications pay lip-service to meeting the specific needs of those in Canberra's multicultural communities and making sure they enjoy access to the same services that the rest of the territory's residents do. But, as they say, talk is cheap. I urge this government to endorse this motion and then actually follow through with the provision of an advocate and appropriate programs. The reputation of this government among culturally and linguistically diverse Canberrans is once again on the line. I commend this motion to the Assembly.

**MS LEE (Kurrajong) (2.54):** I thank members for their contribution, and especially Mrs Kikkert for her support. It is clear that all parties acknowledge the need to ensure that our CALD community is not left behind when it comes to accessing essential disability services. Having spoken to numerous advocacy groups and members of the disability community, and having attended a forum on the issue last year, I have heard firsthand about the needs that are going unaddressed. I want to see these gaps addressed. In my opening speech I raised a few specific reasons why accessing disability services for our CALD community can be challenging. I will expand a little more on that now.

First there is the language barrier. This goes beyond just translating resources. There is a lot of talk about plain English disability information to help participants and families navigate the intricacies and complexities of the NDIS and specialist disability services. Even for migrants who have lived in Australia for a long time, language barriers will almost always be a factor for the remainder of their lives. My parents migrated to Australia in their 30s and have lived here for more than 30 years but, due to the fact that they did not speak a word of English until they were in their 30s and due to their lack of formal Australian education, they will struggle to read government documents. This is even if they get translated material.

Second there are the economic and technological barriers which many in the multicultural community face. Many of us take for granted that we can and do use the internet and our mobile phones for just about anything. Not everyone is as technologically fluent. Even though there are many areas in the ACT with free wi-fi, for those from a CALD background, especially our older Canberrans, accessing, understanding and using the internet is not as easy and does not come as second nature.

Yes, translation services may be available. But inability to access these resources is often a result of limited time or money or technological constraints. Again, this leads to an increased risk of social isolation among this group. It is also important to recognise our emerging communities, such as refugees, who are similarly at risk of social isolation and economic disadvantage and may require disability and ageing services that may benefit from a cultural advocate or officer and the range of outreach services called for in my motion.

Third, and perhaps one of the most difficult obstacles to surmount in the CALD disability space, is overcoming cultural barriers. Many people from multicultural backgrounds have different sensitivities and approaches to disability and ageing. This often means that they or their families do not access the best available support and specialist care.

Within the CALD community, older members are in a particularly vulnerable position. In many cultures, elderly family members are supported and are expected to be supported by their wider family, in the home of their adult children. We know that older migrants can regress to their mother tongue and native culture, as acknowledged by Ms Le Couteur, as they age. The thought of being thrown into mainstream senior services, including aged-care facilities, can be overwhelming and scary. Even my own mum, who has lived in Australia for over 30 years, works for an Australian company and engages socially with Australians from all around the world, is fearful of ageing without close family—although I do think her biggest fear is not being able to eat kimchi every day.

For these reasons and more, older members of the CALD community are more reluctant to access existing services for disability and seniors. Should anything happen to the family dynamic, there is a real danger of those members falling through the cracks altogether.

Let me illustrate how the lack of a specialist CALD disability advocate is impacting on the life of one Canberran. This case was raised with me by Advocacy for Inclusion. I will refer to this person as Z. Z, who is from a Muslim background, has an intellectual disability and communicates with a communication board and through expressing actions. Z lives with his parents, who both have English as their second language and have a very strong traditional background, with their guardianship of Z being managed through a top-down approach, involving little opportunity for self-expression. Acknowledging the desire of Z's parents to ensure the best care for their son, the cultural barriers mean that issues such as the importance of self-expression need to be approached sensitively and appropriately with the family. A dedicated trained professional cultural advocate with the right and appropriate skill set and understanding will be best placed to ensure the best outcome for Z and his family.

This is why I brought this motion forward today. I thank the National Ethnic Disability Alliance, People with Disabilities ACT and Advocacy for Inclusion for their guidance and support in preparation for my motion.



Turning to the amendments, sadly and not surprisingly the government, while saying all the right words, omits the vital call to actually do something. To quote former Labor Chief Minister Jon Stanhope, writing in the *City News* on the ACT government's recently released ACT Aboriginal and Torres Strait Islander agreement 2019-2028:

Unfortunately, the agreement is little more than a collection of platitudes while the "action plans" don't actually contain any "actions" and, unlike the Liberal Party, the government has not committed any funding or resources ...

Elsewhere he says:

In other words, Labor and the Greens are happy to talk about the matter but are not prepared to promise to do anything ...

This could easily apply to the government's response to my motion. They want to be seen as sympathetic and helpful, but without a financial commitment or a time frame or concrete action they remain just words and vague aspirational commitments. This is disappointing. What is also disappointing, and yet unsurprising, is the Greens' refusal to support my motion after again saying all the right things and condescendingly patting me on the back for my well-intentioned motion. I have said before and I will say again, Ms Le Couteur, thanks for your sympathy; I would much rather have your vote, which will actually make a difference.

All parties have agreed that more needs to be done. All parties have agreed that we have members of the CALD community living with a disability who are falling through the gaps. The government's amendment calls on the government to:

... ensure that disability advocacy, inclusion and multicultural participation grants are able to support the needs of Canberrans from a CALD background living with a disability.

Seemingly this is admitting that the government is failing to do just that. But is this not the core duty—what a government should do to ensure that vulnerable members of our community are not falling through the gaps?

The Canberra Liberals will not be supporting the amendment. It is calling on the government to do something that it should clearly be doing as a matter of course for any government. There is no accountability, no provision to report back, no time frame, no additional resources and no concrete action to achieve a difference.

As for the minister saying that it is inappropriate for the Assembly to call on the government to commit funds to something as important as this, I do not even understand where that comes from. If it were inappropriate for non-executive members to call on the government to fund something then surely the majority of private members' motions would be inappropriate. After all, everything has budget implications. So let us call it what it is: an easy cop-out.

The community wants action. The community wants this government to put in real resources to back up its rhetoric. This amendment is disrespectful to Canberrans from a CALD background living with a disability. It is just a way to squirm out of taking real action to make a real difference to real people.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 13

Noes 10

Mr Barr	Ms Orr	Miss C Burch	Ms Lee
Ms J Burch	Mr Pettersson	Mr Coe	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	

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## Decentralisation of federal agencies

**MS CHEYNE** (Ginninderra) (3.08): I move:

That this Assembly:

(1) notes that Canberra:

- (a) plays a critical role as our nation's capital and is Australia's centre of public administration, driven by the expertise and hard work of public servants who are highly capable, diligent and committed in their service to the entire country;
- (b) is home to a broad range of private sector organisations and tertiary institutions that regularly provide services and expertise to government departments; and
- (c) is a successful regional centre and partner with the surrounding NSW councils to strengthen economic growth, encourage tourism, and foster export opportunities;

(2) also notes the success of continuing efforts by the ACT Government to create and protect jobs in the ACT, including:

- (a) campaigning to make Canberra the permanent home of the Australian Space Agency, which aims to triple the size of Australia's space industry and create up to 20 000 jobs by 2030;
- (b) signing a memorandum of understanding with the Australian Space Agency to strengthen and grow the ACT's space industry;

- (c) supporting our local workforce through a pipeline of major infrastructure projects, including the light rail network and the University of Canberra Hospital;
  - (d) relocating more than 1 000 ACT public servants to Woden to co-locate Health Directorate and Access Canberra staff, creating a more efficient and streamlined ACT public service and enlivening the town centre, including surrounding businesses;
  - (e) ensuring the ACT public service is further spread across multiple local centres, including Gungahlin and Belconnen and, in the near future, Dickson, to the benefit of multiple communities;
  - (f) diversifying Canberra's economy by supporting innovation and entrepreneurialism to create more private sector jobs and bring new opportunities to the ACT;
  - (g) encouraging investment and opening doors for international trade and tourism; and
  - (h) fiercely advocating for the protection of public sector jobs in the ACT;
- (3) further notes the Commonwealth Government's commitment to move more jobs out of Canberra every year, as demonstrated by:
- (a) Canberra losing more than 6 700 Federal public service jobs since the Coalition government took office in 2013, as of mid-2017;
  - (b) Central Sydney, Melbourne and Brisbane attracting more Federal public service jobs than regional areas between 2013 and 2017, with:
    - (i) Inner Sydney gaining 2 000 public servants;
    - (ii) Inner Melbourne gaining 850 public servants; and
    - (iii) Inner Brisbane gaining 1 260 public servants;
  - (c) regional Australia losing 748 Federal public service jobs over the same period;
  - (d) the shambolic forced move of the Australian Pesticides and Veterinary Medicines Authority to Armidale which resulted in the resignation of the agency's chief executive and at least 20 scientists;
  - (e) the Commonwealth Government's decision to relocate the Australian Space Agency to Adelaide despite Canberra being the initial home of the Agency and natural home of the space industry with nearly one in four Australian space industry jobs being based in Canberra; and
  - (f) a new misguided plan to move 76 of the Murray Darling Basin Authority's staff to regional towns including Griffith, Mildura and Murray Bridge despite:
    - (i) Canberra serving as a neutral location for the authority to ensure the river system is managed in the interests of all Australians; and
    - (ii) the grave issues raised in the South Australian Murray-Darling Basin Royal Commission Report regarding the negligence and maladministration from the Murray-Darling Basin Authority;
- (4) further notes:

- (a) no cost-benefit analysis has been released by the Federal Liberal-National Government regarding the forced relocation of the Australian Pesticides and Veterinary Medicines Authority and no commitment has been given that it will release such analysis for any future relocation;
- (b) the continued lack of detail about the Commonwealth Government's inquiry into the decentralisation of the public service, creating uncertainty for government departments and staff;
- (c) the decentralisation of significant components of the Australian Public Service out of the ACT will have devastating consequences for Canberra's and Australia's economic, social and cultural fabric, including:
  - (i) increasing investment uncertainty and undermining continued economic growth;
  - (ii) significantly reducing activity in town centres, impacting on small businesses and local communities;
  - (iii) disrupting the lives of Canberrans whose familial, social and work networks are firmly established in the ACT; and
  - (iv) jeopardising the efficiency and expertise of the Australian Public Service; and
- (5) calls on this Assembly to continue to:
  - (a) condemn the Federal Government's policy of decentralisation, which has served as a pork-barrelling exercise that has risked and continues to risk undermining the ability of public sector staff to carry out their jobs effectively;
  - (b) use all tools at its disposal, including public advocacy, representation at local and national forums, and tri-partisan action with other political parties as appropriate, to protect and support Canberra's public sector workers;
  - (c) seek Commonwealth Government recognition of Canberra as the appropriate home of the Australian Public Service, and a reversal of its policy of forced public sector relocation from Canberra to regional towns and centres around Australia; and
  - (d) vigorously refute attacks on Canberra public sector workers' collective integrity, work ethic, and service to the wider Australian community.

Madam Assistant Speaker, here we are again. It is another period of having to stand up in this place to defend our citizens, our community, against the federal government's short-sighted pork-barrelling, another period of uncertainty as our federal public servants continue to be treated like pawns on a chessboard. Will they move them? Won't they move them? It is anyone's guess.

But it is not a game, Madam Assistant Speaker. These are public servants who serve our country through sheer hard work, public servants who bring a diversity of experience and skills to their workplaces, public servants just trying to get on with it. More than that; they are people. They are members of our tight-knit community here in the ACT. They are the umpires of kids' footy. They are the parents working at the fetes. They are neighbours, friends and family members, and they are easy targets.

They are easy targets of policies like these that are misguided and reek of desperation at a time when warring National Party members fight to hold on to their seats. Instead of coming up with their own ideas, their own policies, their own acts of job creation, they are plundering Canberra, plundering the Canberra community, to serve their own needs instead of the needs of the broader Australian public for the public good.

It is not good enough and it has never been good enough. It is incumbent on us, as representatives of this territory, to denounce this assault on our city. As the federal government doubles down on this asinine policy, it is now more important than ever to do this. It is timely to pull apart this policy that is supposedly about enlivening regional communities. Is it really having the meaningful impact it is supposed to have? Is it really worth continuing with?

Let us look at data produced by the Australian Public Service Commission, data included in its submission to the federal government's very own inquiry into regional development and decentralisation. From mid-2013, just before the coalition took office, to mid-2017, inner Sydney gained 2,000 public servants, inner Melbourne gained 850 public servants and inner Brisbane gained 1,260 public servants. That is more than 4,000 public servants in total.

During that same period, how many public servants did regional Australia gain? None. It lost 748 public service jobs. How many public servants did Canberra gain? None. It lost 6,700 public service jobs. That was bad enough, but it has got worse. If there was ever an example of poor policy, it is the shambolic move of the Australian Pesticides and Veterinary Medicines Authority to Armidale, announced in 2017 under this so-called decentralisation policy.

Many staff have voted with their feet, opting to stay in Canberra or simply to leave the agency altogether. The debacle has resulted in the resignation of the authority's chief executive and a large pool of scientists. As it stands, 40 of the agency's 180 staff, more than one-fifth, have opted to remain in the ACT. Not only was the move a short-sighted pork-barrelling exercise on the part of former Nationals leader Barnaby Joyce, a politician who continues to wreak havoc among his own party and more broadly, but also it was poorly executed.

The APVMA admitted that the new arrangement is increasing costs otherwise saved by keeping scientists in Canberra. The move also threatens to blow out the agency's budget. Armidale does not offer a single building suitable to house APVMA staff, resulting in the need to build a new one. But at the heart of the problem is people. For too many federal politicians, Canberra is just a workplace. It might be just a workplace for them, but it is not just a workplace for Canberrans. It is our home. Our roots are here and our lives are here. Now we have a situation where many of APVMA's valued staff just did not move. Decades of corporate knowledge is gone because they quit.

A recent Senate inquiry found concerns about the APVMA's safety and about the APVMA's efficiency—that there has been a huge loss of scientific expertise. The inquiry found that its international reputation is at stake. I repeat that its international

reputation is at stake. The flow-on effect of that is to Australia's international trade. The Senate inquiry recommended that the federal government prioritise a fit-for-purpose and stable workforce over any decentralisation policy.

What I have just told members about the findings of the inquiry would make any reasonable person stop and think. You would probably think, "Maybe that is not such a good idea. Maybe decentralisation is not working in the way we intended." But what does the federal government do? Does it listen to evidence? Does it recognise the impacts? Does it adhere to the recommendations of the committee? No, it just doubles down. Cue the slow clap.

So who is the next target? It is none other than the Murray-Darling Basin Authority. Last week, funnily enough mere weeks before an election, the federal government announced that they will shift 76, or a quarter, of the agency's staff to a number of regional towns within the river network's southern basin. This comes just two months after the South Australian Murray-Darling Basin Royal Commission report highlighted grave concerns about negligence and maladministration within the authority.

It beggars belief, Madam Assistant Speaker; it beggars belief that the federal government would further disrupt an agency that is already plagued with problems, that should be concentrating on fixing those problems. This is a federal government that finds a problem and then somehow finds a way to make it worse. Of course, in doing so, they happen to conveniently forget that Canberra is itself located within the Murray-Darling Basin.

It is funny how the coalition conveniently forgot that Canberra is the biggest city in the basin and that we deliberately serve as a neutral location for the authority to ensure that the Murray-Darling Basin, Australia's most extensive river system, is managed in the interests of all Australians. Griffith, Mildura and Murray Bridge will all share in the pool of positions if the move goes ahead, plus a town yet to be named. It is safe to say that this fourth town will serve the interests of a politician first and all other considerations second, including the efficiency of the agency and the best interests of Australians whose lives are affected by the health of the river network.

As we discussed during the last sitting period, there are so many of those Australians who we need to be looking after and it is incumbent on all of the jurisdictions that are part of this basin. It is just not good enough. It is not good enough for these public servants. It is not good enough for the MDBA and it is not good enough for Canberra.

As I have said in the past, the original rationale for decentralisation was a noble one: creating careers and confidence in regional communities. But, as I have also emphasised, the policy position that the coalition government has taken is not about creating jobs. It is about moving jobs. It is a complex manoeuvre and not one without severe consequences.

Surely there has to be a better way. There is a better way. Instead of dismissing Canberra, our federal politicians should actually be looking closely at us. The ACT government has continued to protect and, importantly, create Canberra jobs. We

continue to diversify the economy, supporting innovation and entrepreneurialism, fostering the creation of more private sector jobs and a greater variety of jobs too.

We continue to encourage investment in the ACT and attract interstate and international tourism. You only have to look at premier events like Floriade, Enlighten, the Canberra Comedy Festival—right outside—and The Forage as examples. We continue to support our workforce through a pipeline of major infrastructure projects such as the light rail network and the University of Canberra Hospital. All the while, we continue to advocate for the Australian public service fiercely, passionately and unashamedly.

As the federal coalition government continues to plunder the nation's capital, the natural home, the sensible home, of the Australian public service, I will continue to stand up in this chamber and demand that it scrap this misconceived strategy. The longer the federal coalition government fails to open its eyes or, at the very least, provide detail and certainty about its misguided plans, the longer more Canberra public servants and their families are left in the dark.

The uncertainty is galling; the uncertainty is stressful; and the uncertainty needs to stop. So far, misguided decentralisation has not just created upheaval in Canberra and in Canberrans' lives. It has risked undermining the efficiency of the Australian public service. In fact, I would go so far as to say that it is has undermined very critical areas of the Australian public service. Arguably, it has had minimal or negligible impact on regional Australia. All the while, the federal coalition government has continued to view our public servants as pawns rather than as people.

This is why I stand again in this chamber to condemn the federal government's policy of decentralisation, a policy that has served as a pork-barrelling exercise, a policy that has put politicians ahead of the people they are supposed to represent, a policy that risks undermining the ability of public servants to carry out their jobs effectively, and a policy that attacks and undermines this city and its people.

I call on all members of this chamber to stand up and speak up on behalf of their constituents in every way possible, in every forum possible, to speak up for the public sector staff and the many other industries and people that rely on these staff. I call on people in this place to stand up for this city. I call on the federal coalition government to recognise Canberra as the appropriate home of the Australian public service. Stop playing games; stop moving people like chess pieces; enough is enough. I commend this motion to the Assembly.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (3.21): I thank Ms Cheyne for bringing this matter forward. It is a timely debate in this chamber today as we get to the final days and weeks of this current federal parliament and we see increasingly desperate moves to pork-barrel regional seats held by the National Party. It is possible that even members of the Liberal Party in this chamber would be frustrated by the behaviour of the National Party in their coalition. It clearly has been destructive.

Ms Cheyne has outlined two individual agencies which have been relocated, unsuccessfully in large part. But it is broadly destructive to the good work of the Australian public service and has a clear negative economic impact on the Australian Capital Territory.

Decentralisation was a Turnbull government buzzword; the Morrison government refers to our city as a bubble and says that we all exist within the Canberra bubble, as if this city and everyone in it are somehow leading a life divorced from real Australia. Both categorisations do a significant disservice to every single Canberran and they show a federal government that is willing to cause harm to the national capital for ideological reasons or for very marginal electorate benefit.

Ms Cheyne has outlined in her motion the facts as they relate to the commonwealth government's actions since 2013, through the loss of 6,700 federal public service jobs in the ACT and the ironic loss of nearly 750 jobs in regional Australia, while there has been a growth in public sector jobs in Sydney, Melbourne and Brisbane. That is the truth of the policy. Ironic as it is, we have not seen a transition of jobs out of Canberra into regional areas; we have seen a transition of jobs out of Canberra into inner Sydney, Melbourne and Brisbane. That is farcical in light of the stated policy intent but also in light of the debate we have been having in this nation in recent times in relation to population and infrastructure pressures in certain cities—principally Sydney, Melbourne and south-east Queensland, of which Brisbane is obviously the major city.

The commonwealth has been a net contributor to those challenges in those areas and has now, in the last 24 to 48 hours, made a range of policy announcements, particularly as the hours tick away towards the New South Wales election, relating to population pressures in Sydney. Over the last four years, nearly one-third of the public sector jobs that have been taken out of Canberra have moved into inner Sydney. That tells you something about the misguided priorities of this federal government.

Fortunately, we are a matter of weeks away from a federal election, when it is widely expected that this federal government will be voted out of office. The risk, though, is that between now and then there will be further destabilising announcements in relation to Australian public service agencies. Ms Cheyne has highlighted some of the most egregious examples, not least of which was Barnaby Joyce's decision, that could best be described as selfish and is probably bordering on morally corrupt, to move the Australian Pesticides and Veterinary Medicines Authority from Canberra to his own electorate in Armidale.

We are hearing of proposed moves for the Murray-Darling Basin Authority and we have had the ridiculous decision in relation to the Australian Space Agency. So we are seeing a pattern of behaviour from this government, and I suspect that, as it gets closer to the inevitable end of this parliamentary term, we will see even more desperate and extraordinary decisions that will have an impact on the ACT.

To put that in perspective, our territory's gross state product is estimated to be cut by \$110 million a year for every 1,000 Australian public service jobs that are cut from



our city. So there is a real flow-on impact of these decisions on our economy, and that has a real and measurable impact for small business and for our city's economy overall. A change in policy direction at the federal level will be very significant, should there be a change of government following the impending federal election. This is something that many of us here look forward to—a change of federal government—because it will make a big difference to the city of Canberra.

Ms Cheyne's motion also, importantly, focuses on the efforts the ACT government has undertaken in recent times to not only support the distribution of employment throughout our city but also attract new industries and see the creation of new jobs in those industries in the ACT. I talked today in question time about the space industry being but one example of where we are continuing our efforts to strengthen and diversify the territory economy.

We recognise that we need a more diverse economy to protect Canberrans from the periodic threat of federal coalition governments and their disdain for this city. It is an inevitable fact in our democracy that from time to time the conservative parties will govern our country, and it is clear from recent history, certainly in living memory, that their approach whilst they are in government at a federal level has been to attack Canberra. That is part of their DNA.

Some are more brazen about that than others, and I identify the National Party as being even more culpable than the Liberal Party, but the Liberal Party is the big brother or the big sister in that relationship. Actually, let's face it: it is the big brother because there are not many female members of the Liberal Party at a federal level. They have a responsibility; they have elected members in that federal party room from this city. Undoubtedly it is a big responsibility on whoever holds the position of ACT Liberal Senator to advocate for this city, but the track record in recent times has not been particularly good. Gary Humphries did a better job at standing up for Canberra than Zed Seselja has. That is very clear.

Importantly, we look to continue our work at a territory level to diversify the territory economy and to see a further diversification of employment location within the ACT. We take seriously our responsibilities as the territory government in terms of the location of our own employment. That is why in recent times there have been deliberate decisions to locate more ACT government employment in the Gungahlin and Woden town centres, and in Dickson, in order to diversify the mix of ACT government employment throughout the city and to ensure that emerging town centres or renewing town centres have an opportunity to have their growth and renewal kicked along by active decisions of the territory government.

The bulk of our employment, in sheer numbers, is in the Woden area, given the significant amount of employment at the Canberra Hospital, plus the recent decision to locate ACT Health staff in Woden. That means that, of all of the regions within the ACT, Woden has the greatest concentration of ACT government employment. But we do, of course, employ people in every part of this city. That is an important contribution we can make to a polycentric employment base for Canberra but also one that supports local communities and local service delivery.

That is our record, in contrast to what we have been seeing as a repeated pattern of poor behaviour from the federal coalition government. But the most compelling points Ms Cheyne has raised in her motion that deserve repeating are the facts in relation to where public service jobs have gone in recent times. I commend Ms Cheyne's motion to the Assembly.

**MISS C BURCH** (Kurrajong) (3.31): The Canberra Liberals will be supporting Ms Cheyne's motion today. The Canberra Liberals have said on numerous occasions, in no uncertain terms, that we support the ongoing role of Canberra as Australia's centre of government. We are opposed to the decentralisation of the Australian public service and we continue to be opposed to any attempts to take APS jobs out of Canberra and to take away the value that centralisation achieves. We maintain that, when decentralisation does occur, these jobs should be taken from the major cities and not from Canberra. Of course, we also supported the government's bid to have the Australian Space Agency set up here in Canberra.

Both our ACT and federal public service employees play a crucial role in ensuring that Australia, and Canberra, remains one of the best places in the world to live and work. Whether it be our front-line staff at Access Canberra, our teachers and nurses, policy analysts, economists at treasury or serving members of our defence forces, every single one of our hardworking and dedicated public servants plays an integral role in serving our country and our community. I have said before and I say again that the very social fabric of Canberra is inextricably linked to our public service.

Canberra is the natural home of the APS. Menzies himself had a vision for Canberra as the centre of public administration and invested heavily in the ACT. To function effectively and efficiently, the APS needs to be close to government, for government. Agencies benefit from easy access to departments, to ministers and to each other. To decentralise the wealth of skills, knowledge and expertise that exists within each department is to destroy the very culture that characterises our great city. We have on many occasions condemned—and continue to condemn—any plan to move large components of the APS out of Canberra.

As Ms Cheyne has also indicated in her motion, it is not only APS employees in Canberra who work to serve our country and our government. Many private sector entities, for-purpose organisations and tertiary institutions based in our city also support our public service, serve our community and contribute to the cultural fabric of Canberra and the ACT economy.

Senator Zed Seselja has fought incredibly hard to keep jobs in Canberra. He has also fought hard to keep APS jobs in our town centres and to move jobs into our town centres where they have not previously existed. Having federal and local agencies and departments in our town centres helps local businesses thrive, something this motion calls on the ACT government to do more of and, again, something we strongly support.

Senator Seselja fought to ensure that the then Department of Immigration remained in Belconnen. He fought to ensure that the Department of Social Services remained in

Tuggeranong and he fought for a new building for the department in the Tuggeranong town centre. Senator Seselja announced the move of Defence Housing Australia to Gungahlin last year, which will make it the first federal agency in Gungahlin and bring almost 300 jobs to the Gungahlin town centre.

Senator Seselja fought for all of these things and has delivered. Not only has he fought to keep local jobs in Canberra; he has also fought for jobs and businesses in the ACT more broadly, with two key achievements being a \$91 million federal IT contract, which will deliver 180 local jobs, and the 44,200 businesses benefiting from fast-track tax relief for small and medium businesses in the ACT. As a result of Senator Seselja's lobbying, the federal coalition government is the first ever to take into consideration local impacts on Canberra before making a decision on relocations. A local impact assessment is now required, as a direct result of Senator Seselja's lobbying for Canberra jobs.

While this is great progress, it is not enough. I agree with Ms Cheyne's motion that the federal government on either side must release cost-benefit analysis on potential relocations, and we deserve to see more from the inquiry. Decentralisation is an incredibly costly exercise. It is costly in terms of the physical cost of relocation but also in terms of the costs associated with the loss of skill, experience and institutional knowledge when staff decide to leave instead of moving with their department or agency. It can take years for the public service to rebuild this capability.

It is important to also note that, while we do not support the federal government's move towards decentralisation, where decentralisation has occurred it has not been at the expense of Canberra jobs. Despite what Ms Cheyne would like to have us believe, there were more APS jobs in Canberra last year. While 2,140 public servants left Canberra, 2,518 public servants arrived in Canberra, a net increase of 400 jobs. Last year's federal budget also included an additional 912 APS jobs.

What Ms Cheyne and Mr Barr seem to have very conveniently forgotten today is that, once again, it was their federal Labor colleagues who began the process of decentralisation. It was the Gillard-Rudd government who chose to set up the national disability insurance scheme in Geelong and the Gillard-Rudd government who chose to move FaHCSIA staff from Canberra down to Geelong with it. If this was not pork-barrelling by the Labor Party, I do not know what it was.

Under the Gillard-Rudd government, many APS jobs were moved into Sydney's western suburbs and Melbourne's east and west, while Geelong and the Northern Territory both saw huge growth in APS jobs—jobs which should have been in Canberra. Ms Cheyne has also conveniently ignored the fact that the federal Labor Party also continues to pursue decentralisation. Only in January, Bill Shorten announced 300 DHS jobs in north Queensland.

I cannot believe the absolute hypocrisy of 5(d) in Ms Cheyne's motion, which appears to call on the Assembly to vigorously refute attacks on APS integrity and service. Of course we vigorously refute these attacks. However, the hypocrisy in this statement is unbelievable. This government is completely failing in its duty to protect ACT public servants. It is all well and good for Ms Cheyne to stand up in this place and lecture us

on the importance of defending and protecting the federal public service. She talks the talk; however, we are yet to see this government actually walk the walk.

We have seen 200 cases of violence against teachers in only the first month back at school. Yet the government is denying teachers an independent inquiry into violence in ACT schools and the handling of these incidents. Instead, the government has set up an advisory group, which we have heard is unlikely to even hear from the teachers affected by this violence and bullying.

In ACT Health, we have seen 35 per cent of survey respondents say that they have been bullied over the past 12 months and 12 per cent indicate that they have been subject to physical and sexual abuse at work. We have heard from public servants that there are zero consequences for bullying in ACT Health, and we have heard much of the toxic, dysfunctional culture of bullying, harassment, and intimidation.

What is this government doing to defend and protect these public servants? Why is this government refusing to vigorously refute physical and emotional attacks against ACT public servants? Where is the government, while hardworking, skilled, dedicated ACT public servants are leaving the public service because of systemic bullying and cultural issues? This government continues to let down ACT public servants. Maybe Ms Cheyne should look at the actions of her government first.

**MS ORR** (Yerrabi) (3.40): I rise in support of Ms Cheyne's motion, particularly noting the importance of a strong and secure public service to the people of the ACT. Like Ms Cheyne, I am a former public servant. As a former public servant, I understand the importance of investing in and protecting both the ACT and Australian public services.

Over the past few years we have seen the negative effects that cuts and pork-barrelling from the federal coalition government have had on the Australian public service. I have previously spoken in this place about the outrageous relocation of the APVMA from Canberra to Armidale, which cost taxpayers \$25.6 million. On top of the huge waste of public money, the relocation sparked concern from CropLife, the agricultural chemical peak body, and public servants themselves, including the former chief executive of the APVMA. Since the relocation of the APVMA, the coalition has continued to push its agenda of decentralisation, despite grave concern from people right across the country, including the ACT government.

In relation to this motion today, I would like to highlight in particular the damage that the coalition government has inflicted on the Murray-Darling Basin Authority, an authority that has a vital role to play in protecting our natural environment and ensuring that communities within the basin can continue to thrive. It is clear that announcements surrounding the funding and restructure of the Murray-Darling Basin Authority go beyond the intention of the bipartisan approach that the MDBA's mission is founded on. The current government should not be playing politics with an authority that requires strong support from the government of the day to operate independently in the interests of all Australians. Cuts and restructuring within the authority have led to increased uncertainty for workers, which is simply unfair and unnecessary.

Those working for the Murray-Darling Basin Authority, and public servants across all agencies, deserve for their government to treat them with dignity and respect by providing job security. By taking jobs away from the ACT through regionalising the authority, it is expected that a further 76 jobs will be relocated from the ACT by 2021. Once again, this out-of-touch coalition government wants to win over voters in regional electorates by draining the nation's capital of its workforce.

I know that voters in the regions are smarter than to fall for a quick pork-barrelling exercise, and I know that Canberrans want a different approach. That is why ACT Labor will always do whatever it can to protect the public service and keep agencies within our territory. Let us be clear that the public service can provide the economic benefits that are needed for the regions, but this should be achieved by creating new and restoring former agencies rather than ripping jobs out of existing locations.

It is clear that the federal government, particularly the Nationals MPs and senators, are hell-bent on scoring political points in their local electorates, rather than doing what is in the best interests of the public service workers and Australians who rely on government services. While those opposite idly sit by and let their federal coalition mates tear the Australian public service apart, this Labor government will always stand up for the public service and the Canberrans who are employed in it.

I commend Ms Cheyne's motion to the Assembly, and I call on all members in this place to stand up for Canberra by supporting it.

**MR RATTENBURY** (Kurrajong) (3.43): The Greens are pleased to support this motion today and to call out the federal government's incessant push for decentralisation against both economic sense and common sense. Over recent years we have seen repeated federal budgets that either ignore or actively attack Canberra, and federal governments have continued to use Canberra as a political punching bag by cutting jobs and departmental budgets year on year.

Canberra was established to be the seat of our federal government. It is our nation's capital and is meant to house our national institutions, our commonwealth public service and our commonwealth parliament. As the nation's capital, Canberra deserves to be treated with respect rather than the disdain being shown by the federal government.

This ideological push by the current Liberal and National government to decentralise the public service is not built on any genuine concern for unemployment in regional communities. If it was, they would commit to raising the Newstart allowance, fund major projects like climate change mitigation and region-building infrastructure, or even create new Australian public service positions, services and remote working hubs in those regional towns. Rather, decentralisation seems to be about weakening the position, influence and effectiveness of the public service so that there can be more funding cuts and more job cuts in the future.

Setting up public services in other capital cities or regional centres makes sense in some circumstances. The Albury Wodonga Development Corporation of course makes perfect sense to be in Albury Wodonga. Government-led job creation in regional centres is important but cannot be the result of forced relocations or decentralisation of current workplaces. That just leaves workers worse off, laid off or less able to do their jobs.

Leaving services in our capital just makes sense. It is a pretty standard practice in the private sector to consolidate staff so that they can share knowledge and services, have quick meetings and develop a corporate community. That is the role Canberra plays for our public service. At present less than 40 per cent of commonwealth staff are employed in the ACT. It is a hub for our Australian public sector community. It is what keeps our public service one of the world's best and brightest.

The bottom line is that where public servants work should not be up to politicians to decide. Just because Barnaby Joyce is worried about his seat should not mean the government inflicts pain and employment insecurity on a whole government agency. What we have seen with the relocation of the APVMA is a worse outcome all around, as Ms Cheyne's motion notes.

We have seen worse outcomes for workers, for the agency and for the Australian people as the effectiveness of this important agency is reduced. In short, the whole thing has been a disaster, and now the coalition wants to do this all over again. The federal government's proposal to move the Murray-Darling Basin Authority to Mildura is perplexing. Of all the agencies it chose to move, this one makes sense only on paper.

In reality the MDBA has been the subject of national disgrace after the release of the recent South Australian Murray-Darling Basin Royal Commission report. One can only wonder whether the government thinks that moving the MDBA is somehow going to help solve the problems of the authority or distract from the actual issues relating to water management. Perhaps their thought is that, like the APVMA move, moving the MDBA will mean most of the staff will quit rather than make their families up and leave their homes and that that will solve the problems of the authority.

In any case, it is yet another proposal from the federal government that seeks to undermine the position of scientists in the ACT. We have seen cuts to the CSIRO, the move of the APVMA to Armidale, and now this. What next? Maybe they will move Questacon to the next marginal seat. Canberra's economy is diversifying, and this is an important part of securing more jobs for our local community. At the same time, the public service continues to make up a significant portion of the ACT's jobs market and economy, and it is right that the ACT government advocates for the protection of this important industry.

The Greens recognise the importance of a respected and well-resourced public service to enable good governance and good policy. The APS is made up of dedicated, professional hardworking people who do not deserve the uncertainty and disrespect

they are currently being shown. Any efforts towards decentralisation should be driven by the needs and wants of each government agency and especially their workers, not some vague political objective.

The Greens are pleased to support this motion today and trust that our colleagues on the hill will pay some attention to it.

**MR PETTERSSON** (Yerrabi) (3.48): I am disappointed that I am back in this chamber to speak yet again about the Liberal-Nationals obsession with decentralisation. I wish it were not so, but yet again we are seeing another swag of jobs being pork-barrelled to Liberal and Nationals electorates at the expense of Canberra and the national interest.

Canberra as a city was created by the federal government as the nation's meeting place. The aim was to bring together not only our parliamentary representatives but our bureaucracy to foster a culture of public service and the national interest, and this approach has served Australia well. Our public service does a great job.

Instead of attacking and undermining our public service, we should celebrate our public service. Public servants go to work every day to help our nation. They help us come together. Sadly, it is only when Liberal and Nationals politicians get involved that we see their great work undermined. We see public servants becoming punching bags for conservative talking points and we see their work demonised.

The motion before us is straightforward, in my opinion: we are calling out pork-barrelling. Their pork-barrelling is forcing Canberra public servants into an impossible choice. You can move to Murray Bridge in South Australia or else. Good luck if your partner has a job in Canberra and cannot move. Good luck if you have children in schools here. Good luck if you have built a life here. You have to take your chances in Murray Bridge.

The contempt the Liberal-Nationals have for our public service is visible in more than one way. Not only do the Liberals try to pork-barrel public servants but they also seek to politicise them. The Liberals devalue the public service by creating politicised agencies like the ROC and the ABCC. I note they did not set up these agencies in Murray Bridge or Griffith. It seems to me they know that the public service operates best from central locations. Maybe it is harder to leak information about imminent police raids from rural South Australia.

The public service is further devalued when you have former Liberal MPs in government positions giving private travel companies access to public servants, all the while preparing to bid for a government contract. I speak of course about the Hello World scandal involving former Treasurer Joe Hockey. The fact that this company is a major donor to the Liberal Party is apparently neither here nor there, as the meeting occurred just outside some tender window. I am sure the losing parties feel it is all very fair and above board for their competitor to use Liberal Party contacts to get the inside word on government money.

Using the public service this way cheapens its purpose and undermines faith in government. It makes it easier to view the public service as less than it is. It is no wonder that this same government is outsourcing and privatising the core business of the public service. From service delivery to policy development, the Liberals and the Nationals cannot see a function they do not want privatised or pork-barrelled. They then publish dodgy analysis to back up their claims of private sector efficiency to allow them to continue giving contracts and tenders to their mates. This is all the federal government is about.

Put simply, the current government is a shambolic collection of people who all hate each other but seemingly come together with one common purpose—hating Canberra more. They see Canberra every few weeks, coming in on their taxpayer-funded flights, staying in their taxpayer-funded houses and being driven by their taxpayer-funded drivers. They do not see the real Canberrans who work hard every single day and pay their own way in this town. They see only pawns they can move around a chess board. It is truly saddening that they miss out on the real Canberra.

Once again, while our city is under attack by the fly-in, fly-out members of this federal government, the only local Liberal is nowhere to be seen. Senator Seselja is missing in action again. It seems the only news this federal Liberal government ever has for Canberra is bad news. I wish the local Canberra Liberals would actually do something on this issue, but the only time I ever hear the Canberra Liberals speak out on this issue is when we say something and they meekly stand up and say, “Oh, I guess we also have a problem with this.” If they did have a problem they would stand up and do something of their own volition.

The people of Canberra are not playthings. No-one asked for the APVMA to be moved to Tamworth. No-one is asking for the Murray-Darling Basin Authority to move to four separate locations. The experts who have built up decades of experience in pest and water management certainly did not ask for it. No-one has explained how it will make these agencies perform better. It is embarrassingly obvious that this is just pork-barrelling. I am angry that we are here again talking about more jobs being moved from Canberra for partisan Liberal reasons. I am angry that the Liberal and Nationals parties continue to do this. The only thing we can do is vote out this federal government.

**MR GENTLEMAN** (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (3.54): I thank Ms Cheyne for her motion, which details concerns about the commonwealth government’s policy of decentralisation and its potential effects on the ACT. This policy, proposed and championed by the coalition government, and the detrimental effect it would have on our Canberra community warrants our concern and discussion here in this place. I am very pleased that everybody that has spoken today is in favour of this motion. I am particularly pleased that Miss C Burch is in favour of the motion without amendment as well.



Canberra, as our nation's capital, has historically been the home of the commonwealth parliament and Australia's public sector, as well as increasing private sector jobs and opportunities in recent years. It is essential that we take appropriate steps to protect jobs in Canberra which provide employment for our growing population and enliven our various town centres.

Since the coalition government's election in 2013, we have already seen a loss of federal public sector jobs in Canberra. Canberra lost more than 6,700 federal public sector jobs between 2013 and 2017. By contrast, as Ms Cheyne noted, Melbourne and Sydney in that time have seen a slight increase in public sector jobs. The coalition government's decentralisation policy is largely premised upon the idea that regional areas in Australia would benefit from further employment opportunities being provided there. However, it should be noted that Canberra itself is a regional hub, and forcefully locating Canberra public servants to regional towns is not beneficial to Canberra or the broader Australian community.

As Ms Cheyne also mentioned, we must take note of the negative consequences we can observe from the forced move of the Australian Pesticides and Veterinary Medicines Authority from Canberra to Armidale. This move can be described as ill-thought out and misguided at best and calamitous at worst. Not only were there initially no appropriate facilities for the workforce who agreed to relocate to Armidale—many workers were forced to do their work at the local McDonald's to access wi-fi—but many of the authority's staff resisted the move, with the resignation of the agency's chief executive as well as 20 scientists.

This led to the need to recruit scientists from overseas to fill the gap left. As Ms Cheyne pointed out, no cost-benefit analysis has been carried out in regard to the move. However, I would hazard a guess that the potential benefits of the move were not worth the difficulties and extra cost entailed.

Further, it should be noted that the federal Select Committee on Regional Development and Centralisation notes in chapter 7 of its report that dependency is a risk that should be considered in moving public sector work forces to regional towns. Even if a town is able to adjust and provide for a workforce, it may suffer if and when the workforce is ultimately transferred elsewhere. This was the case in Benalla in Victoria when the government agencies located there were transferred to Wangaratta. This calls into question the rationale for decentralisation—there might not be any benefit at all to the communities outside Canberra.

In addition, as I just mentioned, relocating departments from Canberra to regional towns involves large costs in providing adequate work spaces, incentivising staff to relocate, and investing in technology and organisational measures allowing teams to work from various locations when ultimately not all of the department is able or willing to move to the rural areas. The costs involved are simply unprecedented and unwarranted when these departments functioned efficiently and effectively in Canberra.

For these reasons it makes sense for Canberra to remain the home of the Australian public sector. Jobs should not be forcibly relocated from Canberra. Canberra is unique in its neutrality and its ability to provide for and foster an efficient and experienced public sector. More than this, we need to maintain the jobs that exist in Canberra for the benefit of Canberra workers and their families. We need to protect investments in Canberra and our housing market. It took a long time for Canberra to recover from the nearly 30,000 Australian public service jobs cut by the Howard government in 1996-99.

I agree strongly that we need to continue to fight for and protect Canberra from the effects of the irresponsible decentralisation policies of the coalition government, which have so far proven to be inefficient, costly and completely unnecessary. As such, I strongly condemn the federal government's policy of decentralisation.

**MS CHEYNE** (Ginninderra) (3.59), in reply: First, let me thank my colleagues for their contributions today and for the commitment right across this chamber to stand up for public servants, to stand up for this city and to stand up for our community. It is rare that we have tripartisan agreement in this place, but I am very glad that we continue to agree on this important issue,

I will respond to two things in Miss Burch's contribution. The NDIS being placed in Geelong was about creating jobs. The vast number of jobs there were created. I suggest she do her homework. I will agree that Senator Seselja used to fight for Canberra jobs. He did. I put it on the record; he did. I thank him especially for what he did in the Belconnen town centre when it looked like the Department of Immigration was going to be completely uprooted and moved to the airport. He did help there. I absolutely acknowledge that.

But it is also my duty to remind the Canberra community and this place that he has been silent in recent months as the federal coalition continues to steamroll this misguided policy. It is no wonder the community has been asking, "Where is Zed?" I am not going to dignify the grubby approach Miss Burch took at the end of her speech with a response, not least because it was completely inappropriate, irrelevant and outside the scope of the motion. There is a time and a place, and your lack of tact continues to surprise me.

I will continue to serve as a staunch advocate for the Canberra public servants who serve our country. We know that Canberra is the logical home of the Australian public service. It is the nation's capital and the centre of public administration, and rightly so. It is surrounded by the knowledge and expertise of our vibrant private and tertiary sectors and filled with the knowledge and expertise garnered from decades upon decades of work within these departments.

I challenge politicians and policymakers to think bigger and to think better because we know there are many avenues to enlivening a community. As we have discussed today, Canberra is making waves in the private sector as innovative new businesses set up shop in the capital. We continue to encourage international investment while partnering with councils across the border to strengthen the capital region's economic growth, encourage tourism and foster export opportunities.

When we tear away a department or an agency, or a significant portion thereof, and move it somewhere else, we dramatically impact upon the surrounding businesses and organisations left behind, not least the absolute centre of that organisation itself. Let us not forget that this policy is not about creating jobs. It is about moving jobs, the majority of which have now been filled by individuals from outside these new locations.

Surely the federal government can see that on balance this does not stack up. Surely this is not the answer. The consequences of bad decentralisation policy are too great to just pursue willy-nilly. In fact, the potential consequences are devastating: uncertainty undermining economic growth, less activity in town centres impacting on small business in the broader community, a brain drain away from the nation's capital and a less efficient Australian public service.

That does not include the disruption to the lives of Canberrans who have families, who have friends, who have networks deeply rooted in the ACT. These are lives deeply rooted in the ACT. The federal coalition government must stop politicising regional jobs. You only need to look at the calamitous move of the Australian Pesticides and Veterinary Medicines Authority and the breathtaking proposed split of the disgraced Murray-Darling Basin Authority to question this ill-conceived strategy. Let us call this out for what it is really is: pork-barrelling in an attempt to carve up votes.

Let us be very clear: retaining Australian public service jobs in Canberra and supporting regional Australia are not mutually exclusive. It is in the best interests of all Australians to have a federal public service that works as efficiently as possible. Attacking and decimating Canberra and its jobs is not the answer.

Question resolved in the affirmative.

## **Dangerous dog legislation**

**MS LAWDER** (Brindabella) (4.04): I move:

That this Assembly:

(1) notes that:

- (a) there were 485 officially reported serious dog attacks in Canberra in 2017-18;
- (b) in 2017-18 the annual increase in dog attacks in Canberra was 30 percent over 5 years;
- (c) the number of dog attacks in 2018 is now about 700;
- (d) the annual rate of increase in dog attacks in one year is now about 70 percent;
- (e) in 2016-17 the average rate of dog attack reported in Canberra was one a day;
- (f) in 2018 the average rate of dog attack reported in Canberra has doubled to two a day;

- (g) anywhere else this rate of increase in crime or injury would be regarded as a crisis;
  - (h) anywhere else this rate of increase in the neglect of animal welfare would be regarded an animal welfare tragedy;
  - (i) dogs that have been found to have committed vicious attacks on people or other animals are still returned to the community; and
  - (j) the tragic death last week of yet another beloved innocent domestic animal as a result of a violent dog attack; and
- (2) calls on the ACT Government to:
- (a) provide the resources needed to ensure that the current dog laws are effectively enforced; and
  - (b) provide the resources needed to ensure that dog attacks are investigated quickly and treated under the law with the urgency and seriousness that the community expects.

To borrow some words from Ms Cheyne earlier, here we are talking about the same thing again: standing up on this side of the chamber for Canberrans. The difference here is that we are talking about dog attacks. We have been aggressively pursuing reform in the area of management of dangerous dogs, whereas Ms Cheyne's motion was about something that we have already agreed on. Yet we talked about it again. So I am going to talk yet again about better management of dangerous dogs.

My motion today calls on the government to ensure that the resources that are obviously required to better manage dangerous dogs are in place to make sure that dog attacks can be investigated quickly and treated under the law with the urgency and seriousness that our community expects. This sadly does not appear to be happening.

I can refer members to comments made by Ms Le Couteur recently that acknowledged there are not enough resources, despite the fact that it is, in effect, her own government that is managing this process. Since I last spoke in this place about dogs there has been a very well circulated story about the sad loss of another beloved pet—in fact, a therapy animal that was killed, or euthanised, as the result of a dog attack. I think we have probably all heard about it on social media and through traditional media.

On 12 March, Mimosa, a therapy alpaca, had to be euthanised after being attacked by a black staffy dog, apparently while the dog's owner filmed the mauling on his phone. This happened at about 6.40 pm in a public place in Giralang. This alpaca was not just a beloved companion to its owners but also a form of treatment for ill people. It had been used in therapy programs for years, bringing joy to patients at places such as Clare Holland House and the mental health unit at the Canberra Hospital.

There has been an annual increase in dog attacks in Canberra of about 30 per cent year on year over five years. The number of dog attacks in the past few years has been increasing year on year. The number of dogs in Canberra has also increased. However, we find that the number of fines issued has been decreasing. It would appear that,

through either lack of resourcing or some other issue, the government has lost control of dog management in the ACT.

For example, fines for offences under the dog act, the Domestic Animals Act, have trended down over the past five years. Revenue from infringements has been trending down over the past five years. Fines under the act have halved in a decade. We know from the government's own figures that there are not enough resources to handle calls adequately when people try to call in to report a dog incident.

A constituent from Tuggeranong who observed a stray dog harassing an elderly pedestrian wrote to me that they could not get through on the phone to report the incident. The government statistics and responses to questions on notice will show this. For example, 11 per cent of urgent calls about dog attacks to domestic animal services drop out. That is 11 per cent of urgent calls. Sixty-two per cent of general calls to domestic animal services drop out. It would appear that either there are not enough resources in the domestic animal services area or that the resources that are there are so busy out in the field that they are unable to adequately manage the work in the office.

Over the past decade or so the government has given up on properly enforcing dog regulations, pretty much by stealth, by not adequately resourcing the area. In 2000 government figures put the Canberra dog population at around 26,000. In the *Canberra Times* of 14 December 2018 it was estimated that the dog population is now 120,000. In 18 years it has gone from about 26,000 to about 120,000. Yet the resources in this area have completely failed to keep pace with the growth. They have completely failed. It is an increase of dogs in Canberra—a dog-loving, pet-loving city—of about 100,000 dogs in a decade.

I understand that accurate figures are difficult to get, but, whatever the number is, there has been a massive increase in the Canberra dog population. In the face of huge increases in dog numbers and an annual rate of increase in dog attacks of 30 per cent year on year for the past five years, the government's response is to do less. For example, in 2007 Mr Hargreaves, an MLA at the time, said that there were eight dog rangers. In March 2018 the then minister, Ms Fitzharris, informed the Assembly in an answer to a question on notice that there were eight dog rangers. So in 11 years there remained the same number of dog rangers. For completely understandable operational reasons—I am not arguing with the reasons—the requirement now is for rangers to operate in pairs, when required, for safety reasons. That has been in place for approximately two years.

In effect, what that means is that there are then potentially only four teams of field rangers able to go out to respond to an incident. I am not quibbling in any way with the requirement to attend in pairs. Managing dangerous dogs is a difficult and unenviable task. It is difficult, it can be dangerous and it can be heartbreaking. But we must manage this problem for the good of the Canberra community.

We know that after the death of a woman in a dog attack in Canberra, the then minister, Ms Fitzharris, committed to providing resources to double the number of field rangers working in dog management. She announced in the Assembly in May

2018 that the number had reached 10 field rangers. In effect, the resources available for dog management were eight rangers from 2007 to 2016, but then from 2016 to 2018 that was effectively halved to four teams. With the changes announced by Ms Fitzharris we have now gone to five field teams. From eight rangers who may have been able to go out, potentially, to eight separate incidents, we now have rangers who can attend potentially five separate incidents at any one time.

With around two dog attacks reported each day in Canberra, dog management is chronically under-resourced. We know that Ms Le Couteur should support the motion today because she spoke in those terms in the newspaper on 15 March. She said:

Resourcing is often a major barrier to effective enforcement, and this problem needs to be addressed. There simply aren't enough DAS rangers to do all the work required.

She said this despite her own government saying that they were going to double the number of rangers in 2018. Ms Le Couteur went on to say:

On top of that, we also need clear legal action to enforce the penalties to ensure that people understand what is and is not acceptable behaviour.

I agree. It is something that we have brought to this Assembly time and again which has not been supported by Ms Le Couteur.

Madam Deputy Speaker, these are just some of the reasons why we have brought this motion to the Assembly today. Firstly, there is the tragic death of the beloved therapy alpaca, which has generated a huge outpouring of sorrow for the owners of that alpaca. The number of dog attacks in Canberra in 2017-18 was 485. The average rate of dog attacks, one a day, reported in Canberra in 2016-17 has risen to an average of two a day in 2017-18.

People believe, families believe, that they should be able to safely walk their own dog, their alpaca or their ferret—whatever your pet may be—on a leash around their own block without fear of being attacked. If such a terrible event does happen, members of the Canberra community expect to be able to call domestic animal services and get a swift response. They also expect a timely and full investigation and to be kept informed of the progress and the result of that investigation. The government is falling down on most, if not all, of these measures. All the community wants is timely, efficient, effective management of dog issues in the ACT.

I can admit that we are probably never going to eliminate dog attacks. I am not trying to suggest that the changes we present will stop all dog attacks. But we can do better. Madam Deputy Speaker, we can do better and we must do better for the sake of all of our pet-loving Canberra residents and for the sake of their pets. Their pets are being bitten, mauled, maimed and even killed as a result of the irresponsible actions of some other pet owners.

That is bad enough. That is bad enough in itself, but then to not get what people believe is an appropriate response to that event, to that attack, to that desperately sad

loss, compounds their trauma. We must do better to address this issue. I urge all members here to support my motion today and I look forward to it passing.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Roads) (4.18): I would like to start by acknowledging the terrible attack on Mimosa, the therapy alpaca, in Giralang last week. Our thoughts continue to be with Nils Lantzke, Alpaca Therapy and Hercules. The community can be assured that this matter is being investigated as a priority by domestic animal services. I have every confidence that DAS will thoroughly investigate this attack and will take compliance action as appropriate, supported by our robust domestic animals laws. I call on everyone in the Canberra community that may have any information about this attack to contact domestic animal services to assist in their ongoing investigation.

I am happy to support the core of Ms Lawder's motion today. Who would not agree that the government should provide the necessary resources to ensure that our laws are enforced and that dog attacks are investigated? I want to assure the community that our government is providing and will continue to provide the resources that we need and is continuing to take action. The ACT now has strong and robust laws to manage dangerous dogs and irresponsible dog owners. The renewed education and awareness campaign which we are implementing this year will complement the strong compliance action for a comprehensive and best practice approach to reducing dog attacks and improving community safety.

In early 2019 DAS commenced the implementation of a new structural design that will enable more DAS rangers to be on the ground more often. DAS rangers will use these changes to conduct additional education and awareness functions in the community and will have a greater presence in public places, particularly dog parks and other off-leash and on-leash areas. This will see a greater capacity for compliance activities, to effectively address irresponsible dog owners and keep the community safe. This will not only assist in the enforcement of the new legislative improvements that were made in December 2017 but also help to prevent dog attacks through encouraging responsible dog ownership. In just over a year since the legislative reform we have commissioned independent expert advice on dog management and on the operation of domestic animal services and have doubled the available staff for the management of domestic animals.

While agreeing with the core of Ms Lawder's motion, I will be amending her motion today to clear up the facts about dog attacks in Canberra. It is important to compare apples with apples. Ms Lawder's current motion, as it is written, uses financial year figures for confirmed incidents and compares them with calendar year figures for all reports made to DAS, to create a number of false comparisons.

Let us be clear about the statistics. There were 360 confirmed dog attacks in 2017. In 2018 there were 392 confirmed attacks. The rate in 2017 and in 2018 in the ACT represents less than one attack on a person or another animal per 1,000 people, which is, I understand, about half the rate in other jurisdictions for attacks on people alone. Our approach to dog management must be based on the evidence.

Unfortunately, in recent weeks Ms Lawder has sought to make a virtue of her proposed legislation, two bills that are not evidence based. The second bill, which was recently debated, would have seen no fee apply for dog registrations for a dog that completed a training course at an age before any professional would train a dog. Then she launched a campaign outright opposing the recommendations of the independent expert review in relation to registration. Her legislation would have doubled the cost of a dangerous dog licence when we have already increased the cost and that is already resulting in many dogs subject to such a licence being surrendered to DAS and then being euthanised. Her legislation also proposed to legislate a fee waiver that is already provided by DAS.

There is always more that can be done, but we need to use an evidence-based approach to improvement. We will continue to monitor the effectiveness of the legislation that we have, but we will not rush into either unnecessarily cruel or unimplementable laws. We will also continue to monitor the effectiveness of our front-line resources, of our approach to compliance and of our approach to education.

Domestic animal services receives reports on a full range of incidents, from a situation where a dog makes a person uncomfortable or they feel threatened or harassed to a full-on dog attack. Reports are a positive indication of an educated and informed community that takes reporting seriously and holds irresponsible dog owners to account. Seeing a large increase in reported incidents whilst seeing not as big an increase in actual attacks is positive—positive because it means our new laws that we put in place in December 2017 here in the Assembly that require reporting are working and Canberrans are confident about how to report suspected dog attacks.

City services has a dedicated dog attack investigations team who are committed to achieving the best results for the community and using our strong legislation to uphold public safety as a priority. Each of the attacks in 2017 and 2018 was investigated and each attack was treated with the utmost seriousness and professionalism by our dedicated staff. I am confident that they will thoroughly investigate the Mimosa alpaca incident as well. Our government has already increased resources for DAS by introducing eight additional officers, which is double their previous numbers, to support domestic animal work and reduce the number of dog attacks.

In 2019 TCCS will take a more targeted approach to enforcement. We are enhancing education and awareness activities to promote responsible pet ownership through a dedicated education and awareness strategy, which was a recommendation from the independent expert review. Later in the year I will bring forward the Canberra model for dog management, which was also a recommendation of the recent review. This will build on strong action that is already underway and is ongoing.

Over 200 fines were issued to irresponsible owners last year. Over 90 of these were for a person who owned a dog that attacked or harassed someone, and over 30 were for people who were keeping a non-desexed dog. Already this year over 40 fines have been issued. Strong compliance action is and will continue to be a focus, along with responsible dog ownership. Our government is committed to achieving a best practice



and world-leading model for dog management and has an evidence-based strategy for reaching the commitment. The significant work underway in the domestic animal space should not be ignored, and the attitudes and culture around dog management in the ACT are on the verge of positive and long-term change. This change does take time, but we are making progress.

We are increasing signage in our public places and increasing the number of targeted patrols. This will involve using our improved data to identify locations, areas at risk, and targeting irresponsible behaviour such as not desexing a dog and not having effective control of a dog or walking it off a leash. Off-leash areas in our urban areas will also be reviewed, with a focus on community safety. We will also be introducing education programs into schools and prenatal wards of hospitals to educate about safe behaviour around dogs. Evidence around the world has shown that the education of our young children can significantly reduce the occurrence of dog attacks. Compliance alone is only part of the picture; we must also be proactive in preventing the behaviour that leads to an attack, not just in dealing with the attack after it occurs.

Even though the government's amendments to the Domestic Animals Act have only been in place for a little over a year, we are already seeing serious results. More dangerous dogs have been euthanised following attacks—over 800 per cent more—and fewer dangerous dogs have been released under a dangerous dog licence, not more. The dramatically high number of dangerous dogs euthanised as a direct result of the strict new laws and the high number of control orders issued for dogs show that the government is capable of enforcing our legislation for the benefit of all Canberrans.

We must continue to carry out our compliance work, in conjunction with responsible pet ownership, for a notable reduction in dog attacks to take place. Wherever dogs exist and owners are not responsible, dog attacks will continue. The focus must be on responsible pet ownership and taking action against irresponsible pet owners. Education and awareness are central to Canberra becoming a leader in dog management. Comparisons between jurisdictions show the stark difference this approach can make in improving compliance and achieving a reduction in the number of dangerous dogs.

Case studies from around the world have shown that jurisdictions that focus on responsible dog ownership through robust education and awareness activities, in conjunction with strong regulation and enforcement, have the highest success rates in reducing dog attacks. All dogs have the potential to bite, but it is the behaviour and actions of the people around them that determines the likelihood of this happening.

I look forward to updating the Assembly on initiatives and actions that will be rolled out this year as part of the education and awareness strategy that we are undertaking. The immediate and long-term improved public amenity safety and animal welfare outcomes resulting from an educated and aware community will benefit all Canberrans, including their pets.

Since the release of the independent expert review into the management of dogs in the ACT the government has been actioning the majority of the 34 recommendations put

forward by the review and is committed to following the expert advice provided on how to reduce the number of dangerous dogs and improve animal welfare outcomes. A government response to the review was released in September 2018. I will be releasing a formal update on progress on the review in the coming months.

Data systems improvements, the development of investigation guidelines, establishing and maintaining productive partnerships with stakeholders and promoting responsible pet ownership are some of the key recommendations from the review, all of which are being addressed and implemented. I also look forward to presenting the Canberra model for dog management later in the year.

The structural, procedural, regulatory and strategic efforts of government are proving successful and will be continuing in 2019 to reduce the number of dangerous dogs in the community and improve community safety and animal welfare. 2019 will bring about significant improvements as we implement our strategic initiatives to prevent dog attacks occurring through the promotion of responsible dog ownership.

I hope that everyone in this chamber will see the sense of the amendment which I am about to put forward and which clears up factual errors in the motion. Everyone in this chamber wants to see fewer dog attacks and more responsible dog owners. But we do not achieve that by having a ranger on every street corner or by resourcing the seizure of every jack russell that jumps on someone in excitement, as Ms Lawder's proposed laws would actually require. Nor do we achieve this outcome by removing the discretion that DAS rangers have to assess the full circumstances of a dog attack case, which would be contrary to the findings of the expert review into dog management and would see dogs put down when it is in fact the owner who may be at fault and who should be subjected to penalties—again, an outcome of Ms Lawder's bill that is currently before the Assembly.

We achieve a safer Canberra through strong dog laws and enforcement but also by implementing the expert advice, by improving education and by improving responsible pet ownership approaches. We are following through on law reform with enhanced compliance, enforcing the laws that we have. We have doubled the number of DAS staff and we have some of the strongest dog laws in the country when it comes to dog attacks, which have proved effective already in the short period since they were introduced in December 2017. We will continue to enforce them and DAS will continue to be resourced to enforce them.

On that basis, I support this motion, with the amendment that I will put forward today. I move the amendment to Ms Lawder's motion circulated in my name:

Omit paragraph (1), substitute:

“(1) notes that:

- (a) there was a tragic death last week of a beloved innocent domestic animal as a result of a violent dog attack;
- (b) there were 485 reports of dog attacks in Canberra in 2017-18;
- (c) in December 2017 legislative changes took effect which increased requirements for mandatory reporting of dog attacks;

- (d) in 2016-17 the average rate of reports of dog attacks in Canberra was one a day;
- (e) in 2018 the average rate of reports of dog attacks reported in Canberra was two a day;
- (f) from the 2017 calendar year to the 2018 calendar year confirmed attacks increased slightly from 360 to 392;
- (g) from the 2017 calendar year to the 2018 calendar year the number of dogs euthanised at the direction of Domestic Animal Services has increased from 3 to 29;
- (h) in 2018 over 117 warnings and 59 infringement notices were issued for dogs being in public places without a lead or not under effective control;
- (i) in 2018 118 fines, 88 warnings and 68 control orders were issued in relation to dog attacks; and
- (j) in early 2018 the ACT Government increased the number of positions managing domestic animals by 8; and”

**MS LE COUTEUR** (Murrumbidgee) (4.31): I thank Ms Lawder for her motion and for her continued interest in animal welfare in the territory. The ACT Greens firmly believe in protecting our community and our animals. The recent attack on Mimosa, a therapy alpaca, was senseless, upsetting and unacceptable. It is clear that the attack on Mimosa was illegal under our current legislation. There is not an issue with the legislation here.

The attack on Mimosa was animal cruelty not only for the alpaca but also for the dog. The dog owner in question allegedly filmed the attack instead of attempting to intervene. If the dog owner did as was alleged, the dog owner was encouraging the behaviour of the dog. Encouraging a dog to harass or attack another animal is deplorable, and owners that do so should be penalised. The owner in question, if these allegations are correct, should not be allowed to keep a dog.

With regard to Ms Lawder’s motion, paragraphs (1)(g) and (h) state that “anywhere else this rate of increase in crime or injury would be regarded as a crisis”, and “anywhere else this rate of increase in the neglect of animal welfare would be regarded an animal welfare tragedy”. These statements are, quite frankly, insulting to the people of the ACT. I assume that Ms Lawder did not mean to insult the people of the ACT. I assume she actually just meant to insult the government. It is insulting to insinuate that the people of Canberra do not consider these attacks to be an animal welfare tragedy. You only have to look at the public reaction to the attack on Mimosa. Clearly, the people of Canberra do regard this as a tragedy. It is hyperbolic to state that the rate of increase in reports of dog attacks is an out-and-out instance of total neglect and a crisis.

Ms Lawder’s note (i) in paragraph (1) states that “dogs that have been found to have committed vicious attacks on people or other animals are still returned to the community”. That statement could well be correct, although I would not have used the word “vicious”. It is a very emotive and subjective term, but if that were removed I suspect that that statement would probably be true.

As Minister Steel mentioned, in the current situation, which we support, domestic animal services rangers must weigh up a variety of factors when making decisions about the fate of an animal. For example, one that I have been told about is a greyhound in New South Wales that was declared dangerous after escaping its yard during a storm and killing a duck. This greyhound had passed multiple temperament tests. The behaviour of the greyhound in killing the duck, whilst very sad, could not be described as uncharacteristic of many dogs or necessarily as a case of neglect or poor training. It was a terrible accident. In circumstances such as this, it does seem reasonable to give the dog and the owner a second chance, particularly given that the owner would need in these circumstances to commit to improving the area in which the dog is contained. That would seem to be a more reasonable response to that issue than the death of the dog.

What is concerning in Ms Lawder's motion, and indeed in Minister Steel's amendment, are the statistics showing an increase in reported dogs attacks. It would be really helpful to know what has driven this increase in the reporting of dog attacks. It would seem likely that the change in December 2017 to increase requirements for the mandatory reporting of dog attacks has resulted in this increase. Of course, it may also be related to the fact that there are more people, due to population increase; therefore there are more dogs and, statistically, there are more attacks. Nonetheless, it would be very interesting to know what is behind that change in reported dog attacks.

An issue that I have continually raised when discussing domestic animal legislation and dangerous dogs is the need for a focus on responsible dog ownership. Responsible dog ownership means registering, desexing, microchipping, vaccinating and training your dog. It means taking your dog for regular walks on a lead or to an off-leash dog park or area, ensuring that they are properly contained and cannot escape when home, as well as being mindful when around others, especially children. Responsible dog ownership means, in fact, complying with the current legislation.

Irresponsible dog owners are those who do not comply with the current legislation and put the welfare of their dogs, as well as other animals, including dogs and people, at risk. The sad fact is that, too often in these circumstances, the pet bears the brunt of the punishment. The dog might well be euthanised, while the owner can get another dog.

Minister Steel's amendment provides figures that show that from 2017 to 2018 the number of dogs euthanised by DAS increased from three to 29. That is a very major increase—nearly tenfold. It may be the result of the mandatory reporting regime. Nonetheless, there needs to be a stronger focus on dog owners and their treatment of their pets. It is, after all, the approach to training and care that the dog owner takes, much more than the dog's breed or innate temperament, that most strongly influences whether a dog is likely to be involved in an attack.

Last year, as both previous speakers have noted, the number of domestic animal services rangers increased from eight to 16. That is very good. The government said a year ago that it would increase the number to 16 rangers and that that would result in an overall improvement in responsiveness and service quality and an increase in

enforcement actions. It would be helpful if Minister Steel could provide an update to the Assembly at some point outlining how this increase in the number of rangers has affected service delivery and outcomes.

Following on from my many consultations with the RSPCA and the Animal Defenders Office, I note that there are a number of issues that are worthy of further consideration. These include improving the safety of dog parks via more DAS ranger patrols. It would be good to look into how it would be possible to ban certain owners and their dogs from dog parks. I have heard several reports of serious dog attacks taking place at dog parks, and this is an area where the government has the power to make improvements. It is perhaps exacerbated by the fact that the fences at dog parks mean that some dog owners think that it is okay to bring dogs there that do not come when called, as at least they cannot run away any further than the dog park fence, but it still means that they are not able to control their dog. This may not be a socially responsible use of a dog park, and the issue is for the other dogs and the other people in the dog park.

We are very pleased that there are government subsidies for desexing, but we would like to see a better system for organising this. Currently, desexing vouchers are sold by DAS for \$190, as opposed to the retail cost of desexing, which is around \$300. These vouchers are then able to be used at RSPCA ACT. I am unsure as to whether or not there is a strict follow-up process to ascertain whether the dog owner has used their voucher. That could be useful. There need to be more places where these vouchers can be used, as well as a follow-up process.

Defending the welfare and health of both people and animals is something that is important to the ACT Greens. The care and management of domestic animals such as dogs should be regulated and appropriate measures put in place to address circumstances where a dog is inappropriately managed and causes serious injury to people or other animals. However, I do not agree with Ms Lawder that a punitive approach is the best way to achieve this. I prefer to see a much greater emphasis on the education of dog owners and the community more broadly, such as the provision of dog safety information and education to primary school age children.

Often irresponsible dog owners are not prosecuted and, unfortunately, they may well go on to acquire further dogs. Regulations around the sale of dogs and puppies appear to be largely unenforced. I was involved in the Seventh Assembly's attempts to regulate those. I believe that the puppy farm legislation was finally passed in the Eighth Assembly; however, enforcement continues to be an issue. The ease with which people can obtain dogs is very concerning. Dogs can be bought through Facebook or Gumtree, including dogs advertised for "pig-dogging", which is a barbaric practice. Sometimes dogs are given away free online. As I said, I first raised this in the Seventh Assembly, and this is an area where better enforcement is needed.

I thank Mr Steel for his amendment because it contains more accurate and up-to-date data. The big advantage of being the responsible minister is that he can do this. I thank him for it. I also thank Minister Steel for just changing paragraph (1) and leaving paragraph (2) intact. All of the things that Ms Lawder is calling for in her motion are still there, unaltered, which the Greens support. All that the amendment

will do is to provide more up-to-date and better statistics and more current information, so I think this is a very worthy amendment.

**MRS KIKKERT** (Ginninderra) (4.42): I thank Ms Lawder for bringing this motion before the Assembly today. I rise to speak in full support of it. I speak today as a dog owner. I bring that fact up because sometimes those opposite try to spin that the Liberals' ongoing concerns over dog attacks in this territory are some kind of dislike for dogs or for the people who own them. Nothing could be further from the truth. For many of us, dogs are a treasured part of our family.

But the facts speak for themselves. The number of dog attacks in this city keeps going up and up. I can assure this Assembly that the Liberals and the media outlets are not the only ones noticing. I spend as much time as I can meeting and speaking with the good people in my electorate of Ginninderra. The absolute failure of this government to adequately and sensibly respond to the threat of dangerous dogs has become one of the top issues raised with me.

Dog owners are concerned. The most common victim in a dog attack is another dog. Even when the victim does not die, it is often left physically and emotionally damaged for the rest of its life. This, of course, creates grief for the family, who love their dog. Those who own other dogs are also concerned. As we learnt from the tragic events of last week, all kinds of animals can fall victim to attacks by dangerous dogs, even animals much larger than the one attacking them. If an alpaca can be fatally wounded by a dangerous dog, cats, bunnies and other more common pets have no hope.

People who have never owned pets are concerned. Constituents who have been attacked or threatened by dangerous dogs have shared with me their stories and their friends' and neighbours' stories and begged that more be done. Madam Deputy Speaker, the statistics make it clear that more needs to be done. I understand that this government has grown accustomed to telling Canberrans that it is on top of a problem even when the data clearly show that the problem is rapidly worsening. It is not working any more. People can see for themselves what is really going on.

The ACT government needs to provide the resources needed to ensure that the current dog laws are effectively enforced. It needs to provide the resources needed to ensure that dog attacks are investigated quickly and treated under the law with the urgency and seriousness that the community expects. I commend this motion to the Assembly.

**MS LAWDER** (Brindabella) (4.44): I would like to thank everyone for their support of the general thrust of my motion today. It was somewhat qualified support in some instances; however, it is good to know that we have some agreement on the majority of the points.

I found it very interesting that Ms Le Couteur referred to emotive language that she would have liked removed in some of the original points of the motion. It was also interesting that she did not have any issue with emotive language in other motions today—for example, an earlier motion which used terms such as “shambolic”, “misguided”, “pork-barrelling” and “devastating”. However, that is perhaps for Ms Le Couteur to ponder. When you give a reason for changing something,

consistency might be a good measure to apply, rather than selectively applying a dislike of emotive language.

I found it interesting that both Minister Steel and Ms Le Couteur felt the need to talk, perhaps in some detail, about bills that I have brought before the Assembly. In putting together the motion today, I was quite careful to address the issue of compliance and enforcement, which, of course, arose from Ms Le Couteur's own comments in the paper. She said:

There simply aren't enough DAS rangers to do all the work required.

My motion today said nothing about the items in my previous bills—nothing whatsoever. It was about ensuring that DAS has the resources required to do the work required, as Ms Le Couteur herself said.

I appreciate the minister providing some statistics. As I have previously mentioned in this place, when I have sought those statistics in questions on notice, the answer I have received has been that it is too much work to compile those statistics. Whilst Mr Steel has those statistics at his fingertips, he declines to provide them and then says that I am not making evidence-based policy. When he himself controls the evidence very carefully, it is really no wonder. It is quite concerning; it is dismissive. It is, I think, an abuse of power in this place to not follow the process of answering questions on notice, with Mr Steel pretending to say that the information is too difficult to collate when they can come up with them at any second. He quite clearly does have them. They are obviously not too difficult to collate.

I was a little flattered by Mr Steel's comment that I had launched a campaign against dog registration. That was quite flattering. There were a couple of social media posts. Apparently I have launched a campaign. I will have to take that as a bit of a win. Obviously Mr Steel heard about it and thought it was bigger than it actually was. I will have to keep moving forward with that type of approach because it obviously has an impact on Mr Steel. I would love to do more of it.

I genuinely look forward to Mr Steel's updates on the initiatives and the actions that arise from the independent review, the Maxwell review. We have heard very little about it here in this chamber. This is the review that Mr Steel held on to for five months before he released it. He has said today that he is actioning the majority of the recommendations in the Maxwell review. I am quite interested to hear that and I look forward to hearing more about it.

One of those is about dog registration, which is a tax on everyone. It is a tax on every dog owner, the vast majority of whom are doing the right thing. The vast majority of Canberra dog owners are responsible dog owners, yet it would appear that Mr Steel wants to tax them with an annual dog registration fee. Perhaps I am wrong; I look forward to hearing more about it. Mr Steel has not given me any information other than what he said today.

I want to bring to the attention of this place how condescending and hurtful Mr Steel's comments were when he talked about potential changes that would mean that every

jack russell that jumps up on someone would be put down under my proposed legislation. Try telling that to the owner of Jack, who was ripped apart in his own backyard. Try telling that to the owner of Mimosa, the therapy alpaca. Try telling that to the dozens of people who have contacted me about dog attacks. I am sure they will be thrilled to know how condescending you were in your comments about jack russells jumping up on someone. I reckon they will be really thrilled to hear that that is the way you think of it.

It is true that we deserve to be able to walk around the lake, around our block or wherever it is without fear of being attacked, without fear of our kids being attacked. This is a common refrain I hear over and over again from people: “What if that had been a kid?” “What if that had been my baby in the pram?” “What if that had been an elderly person?” People feel that that is the next thing. Whether you are walking on your own, with your family, with your dog, with your cat or with your alpaca, or if it is your chickens that are attacked, people feel that more needs to be done. People feel that more needs to be done, and that is the thrust of the motion today: ensuring that there are enough DAS rangers to do all of the work required.

From what Mr Steel said, I fear a little that he feels there already are enough DAS staff. Perhaps the wording of my “calls on” paragraph was not strong enough to encourage change or additional rangers. Mr Steel seemed to think that the recent doubling—about a year ago—of DAS rangers means that there are enough rangers. It is quite clear that the community do not believe that there are enough DAS rangers. This is not about casting aspersions on the existing DAS rangers, who, as I have said over and over, have a difficult, dangerous and heart-wrenching job to do. But anyone—whether you are talking about police, nurses or any area of the public service—can only do what they can do. You can only do so much with the resources available to you.

This is not about changing the legislation. This is not about stronger laws. This is about ensuring that DAS is sufficiently resourced to undertake investigations, attend attacks and do all the report writing et cetera. There is a lot to it. It is about ensuring that they are able to do all of that and still attend new attacks that come in, new reports. Sometimes it is not even an actual attack. Sometimes it is a threatening dog or loose and stray dogs. We need to ensure that those rangers have the support they need from this government. That is the thrust of this motion.

I would like once again to thank everyone for their general support of the motion. I look forward to hearing much more about what else is happening. I look forward to hearing more from Minister Steel about exactly what the ACT government is going to do to provide the resources needed to ensure that current dog laws are effectively enforced and what they are doing to provide the resources needed so that dog attacks are investigated quickly and treated under the law with the urgency and seriousness that the community expects. I still get some reports that victims of dog attacks are not kept informed of the progress or the results of investigations. That is the thrust of this motion. Once again, thank you to everyone who has made a contribution today. I hope there will be some changes that will be for the benefit of the Canberra community as a result of this motion.



Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## Heat mitigation

**MS LE COUTEUR** (Murrumbidgee) (4.54): I move:

That this Assembly:

(1) notes that:

- (a) this summer the ACT experienced record-breaking extreme heat, and this is likely to occur more frequently in future as a result of climate change;
- (b) heatwaves are Australia's deadliest type of natural hazard, with seniors and infants most at risk of death and serious injury; and
- (c) many vulnerable older people and children live in apartments, including public housing tenants;

(2) notes that:

- (a) this summer there were numerous reports of Canberra apartments less than five years old – including public housing – reaching inside temperatures of over 40 degrees;
- (b) the design and construction of these apartments were covered by a minimum Energy Efficiency Rating (EER) standard:
  - (i) while the current EER system is helpful, it is clearly inadequate to ensure new apartments are liveable and safe during heatwaves;
  - (ii) some experts believe that the minimum EER requirement is being undermined by weak planning rules and that the ACT should adopt rules similar to those in the NSW State Environmental Planning Policy No 65 (SEPP 65) “Apartment Design Guide”;
  - (iii) unfortunately, some builders don't build to the EER standard required by their building approval;
  - (iv) the EER system is controlled through the Council of Australian Governments and the Australian Building Code, and there is little national progress in strengthening it; and
  - (v) the national EER rating tool (NatHERS) is based on Canberra's past cooler climate, not the hotter climate that we are facing now and into the future;

(3) notes that air conditioning is a solution for some people, however many lower-income people cannot afford air conditioners, people who live in apartments can be limited in the types of air conditioning they can install, tenants are not able to install them and air conditioners don't work when extreme heat causes blackouts;

(4) notes that the ACT Government is already taking action on heatwave safety and energy efficient housing, though there are opportunities for more to be done:

- (a) the Government is reviewing the EER system and investigating minimum energy efficiency standards for rental properties under the Greens/ALP Parliamentary Agreement;
  - (b) the Government's Energy Efficiency Improvement Scheme is improving household heating, cooling and energy efficiency, and reducing energy bills. The 2018-19 Budget extended the scheme to public housing, and will see significant upgrades in 2200 public housing homes over three years; and
  - (c) ACT Housing contacts vulnerable tenants during heatwaves to check on their safety; and
- (5) calls on the ACT Government to deliver the following action plan:
- (a) investigate potential changes to planning rules to improve apartment design and reduce summer heat inside new apartments, including requirements for improved solar access, external summer shading, adequate cross-ventilation and key elements of the NSW SEPP 65 "Apartment Design Guide";
  - (b) investigate potential changes to ACT Housing design requirements for public housing purchases and construction that address the needs of vulnerable tenants in a future hotter climate, for example inclusion of energy-efficient cooling and external summer shading;
  - (c) investigate potential expansion of the Energy Efficiency Improvement Scheme to cover more options that would keep Canberrans cool in heatwaves;
  - (d) investigate how the ACT Government can improve the performance of the EER system without waiting for national reform, for example by requiring separate NatHERS ratings for winter and summer, setting maximum air-leakage standards and basing the ratings on Canberra's future hotter climate;
  - (e) improve monitoring of building quality to ensure that buildings meet the EER rating they were approved with;
  - (f) report to the Assembly and the community on the findings of parts (5)(a) to (e) by the last sitting day in October 2019; and
  - (g) release a draft Territory Plan Variation for community consultation for part (5)(a) by the end of March 2020.

As we all know, the climate is warming. Summers are getting hotter and heatwaves are occurring more often. This summer was a time of record-breaking extreme heat in our city. It was a testing time for Canberrans, who struggled to go about their lives with day after day over 40 degrees. This summer also tested our readiness for future hotter climates. One area where we clearly failed that test is that we are building apartments that, without air conditioning, are unlivable and potentially unsafe in hot weather. Some are even unlivable with air conditioning running flat out over 24 hours of the day.

I noticed this myself several years ago, when I was living in a new east-facing apartment in Woden. It was hot all summer and the air conditioner did not do enough

to make the bedroom cool enough to sleep in. However, many of the cases I have heard about this summer are far worse than the situation I was in a few years ago.

The first example for this year that I heard about was of a man living in a brand-new public housing apartment. At 1 am it was 33 degrees inside his apartment, despite it being down to a quite pleasant 24 degrees outside. His apartment was less than one year old. In another case, I have seen photos from the apartment of an elderly owner-occupier in a five-year-old apartment where it got so hot that the wall cracked in the heat and the front door to her apartment would not open. She needed her son to let her out. It was not a cheap little door; it was a fire-resistant door in a fire-resistant wall.

Another owner-occupier couple told me:

We bought a high end apartment off the plan three years ago. We do have ducted air-conditioning throughout our apartment, but it struggled to cope despite being run 24/7 through the worst of the heat-wave.

They said:

The heat problem was so severe that we even started actively looking to move (despite loving most other aspects of our apartment).

They also said:

At least two large windows in our building have spontaneously shattered due, presumably, to the heat.

This is from another older couple who own their apartment:

In our 100.6m<sup>2</sup>, we have two air-conditioners ... During the hot summer months, we set the temperature at 20 degrees, maximum fan force, with the oscillators directed towards our master bedroom, we could not reduce the temperature in our bedroom to below 31 degrees.

This is from a renter on social media:

I'm in a big apartment block ... west facing, no protection. It gets SOOOOOO hot inside ... much hotter than outside (so often above 40). Plus my whole building holds onto the heat and takes about a week of cool weather to cool down.

Further on in the message she said:

I have to sleep on the couch for the whole of summer (there is aircon in the lounge room). It's so uncomfortable and miserable. I just want to go to bed!

All of these apartments are new or near new. They were all, at worst, built in the last 10 years. Actually, all of them might be in the last five years. The point is that we are building brand-new apartments that are unlivable in hot weather without air conditioning, and in some cases even with it. This is not just a livability issue; it is

also potentially unsafe for vulnerable older people and young children. I remind members that heatwaves are Australia's deadliest type of natural hazard, with seniors and infants most at risk of death and serious injury.

So why is this happening? Surely our energy efficiency standards should mean it does not happen. We do have energy efficiency standards, commonly known in the community as the EER rating system, but of course there is more to it than just the rating. The standards are set through the national construction code. Clearly they are not doing enough for heatwaves.

The first problem for Canberra is that the focus for cooler climate zones like the ACT has been on keeping houses warm in the winter. The standards have been reasonably successful at this. Most new dwellings can reasonably be heated in winter. A second issue, however, is that energy efficiency standards are based on past climate data. The data used is an average of past years' temperatures, which means it is based on Canberra's past cooler climate, not on the hotter climate that we are facing now and will into the future with climate change.

This has been a concern of mine, of the Greens and of many other people concerned with climate change for a long time. I unsuccessfully moved a motion about this and other EER-related matters eight years ago, when I was last in the Assembly. Unfortunately, there does not appear to have been any substantive progress on these issues in the intervening time. That is why I have moved this motion today.

There are also concerns about parts of building design that are outside the scope of the energy efficiency standards. That is what I refer in (2)(b)(ii) as "weak planning rules". The standards focus on how good the shell of the dwelling is at keeping the inside temperature stable. That means things like insulation and whether the windows are double-glazed. However, the standards do not fully cover things like external summer shading devices, cross-ventilation and solar access. Indeed, these things partly fall into the planning system. It gets very complicated. I will not go through all of the details; I will give an example.

The planning rules specify that most apartments must get at least three hours of sunlight on the shortest day of the year. You might think that that means they have to face north. However, people in the industry and all of us who look at new apartments being built will tell you that instead most apartments face east or west. This is so that you can fit more on the block. East and, even more, west-facing apartments are at risk of getting very, very hot in summer.

In New South Wales they overcome this gap between building rules and planning rules with a comprehensive set of guidelines for apartment design: the apartment design guide, also known as SEPP 65. I have been told by a quite a few planners and architects that the ACT should adopt SEPP 65, as it is much better than our current rules. There can also be problems with compliance by builders. The less scrupulous design a building with energy efficiency features and get it approved but then, when it comes to construction, they are not all built or they are built in a substandard way compared to what they said they were going to do. This is a huge problem.

In the Seventh Assembly the Greens put a lot of effort into that and the government committed to doing more auditing and compliance work. I acknowledge that work is happening in that regard, but it does not seem that enough is being done. I am concerned that some of the too hot apartments we are seeing now may be the result of builders not complying with the rules and not building what they said they were going to build.

It is really easy to talk about the problems, and I can talk about them at length. The major issue is what we are going to do to fix them. We need to learn the lessons of this summer and develop a set of responses. These responses are probably going to be quite diverse. That is why, rather than having a detailed list of actions to take, my motion calls for wide-ranging investigations. This is also because, with a crossbench office, I simply do not have the resources the government has to get all of these things done correctly.

The government needs to respond to this problem by looking at a whole suite of potential things it could do and prioritising the things that will be most effective. Obviously there is going to be some need for a combination of improved energy efficiency standards and planning rules. My motion acknowledges that the government is already doing work in this area, at item (4). Items (5)(a) and (d) call for an expansion of this current work into an investigation of other actions that could be taken.

Item (5)(b) focuses on public housing. ACT Housing has three particular issues. First, it has a large number of highly vulnerable tenants. ACT Housing already know who many of them are, because they have an existing program where they contact vulnerable tenants during heatwaves to check on their safety. Second, many of its tenants are not able to afford to buy air conditioners and external awnings. Third, even when the tenants can afford it, there is a property management cost and issue for ACT Housing as a landlord in making sure these are installed properly with no damage to the building. For these reasons, ACT Housing might need to go beyond any general regulatory changes that are made for all new apartments and require higher standards for the new housing it builds or buys. I note that it already does that in the area of accessibility standards for people with a disability.

Item (5)(c) covers the government's energy efficiency improvement scheme. This scheme improves household heating, cooling and energy efficiency. It has now been extended to public housing, which is a very good thing. It is clearly a good program that has been helping a lot of people. However, it is also quite clear from the activities this scheme covers that the focus has been on improving winter comfort and energy use. This makes sense based on past climate, but future climate is going to be hotter; we know that. There might be ways to expand the energy efficiency improvement scheme to cover more cooling options which will be more used in the coming years.

The very hot summer that we have just endured is a sign of a climate that is rapidly getting hotter. It is a test run for the climate of the future. As with any test, it has picked up problems where the current practice is not working. The issue that has particularly been drawn to my attention is that we are building brand-new apartments

that are unlivable without air conditioning in extreme heat and some which appear to be unlivable anyway during extreme heat. This is a public policy failure. We need to keep in mind that for vulnerable people, for the younger and older members of our community, this can be a serious, life-threatening health issue.

My motion draws the Assembly's attention to this problem. It calls for potential solutions to be investigated and for the government to report back to the Assembly with a way forward to address the problem. I urge all members to support my motion, because this is an important issue. As everyone here knows, we are in the middle of an apartment building boom. Judging by what I have heard from the community, many of the apartments being built right now will really struggle with hot weather. These apartments will be with us for many years. Their owners and their occupiers will be struggling for many years to deal with living in them in increasingly hot climates. We need to take quick action to stop more hot apartments being built. My motion will start that process.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (5.07): While the government supports the intent of the motion, I foreshadow that I will shortly be moving a series of amendments that have been circulated in my name. I thank Ms Le Couteur for the opportunity to update the Assembly about changes that are being made to building standards and work that is underway to improve how apartment buildings are designed and constructed in the ACT.

Firstly, however, it is relevant to outline the difference between the building performance standards and energy efficiency ratings. The building code, which aligns with the national construction code, is performance based and it sets overarching performance requirements for a building. The code provides a range of methods by which to comply with those requirements.

The most popular way to comply is what is known as a deed-to-satisfy pathway, including the use of an energy efficiency rating. It is not mandatory to use an energy efficiency rating—in other words, the building standard is not a star rating. It is merely one way to achieve the requirements of the standard.

For energy efficiency in apartment buildings there are standards for common areas in the building and there are standards for individual dwellings. Standards cover the design of the building fabric, including the requirements of insulation in the building's ceiling as well as lighting and household appliances. The building standards are complemented by the minimum energy performance standards for air conditioners and water heaters. The performance standards require that a building and its features must facilitate the efficient use of energy appropriate to the geographic location of the building, which means the local climate. That includes the degree to which heating and cooling may be required over the year.

All of the tools that can be used to produce energy ratings can model the building in any one of 69 different climate zones. Climate is the weather conditions prevailing in an area in general or over a long period; it is not the extreme weather in particular

years. That is why the relevant climate data in most energy modelling methods is based on average weather over decades. It results in a more accurate assessment of the climate and a more reasonable basis for assessing the general efficiency of the building.

In contrast, the Bureau of Meteorology defines a heatwave as three or more days of unusually high maximum and minimum temperatures in any area. There is, therefore, an important distinction between standards for climate and standards that relate to heatwaves. If the weather we experienced this past summer becomes the norm—and it may—then it will come to be recognised as usual weather in updated climate data and the general standards will adjust. So general efficiency ratings do not require buildings to be designed for unusual weather.

It is also important to consider that, while we may expect hotter summers, in Canberra we will still have relatively cold winters. In trying to address warmer weather we cannot ignore that for many months of the year we still need homes designed and built to keep us warm. It is relatively easier to design a building for one type of weather; it is more difficult for a building to be designed to respond well to both cold and hot weather such as we experience in Canberra.

In the winter we want our buildings to warm up quickly and to keep their heat as long as possible and we want the opposite on hot days. So what may work well in one part of the year may, indeed, not work well in another. That is why a building that performs well in hot weather or extreme heat maybe very uncomfortable for most of the year in Canberra, and that is why a home designed to use less energy over the long colder season, which is generally more efficient, may not do very well in summer or in short runs of hot weather.

Further, a home with a low energy rating may be able to cool down better in hotter weather in comparison to one with a higher energy rating. So the issue is not necessarily a matter of aiming for higher ratings; nor is it a compliance issue. Here in the ACT information on new buildings designed since 2017 indicates that many ACT residential dwellings are already reaching high ratings, with a range of between six and nine stars. Over 90 per cent of apartments and 50 per cent of houses and townhouses modelled at 6.5 stars or above. The average across all dwellings is seven stars.

Obviously that is not to say that we do not think compliance is important. As members would be aware, we have increased actions for non-compliance with building laws and standards. There is also a long-running auditing program for residential energy efficiency ratings, and the government reports annually on the number and the outcomes of these audits. The data tells us that we need to look past ratings to set the most appropriate standards and to establish what we want buildings to achieve. We need good, thoughtful design. It is also why there may need to be a range of different requirements rather than relying on general energy ratings. Rating tools have their place, but they cannot be expected to do everything.

The Australian Building Codes Board recognised that the energy rating pathway does not necessarily lead to buildings being efficient in both winter and summer, so it has

taken steps to address this for buildings using energy ratings to comply. The 2019 building code includes additional heating and cooling load limits in addition to the minimum rating. That means that, as well as meeting an overall efficiency rating, the dwelling will not comply unless it is at or below a maximum energy standard for heating and a maximum energy standard for cooling. This directly addresses the problem of buildings designed to achieve high ratings in Canberra by performing well in winter but not so well in summer.

The 2019 code also includes substantial increases in the energy efficiency standards for common areas of multi-residential buildings. The new provisions start on 1 May this year, with a transition period for complying. This is only a first step. In April last year the building ministers forum considered new energy efficiency measures for residential buildings to be incorporated in the next code, to be released in 2022. This work will include updates to climate data, potentially increasing both winter and summer standards.

However, we are not waiting for this work to look at what else we may need to do; we are already assessing the 2019 code standards for suitability in both the current and projected future climate in the ACT. We may consider changes before the next national update. We are reviewing the existing energy efficiency rating system used for disclosure at the time of sale and rent and also ways to improve the efficiency of rental housing.

Minister Gentleman will speak on the complementary work in the planning portfolio currently underway. That work is not to set alternative buildings standards; rather, it is to put in place design and siting requirements for building that supports cross-ventilation, passive solar design and appropriate seasonal shading.

While good planning and building standards are important, they are only part of managing people's health and safety in extreme weather. Building standards cannot guarantee houses will be at the ideal temperature every day of the year. While we can help reduce the effect of heatwaves in buildings to make them more manageable, there may be days when people will have to cope with being warmer than they would otherwise like, to ensure that they are still warm through our long winter months. Building occupants also need to take steps to make sure their building operates as intended, by closing curtains, operating shading and opening and closing windows when appropriate.

ACT Health and the Emergency Services Agency provide great advice on how to keep healthy and safe in extreme weather, including staying hydrated and planning your day around the heat. As a community it is important that we check on others, including people who may be isolated, the elderly, young children and babies, pregnant women and those who have medical conditions. All of these things together will help us to be more resilient and better respond to hot and extreme weather.

As I indicated, I have a number of amendments to Ms Le Couteur's motion. I believe they help better clarify the interplay between the national construction codes and their updates for 2019, as well as how minimum energy ratings form part of the assessment.



We agree wholeheartedly with the importance of high-performing buildings. Therefore, I commend my amendment to the Assembly. I move:

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

“(1) notes that:

- (a) this summer the ACT experienced record-breaking extreme heat, and this is likely to occur more frequently in future as a result of climate change;
- (b) heatwaves are Australia’s deadliest type of natural hazard, with seniors and infants most at risk of death and serious injury; and
- (c) many vulnerable older people and children live in apartments, including public housing tenants;

(2) notes that:

- (a) temperatures inside apartments can become very hot during heatwaves;
- (b) the design and construction of these apartments were covered by minimum energy efficiency standard, which most projects comply with by meeting a minimum energy efficiency rating:
  - (i) the energy efficiency rating is a general measure of efficiency over the year, rather than a measure of how a building performs in a particular season or extreme weather;
  - (ii) energy efficiency standards in the National Construction Code are developed under the Building Ministers Forum and the Nationwide House Energy Rating System is overseen by the COAG Energy Council, and there are some changes to the existing standards for 2019 and plans to significantly update the code and energy rating methods for the 2022 version of the code; and
  - (iii) current methods of assessing energy efficiency use average climate data, rather than extreme weather or future climate projections;
- (3) notes that while the ACT will experience hotter summers, it will also continue to have relatively cold winters and building standards must address both seasons;
- (4) notes that minimum energy efficiency standards should be supported by planning controls that enable well-designed buildings that occupants can operate as intended;
- (5) notes that while good planning and building standards are important, they are only part of managing people’s health and safety in extreme weather;
- (6) notes that the ACT Government is already taking action on heatwave safety and energy efficient housing including:
  - (a) the Government is reviewing the EER system and investigating minimum energy efficiency standards for rental properties under the Greens/ALP Parliamentary Agreement;
  - (b) the Government will be adopting new standards in the 2019 National Construction Code that require any building using the energy efficiency rating pathways to also meet separate heating and cooling standards;

- (c) the Government is undertaking work under the existing Climate Change Adaptation strategy to review these standards for suitability for the current and future climate;
  - (d) the Government is developing a guideline for apartments that includes planning matters such as the design and siting of a building for cross-ventilation, passive solar design and appropriate seasonal shading;
  - (e) the Government reports annually on the number and outcomes of energy efficiency standard audits;
  - (f) the Government's Energy Efficiency Improvement Scheme is improving household heating, cooling and energy efficiency, and reducing energy bills;
    - (i) the 2018/19 Budget extended the scheme to public housing, and will see significant upgrades in 2 200 public housing homes over three years;
  - (g) ACT Housing contacts vulnerable tenants during heatwaves to check on their safety; and
  - (h) ESA and ACT Health provide advice for people on how to keep healthy and safe in extreme weather; and
- (7) calls on the Government to:
- (a) investigate potential changes to planning rules to improve apartment design and reduce summer heat inside new apartments, including requirements for improved solar access, external summer shading, adequate cross-ventilation; and
  - (b) improve monitoring of building quality to ensure that buildings meet the EER rating they were approved with."

**MR PARTON** (Brindabella) (5.17): The Canberra Liberals will be supporting the Labor amendments to this motion from my Greens colleague Ms Le Couteur. My office has played a role in getting those amendments to a point where they would be palatable, at least in part, to all three parties in this place. If the government that Ms Le Couteur underwrites has its way, and probably even if it does not, there will be thousands upon thousands of apartments lining the Northbourne corridor, so it will be vital that residents are assured that their dwellings will be as cool as they can be in summer and as warm as they can be in winter. I think that is a given.

At the heart of this motion, we are talking about important stuff that affects the lives of people. We are constantly reminded of Canberra's climatic extremes, which will inevitably persist. But after a century of construction experience in the territory, for the most part, the building industry has probably got our temperature management requirements relatively down pat.

We have just gone through a very extreme summer. Ms Le Couteur's motion points out that some builders do not build to the appropriate standard. It provides a grim reminder that the quality of construction in the territory is not always of the highest standard. This will persist while ever most of Mr Ramsay's building regulation reforms remain stranded in a glossy brochure. I know the minister has spoken about

how we are moving forward in this space, and to some extent we have to trust, but I do not know how great that trust is.

The motion calls on the government to investigate changes to planning rules to improve apartment design and solar access and ventilation. These seem like sensible suggestions. I understand they are already being investigated, as has been explained, with revised design guidelines being developed as we speak.

Earlier in the week I gave an indication to Ms Le Couteur that we on this side would be most likely to just let this motion go through unopposed. But there is a problem that arises often in this place in regard to private members' motions. They are not bills; they are motions. They do not get the same scrutiny as bills, and nor should they. But, as a consequence, we often first sight rather complex motions at some stage on a Monday afternoon and we are expected to form a position on those motions sometimes within half an hour of them hitting our table and certainly by the following morning, before debating them on the Wednesday.

On my first read of Ms Le Couteur's motion, my gut feeling was that we could probably let it go through. But, upon further investigation, including engaging with industry bodies, individual builders, apartment owners, staff from Mr Ramsay's office and further with staff from Ms Le Couteur's office, we formed a different view. In making this statement, I am effectively apologising to Ms Le Couteur for appearing to change position halfway through our negotiations on this. On the face of it, Ms Le Couteur's motion appears to have a relatively sound basis, but it did not take a great deal of digging to discover that, in my opinion, this is perhaps the wrong way to go about addressing this problem.

It must also be said that I still harbour a suspicion that the biggest role that this motion is playing for the Greens is to signal to Greens supporters, and specifically to renters, that the Greens are looking after them. On so many fronts they are not really. I commend Mr Joel Dignam for putting together this motion. Hang on; did I say Mr Dignam? I meant Ms Le Couteur. I do not know where "Joel Dignam" came from; we know that the renters advocacy group Better Renting has nothing to do with the Greens. We know that. They have assured us that there is no transfer of data and they are certainly not a front for the Greens. I dare say they will not even cover this debate on their various pages. I do not think they will. Hang on; they have posted about it. They have posted about it, but I am sure that they will not want to play a role in this.

I digress. I just wanted to say that if you really want to do something for renters' rights, I would suggest that you do something to open up the rental market. If you want to do something for renters' rights, put away this absurd phobia about market-driven solutions, recognise that investors are a major part of the solution, and do something that will encourage more investors into this market rather than driving them away.

In regard to specific parts of this motion, I might just go through a couple of issues. The original motion from Ms Le Couteur said that, while the current EER system is helpful, it is clearly inadequate to ensure that new apartments are livable and safe during heatwaves. I do not know if that is really what the EER is supposed to do at its

core. It does not attempt to make dwellings livable in heatwaves without air conditioning. It is debatable whether it should or not, but I do not think that that is what it sets out to do.

The original motion suggested that the EER requirement is being undermined by weak planning laws and that the ACT should adopt rules similar to those in the New South Wales state environment planning policy No 65, SEPP 65. Upon further examination we learnt that the government is going down this path, and we support that.

The original motion noted that air conditioning is a solution for some people but that many low income people cannot afford air conditioners; that people who live in apartments can be limited in the types of air conditioning they install; and that tenants are not able to install them. I was a tenant in this town for 20 years, up until December of last year. For the last 10 years, we were living in a house without any air conditioning. Although we were not going to install a split system, we did purchase a whiz-bang portable air-conditioning system which did the job. It certainly did the job. I would reject that renters do not have the ability to use air conditioning in some way, shape or form.

The original motion also suggested that the government review the EER system, investigating minimum energy efficient standards for rental properties. I have to say that the EER is exactly the same whether the property is for rent or whether there is an owner-occupier.

**Mr Rattenbury:** What is the point of saying that?

**MR PARTON:** The point of saying that, Mr Rattenbury, is that the motion called upon the government to review the EER system, investigating minimum energy efficiency standards for rental properties. The standards apply to all properties; we do not have separate standards for rental properties. That is the point that I am making.

We were concerned about the call for the investigation of potential expansion of the energy efficiency improvement scheme to cover more options, just because we do not know what options were being talked about, and also about investigating how the government could improve the performance of the EER system and, instead of waiting for national changes, perhaps go it alone. Having different standards across different jurisdictions means that local builders would need to develop different house plans for the ACT and New South Wales, and we have many residential builders who work across the boundary. I think that would make it difficult.

In short, upon reading the motion initially, we were quite pleased that these issues were raised, because it is obviously causing some distress for some people. Since that time, I have seen some of the examples that arrive in the email inbox of Ms Le Couteur and there seem to be concerns. I am just not convinced that this is the way to deal with it. We support the Labor amendments.

**MS ORR (Yerrabi) (5.26):** I am pleased to contribute to the debate, and I support Minister Ramsay's amendments. Members know that I am a passionate advocate for

environmental action. I am pleased to have the opportunity to remind Ms Le Couteur that I moved a motion in 2017 which called for similar actions in regard to the ACT's energy efficiency rating scheme. That motion received support from all parties. Until the notice of this motion was given, I had assumed this matter was one where the Greens supported ACT Labor's nation-leading approach. I do wonder whether, by bringing this motion forward today, Ms Le Couteur is simply trying to win herself more environmental credit by essentially copying the motion I moved in September 2017.

With the Assembly's support of my motion, the ACT government was required to provide a report on the progress of the review of the ACT's energy efficiency rating scheme to the Assembly by the last sitting day in 2018. That progress report noted the potential for the review to develop and assess options for expanding the energy efficiency rating scheme to all rental properties in the ACT, as well as the type and form of information of most relevance to owner-occupiers, investors and tenants, and how this could be accommodated under the scheme.

Ms Le Couteur's original motion called for improved monitoring of building quality in relation to the energy efficiency rating of a building. I draw to her attention that that has already been agreed as a result of my motion, which called for consideration of appropriate compliance measures. In the 2017-18 financial year, Access Canberra conducted 891 energy and construction audits for the Building Act 2004 and the energy rating assessments. To put it simply, we have already agreed on, and are doing, what Ms Le Couteur is now calling for in her motion.

Our climate here in Canberra is unique. We have extremely hot summers and extremely cold winters. Therefore, our buildings need to be adaptive to suit both seasonal effects. Solely focusing on the energy efficiency of a building during summer, which Ms Le Couteur's motion does, completely disregards the important need to ensure that our homes are livable during winter as well.

I am pleased to support the amendments moved by Minister Ramsay, particularly the investigation of potential changes to ACT Housing design requirements for public housing and the potential expansion of the energy efficiency improvement scheme to cover more options that would keep Canberrans cool in heatwaves. Our buildings need to be livable in all Canberra seasons. Something which sets Labor apart from the Greens is that we believe environmentalism should be focused on everyone, not just those who can afford to upgrade their own homes to be more energy efficient and productive.

It is important to note that the energy efficiency rating of a building is not necessarily the only way to measure the performance and livability of the building. There is no denying that it is an important benchmark; however, we also need to be cognisant of the fact that an energy efficiency rating is an average indication of the energy usage needs of a building. The methodology is complex and technical in nature, and the science is rapidly evolving. If we are going to make genuine reform in these areas, we have to make sure we are approaching the reform with clarity.

Ms Le Couteur has made reference to the need for certain materials, such as shading and louvres, to be included in energy efficiency requirements. While I am supportive of such measures, it is also important to note that these are less about efficiency and more about design. Design that reduces the need for energy use is often taken to mean passive design. What should be noted, though, is that passive design buildings are not necessarily energy efficient.

If you want to talk about how we can build buildings to reduce the need for space heating and cooling and perform to a high energy efficiency, we actually need to be talking about energy productivity. In my opinion, it is energy productivity that we should be talking about, as this is where the most gains are to be made: gains which help not only the environment, but also the cost of living for people in our community. Essentially, energy productivity is using the same or less energy to do more. Energy efficiency is very much a part of energy productivity, but energy productivity also encompasses passive design, renewable energy sources and other measures that, when put together, provide a holistic approach to building design and performance.

Before I conclude, I would like to formally place on the record the fact that I believe this matter would have been best dealt with by a full committee inquiry by the planning and urban renewal committee. As members of this committee, both Ms Le Couteur and I would have had the opportunity to investigate this matter and hear from a wide range of industry stakeholders, community organisations and individuals.

In negotiations leading up to the debate on this motion, it has been made clear to me that Ms Le Couteur does not want to bring this matter to the planning and urban renewal committee, which is disappointing. I understand that she just wants to get on with it. However, “getting on with it” is difficult when the “it” is not clear, and the requests in Ms Le Couteur’s motion today demonstrate the confusion that sits around the EER scheme, passive design and energy productivity, and the way these approaches interact with our planning regulations and frameworks relating to the performance and livability of buildings and homes.

I believe the way we heat and cool our buildings should be thoroughly looked into so that we are not missing any potential options for improving the livability and performance of our buildings. I hold out hope that Ms Le Couteur—and even Mr Parton, based on comments he has made today—may consider the option of an inquiry in the future, as I note that the planning and urban renewal committee is yet to decide its future work program for the rest of the term. I look forward to working with Minister Ramsay and my government colleagues in delivering real outcomes for the environment and Canberra homes. I commend the amended motion to the Assembly.

**MS LE COUTEUR** (Murrumbidgee) (5.32): The Greens will not be supporting this amendment. I am really disappointed that, despite everybody acknowledging that there is a problem, the big parties do not really want to get on to it and do something. If I were Better Renting, I probably would have been quite concerned or offended by Mr Parton’s comments. This motion was not written by Joel Dignam or Better Renting. As I mentioned in my speech, I moved a motion in the Seventh Assembly on

these sorts of issues. This is not a new issue, as far as the Greens and I are concerned. In fact, the first people who lobbied me when I was a new MLA in the Seventh Assembly were people who were concerned about EER issues.

While I sincerely hope that my motion, or the motion as amended that will be passed, will help tenants, this is not a tenants' issue. This is a public policy problem, in that we are building, in particular, apartments in Canberra which will not serve us well in the future. We have to hope that the apartments that we are building now will last for at least 50 years. In 50 years time the climate will be different. Minister Ramsay made a distinction between heatwaves and climate. The point is that in the next 50 years what we are talking about as heatwaves will be the climate, as he said. We can see this coming. The CSIRO has done the modelling. Instead of waiting for what is now a heatwave to become normal and then saying, "Oh, we should do something about it," we really cannot wait for that; we need to build now for the future.

The ACF and the ANU recently released a report that showed that Canberra will have up to 110 days over 30 degrees by 2050 without climate action. Appreciably, the world as a whole is not taking climate action. Effectively, in Canberra, as they said, there will be no winter as we currently know it, so we really do need to change.

I am not really sure why the government wanted to cut out improvements to the energy efficiency standards from the work to stop the building of hot apartments, although I do appreciate and thank Minister Ramsay for updating us as to some of the changes that are starting to come through the long and slow COAG process. Part of my annoyance is because, as I said, I moved a motion along these lines eight years ago. We needed to start then so that we would not be continuing to build apartments which clearly are not going to work.

Every morning when I walk down to the bus, I walk past a new set of townhouses that are being built facing west, with floor-to-ceiling windows. We all know what is going to happen with them: they are going to be hot; they are going to run their air conditioning extensively. The point is that we know this is going to happen. We do not have to do it, and we need to take action to ensure that we do not build more housing with problems.

Thank you, minister, for telling us that you are already doing the work. The problem from my point of view is that this is what the government has been saying for the past decade. The relevant minister or ministerial council have always just been about to make enough progress so that it will all be sorted. But it actually has not happened.

As a point of clarification, Minister Ramsay, you suggested I had asked for a higher EER rating. That is not actually what I asked for. I asked for the ratings to work better for the Canberra climate. I do not think that the purpose is to go higher if we are not going in the right direction. We need to look at the future. As I said, the buildings that we are building should be around for the next 50 years at least. We need to look at how the climate is going to change over that period of time. Our wonderful national institution the CSIRO has done the work to tell us what it is likely to be. We need to look at that and build buildings that will work for that.

Mr Parton suggested it would be a problem for builders if they had to build things differently for Canberra than for other parts of the country. That might be a minor problem for the builders, but it is much more of a major problem for the people of Canberra if they end up living in buildings that just do not work in our climate. For buildings to be efficient, for buildings to be comfortable and livable, they have to be adapted to our climate. That is what my motion is talking about—buildings that adapt to the climate that we live in now, and which clearly will get hotter in the future.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 19

Noes 2

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

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## Services for older Canberrans

**MS LAWDER** (Brindabella) (5.44): I move:

That this Assembly:

(1) notes that:

- (a) this week is ACT Seniors Week;
- (b) older Australians (65 and over) make up 15 percent of all Australians;
- (c) the population of some areas of Canberra are much older than average including Weston Creek and Woden, where for example, more than a quarter of Hughes residents are over 60;
- (d) within 40 years over a quarter of all Canberrans will be over 65;
- (e) ACT Government policies have consistently disproportionately hit older Canberrans hardest including with astronomic rate increases, and difficult to access and uncoordinated services;
- (f) the Labor-Greens Government has demonstrated its lack of priority for older Canberrans;



- (g) more than half our suburbs are not age friendly and the Government is currently only funding two suburbs a year with age friendly funding;
  - (h) at current age friendly suburb funding it will be 2073 (55 years from today) before all current suburbs are funded; and
  - (i) concessions have been removed and changed for seniors, creating confusion and distress amongst older Canberrans; and
- (2) calls on the ACT Government to change its attitude towards older Canberrans and take meaningful action to improve their lives and ensure they are not disadvantaged by Government policy.

I am very pleased to speak to this motion today, as shadow minister for seniors. As many of you probably know—I hope you know—this week is Seniors Week in the ACT, and it is a great time to celebrate older Canberrans, what they have done in the past, what they are doing now, what they will do in the future, and everything that they like to do. It is a good time to talk about that. It is about looking at what they have contributed to our city as well. They continue to contribute to our city in a range of different ways.

Unfortunately, under this government many seniors feel ignored and feel that they are being treated as second-class citizens. Services that should otherwise be routinely fixed, such as broken footpaths, are packaged up and sold as a service to seniors. We are told that the better suburbs program is to benefit older Canberrans. These are basic municipal services that the government should be providing, and they are of benefit to every Canberran. There are some more specific groups that may benefit—mothers or parents with prams, people with disability, older and frail seniors, and other Canberrans. But it is being pushed as if it is a favour to older Canberrans by improving the footpaths and the connections in their neighbourhoods.

Currently, in the ACT we have over 70,000 people over the age of 60. This figure will increase as our population ages. This government, in their rush and in their desire to be hip and trendy, are neglecting the real needs of older Canberrans—the people who have spent their lives building and contributing to the wealth of the city, making it what it is today so that it can be enjoyed by everyone. These older Canberrans deserve better.

In December last year the Federation of Australian Councils on the Ageing released an informative report on older Australians. The key points for Australians aged 50 years or older include that 46 per cent of them feel less valued by society than when they were younger. Forty-nine per cent have one or more vulnerability indicators. More than half of people aged 50 years or older feel that the rising cost of living is leaving them behind. Twenty-nine per cent of them work and do not think they can ever retire, and 33 per cent have experienced age discrimination. But here is the good news from that report: 80 per cent felt younger than their age and at least half feel at least 10 years younger than they are.

Unfortunately, from about a year ago, we know what our current Chief Minister thinks about older Canberrans. Older Canberrans know that, too. Many of them remark on it to me. From comments made by our Chief Minister in the past, his

opinion of those who read, watch or seek their news from traditional media is clear: he does not really care about them. He has made it clear how he feels about seniors and their opinions—how he wishes to live in a utopian state so that, as soon as you become a senior, you leave Canberra and the government does not need to consult with you anymore.

In fact, to take that even further, this government has often denigrated the input of community councils, claiming that they are made up of grumpy old men. While some of the community councils may have a number of older Canberrans on their executive, this, to me, is more indicative of the fact that they now have more time to devote to community activities and they want to share the many years of experience and expertise that they have gathered over their lifetime, in the workforce or otherwise. They want to use that experience for the betterment of all Canberrans, and one of the ways they can do that is through the community councils. As another example, on average, viewers of the ABC news in the evening, the 7 pm bulletin, are people in their mid-60s, so we must continue to provide ways to communicate with our older Canberrans.

One of the major issues that older Canberrans face—older Australians and older people generally—is loneliness. It is important to make sure that seniors remain connected and informed and are able to participate in their community. The population in some areas of Canberra is much older on average than in other areas of Canberra—for example, in Weston Creek and Woden. To give an even more specific example, more than a quarter of residents of the suburb of Hughes are over the age of 60, and within 40 years over a quarter of all Canberrans will be over 65 years of age.

In this motion I am asking the ACT government to change their attitude towards older Canberrans, to take meaningful action to improve their lives and ensure they are not disproportionately disadvantaged by discriminatory or uncaring government policy. We know that ACT government policies have consistently disproportionately hit older Canberrans the hardest, including with rates increases, with difficult to access and uncoordinated services, and with a lack of priority for older Canberrans. We have seen concessions removed and changed for seniors, creating confusion and distress amongst older Canberrans. Concessions have been poorly advertised, and more than half of our suburbs are not age-friendly.

On the age-friendly suburbs policy, which I mentioned at the start, currently, funding to make our suburbs age-friendly is being allocated at two suburbs a year. After an audit in 2014 that found that more than half of our suburbs are not age-friendly, the government launched their age-friendly suburb program. The age-friendly suburb program is a good program, but isn't it really just a repackaging of basic municipal maintenance money—fixing broken footpaths and dangerous road crossings and providing better transport links, including covered bus stops? These are things that are important for all Canberrans. Other things that are important to older people include public toilets. We have many suburbs with no public toilets, but there is no upgrade of public toilets and no installation plans.

The current age-friendly funding for only two suburbs a year is also an issue. Ainslie and Weston were upgraded in 2016, Monash and Kaleen were upgraded in 2017 and

Hughes and Page were upgraded in 2018. At the current rate and pace of implementation of the age-friendly suburbs program, it will take 55 years from today. It will take until 2073 before all current suburbs are funded, if they require it. Our Chief Minister will be over 100 years old then, and he will probably be a lot more interested in seniors at that time.

Some of our peak bodies that deal with seniors have a number of ideas about what genuinely needs to be done to create an age-friendly city. They include things like more of a focus on health and improved acute care pathways. Many older consumers face difficulties with getting the continuity of care they need when they are discharged from hospital. There needs to be better access to pain management resourcing and training. Persistent and chronic pain is much more prevalent in older age groups, affecting one in three people over the age of 65.

These peak bodies dealing with seniors also talk about improved access to palliative care in residential aged care. They have called for greater diversity of housing choices for older residents. They have pointed to the significant increases in the cost of electricity and gas, which places increasing pressure on the budgets of older Canberrans who are on fixed low incomes. Electricity prices increased by 10.6 per cent in the past year, while gas and other household fuels rose by 17.8 per cent. Of course, in some cases—not all, but some cases—older Canberrans may be at home more than other Canberrans if they are no longer in the workforce. We hear cases of people sitting and shivering in the cold because they cannot afford to keep the heater going.

The peak bodies have also talked about concessions and rebates, and that the government should stop reducing age concessions and rebates, as they play a critical role in helping older people on a fixed low income to balance their budget and meet the rising cost of essentials. Also, more policies on elder abuse are needed. Transport is another big issue for older Canberrans. In particular, those with mobility issues find it difficult to access even their own shopping centre and services because of the changes to or removal of their regular bus route. They are unable to walk the distances required to access a bus stop, and they have some safety concerns when accessing light rail stops, and particularly when crossing Northbourne Avenue.

The government expects them to pay their taxes and their rates but keeps taking away services. While the government are dismissive of the views of seniors, they keep taking their money. They keep increasing their rates. They keep reducing their subsidies. But they do not want their opinion on planning because they are old. The government are dismissive of seniors when it comes to planning; basically, they are dismissive of anyone who disagrees with them. But we should respect their experience. They have not just the experience but in many cases the time and the will to review policy and provide feedback. When they disagree, it is not necessarily just because they do not like you. When they do not follow social media, it does not mean that you cannot include them in consultation.

During Seniors Week, another thing to think about is the funding of Seniors Week. I understand that the funding for Seniors Week has not been increased for quite some time—potentially, for 10 years. Whilst the importance and popularity of the events in

Seniors Week have grown every year, the funding in real terms, as I understand it, has gone backwards. When we have more and more seniors in the ACT potentially accessing more and more Seniors Week activities, additional funding for those activities may be called for.

Just yesterday, a radio station in Canberra, 2CC, had a competition to select a song for the Chief Minister to sing at this week's Seniors Week concert at the Albert Hall, which, I am pleased to say, was sold out in both the morning and the afternoon sessions. A range of songs were suggested. I think the one that was most popular was a Beatles song:

Let me tell you how it will be.  
There's one for you, nineteen for me

Cause I'm the taxman.  
Yeah, I'm the taxman.

My favourite song, suggested by a Canberra listener, was another Beatles song:

Will you still need me, will you still feed me, when I'm 64?

That was first written by Paul McCartney in 1967. It was about respect for the ageing, but it was used in their early days as a song to perform when the electricity went off.

With respect to being a truly inclusive community, the government like to talk up all the time how inclusive they are; in fact, they are deliberately excluding older Canberrans from many government policies and they are ignoring their views and input. The crippling rates increases that are pushing up the cost of living mean that the power is going off for many older Canberrans. It does not just stop the music; it stops the heating, the cooking, the cooling and the television watching for those who cannot afford to keep the power on. I commend my motion to the Assembly.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (5.58): I am pleased to rise in support of the senior members of Canberra's community and to outline some of the ways that this government is supporting our older Canberrans. It is especially pleasing to be able to do this as part of Seniors Week. However, what I commit to the Assembly and to the people of Canberra to do is that, unlike in Ms Lawder's speech tonight, I will not just be making things up and trying to paint a particular picture without factual evidence as part of it. The clear thing is that we know we have—

**Mrs Dunne:** Point of order, Madam Speaker.

**MADAM SPEAKER:** Can you resume your seat? Point of order, Mrs Dunne. Stop the clock.

**Mrs Dunne:** I seek your ruling, Madam Speaker. Mr Ramsay just said that Ms Lawder was making things up, which is an imputation about Ms Lawder's honesty. I ask for your ruling on whether that is appropriate in this place.

**MADAM SPEAKER:** There is a fine line. Did you want to repeat what you said, minister?

**MR RAMSAY:** I am happy to withdraw.

**MADAM SPEAKER:** Thank you. A reminder to members on both sides: it goes both ways. There are often many comments coming from members on my left that points of order could be raised about: mocking behaviour and other such things.

**Ms Lawder:** On your ruling, Madam Speaker, I do not think I have accused Mr Ramsay of making things up.

**MADAM SPEAKER:** I am saying it about many a time by members on my left. I am not saying it about the past five minutes. As I sit here, it is just an observation that I make, Ms Lawder. Minister.

**MR RAMSAY:** Thank you, Madam Speaker. We know that we have the most educated, the healthiest, and the longest-living population in Australia. So it is important that we ensure that our seniors are getting the most out of later life. The ACT government acknowledges the enormous contribution of these older citizens. They have been, and they still are, our workforce, and they continue to be our volunteers, our carers, our grandparents and our loved family members. Seniors Week provides an opportunity to recognise the contribution of our older members of this community.

Madam Speaker, according to the 2016 census data, 12.5 per cent of Canberrans are aged 65 or over and they are an important and growing group in our community. The ACT Treasury projections indicate that by 2058, 17.4 per cent of the ACT population will be aged 65 or over, a significant proportion of the people who live in Canberra who are valued and integral members of this community.

Yesterday the Chief Minister launched the week-long Seniors Week celebrations at the Chief Minister's concert. I was disappointed, because I had to rush back for question time, that I was not able to stay for the whole concert. The small amount that I did see was obviously well-enjoyed by those attending, as has been mentioned by Ms Lawder. Both the 11 o'clock and the one o'clock sessions were sold out.

The government actively supports Seniors Week celebrations each year. Members would be aware that one of the largest Seniors Week events is the Seniors Week Expo, which will be held at EPIC tomorrow. The event attracts large numbers of our seniors to access information from hundreds of stallholders, who provide information on services and activities available in Canberra.

Whether it is new community and interest groups to join, options for where and how seniors live and travel or opportunities to improve quality of life, the expo provides so many ways for our seniors to enjoy later life and to remain active, connected and an integral part of the Canberra community. I am looking forward to being over there to launch the expo tomorrow, to cut the Seniors Week Expo cake and to speak with the attendees there.

Last year during Seniors Week events, we conducted an age-friendly city survey to ascertain seniors' views and preferences about life in the capital. The results of the survey informed the development of the government's "Age-friendly Canberra—a vision for our city" that I was pleased to table in the Assembly last sitting.

I note in her speech that Ms Lawder has talked about a number of things that peak bodies or older Canberrans are looking for, benefits that they are seeking. I assume that Ms Lawder has read the vision for our city document well, because many of the matters that she has specifically listed are included in that vision, as we have heard very clearly from the members of the community. This is because senior Canberrans shared their priorities for Canberra.

My Ministerial Advisory Council on Ageing worked with directorate officials to develop a set of principles to drive this further future planning. The principles highlight the importance of ensuring that older members of the community are involved; that they are connected and valued; that they feel safe, secure and free from abuse and discrimination; that they have the information and the services they need; and that they can access the city through age-friendly transport and infrastructure.

The vision sets the agenda for the next phase of work to support an age-friendly Canberra. We will be developing a whole-of-government age-friendly city plan. Through this plan, we will strengthen efforts to foster community attitudes of dignity and respect towards older people, include the voice of older people in policy development, ensure that services meet the needs of older people, and provide older people with access to information and services that effectively support them to live a good life.

While the plan is being developed, we continue to provide a range of initiatives to assist older members of our community. Each year, the seniors grants program provides a total of \$80,000 in funding for innovative projects to enable seniors' active participation in community life. This year we have given \$10,000 to ADACAS to help counter elder abuse. We have given \$5,800 to Nutrition Australia (ACT) to provide workshops on healthy eating and to help people trial new cooking methods. We have provided funding for community gardens and cultivation courses, money for workshops to help prevent dementia, and money for programs to build connections and friendship.

This grant program provides vital funding for those organisations that help and support our older Canberrans. Funding of \$640,000 over four years has also been allocated for Legal Aid ACT to establish the seniors rights service. The service, which is called the Older Persons ACT Legal Service, known as OPALS, provides specialist legal assistance for older people. A flexible service delivery model is used that provides outreach, referral and engagement with family and services where appropriate. The model, which involves not just the provision of legal assistance, assists the coordination of various forms of supports for older people.

In addition to OPALS, Council on the Ageing ACT is provided with over \$175,000 in funding for the provision of information, advice and referral for older people in the

ACT community. This assists older people to access the services. COTA ACT is also provided with funding to administer the ACT seniors card program. Through the program, eligible seniors are able to access savings on a range of goods and services. I commend COTA ACT for their work with the expo, for their broader work and for their work with the seniors card.

In regard to concessions for older Canberrans, the government remains committed to a fairer, sustainable and targeted concessions program. In the 2018-19 ACT budget, it broadened the rates deferral scheme for older Canberrans aged 65. Additionally, the general rates age deferral scheme removed the income and the unimproved land value thresholds. The scheme allows eligible property owners to defer their annual general rates payments until such time as their property is sold.

Additionally, seniors cardholders are provided with free off-peak travel on Transport Canberra buses, while those over the age of 70 are able to travel free during off-peak times. We are also providing all seniors cardholders with free travel all week during Seniors Week.

The government provides rebates of up to \$700 for eligible pensioners on their rates. It provides concessions on utilities, and recently increased the value of the concession by \$50 to \$654 per household. The government provides full stamp duty concession for eligible pensioners who wish to downsize to housing that better suits their needs. We have also expanded the hospital in the home program so that 3,000 more Canberrans a year can receive high quality care in their own home.

We have boosted the older persons mental health intensive treatment service to provide stronger case management and clinical care to older Canberrans being discharged from hospital, living in residential aged care or experiencing issues with housing.

We will continue to provide targeted assistance to those who are most in need. As part of my work in the targeted assistance strategy before I entered this place, I recommended that the government set up a portal which outlines what concessions are available. I am pleased that this was implemented. I am also pleased to hear that the website is currently being reviewed to modernise it further and to update it to make it more user friendly. I affirm your work, Madam Speaker, as part of that as well.

Madam Speaker, you will often hear me say that I believe that we are stronger as a society when everyone belongs, when everyone is valued and when everyone has the opportunity to participate. In an age-friendly city, people of all ages are treated with respect and their contributions are recognised and valued. This government will continue to work to build this city as one that is age-friendly. While we know that there is more we can do, we will strive to make this the best place for our seniors to live. Because I support and value seniors, and because this government supports and values seniors, I move the amendment circulated in my name:

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

(1) notes that:

- (a) on 21 March 2019 the Government tabled its *Age-Friendly Canberra: A Vision For Our City*;
  - (b) this Vision was created from extensive consultation with senior Canberrans, including surveys completed by over 750 respondents;
  - (c) this document outlines a series of principles the Government will consider when making decisions that affect not only older people, but all people in Canberra;
  - (d) the Vision shows the Government's commitment to ensuring our senior Canberrans are:
    - (i) involved, connected and valued;
    - (ii) safe, secure and free from abuse and discrimination;
    - (iii) provided with information, services and supports which embrace diversity; and
    - (iv) living well in a city for all ages; and
  - (e) this Vision is the first step in developing an age-friendly city plan for release in 2020, which will provide a series of actions to continue to develop Canberra as an age-friendly city;
- (2) further notes that:
- (a) according to the ABS, within 40 years the number of Canberrans over the age of 65 will be 17.4 percent;
  - (b) the Government provides a large number of concessions and rebates to those most at need, including vulnerable older members of our city;
  - (c) the Government recently extended the General Rates Deferment Scheme to all property owners over 65, who own at least 75 percent equity in their home;
  - (d) the Government provides rebates of up to \$700 for eligible pensioners on their rates;
  - (e) the Government provides concessions on utilities, including increasing the value of this concession by \$50 to \$654 per household from 1 July 2018; and
  - (f) the Government provides a full stamp duty concession for eligible pensioners who wish to downsize to housing that better suits their needs;
  - (g) there is a comprehensive list and extensive information about concessions and support available to eligible Canberrans, including older Canberrans, online at [www.assistance.act.gov.au](http://www.assistance.act.gov.au);
- (3) further notes that:
- (a) given Canberra's ageing paths, Parliamentary Agreement Item 3.7 is ensuring that \$30 million is being spent on new and upgraded cycling and walking paths as well as age-friendly suburb improvements;
  - (b) the Government manages approximately 3000 kilometres of community paths and is progressively upgrading and enhancing the local suburban community path network on a prioritised basis in consultation with peak seniors organisations and other stakeholders;



- (c) the Government is continually improving pedestrian footpath connections in our suburbs with the Age Friendly Suburbs Program providing a rolling schedule of upgrades to make our suburbs even more age friendly; and
  - (d) all Canberrans can report problems with footpaths and other suburban infrastructure by calling Access Canberra or reporting an issue online through Fix My Street.
- (4) calls on the ACT Government to:
- (a) use the *Age-Friendly Canberra: A Vision For Our City* to guide policymaking to ensure its positive impact on the lives of our senior Canberrans;
  - (b) continue the development of the Age-Friendly City Plan;
  - (c) continue to provide targeted concessions and support schemes to Canberra's most vulnerable; and
  - (d) continue to upgrade and enhance pathways in our suburbs to improve pedestrian accessibility and connections.

**MS LE COUTEUR** (Murrumbidgee) (6.09): I stand here today to support the amendment put forward by the government. I cannot quite agree with Ms Lawder's comments that the ACT government has to change its attitude. Sadly or realistically, I think that the ACT government's attitude towards older people is a reflection of the attitude of the Australian community. Some of it is good, and some of it is bad. Some of it is disrespectful, and some of it is respectful. That is unfortunate sometimes, and sometimes that is fortunate. I do not think, though, that that is a call which is particularly helpful in terms of actually making a change on the ground.

This week, as we all know—and the two previous speakers have spoken about it of course—is Seniors Week, and this is a week for us to stop to appreciate the contributions of older people in our community. This is a week to show respect and to increase the respect the rest of the community has for older Canberrans. It gives everybody a platform to recognise older people's involvement in and their value to our community and our society. As someone who is now an older Canberran, I can attest that many older people are still actively part of community life. The Greens believe, as I am sure everyone in the Assembly does, that a well-functioning society should value all of its members, older and younger, and middle aged even.

Looking at the suburb issue, which was talked about by Ms Lawder and Minister Ramsay, of course that means that our suburbs should be safe, accessible and easy to navigate for all of us. Age-friendly is really just people-friendly design that is good for older and younger people. It is good for everybody. Age friendly is also generally environmentally friendly. Cities that are designed to be age friendly are safe, often have slower speed environments and encourage walking and cycling. And these qualities also make a more environmentally friendly city.

The World Health Organisation checklist of essential features of an age-friendly city includes improvements such as new and wider footpaths, community paths, seating, ramps, pedestrian crossings, toilets and other design features. Examples of ways to

make cities more age friendly include green spaces and walkways; well maintained, safe green spaces with shelter and toilet facilities, important for both younger and older people; outdoor seating available in a variety of parks and places within parks; transport stops; public spaces evenly spaced out and actually with arm rests as well to make it easier if your core strength is not that good so that you can actually stand up from the seat.

Well-maintained and smooth pavements are vital for older people. They are vital for anybody who actually walks around our city. They need to be level and non-slip and wide enough to accommodate wheelchairs and mobility scooters and include low kerbs. Roads, where we use them, need to be well designed with adequate non-slip pedestrian crossings, with crossing lights that give enough time that people who are slower, which may be older people, have enough time to cross.

In 2010 Professor Bruce Judd and a number of his colleagues from the University of New South Wales conducted a major research project into dwelling, land and neighbourhood use by home owners. And the authors reported:

Despite the apparent under-utilisation of their dwellings, a very high proportion (91%) of survey respondents regarded their home as suitable or very suitable for the number of permanent and temporary residents. This was consistent over three dwelling types (separate, attached, flat/apartment). The interviews reinforced this view with many emphasising the importance of having space for family and friends to come and stay and be able to host family gatherings. Some with partners needed individual personal space following retirement that they could each retreat to.

Older people like staying in their existing homes and neighbourhoods.

The same study looked at the barriers to neighbourhood participation for older people. These included inadequate and poorly maintained pathways, lack of handrails, ramps, seating and provision of public toilets. These are the things that I have just been talking about.

The age-friendly suburbs program was started by my colleague Shane Rattenbury when he was both TAMS minister and ageing minister, and I believe that this work has set the solid base and foundation for the current work of the ACT government which has included the expansion of age-friendly suburbs. First there were two, then there were four, and now we have Ainslie, Weston, Page, Hughes, Kaleen and Monash. And they are expanding over time, which again is why I support the amendment put forward by the government as opposed to the motion presented by Ms Lawder.

I do not agree that the Greens have demonstrated a lack of priority for older Canberrans. In fact I believe we have done the opposite. Minister Rattenbury, a member of the Greens, came up with the concept of age-friendly suburbs in Canberra in the first place. He also ensured that the parliamentary agreement contained the requirement to raise the profile of the active travel office and coordinate the rollout of \$30 million additional for active transport, including in particular, as the first item

mentioned, better maintenance, priority footpath maintenance as well as cycling and walking route upgrades.

We also pushed for age-friendly suburb inclusions in our shopping centres and existing suburbs. Similarly, we ensured that strengthening specialist homelessness and housing support services for older women and home share for older Canberrans were included in the parliamentary agreement. Unfortunately, quite often the contributions of the Green are forgotten or minimised or capitalised on by other people.

I now turn to rates and cost of living, and I would have to say that older Canberrans are frequently at the front of my mind when the Greens are looking at these issues. I do have a number of friends my age who are not in the fortunate financial position I am in. And, yes, older women's homelessness is a real issue in this town.

If you look at the parliamentary agreement, action 3.2 is:

Free bus travel for seniors and concession cardholders.

This has been implemented. Every day Canberra seniors are catching the bus for free, and I understand from a number of people that this is a significant help to cost of living and, importantly, encourages older people to get out and about and reduce social isolation.

On rates I can point to three areas where we have been acting on the needs of seniors. First, earlier in the term of this Assembly I raised concerns with the Treasurer about residential rates age deferment and how that had been set up. To be precise, only two people had taken advantage of it, and this was largely because it was limited only to those people with high land-value homes. That was how it was set up by the Carnell government. But this has now been fixed.

It is available to all older people who have 75 per cent equity in their homes. I think there is a modest means test as well. "Modest" is not possibly the word. I should use "expansive" means test. You do not have to be on social security to get it. Many older people in Canberra are eligible for it. I just cannot remember the exact dollar figure or I would quote it for you. But that issue has been fixed. What we need now is to make sure that people know about it.

Second, members may remember that in the second half of last year I put out a discussion paper about rates and tax reform. One of the key problems that I highlighted in that discussion paper was that, in particular, single, age pensioners with a modest older house, if they live in Garran, will be paying more than 14 per cent of their income in rates. Garran is a good suburb but it is not one of the suburbs that we see as being incredibly expensive. It is not Forrest and Red Hill. The Treasurer has now announced that there is going to be a review of tax reform ahead of the first phase of tax reform—and this will be a public review—and I very much look forward to seeing what that comes up with.

Third, in November last year I moved a motion on how the government deals with people in financial hardship, and part of that motion dealt with the kinds of issues that

older people face, which Ms Lawder has also touched upon of course. I regularly talk to constituents about rates. My notes say “many” but I have to say most of them do not have any idea of the options available to help them pay.

Last month, as a result of my motion, a letter was sent to all 13,700 concession ratepayers. It was to let them know that they can pay their rates weekly, fortnightly or monthly rather than quarterly or annually. Despite the fact the current rate notice has the annual amount up there on the front page to encourage us to do that, you do not have to do that. The letter also let these concession ratepayers know that there actually are deferrals available and that there is an excellent chance that they are eligible for it and how they can take the first step to getting one.

I do not believe that the Greens need to change their attitude towards older people. I would qualify now as an older person and I think that the Greens’ attitude is entirely respectful towards us.

Added to that, I am confident that the ACT government will continue the development of the age-friendly city plan to help to ensure that it makes a positive impact on the lives of our senior Canberrans and will continue to provide targeted concessions and important schemes to Canberra’s most vulnerable. And I remain committed to ensuring that this occurs. I support the amendment put forward by Minister Ramsay.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Roads) (6.21): ACT Seniors Week is Canberra’s opportunity to promote positive attitudes towards ageing. The Council on the Ageing ACT and its partners have organised a fantastic program of events and I congratulate everyone involved. I am also very pleased that Transport Canberra and City Services was able to support the event by providing seniors card holders with free bus travel during ACT Seniors Week.

Madam Speaker, we have an ageing population—just like other parts of Australia—and it is incumbent upon us to make sure that we have an age-friendly city. This is not just a new concept for our government; we have been working with the community for some time now on achieving better neighbourhoods for Canberrans of all ages.

The 2016 census outlined that people are choosing to stay in Canberra for longer, and our policies need to reflect this. We have published a draft integrated transport strategy, moving Canberra, which has Canberrans at the centre of our policies and decision-making, particularly older Canberrans. It recognises the importance of our older community members, and this has been a key theme during community consultation processes. I really value the views of our community, and I understand that the feedback that has already been provided on moving Canberra gives further insights and ideas for making Canberra’s transport system even more accessible and age-friendly.

A key aspect of an age-friendly city is to make it easier for older residents to access shops, services and public transport as well as social, fitness or recreational activities.

The government's age-friendly suburbs program is specifically delivering infrastructure such as wider footpaths, traffic calming and crossing improvements, to meet this need.

I acknowledge that some areas of Canberra have a greater proportion of older residents. The age-friendly suburbs program strategically targets suburbs with the highest need first. The program prioritises suburbs with the highest share of seniors; the presence of aged care and residential care facilities; and the number of requests for walking improvements through fix my street and other similar inquiries.

The age-friendly suburbs program started in 2015 with improvements to active travel infrastructure and facilities in Ainslie and Weston to make it easier for older residents to get around. The government worked closely with the community to identify priority improvements in both suburbs, and a raft of footpath and road crossing improvements were then delivered. Following the success of this program in Weston and Ainslie, the program was expanded to Page and Hughes.

Over the next three years the government is investing a further \$1.65 million in the age-friendly suburbs program, targeting the suburbs of Stirling, Isabella Plains, Narrabundah, Kambah, Campbell, Aranda and Holt. Community consultation for age-friendly improvements in these suburbs will begin next month. The age-friendly suburbs program recognises that there are some suburbs that require more attention than others, and it provides a dedicated source of funding from which to deliver improvements. However, it is not the whole picture when it comes to government investment in making Canberra age-friendly.

Ms Lawder's simplistic method of calculating the date for age-friendly Canberra to 2073 fails to recognise the infrastructure improvements that are being delivered as part of capital works programs to benefit people of all ages. The active streets for schools program is another example of a program that is providing infrastructure improvements that benefit all ages. Active streets is currently being expanded to another 52 schools across the territory.

We are also making our public transport network accessible and compliant by upgrading both stops and buses and providing path connections ensuring access for many thousands of bus stops and stations. Most of our bus fleet offers easy access as well as services for hearing, vision and mobility impaired users, and we are working towards having 100 per cent accessible buses and bus stops by 2022. Where possible, Transport Canberra attempts to provide wheelchair-accessible buses on routes requested by the public.

Furthermore, earlier this year TCCS released new municipal infrastructure standards to ensure that high quality infrastructure is delivered as part of infill and greenfield developments.

The government also provides support services and concessions throughout the year and across the territory. Transport Canberra provides free bus travel for ACT residents aged 70 years and older. Senior MyWay card holders also currently get free bus travel

during off-peak times on weekdays plus all day on Saturdays, Sundays and public holidays.

The government is responding to the needs of our ageing population and we are working closely with the community to make it easier for an ageing population to walk safely and access local shops and accessible transport.

In addition to the programs I have already spoken about, we recognise that footpath upkeep generally is important to ensure that walking around our suburbs is both easy and safe. Officers from TCCS assess all reported issues regarding footpaths as soon as possible. Urgent repairs are generally made within seven working days and less urgent issues are scheduled in larger contracts for efficiencies.

Members would be aware that our community paths have been built over many years to the design standards of the era in which they were built. We are working to better connect existing path connections and create new connections. This is a significant undertaking that needs to be approached strategically, which involves assessing and prioritising requests.

Of course, that is only one part of what the government is doing to support our age-friendly city. I was really delighted over the past year to be working with our local men's sheds on the south side, particularly Weston Creek men's shed, which only started in 2014. It was operating at the back of the Eternity Church in Kambah, which was not in Weston Creek. We managed to find them a new location at the Rivett depot. We had the official opening earlier this year, just a few weeks ago. It is a fantastic location for the community, close to public transport. It provides them with a shed where they can grow their activities.

Men's sheds provide a really important place for older men to connect with one another socially and to contribute to the community, whether it is making toys for children or repairing furniture at the local school.

The government has also committed to build a new men's shed at Hughes, right next to the Council on the Ageing building in Hughes. It is a significant investment and we are really looking forward to that men's shed opening so that more people, particularly in Woden Valley and the inner south, can participate in the men's shed there and we can grow that social inclusion aspect of those men's shed models in Canberra. I recently had the fantastic opportunity to visit a unique men's shed, the Canberra Model Railway Society, with Mr Pettersson. They come in all shapes and forms, and I really hope that more people can get access to them in Canberra.

Finally, I would like to recognise the important contribution that older people make to the ACT community more broadly. It is appropriate that we have a week dedicated to our seniors. I once again congratulate everyone involved in making ACT Seniors Week happen this year.

**MS LAWDER** (Brindabella) (6.28): I thank all members for their contributions today. It was quite interesting to hear some of the views. I will agree that whilst the territory

has people on the highest levels of income in the country, on the highest levels of education and with a high standard of living, that does not mean that we should accept that it is just how it is. It does not mean that we should not strive for better. I was a bit shocked that Ms Le Couteur said that the attitude of people towards older people is that that is just the way it is and there is not much, she thinks, that we can do to encourage a change in that attitude. That is not something that I accept, and it is something that we will continue to work to improve. Just because we might be doing better at something than another state does not mean we should not keep striving to continually improve our standard of living here in the ACT.

*At 6.30 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.*

**MS LAWDER:** As a nation and as a territory, we put a lot of effort into trying to eliminate age discrimination at all levels. It is something we should continue to strive for, not just take as “That’s the way it is, that’s how it is, and we have to let it go.” Some of the point of my motion today was this: in the mid-term review of the Labor-Greens agreement there appeared to be nothing relating to older people, nothing relating to older Canberrans. To me, this epitomised this government’s view of older people: that there has been nothing important enough in the past two years to be an achievement for older Canberrans. There was nothing in that review.

I will reiterate my point that the age-friendly suburbs program is for everyone. It is basic municipal services dressed up as trying to be something for older Canberrans. It is absolutely important that we maintain this municipal infrastructure—I am not trying to argue against it—but do not use it as a key thing that you are doing to help older Canberrans. It is for all Canberrans. It is why we pay our rates, our ever-increasing rates that are increasingly difficult for older Canberrans to keep up with.

It is great that we have a vision for our city and we are looking to continue the development of the age-friendly city plan. But what really matters, especially for older Canberrans, is making it happen. To put not too fine a point on it, some of them might not have that much longer left to see it come to fruition. A vision of something 20, 30 or 55 years in the future is not what they are looking for as they struggle to get to their local shops.

I will give the example of someone who lives not far from me. I will call him Laurie, partly because that is what his name actually is. Laurie said he was most upset to learn that he would now have to catch two buses to get to his shopping centre since losing his licence due to ill health. Laurie does not care about a vision for the future; Laurie cares about getting to his local shops tomorrow and the next day and next week. It is ironic that the reason Laurie lost his licence due to ill health was his failing vision.

We must have respect for our older Canberrans, and respect for each other in this place as well. Some of the comments that we have heard do not really appear to demonstrate respect for each other.

I point also to the rates experiment, the new format that went out recently. I know many older Canberrans, partly through my role as the shadow minister for seniors but also, to be frank, because I am one of those people myself. Many of my friends are older Canberrans. Many of them are brought up to absolutely respect authority. If they get a rates notice saying, "Pay now," they pay now. We often talk about older people absolutely taking for gospel what a health professional tells them. They may not question what is happening. They are, generally speaking, rule followers. They are keen to do the right thing. They understand the need for rules. Things like the rates experiment—presenting a new format for the rates notice: the increase in rates but also the way it was presented—are quite disrespectful and difficult for many older Canberrans. It has been the topic of a lot of discussion.

I am very pleased that we have been able to talk about many of these issues during ACT Seniors Week. It is an important week. It gives many older Canberrans the opportunity to learn more about activities in their community through the Seniors Expo and a range of other activities. Many of the seniors groups and centres are having special activities during ACT Seniors Week. It not only provides an opportunity for people who already go to those centres and undertake those activities but, hopefully, it is growing the pool of people who learn more about the opportunities available to them. It is an excellent opportunity.

But we need to make sure that organisations such as COTA, which is doing so much to bring us Seniors Week, with the support of the ACT government and some other sponsors, are able to continue to provide such a valuable, valued and important opportunity for people. With the prices of everything going up, a fixed funding amount makes that increasingly difficult for them, especially with additional demand as we have more and more older people in our community.

We need to ensure that we do not use any denigrating language when we are talking about older Canberrans. Their needs, their wishes, their views and their input are just as valuable as anyone else's. When you talk to them, this is what they will often say to you. They have paid their taxes; they have paid their rates; they have paid their dues. They have paid their respect over many years, and they expect that courtesy in return.

This government at times has not afforded them that respect. It has spoken about them in dismissive terms, which is unfortunate, as grumpy old men, in community councils and using other terms. I hope that we are not going to accept that as just how it is and that there is nothing we can do to change it. As we often say, "Every day each one of you here is getting closer to being in that cohort yourselves. I hope you appreciate how it feels, when you get there, to be treated in that way."

I would like to thank everyone for their contributions to the discussion today. We will support the government's amendment, but I hope it gives some pause for thought about the way you talk about older people and what we can do to make them feel more valued members of our community.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.



## Adjournment

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

That the Assembly do now adjourn.

## Offensive advertising

**MS CODY** (Murrumbidgee) (6.38): Madam Speaker, I do not think you will be surprised to hear me speaking about the recent matters that have been in the paper related to advertising in the ACT. I am not going to talk about the company involved, though. Misogynists do not deserve the breath. Instead I want to express my admiration for the many women in our community who have decided to stand up against sexism. It is 2019 and we still live in a world where sexism, the objectification of women for marketing, and derogatory behaviour towards people based on the basis of sex, sexuality, race, religion or disability are all too common.

What woman rides a pushbike with her swimmers on and with no shoes or a helmet? Even the elite women triathletes always wear cleats and a helmet. There are people who cannot see a problem with a gollywog hot-air balloon. There are people who cannot see a problem with a “tits-out” approach to selling apartments. There are people who are okay with racism; homophobia, sexism, anti-Semitism, Islamophobia, misogyny and bigotry of all types, as long as it wears a smile and pretends to be nice.

The correct word for people like that is unparliamentary. Good on the women and the men who are standing up against advertising that is derogatory to women. I will keep supporting you in here and out there on the street, because women’s self-respect is more important than the profits of shonks.

**MADAM SPEAKER:** I might ask you to be mindful of your language next time you speak.

**Ms Cody:** Thank you; sorry.

## China delegation

**MR COE** (Yerrabi—Leader of the Opposition) (6.40): I rise tonight to speak about the opposition’s productive visit to China, encompassing the four cities of Beijing, Shanghai, Fuzhou and Xiamen. I was joined by Ms Lawder, Mr Milligan and numerous advisers on the self-funded delegation.

We began our official program in Beijing, where we visited the Tongzhou district planning exhibition centre. Beijing is planning generations ahead by moving their key utilities, transport and other forms of infrastructure underground, to efficiently use available land while preserving other sites and green spaces.

We toured the newly built Beijing municipality People’s Congress precinct, and we were the first international delegation to be welcomed by the People’s Congress in their new facility. I had a very productive meeting with the Vice Chairman of the

Standing Committee of the Beijing Municipal People's Congress. Our hosts were very happy to receive a delegation from their sister city, especially as our meeting coincided with Canberra Day. The sister city relationship is now in its 20th year, following its establishment by the Carnell Liberal government in 1999.

We then travelled to the Beijing Airport economic core zone, where we witnessed firsthand the freight and logistics capabilities of the companies working within the zone and the government initiative to promote trade and stimulate growth.

On Tuesday we travelled on the high-speed rail, at over 360 kilometres an hour, to Shanghai, where we were received by the Deputy Director-General of Foreign Affairs for the People's Government of Shanghai municipality. We later visited the *Exhibition of the Opening-up of Pudong* in Shanghai's free trade zone. In a short time, Pudong has grown into a thriving economic hub, with a strong focus on emerging technologies.

The following day our delegation travelled to Fuzhou. We were welcomed by the Fujian provincial government. The Vice Chairman of the Standing Committee of the Fujian Provincial People's Congress and I spoke at length about the industriousness of the Fujian province and the opportunities there are for Canberra and the ACT to build ties.

On Thursday we met with the Vice President of the Fujian People's Association for Friendship with Foreign Countries at the Fujian Foreign Affairs Office, where we continued our discussions on what each of our cities has to offer each other and the region.

A personal highlight for me was our visit to the Fuzhou Overseas Chinese Middle School, where we had a tour led by students. The school is a credit to the principal, staff, board and students. I hope that we can further promote our local high schools and universities, especially by way of student exchanges and teacher exchanges with China and other countries. We then met with the Deputy Director-General of the Fujian Provincial Health Commission, who took us on a tour of a residential aged-care facility and hospital, where we talked with the residents and observed the facilities.

For the final leg of our delegation, we visited Xiamen, and met with the chief marketing and sales officer of Xiamen Airlines to promote the benefits of direct flights from Xiamen to Canberra. The delegation then visited Xiamen University and met with the senior vice president. Given that education is the ACT's largest export, the visit was very productive and thought provoking about how we can build upon the existing links that our tertiary institutions have abroad.

Our final meeting was with the Xiamen municipal government. The Vice Chairwoman of the Standing Committee of the Xiamen Municipal People's Congress was very engaging and knowledgeable about the economic benefits of ties between our cities. We also had the opportunity to visit the historic island just off Xiamen.

I believe there is great potential to develop strong relationships with the people of China to market Canberra as a great place to live, study, work or do business with. I would like to thank all of the officials who met with us, our guides, people who translated and, of course, the embassy officials here in Canberra who facilitated our trip. I would also like to thank all of the members of the delegation for their time, commitment and personal expense in travelling to China. I look forward to future delegations continuing to build ACT relationships abroad.

### **International Women's Day**

**MS LE COUTEUR** (Murrumbidgee) (6.45): I rise today to briefly talk about International Women's Day, which we all know was last week. The international theme was "balance for better"—and I was shown how you are supposed to do that—but the local theme was "more powerful together".

International Women's Day is a time to take stock and celebrate achievements and acknowledge that there is still a lot more to do. As I attended various events last week I got a true sense of the power that is possible not only when women come together but when we work together with men and non-binary people to achieve gender equality. After all, gender equality benefits everybody. We all have a role to play and we must realise that there is no one solution. Rather, a suite of service options and solutions should be available for outcomes that suit individual needs.

I would like to focus specifically on one of the events I attended, the launch of voices for change, a joint initiative of the YWCA of Canberra and the Domestic Violence Crisis Service. The initiative was enabled from funding from the NAB and from Our Watch, the national organisation established under the national plan to reduce violence against women and their children and drive nation-wide change into the culture, behaviours and attitudes that underpin and create such violence.

This initiative trained and coached women with lived experience of violence to speak out. That might seem fairly simple on the surface, but I know that encouraging and supporting any victims of sexual abuse to talk about their experiences can be traumatising, causing flashbacks to harrowing and painful events and leaving them feeling exposed and vulnerable.

I commend DVCS and the YWCA in the way they supported women to find their voice. There were enlightening presentations by Lulu, Jess and Kristen, who spoke clearly and powerfully about their experiences. The importance of sharing these stories cannot be underestimated.

The project was a realisation of the fact that victims can contribute towards the narrative. They highlighted that it is likely that we all know someone who has been or is being affected by domestic violence. In any room in any given day and in any context there are likely to be survivors of gendered violence. In many cases survivors stay silent for fear of being blamed or not believed. But this silence also contributes to enabling such violence, and this project aims to break down the silence.

Similarly, one of the women highlighted that perpetrators are not bad people. That is really something to think about. People are not all bad; they are a combination of good and bad. If we focus on the good parts there can be room for hope and, hopefully, room for change.

I congratulate these women and the other women who are voices for change—Michelle, Monique and Teyarna—for summoning the courage to speak out. All these women are clear and articulate voices for change. I also congratulate Mirjana Wilson and Frances Crimmins from DVCS and YWCA for thinking outside the square and supporting these survivors to find and express their voice to us. They were definitely more powerful together. I am hopeful that this project will contribute to the change we need to see for women and their children to live free from the experience or fear of such violence.

### **School strike for climate change**

**MS ORR** (Yerrabi) (6.49): I rise tonight to show my support for the students who participated in the nation-wide school strikes for climate change. I was humbled to join the hundreds of primary and secondary school students who gathered at Garema Place last Friday bearing banners and signs calling out the federal government on their inaction on addressing climate change.

I felt proud to stand alongside these students and to show my support for all of the young people who are setting the agenda on the debate on climate change policy. It is often assumed that young people are uninterested in politics. However, I can say with absolute certainty that this is not true. Our young people are politically engaged. They are well informed and they are determined to make a difference for their future by demanding action on climate change. I believe that deserves to be commended.

One of my favourite signs from the rally read, “You are never too important to listen to a 12-year-old girl.” I believe young people should have a voice in the climate change discussion, and it is crucial to listen to what they have to say. It was a pleasure to see a number of students show real leadership skills taking to the stage to speak so passionately about the issue of climate change.

Unfortunately, a number of statements have been made by conservative commentators and members of the Canberra Liberals that have attempted to dismiss young people from the climate change debate entirely, most notably Ms Lee’s accusation in an ABC interview last Friday suggesting that students are “being driven by their teachers or parents”. That shows how completely out of touch she and the opposition are when it comes to the issues facing young people.

Ms Lee’s comments point out the Liberal Party’s failure to understand the legitimate concerns that so many Australians have when it comes to addressing the urgent issue of climate change. It is grossly unfair for Ms Lee to suggest that these students are being used as what she described as political pawns. In the current climate change debate these comments downright disregard the capacity of young people to develop constructive views that contribute to this debate. As the shadow education and environment spokesperson Ms Lee’s comments are unacceptable and do not reflect the interests of primary and secondary students in the ACT.

Members of the opposition including Ms Lee claim that participating in the school strike was not a constructive way to bring attention to the issue. But as we have seen, students across Australia have successfully brought attention to the issue of climate change in a peaceful, inclusive and well-organised manner. It is completely uncalled for for members of the opposition to suggest that students used the strike as an excuse to skip school. Education and understanding on the issue of climate change are precisely what motivated students to participate in the strike. I believe that participating in activism on significant political issues is a learning experience in itself.

It concerns me that school-aged children have grasped the seriousness of climate change whilst the Canberra Liberals and their federal coalition counterparts have failed to acknowledge the facts and continue to ignore the relentless calls for action. We have seen time and time again that Liberal and National politicians right across the country are in denial when it comes to taking action on climate change, so it is unsurprising albeit bitterly upsetting that members of the Canberra Liberals are choosing to ignore the voices of our young Canberrans and reject them from the conversation altogether.

I see it as my duty as a member of this Assembly to do everything I can to help mobilise our future leaders, especially on issues as significant as climate change. I am proud of the way that ACT Labor values the voices of young Canberrans, and I will continue to support young people on issues that affect them and their future. We should be congratulating these students on their activism efforts and for channelling their frustration with the federal government into something productive.

Unlike many members opposite, ACT Labor have heard the requests put forward by students loud and clear. Students have called for 100 per cent renewable energy and have protested against the establishment of new coalmines. I wholeheartedly support the climate strikers and their vision for a cleaner Australia. I join them in calling on all elected representatives to take real leadership on this issue.

### **School strike for climate change**

**MR RATTENBURY** (Kurrajong) (6.54): I also want to speak about the school strike for climate in Canberra that Ms Orr has just spoken about. I attended along with my Greens colleague Ms Le Couteur last Friday. This was one of many events all over Australia and the world that involved young people leaving school and publicly calling for action on climate change. The Canberra rally was very well attended, with several thousand students as well as adults who were attending in solidarity.

I will quote the explanation given by the students themselves as to why they organised and attended this event, because I think that is the best way to capture it. They say:

Our planet earth is precious and can't be replaced.

Our politicians can show that they care about our futures by treating climate change for what it is—a crisis—and taking urgent action to move Australia beyond fossil fuel projects (e.g. #StopAdani!!) to 100% renewable energy for all.

**We want a safe future**

Powered by the wind and the sun, not dirty and dangerous coal and gas. Free from extreme weather, drought, pollution and sickness.

Where everyone can enjoy our beautiful environment, clean air, clean water & a healthy Reef.

The participants and speakers at the strike were inspiring, were articulate, and showed great compassion for the planet and our future. It was a privilege to attend. On the day I wrote an open letter to all the students in Canberra and around the country who were attending this event. I will read out the message that I sent to them:

Congratulations to all the school students involved in the today's Climate Strike. You are admirable young leaders, and you're to be congratulated for your dedication and passion. Your actions are changing the future. You're making an important difference.

I know that you're taking this action because you care—you care about the future, about people, and about the planet. I'm proud of Australia's young people for showing this deep passion and global empathy. These are some of the best qualities you can have. You're already receiving a good education if you understand climate change, the actions that are needed to combat it, and you're willing to sacrifice your time and energy to make sure there is action.

You're right: we're experiencing a climate emergency and the adults aren't dealing with it. The weather is becoming more extreme. We're approaching dangerous environmental tipping points. Animals are becoming extinct. The climate is warming. We need to take action or the environmental, social and economic results of climate change will become increasingly perilous.

Meanwhile we have so-called leaders who deny climate change exists, who ignore scientific evidence, who want to build giant coal mines and coal fired power stations.

Maybe these people need to go back to school. You may be missing a day of school—

or part of it—

but you're already smarter than many of our supposed adult leaders. They don't seem to care about your future, and you are justified in fighting back and demanding better.

Climate change is bad, but don't give up. The solutions to climate change are there for us to grab: renewable energy, clean and green transport, sustainable agriculture, leadership that emphasises compassion and sustainability. The technology and policies are all achievable.

You can change the future and I believe that you will. History is full of examples of people like you demanding change and achieving it. You are making a powerful statement and making a difference. I'm inspired by your actions and inspired to know the future is in such good hands.

**Fraser Primary School fete  
Lions Club of Canberra Belconnen**

**MS CHEYNE** (Ginninderra) (6.57): I want to briefly rise to thank Fraser Primary School and also the Lions Club of Canberra Belconnen for letting me near food preparation over the past week or so.

Fraser Primary School celebrated 40 years on Sunday as a school in our region. And what a school, Madam Speaker! They are well known and well loved as a fantastic primary school. They put on a fantastic fete. I have been really quite privileged in a way to set foot in the canteen there. It is aptly named Kerri's kitchen, after Kerri, who runs the canteen. That was a name decided by the school students. Kerri does a fantastic job there. It was a pleasure to do a shift of around five hours there. My job was to serve the baked potatoes. We served around 80 of those, and I think they were very well received.

The good humour and the way that the fete overall operates are an absolute credit to that school and a credit to the fete committee and all of the people who were still there many hours after the fete finished at 2 pm who were working incredibly hard. I was very grateful to be part of that yet again and I can say without a doubt that Fraser school is a great school.

I also want to quickly note the Lions Club of Belconnen for having me along last Wednesday morning from about 5 am at their barbecue at the balloon spectacular. The Lions Club of Belconnen have been involved in the balloon spectacular for about as long as the balloon spectacular has been running, serving breakfast to a lot of the spectators and also the people who fly the balloons. People very much look forward to it. Obviously flying conditions were not fantastic this year, but the Lions members turn up day after day for very long shifts at very early hours. They are a credit to this community, and it was fantastic to be part of it just for a few hours.

Question resolved in the affirmative.

**The Assembly adjourned at 7 pm.**