



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**NINTH ASSEMBLY**

**3 APRIL 2019**

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**Wednesday, 3 April 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.

## **Petitions—ministerial response**

The following response to petitions has been lodged:

### **Violence in schools—petitions 5-19 and 8-19**

By **Ms Berry**, Minister for Education and Early Childhood Development, dated 2 April 2019, in response to petitions lodged by Ms Lee on 21 March 2019 concerning violence in schools.

*The response read as follows:*

#### **RESPONSE TO PETITION NOS 5-19 AND 8-19 - VIOLENCE IN SCHOOLS**

##### **Summary**

The ACT Government does not accept or condone violence anywhere in society and is committed to early support and prevention to reduce the impacts of violence in the ACT community, including in schools. Every student and school worker is entitled to be safe and the government's commitment to safe and supportive schools is unambiguous. There is no place for bullying or violence in ACT government schools.

Education is a universal need in a child's life and establishes their future trajectory. Government schools respond to this universal need by aspiring to provide equitable access to education that responds to the individual circumstances of each student. Government schools are open to all children and young people.

Equally, because all are welcome in government schools there will always be need for deliberate effort to make school communities safe, supportive and inclusive. Every student and school worker is entitled to feel safe and experience safety at school. This expectation of safety is paramount and extends to all members of school communities including teachers, learning support assistants, school leaders, support staff members and volunteers.

Government schools are the schools of choice in the ACT, with nearly 49,000 students in 88 schools supported by around 7,000 staff. On most days, at most times, in most places government schools are generally safe for students and staff.

However, across Australia, all schools in all sectors experience incidents of student violence or bullying. A little over one quarter (27 per cent) of year 4 to

year 9 Australian students reported being bullied every few weeks or more often in a national study in 2009.<sup>1</sup> A 2018 PricewaterhouseCoopers report commissioned by the Alannah & Madeline Foundation's National Centre Against Bullying found that almost 25 per cent of school students in Australia experience bullying at some stage during their time in school.

Schools are not isolated from wider social issues and their effects, like bullying or violence seen in the community. For example, two in five Australians (39 per cent or 7.2 million people) aged 18 years and over experienced an incident of physical or sexual violence since the age of 15.<sup>2</sup> Addressing violence anywhere in society requires community-wide engagement and cultural change over time.

In schools, the government is focused on acting on this issue informed by expert guidance and advice and evidence-based best practice. The nature of the problem is relatively clear and there are well-established responses. While continued rigorous implementation of existing evidence-based approaches across government schools is required, the government is making necessary investments, diligently working to prevent violence in schools affecting both students and staff, and responding when incidents of violence arise.

The Minister for Education and Early Childhood Development has also recently sought an independent, expert appraisal of the issue through a constructive forum comprised of key perspectives, including that of parents and carers.

The government will also refer the issue of violence in schools to the relevant Legislative Assembly standing committee for inquiry and report.

#### **Existing advice and evidence-base**

The Education Directorate's current approach to providing safe, supportive and inclusive schools is based on contemporary advice and evidence about the system's strengths and areas for further work. Four extensive pieces of work since 2015 have informed the Directorate's approach.

These include:

- *Schools for All Children and Young People: Report of the Expert Panel on Students with Complex Needs and Challenging Behaviour* and the Schools for All Program
- the 2016 *Independent Assessment - Occupational Violence* conducted by David Capel and Associates (Caple Review)
- the *Occupational Violence Management Policy and Management Plan* developed during 2016, and related work such as an enforceable undertaking agreed with the Work Safety Commissioner
- the government's *Future of Education Strategy*.

As a result of these reviews, the Directorate has implemented improved approaches to safety in schools that directly respond to recommendations and findings.

The *Schools for All Children and Young People: Report of the Expert Panel on Students with Complex Needs and Challenging Behaviour* was commissioned in 2015 and was authored by an expert panel comprised of Professor Anthony

Shaddock, Dr Sue Packer and Mr Alasdair Roy. The report made 50 recommendations to the ACT Government, which were considered and actioned as part of the Schools for All Program through 2016 to 2018. Among the recommendations was Recommendation 9.1, which called for all school sectors to endorse school-wide Positive Behaviour Support, resource and support its implementation for a minimum of three years, and evaluate its success. In making this recommendation, the Expert Panel drew together stakeholder feedback, international experience and evidence for this kind of approach.<sup>3</sup>

The Program's implementation work included a collaborative approach to system reform across the government, Catholic and Independent school sectors. These fundamental reforms included all aspects of the education system, through projects such as better design for infrastructure, the strengthening of centralised allied health service, and strengthening student-centred inclusive school cultures through programs such as Positive Behaviours for Learning (PBL).

The government established an independent oversight group to monitor implementation of the Schools for All Program. In their concluding letter, the group commended the achievements of the Schools for All program as having "achieved more than just the delivery of the 50 recommendations in that it has led to systemic and cross sectoral change". Achievements identified by the Independent Oversight Group include:

- strengthened collaboration across sectors and with the human services sector
- cross sector projects that have been completed (e.g. parental engagement and the Everyone, Everyday program)
- PBL framework that 51 of 88 government schools are currently implementing with support from PBL coaches, and will be deployed in all government schools
- greater transparency and resources for staff, parents and the community (e.g. intranet and website for inclusion and wellbeing)
- a greater focus on professional learning
- strengthening relationships between the Education, Community Services, Health and the Justice and Community Safety Directorates, as well as external agencies such as the National Disability Insurance Agency to ensure interventions better suit the challenges faced by students.

The *Caple Review* focused on the requirements of a systems approach for the prevention of physical and psychological injury to principals, teachers and learning support assistants arising from incidents of occupational violence within ACT schools. This review recommended further professional development for staff working with students with complex needs, work health and safety risk assessment processes and a student case management approach, improving data capture for occupational violence incidents, closer working relationships with pre-service universities to ensure new educators have experience and knowledge to teach students with complex needs. Implementation work is well advanced.

In 2016, led by calls from the Australian Education Union, the Directorate consulted with staff and unions in designing an *Occupational Violence Policy and Management Plan* that focussed on staff safety in the workplace. The Policy and Management Plan strengthens the Directorate's approach to prevent and reduce violence in schools and responses to occupational violence. During this

work, the Work Safety Commissioner initiated a review of occupational violence incidents that occurred from 2016, supporting the approach set out in the Policy and Management Plan. The Commissioner's review led to the Directorate agreeing to an enforceable undertaking that build on the work already underway. Implementation of these documents is a Directorate priority and is focusing on promoting a culture of safety, delivering training targeting appropriate responses to occupational violence, an enhanced reporting culture, and adopting a risk management approach to prevent or reduce the occurrence of incidents of violence.

The government's *Future of Education Strategy* launched in August 2018 is a ten-year roadmap for continuing reform led by the principles of equity, student agency, access and inclusion. The *Future of Education Strategy* was released following an 18 month dialogue consultation process involving 5,000 people in the ACT community, 2,400 of them students.

Clear in the community input, in student, staff and parent feedback, is a desire for strengthened inclusion and diversity that recognises the many factors that might affect individual student engagement in learning and development. The Strategy is also informed by peer-reviewed research. Documents summarising the community feedback and research evidence base for the strategy are available on the Education Directorate website.<sup>4</sup>

The *Future of Education Strategy* provides an important strategic policy that aids continued focus on elements of providing inclusive, safe and supportive schools.

These four pieces of work have provided an opportunity to look at the education system critically and refresh the way inclusive education and supports for students with complex needs and challenging behaviours are provided. The government is pursuing an ongoing and ambitious process of capability-building, best-practice research, and policy and program development in schools.

### **Safe, supportive and inclusive government schools**

At the centre of responding to violence in schools is providing support for students. When children and young people can access what they need for their wellbeing, this leads to a stronger, deeper engagement in learning. School communities operate best when the school community has a shared understanding of appropriate and respectful behaviour. Each student enters schools with differing skills and abilities, just as schools explicitly program and teach literacy and numeracy, they also take a role in teaching the skills and understanding of respectful behaviour.

The government applies a systemic Social and Emotional Learning (SEL) framework to facilitate students to engage and develop in this area, drawn from the Australian Student Wellbeing Framework.<sup>5</sup>

Social and Emotional Learning is the process through which students acquire and effectively apply the knowledge, attitudes, and skills necessary to understand and manage their emotions, set and achieve positive goals, understand and show empathy for others, establish and maintain positive respectful relationships, and make responsible decisions. Durlak et al.'s (2011)<sup>6</sup> meta-analysis of 213 studies of SEL in schools indicates that students receiving quality SEL instruction demonstrated: positives such as better academic performance; improved attitudes

and behaviours: greater motivation to learn, deeper commitment to school, increased time devoted to schoolwork; fewer negative behaviours: decreased disruptive class behaviour, noncompliance, aggression, delinquent acts, and disciplinary referrals; and reduced emotional distress: fewer reports of student depression, anxiety, stress, and social withdrawal.

### **Positive Behaviours for Learning**

The Directorate is following a Positive Behaviours for Learning (PBL) approach to support social and emotional learning in government schools.

PBL is an internationally-adopted, evidence-based<sup>7 8</sup> whole school approach to improve learning, behaviour and social outcomes for all students. PBL facilitates students, teachers and school communities to identify the positive behaviours and values that are expected in their school. The values and expectations are taught, reinforced and celebrated both within and outside a classroom setting. The PBL approach involves the school community working together with students, families and staff all empowered to participate in decision-making. It also involves developing school-wide consistent procedures to address negative behaviours. PBL is a structured approach, with a strong focus on data to plan areas of focus in learning, wellbeing and engagement.

PBL began in government schools at the end of 2015 with four pilot schools. The ACT Education Directorate has embraced this evidence-based approach, with 51 of 88 schools having started PBL implementation. All ACT government schools will adopt a PBL approach as the PBL continues to be rolled out across these schools. The Directorate provides support for implementation through external PBL 'coaches' (experts), and other training and resources as required.

The PBL approach is widely adopted, locally and internationally. Catholic systemic schools in the ACT have also established a School-Wide Positive Behaviour Learning framework. The Victorian and New South Wales governments, among others, have adopted a Positive Behaviour Support approach in their government schools. Overseas, this approach is widely used in New Zealand and the United States of America.

### **Safe and Supportive Schools Policy**

The Education Directorate's *Safe and Supportive Schools Policy* provides direction to government schools about the fundamentals of developing and maintaining safe, respectful school environments. This policy guides schools in responding to, recording and communicating incidents.

The Policy recognises that a safe culture for learning is paramount. The policy requires government schools to have processes and procedures in place to address and prevent bullying, harassment and violence. The Policy and associated procedures encourage critical evaluation of the effectiveness of social and emotional learning approaches which contribute to the development and maintenance of safe and supportive school environments. These documents also address the area of complex behaviour and the associated safety implications for school communities.

Since 2015, professional learning and resources have been developed for schools to support them to create appropriate physical environments such as sensory

spaces to assist students who need this resource to assist with self-regulation. The ACT Government has invested \$5.6 million in the development of safe and inclusive environments in ACT public schools. This has included the development of sensory gardens, outdoor courtyards and playgrounds; classroom modifications to support sensory play and accommodate appropriate withdrawal spaces; and the establishment of spaces for small group learning. These areas have been carefully designed and established in collaboration with schools and allied health experts to ensure they are safe and appropriate.

For some students with a pattern of behaviours of concern, it may be necessary to develop a protective action plan as part of their positive behaviour support plan to ensure behaviour that poses a risk to their own safety, or the safety of other students and staff, can be responded to. Protective action plans consider de-escalation techniques which are suited to the child or young person's individual situation. The Education Directorate is working closely with the newly appointed ACT Senior Practitioner to ensure positive behaviour support reduces the need for restrictive practices in ACT schools.

At school, students are encouraged to seek support from teachers, school psychologists, youth support workers and other staff who are able to provide support to students experiencing, engaging in, or witnessing bullying. As a requirement of the policy, Safe and Supportive Schools Contact Officers (SASSCOs) in each school are trained to provide support to students who have experienced bullying, sexual harassment and racism. The policy requires every school to have at least one male and one female SASSCO who typically use conciliatory procedures to address bullying, violence and harassment between students.

### **Responding to occupational violence**

Early in the term of the Ninth Legislative Assembly for the Australian Capital Territory, the government initiated a system-wide review of the Directorate's occupational violence approach, leading to improvements in organisational culture, specific training, and a recalibration of risk management. The Directorate's work was recognised and built upon through an enforceable undertaking agreed with the Work Safety Commissioner. The undertaking details the significant work that preceded it and strategies agreed as part of it.<sup>9</sup> The government's engagement with and response to occupational violence in schools is nation-leading, which has been reinforced through an inter-jurisdiction forum hosted by the ACT.<sup>10</sup>

The government's response to occupational violence and challenging student behaviours is being strengthened at a systemic level through the formation of the Occupational Violence and Complex Case Management team. This team was established in late 2018, bringing together health and safety expertise with allied health practitioners skilled in managing complex behaviour in schools to further the work of implementing the Directorate's Occupational Violence Policy and Management Plan.

The team's role is to minimise harm to staff and others within the Directorate that may arise from behaviours exhibited by students, parents or carers and other members of the community. Work undertaken by the team is focused on the school environment.

The team supports staff safety by:

- analysing data to identify where staff may be at risk of harm due to the behaviour of students or parents/carers
- making recommendations about effective student behaviour management in circumstances where a risk to staff health and safety has been identified
- reviewing incident reports
- facilitating the development, and regular review, of school-based risk management plans where the level of risk of harm to a worker resulting from behaviour of a student or other non-staff school community member has been assessed at a high level
- providing advice to schools on actions that should be taken to mitigate against risk of injury.

Responding to occupational violence, while directed at managing risks to staff safety, also addresses issues contributing to student safety.

### **System support and resources**

In addition putting in place a standard approach to social and emotional wellbeing and responding to occupational violence, the Education Directorate is facilitating supportive school environments by increasing the diversity of support in schools and continually building the knowledge and skills of staff. The government is also investing in improved systems that will provide greater transparency and an improved opportunity to provide schools with proactive support to manage issues.

### **Allied health professionals and school support staff**

Teachers in government schools work in partnership with a range of other professionals and support staff to meet the diverse needs of students and their families.

All ACT government schools have access to a school psychologist. School psychologists work across behavioural, social, emotional and learning domains to support a student's wellbeing and learning. The ratio of school psychologists to students in ACT public schools compares favourably when compared to other jurisdictions and the ACT Government has funded 20 additional school psychologists to be delivered by 2020. As at 2019, government schools are supported by a total of 76.6 FTE school psychologists between those providing direct, indirect and universal supports and those attached to the Child Development Service and Positive Behaviours for Learning teams.

In addition to psychologists, government schools can also make referrals to the Network Student Engagement Team (NSET) that provides specialist and targeted services to schools. Four inter professional, multidisciplinary teams are drawn from over 100 educators and allied health professionals. These teams build capacity and support staff within schools through observing behaviour in the classroom, delivering professional learning and providing advice and strategies for teachers and other staff to implement. They provide more individualised support, assisting with the development of positive behaviour support plans for individual students. NSET also assists schools to implement and review school wellbeing and attendance procedures and processes.

Schools and NSET also work with other government and community agencies to support students with complex needs and challenging behaviours.

### **Staff training and professional development**

Skilled teachers and school staff are central ensuring student and staff safety. The ACT Government invests in the professional development of its teachers through initiatives such as the Canberra University Affiliate Schools program and the Empowered Learning Professionals initiative, the Everyone, Everyday program,<sup>11</sup> and a range of targeted professional learning for teachers and school leaders, as well as support staff. This investment in professional development equips staff with the knowledge and skills they require to support children and young people with complex needs and behaviours of concern. Learning support assistants are also able to develop their skills by participating in the Certificate IV in Education Support. Whole-school professional learning and targeted sessions, such as trauma training workshops and training in PBL, are also run with schools as required.

Additionally, NSET provides a range of professional learning opportunities for teachers and school staff on topics such as managing complex behaviours of concern, restorative approaches, neuroscience for education, trauma informed practice and wellbeing.

### **New school administration system**

In the 2016 Budget the government allocated \$10 million for upgrade to its schools administration system. Roll out of the new system, called Sentral, is occurring in stages. Its introduction began in 2017 in a pilot group of school, with all schools adopting Sentral in 2018 for attendance data. Other modules that record, for example incidents and behaviour reporting, are being gradually introduced.

The Education Directorate's legacy administration system (called MAZE) consisted of a database for each school. A limited dataset was centrally held for system backup and manual data extraction for annual and national reporting. Alongside this most schools also held most student behaviour data on paper-based records, and another database was maintained for insurance and compliance purposes.

These historic system limitations have significantly limited transparency about management of bullying and violence in government schools.

The government's investment in Sentral, when fully implemented, will provide both school and system level data to both respond to emerging concerns and improve practice. The goal at the end of this project is that all government schools record all information in Sentral, including information related to teaching and learning, attendance, wellbeing, behaviour and incidents. Business intelligence tools will allow users to identify trends and access reporting across all schools. The system will also allow improved communication with parents through automated notifications, and automated notifications directed to the Education Support Office when particular information is submitted.

### **Other initiatives**

The government is involved in a range of other initiatives directed at addressing violence in schools. For example:

- ACT schools take part in the annual National Day of Action (NDA) against Bullying and Violence. In 2019, 74 of government schools participated, involving approximately 35,190 students.
- In partnership with Our Watch and through Respectful Relationships Education, the government is working to change student attitudes towards and tolerance of violence, including primary prevention of gender-based violence.
- Efforts to strengthening parental engagement in recognition of the important role that parents and carers have in developing positive attitudes towards learning for children. This has occurred through, for example, a partnership with the Australian Research Alliance for Children and Youth to develop resources for parents and schools, and a partnership with the ACT Parents and Citizens Association to deliver a series of workshops about preventing bullying and other violent behaviours in public schools.
- The Minister's Student Congress, comprised of government school student leaders who discuss contemporary issues and give advice to the Minister, are currently examining the topic of bullying. The congress is a mechanism for student voice to the Minister and provides a unique opportunity for student perspective on the underlying drivers of bullying in all its forms.

### **Safe and Supportive Schools Advisory Committee**

On 19 March 2019, the Minister for Education and Early Childhood Development, Yvette Berry MLA, established the Safe and Supportive Schools Advisory Committee as School Education Advisory Committee for the *Education Act 2004*, section 126. Broadly, the Committee will provide advice to the Minister on opportunities for strengthening safe and supportive school culture in every ACT government school and opportunities to strengthen practices in schools and the Education Support Office that give effect to the Safe and Supportive Schools Policy.

The purpose of this committee is to ensure that the government is doing all it can to manage bullying and violence in schools, and minimise its occurrence wherever possible.

The Committee is independent of the Directorate and, within its Terms of Reference, will provide independent advice to the Minister and government. It may, within its Terms of Reference, conduct its proceedings as it considers appropriate.

The Committee draws together eminent people with expertise and interests from a range of perspectives and is chaired by Ms Sue Chapman. The Terms of reference also require the Committee to engage external expert advice in fulfilling its role and functions. The Terms of Reference and further information on the Committee can be accessed on the Education Directorate website at <https://www.education.act.gov.au/about-us/minister/school-education-advisory-committees>.

### **Request for public inquiry**

The government willingly acknowledges the need for transparency and accountability in its management of schools.

In keeping with this, the government has decided to refer the issue of violence in schools to the relevant Legislative Assembly standing committee for inquiry and report. The Minister for Education and Early Childhood Development will also provide the final report of the Safe and Supportive Schools Advisory Committee to the standing committee, once this report is received.

However, the government remains concerned about negative consequences for individual children, their families, staff and schools of being identified in evidence or during hearings and the public attention that will likely exacerbate already difficult circumstances. There also may be multiple parties to an incident who could be identified without consent, even if not named, and in some cases this could amount to a contravention of the legislated information secrecy prohibitions.

It is not fair or constructive for an inquiry process to be used to litigate individual matters. Given this, to the limited extent that evidence or documents related to this inquiry would allow for individual people or schools party to bullying or violence to be identified, the government will seek the support of the Legislative Assembly to require the committee take this evidence in camera and hold relevant documents on a confidential basis.

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- <sup>1</sup> Cross, D., Shaw, T., Hearn, L., Epstein, M., Monks, H., Lester, L., & Thomas, L. (2009). Australian covert bullying prevalence study.
- <sup>2</sup> Australian Bureau of Statistics (ABS) 2017. Personal Safety, Australia, 2016, ABS cat. no. 4906.0. Canberra: ABS. Available online at: <http://www.abs.gov.au/AUSSTATS/abs@.nsf/allprimarymainfeatures/017E326331FOC315CA2581D100C2EA8?opendocument>.
- <sup>3</sup> Shaddock, A., Packer, S., Roy, A. (2015). Schools for All Children and Young People: Report of the Expert Panel on Students with Complex Needs and Challenging Behaviour. 121-130.
- <sup>4</sup> See <https://www.education.act.gov.au/the-future-of-education/home/resources>.
- <sup>5</sup> For more information see <https://studentwellbeinghub.edu.au/educators/australian-student-wellbeingframework#/>.
- <sup>6</sup> Durlak, J. A., Weissberg, R. P., Dymnicki, A. B., Taylor, R. D. & Schellinger, K. B. (2011), 'The impact of enhancing students' social and emotional learning: A meta-analysis of school-based universal interventions'. *Child Development*, 82: 405-432.
- <sup>7</sup> For a full literature review and annotated bibliography see Horner, R.H., Sugai, G. & Lewis, T. (2015), Is School-Wide Positive Behavior Support an Evidence-Based Practice?. Available online at <https://www.pbis.org/research>.
- <sup>8</sup> See, also, Mooney, M., Dobia, B., Yeung, A., Barker, K., Power, A., & Watson, K. (2008). Positive behaviour for learning: Investigating the transfer of a United States system into NSW Department of Education and Training Western Sydney Region schools. Report published by The University of Western Sydney: Penrith NSW Australia; Horner, R., Sugai, G., & Anderson, C. (2010). Examining the evidence base for school-wide positive behaviour support. *Focus on Exceptional Children*, 42(8), 1-14; Bradshaw, C., Mitchell, M., & Leaf, P. (2009). Examining the effects of school-wide positive behavioral interventions and supports on student outcomes. Results from a randomized controlled effectiveness trial in elementary schools. *Journal of Positive Behavior Interventions*, 12(3), 133-148; Horner, R., Sugai, G., Smolkowski, K., Eber, L., Nakasato, J., Todd, A., & Esperanza, J. (2009). A randomized wait-list controlled effectiveness trial assessing school-wide positive behavior support in elementary schools. *Journal of Positive Behavior*, 11(3), 133-144.
- <sup>9</sup> See <https://www.education.act.gov.au/about-us?a=1263367>.
- <sup>10</sup> The communique for the ACT Education National Forum on Occupational Violence is available at: <https://www.education.act.gov.au/about-us/risk-management-and-audit/occupational-violence-national-forum>.
- <sup>11</sup> For more information about *Everyone, Everyday* see <https://www.education.act.gov.au/?a=538308>.

### **Motion to take note of petition response**

Motion (by **Madam Speaker**), pursuant to standing order 98A, agreed to:

That the petition response so lodged be noted.

### **Planning—development application assessments**

**MR PARTON** (Brindabella) (10.02): I move:

That this Assembly:

(1) notes the:

- (a) importance of an efficient development assessment system in achieving the Territory's economic development objectives;
- (b) vital role an efficient development assessment system plays in achieving the housing aspirations of the ACT community;
- (c) average days to make a decision on a Development Application (DA) have increased from 62 days in mid-2018 to 90 days in January 2019;
- (d) proportion of DAs decided within specified timeframes has fallen to 30 percent;
- (e) significant schedule and financial losses these delays impose on individuals and companies that have submitted a DA;
- (f) tenuous position this imposes on many applicants;
- (g) negative impact on the ACT Government's credibility and reputation arising from these delays; and
- (h) impact on the health and wellbeing of overloaded planning staff caught up in this stressful problem; and

(2) calls on the ACT Government to:

- (a) take immediate steps to increase resources allocated to the DA determination and approval process;
- (b) undertake regular monitoring of DA workloads to ensure applicants' requirements are met within prescribed timeframes;
- (c) ensure staff in the DA assessment and processing areas are appropriately oversighted to avoid negative health impacts arising from stressful workload levels;
- (d) provide a report for each quarter on DA assessment and processing that details the following:
  - (i) staffing strength at the beginning of the quarter, staff departures from the DA assessment area during the quarter, staff recruited or added to the assessment area during the quarter, and staff strength at the end of each quarter;
  - (ii) number of staff in each quarter on leave, including sick leave and other categories of leave;
  - (iii) the average number of DAs processed by each assessor during the quarter; and

- (iv) the number of DAs waiting for processing at the beginning of the quarter, the number received during the quarter, the number processed during the quarter and the number outstanding at the end of the quarter; and
- (e) that the report detailed above be provided commencing with the June quarter 2019.

This is the most basic of motions. This is a motion that identifies a problem and calls upon the government to fix it. It is not rocket science. It is abundantly clear that we have a traffic jam in the processing of DAs and it is also clear to everyone that this is having a detrimental effect on many in the space.

Time and again the Chief Minister stands in this chamber and talks about the growth figures in Canberra and trumpets the growing numbers of individuals who are moving to the city. Their arrival, and the construction that is required to house them, is driving much of the city's economic activity. But, for whatever reason, this government cannot ramp up the planning directorate to deal with that increase in activity. If we are making so much money from the land sales and the increased construction, surely we can divert a little more of those resources into dealing with DAs in a timely manner?

It is important because development applications play a vital role in making sure that building proposals comply with the Planning and Development Act and the Territory Plan. Development applications provide the universal gateway to start the ball rolling for a property development or redevelopment. It does not matter whether it is a billion-dollar construction project sponsored by a major property developer or simply a mum and dad asking permission for a granny flat or a cottage for a family member. No matter what your status or the scale of the project, you must submit a development application.

Many development applications are, to a degree, straightforward. They are somewhat easy to check and verify. In order to help us here, the application form contains a checklist that allows the applicant to make sure that they have addressed all the information requirements that are necessary to progress their submission.

But even a relatively straightforward application places many obligations on the applicant, ranging from the informal to the complex. For example, with an application for a secondary residence you would be advised to make sure you consulted your neighbours to make sure that they are happy with what you are doing, well before you start filling out your application. Then you must make sure that you have consulted other stakeholder agencies such as ActewAGL and Transport Canberra and City Services. Obviously, the applicant will have to submit properly drafted plans for what they want to do, including, for example, an access plan, an elevation plan, a floor plan, a section plan, a site plan, a survey certificate and other obligatory information items such as a detailed statement against the relevant planning criteria.

In relation to relatively simple applications, many will choose to undertake the consultations, do the research, pay for the necessary plans and submit it all themselves. It is an exhausting process and a costly one for the mum and dad, the families, the individuals trying to do the right thing. If an application is a little more expansive or is

a major project, the cost of the application could range from several thousand dollars to much, much more.

The minister actually has specific service standards in relation to processing development applications. If the application is classified “code track” then the statutory time frame is 20 working days from the date of lodgement. For the merit and impact track categories the statutory time frame is 30 working days, which increases to 45 days if representations are received in relation to that proposal. The process can be quite wrenching. Then, of course, there is the public consultation period, which could place further stress and demands on the applicant.

Eventually, if the applicant survives all this, they can relax, theoretically, because the system now has a properly completed and lodged DA. The application has ticked all the boxes, it has run the gauntlet and so it should be home and hosed. Or that is what you might think. But, as it turns out, the stress and the strain on applicants is far from done, because there is a significant risk of major processing delays that are beyond the applicant’s control.

Back in July 2014 it took an average of 43 days—this is from July 2014—to process a DA, and at that stage 80 per cent were being processed within statutory time frames. Those were the glory days. Let us fast forward to January 2019, when the directorate’s website indicated the average number of days taken to make a decision was 90 days, in round terms, or more than double the time taken back in 2014. I think of far greater concern is the fact that only 30 per cent were being processed within the statutory time frame. Only 30 per cent!

The minister might say that the workload has gone up compared with 2014, and certainly we allude to that. But the funny thing is that it actually has not gone up all that much. In the 2014-15 financial year a total of 1,193 DAs were lodged and an average of 74 per cent over the year were processed on time. So 1,193, 74 per cent processed on time! Admittedly, the time taken to process those crept up a bit in some months but nowhere near what we are seeing right now.

When we jump to the 2018-19 financial year, if we draw a straight line through what has happened thus far we can extrapolate that around 1,200 applications might be received, or about the same number that were lodged in 2014-15. I cannot see that this is actually a workload problem. But obviously there is a problem somewhere, and it would help us all if the minister explained what that problem is. It is apparent to all of us that it is a problem. I note more press on this in the *Canberra Times* on the weekend, emanating from Adina Cirson at the Property Council.

To summarise and emphasise, back in July 2014 it was taking an average of 43 days to process a DA against the 20 and 30-day limits. Those processing times were 1.4 to two times those limits, depending on the DA category. In January 2019 it was taking an average of 90 days to process an application against the statutory time frames of 20 and 30 days. That is three to 4½ times the statutory limit.

So we have got to ask ourselves: what is the damage and cost impact being inflicted on DA applicants and what happens to those applications that were not processed on

time? Do some of them lapse forever? Does the minister eventually get them done? I wonder: has the minister ever done any mathematics on what these delays actually cost the community, the building industry, the applicant who could be saddled with interest penalties, sunk cost and wasted effort in preparing their application?

Worse still, these impacts might never be recouped. Ultimately they will be recouped because they will be paid for by whoever is buying the property. They will be paid for in an increased market. This does not account for the personal strain and the health impacts on those applicants who were depending on a timely resolution or waiting on the construction of their dwelling.

The damage inflicted by these delays does not affect just the applicants alone. It reflects on the reputation, the credibility, the desirability of the ACT as a place to invest in. If our development administration process is perceived to be a major black hole then how do we sustain the confidence of business and industry to operate in the ACT? And what does that failure to maintain standards do for jobs and for industry development?

It does not end there, for the minister must be putting enormous pressure on his planning and DA processing staff to catch up or at least not fall further behind. The workplace must be nightmarish, with in-trays piling up, abusive phone calls from frustrated applicants and processing staff being urged to work harder and faster. I do hope staff are not being pushed to a point that affects their health and mental wellbeing. I wonder what the workplace is like in this area and I feel for those who are undoubtedly buckling under this strain, because it is not their fault.

We really do not know what is happening, and from this side of the chamber all we can do is ask the minister to tell us what is going on. To this end, the motion before us does in fact ask the minister to be a little more forthcoming with some detail on the DA assessment and processing areas. The detail is not onerous and will not only help him but also help both sides of the chamber to understand the situation. Surely the minister owes it to himself, his staff, the stakeholder industries, the reputation of the ACT and those who are bearing losses and stress to do something.

**MS LE COUTEUR** (Murrumbidgee) (10.12): I rise to speak on Mr Parton's motion from the perspective of chair of the Standing Committee on Planning and Urban Renewal. I have to advise members that Mr Parton's motion falls within the terms of reference of an inquiry that the planning and urban renewal committee is currently undertaking. The inquiry in question is into engagement with development application processes in the ACT. Mr Parton is a member of the committee and therefore aware of the inquiry. The terms of reference for the inquiry include the following at 2 d):

Processing times for Development Applications;

It also has "Any other relevant matters" as part of the committee inquiry.

The inquiry has received submissions and heard from witnesses. Several of the submissions addressed term of reference 2 d), including submission 29 by the Planning Institute of Australia, ACT Division, and submission 49 by the Property Council of Australia, ACT Division.

I draw members' attention to the longstanding practice in the Assembly of committee members avoiding infringing upon active inquiries. I will provide two examples. In 2004 the Standing Committee on Planning and Environment was inquiring into the possibility of an ALDI supermarket being built next to the Belconnen markets. Mrs Dunne, who was the chair of the committee at the time, distributed pamphlets about the matter. The Select Committee on Privileges inquired into this and found against Mrs Dunne. Mrs Dunne stood aside for the remainder of the ALDI inquiry.

Last year I was on the end of life choices select committee. While the committee was conducting its inquiry, the issue of territory rights to legislate on voluntary assisted dying came up in federal parliament. Ms Cheyne, who was on the end of life choices select committee, wanted to speak out on territory rights but was worried about the committee implications of doing so. To overcome this, on 2 August she moved a motion in the Assembly to change the select committee's terms of reference to include the following:

(8) notwithstanding the provisions of standing order 241, Committee considerations do not preclude Members from publicly discussing Territory rights, including the current Federal legislative restriction on voluntary assisted dying, to allow all Members to comply with that contained within (4) of the unanimously passed *Voluntary Assisted Dying* motion of 1 November 2017.

Ms Cheyne's motion of course was passed.

I have sought advice from the Clerk on whether Mr Parton's motion is in order. I have been advised that it is not out of order but it is disrespectful to the committee. I have also spoken to Mr Parton on this matter and I believe that he has made an honest mistake in moving this motion. I do not believe that he intended in any way to be disrespectful. However, I do believe that the Assembly should be consistent and that there is a clear precedent that suggests that this motion should not proceed at this time. I therefore recommend, members, that this motion be adjourned until after the tabling of the planning and urban renewal standing committee's report.

Question (by **Mr Rattenbury**) put:

That the debate be adjourned.

The Assembly voted—

Ayes 13

Noes 10

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

Question resolved in the affirmative.

**MR RATTENBURY** (Kurrajong) (10.20): I move:

That the resumption of the debate be made an order of the day for the day after the tabling of the report of the Standing Committee on Planning and Urban Services' inquiry into engagement with development application processes in the ACT.

**MR WALL** (Brindabella) (10.20): This is a bizarre situation. We have, obviously, an inquiry underway by a committee. The advice from the Clerk that has been given, as Ms Le Couteur has mentioned—and I would be keen for her to table that advice at her earliest convenience, if possible—is that it is not inconsistent with the standing orders to debate this motion. It is fair for the Assembly to deal with the issues that Mr Parton has raised in his motion, despite the ongoing inquiry by the planning committee.

It is worth noting—and for members actually to pay some attention—that the inquiry by the planning committee was self-referred, with a committee reporting date by the last sitting day in November 2018. That date has since passed. It is unreasonable to expect that a member, in their function in this place and their function in representing the ACT community, would be hamstrung in debating any issue which a committee seeks to inquire into.

By an absolute corruption of process, you could see the government, who control the numbers in this place, simply referring any matter of controversy to a committee and nobbling those committees to prevent any discussion of those topics inside the Assembly. That is not the appropriate process. If members are not free to raise issues in the Assembly then we are not free to carry out the functions as per the expectations of us in the community and of the legislative requirements under our role.

Mr Parton has been more than reasonable. It is not as though the issue of delayed processing times on DAs has popped up overnight or is an issue that has been canvassed inside the inquiry. Yes, it has been inquired into inside the inquiry, but DA processing times have been well beyond the regulated time frames of 20 days for a code application, and 30 days for merit and impact, since the implementation of this planning system back in 2008.

In large part it was the absolute cock-up by those opposite when they implemented these policies back in 2008 that got me involved in politics. I have seen people go broke because of the planning system.

**MADAM SPEAKER:** Mr Wall, can you withdraw that language? There was a 10-second delay; forgive me. Can you withdraw it?

**MR WALL:** I withdraw.

**MADAM SPEAKER:** Thank you.

**MR WALL:** What am I withdrawing?

**MADAM SPEAKER:** I was a bit shocked: did I hear that?

**MR WALL:** Which bit do you want withdrawn? I think it would help to be clear.

**MADAM SPEAKER:** I think you know.

**MR WALL:** Madam Speaker, they have absolutely stuffed up the implementation of this planning.

**MADAM SPEAKER:** Mr Wall, can you—

**MR WALL:** You can take that back and rule on that later, if you want to, because that is going to be unsafe.

**MADAM SPEAKER:** No, I will do it now. Just do not be offensive in here.

**MR WALL:** Madam Speaker, people's livelihoods have been lost; people's businesses have gone broke.

**MADAM SPEAKER:** Mr Wall, can you sit down? There are some who would say "stuffed up" could be seen as being unparliamentary.

**Mr Coe:** I am not sure they are in this chamber, though.

**MADAM SPEAKER:** Mr Coe, I do not need it. It is probably not on the list, Mr Wall. I am happy to take advice. Can you just be careful with your language from here on in?

**MR WALL:** Madam Speaker, this is not a new issue. This is an issue that has been plaguing ACTPLA, the planning system and those that administer it, overseen by the minister for planning, since 2008. For 11 years this issue has been in place, and it is only getting worse.

Members opposite, the government and the Greens, are in cahoots in trying to nobble debate and stymie the opposition from discussing issues that are having broad implications across the ACT—not just for a builder but for the mums and dads that want to build a deck, a pergola or a garage, or extend and put an extra bedroom on.

With respect to the implications of delayed processing times in development applications, the minister for planning says those are exempt. Build it within 900 metres of a boundary, minister, which is where a garage or a carport often is, and it is now a code, if not a merit, issue depending on what is on the other side of the fence. It is great to see you have a broad understanding of the policies which you administer. It is no wonder that the process is so broken.

The implications of this are broad. Those members opposite should at least allow themselves to be subject to the scrutiny that they deserve, by allowing the debate on this motion to occur. The opposition will not be supporting the motion proposed by

Mr Rattenbury. We think that Mr Parton's motion should be debated today. It is important for the opposition to have the opportunity to move motions for these discussions. Also, as I said earlier, it is a complete corruption of the process if government continually refers items to committees to prevent debate from occurring in this chamber.

Likewise the planning committee, in its self-referral, had set down a reporting date of November 2018. That has long passed. When will members of this Assembly be given the opportunity to discuss issues contained in what is a very broad inquiry into the planning system, if not today?

**MS CHEYNE** (Ginninderra) (10.26): I thank Mr Wall for his impassioned speech, but I think we need to inject some facts into this debate. I do not think anyone is disagreeing with the fact that DAs need attention, not least the planning and urban renewal committee, who did self-refer this—and I was on that committee at the time. And no-one is disputing the fact that it was due to report at the end of last year. However, that committee made a decision as a committee—of which Mr Parton is a part—which was presented in this place on 25 October last year, that they would report by the end of this year. That is online; it is available for anyone to see.

Mr Wall wonders what the date will be. There is the date. If Mr Parton is as passionate about this as Mr Wall would have us believe, he would be using that committee process to push that inquiry along. It can report well in advance of November 2019 if it wants to.

**Mr Wall:** 2018; it is overdue.

**MS CHEYNE:** No, the new date is November 2019. I appreciate that I am hard to hear. Mr Parton has another eight months to move this along within the committee of which he is a part, rather than bringing it into this place. I would ask that he respect the committee process.

**MS LE COUTEUR** (Murrumbidgee) (10.27): Firstly, I cannot table the advice that the Clerk gave me because it was verbal. I have reported the substance of it in my speech. Secondly, Mr Wall brings up some very good points which we have also discussed. One of the things that we contemplated doing, but it seemed to be too hard to do on this particular motion, was to refer to admin and procedures this issue of what happens if a committee is looking at something and a member may also, quite reasonably, wish to—

**Mr Coe:** It is good that we do not do that; otherwise we would not be able to talk about it now.

**MS LE COUTEUR:** Alistair, I am trying to make a speech. It is actually really hard—

*Members interjecting—*

**MADAM SPEAKER:** Members having the discussion across the chamber, Ms Le Couteur has the floor. Can you continue, Ms Le Couteur?

**MS LE COUTEUR:** Thank you, Madam Speaker. I wanted to comment that it is very hard, when you are not reading a speech and you are actually trying to talk, when you have people yelling at you.

*Members interjecting—*

**MADAM SPEAKER:** Ms Le Couteur, can you resume your seat? Mrs Jones, I asked for people to stop. Your interjection is not useful. Mr Rattenbury, no more interjections from the back. Mr Coe, can you just contain yourself? I call Ms Le Couteur.

**MS LE COUTEUR:** Thank you, Madam Speaker. I was trying to say that this is a real issue that we need, as an Assembly, to continue to pursue, regardless of the motives of anyone in this particular debate. Certainly, from my point of view, I am not trying to shut down debate; I am just trying to be respectful of committee processes. This is the sort of thing that admin and procedure could quite reasonably look at. As I said, we could not quite work out how we could do that and adjourn the debate within the one motion. Possibly we were not ambitious enough. This is something that does need better consideration than we are able to give it here.

**MR COE** (Yerrabi—Leader of the Opposition) (10.30): I think we need a reality check here. The issue of development applications is extremely significant. We have a pipeline in the ACT of hundreds of millions of dollars of work that is waiting to get off the ground because of the DA process. Yet we in this place, despite having the opportunity to have a discussion on this very issue today, are refusing to do so because some of us, in another room in a few weeks time, might discuss elements of it. This is crazy. Everybody has to have a think about how we are operating today.

Why don't we have a discussion about this right now? Why not? It is just crazy. We are not going to debate it until 6.30. It is not like we will get to a point where this is bumping off something else. We need to have these sorts of discussions in this place. That is what we are elected to do. Let us not hide behind the standing orders. Let us not hide behind advice from the Clerk. Let us have the discussions that people have sent us here to have. It is a good issue to discuss. It is absolutely front and centre for our community. Let us have it.

**MR PARTON** (Brindabella) (10.31): Obviously, I knew this was coming, but I am still dismayed by Ms Le Couteur's running for cover and shutting down debate on what is, as Mr Coe has said, a most important motion. Yes, we are in the middle of an inquiry into the development application process. Yes, it has taken a long time. But to suggest then that we cannot discuss in this place anything that is related in any way, shape or form to DAs, effectively for a year and a half, is absolutely ludicrous. It is absolutely ludicrous!

I am the shadow minister for planning. The planning portfolio revolves around DAs. As the planning shadow minister, if I am not allowed to comment publicly on any matter related to or linked in any way to DAs, including in this chamber, it pretty much means that I have to park the portfolio for a year. I have to park it and just ignore things. I think it is ludicrous.

This motion has been brought to this chamber because of a cacophony of voices even louder than Ms Cheyne's—a cacophony of voices in the community from people who have emailed me, who have called me, who have bailed me up in shopping centres, who have literally come and banged on my door because the system is not working.

It is no surprise that Labor has sided with Ms Le Couteur and will vote for a delay in our debating this motion. It is running for cover. We have those on the other side understanding that the system is broken but choosing to run and hide rather than face the music. Ms Le Couteur tells me time and again that she wants these problems fixed, but as soon as we have the opportunity to put pressure on the government to force them to address it, Ms Le Couteur tries to find a way to stop us from even debating it.

I ask Ms Le Couteur: who are you actually trying to protect here? Is this really about process? Are you trying to protect the families who are desperately trying to build just a shed in their backyard? Are you trying to protect the one and two-person building companies that are flying desperately close to the wind but that are forced to stand down for weeks at a time without any money coming in because of delays to simple DA applications?

I ask: are you trying to protect those in the community who ultimately will wear the higher costs for construction that have been brought about by this mess? Or I ask the Greens' member instead: are you actually trying to protect the government that you always try to protect? You talk the talk of the crossbench out in the community. You say that you try to hold the government to account, but when push comes to shove and when we get in here, you are all comrades, aren't you? You are all comrades.

Certainly in her speech Ms Le Couteur told us that she sought advice from the Clerk on this matter and he advised that it was fine for the motion to proceed. Still Ms Le Couteur insisted that we could not debate it. It is our job to represent the people and the community. The people and the community are crying out for action over unacceptable delays in development applications. Let us do our job and represent this view by debating this motion.

**MR RATTENBURY** (Kurrajong) (10.35), in reply: I think this has become a rather unfortunate discussion. What we are seeing here is a typical effort from the Liberal Party. When the rules do not suit them, they simply discard them. It is a long-term practice of this place that when there is a committee taking place we do not come in here and debate the substance of what has been put before the committee.

That does not suit us at times either. Over the years that I have been in this place—Ms Le Couteur has been in the same boat—there have been matters we would have liked to bring forward motions on. But we have recognised the practices of this place,

which are longstanding, that you do not bring substantive motions forward in respect of matters that committees are deliberating on.

Ms Le Couteur cited two precedents in this place, including precedents that members of this place now have been involved in. One of them directly impacted Mrs Dunne. She stood down from the committee. I was not here for that particular one. We have had to look at *Hansard* for that, but Mrs Dunne knows that history.

Of course, when we examined end of life choices the year before last, this whole chamber recognised that there was a constraint on members and it explicitly took a decision that, given the public interest in that topic, we would grant members the ability to have a public discussion, because that is what we collectively agreed to.

There was a clear recognition by this chamber not so long ago, by all 25 members who are here now. It was not some relic of history, not some rule that someone else came up with. We all collectively recognised that that was the practice of this place and we wanted to make an express exemption for it.

But today we see a political attack on Ms Le Couteur because it does not suit the Liberal Party today. You cannot operate the standing orders like that. They are not about suiting the political agenda of the day. They are about the long-term operation of this place. Ms Le Couteur has flagged in her remarks that if this Assembly collectively wants to change those rules, let us have that conversation. That is what—

**Mr Wall:** But the advice is that we are not contravening the rules.

**Mrs Jones:** The advice is that it does not.

**Mr Wall:** Let us get to the basis of that.

**MADAM SPEAKER:** Mr Rattenbury, just continue; do not respond. Mr Wall!

**MR RATTENBURY:** Mr Wall is interjecting. I should not respond to his point—

**MADAM SPEAKER:** No, you should not.

**MR RATTENBURY:** but I will. Ms Le Couteur was clear in her advice. She represented it as the Clerk gave it to her, that it is not a breach of the standing orders but it is the practice of this place. That is what I have just talked about. The practice of this place.

**Mr Wall:** So it is not the rules? So the rules do not need to be changed.

**MADAM SPEAKER:** Mr Wall, enough!

**MR RATTENBURY:** Mr Wall well knows that there are the rules and there are the practices of this place. The practices of this place are understood. I have just outlined the example. He continues to interject.

**Mr Wall:** And we have not seen legislation for when this committee—

**MR RATTENBURY:** He continues to interject even though he knows this, that there is a lot of practice, precedent, the things that members understand to be the case. I have just outlined an example from the end of life choices committee and this Assembly's clear understanding of that. We are open to changing that. If members collectively want to draw the view that it is a free for all while the committee is having an inquiry, let us have that discussion. We will move the motion tomorrow to refer that to the administration and procedure committee if that is what the chamber wants. We are open to that conversation.

*Members interjecting—*

**MR RATTENBURY:** They keep interjecting across the chamber that there is no need to change the rules. Then why did we have to have that motion last year about the end of life committee?

**Mrs Jones:** Very good question; very good question.

**MR RATTENBURY:** Mrs Jones well knows that there are practices in this place that are set out that are not necessarily in the standing orders. The standing orders do not address every single point about the way this place operates. So if they want to discard all of the practices of this place, so be it. The complete disregard for those sorts of norms is fine. If that is how they want to operate, so be it. But let us at least have the decency to have that conversation in administration and procedure and not use it as a point of political attack just because it suits the agenda of today.

Question put:

That **Mr Rattenbury's** motion be agreed to.

The Assembly voted—

Ayes 13

Noes 10

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

Question resolved in the affirmative.

## **Government charges—flexible payment options**

**MS CODY** (Murrumbidgee) (10.43): I move:

That this Assembly:

- (1) notes the ACT government's commitment to fairness in the community including:
  - (a) the use of concessions to ease financial pressure on low income households and foster an inclusive community that supports vulnerable people;
  - (b) the development of a range of plans to support social inclusion across the community with the vision of being a socially inclusive, fair and equitable community;
  - (c) the Concessions Program which aims to promote equity in the standard of living and access to essential services for all members of the ACT community; and
  - (d) the introduction of online facilities to more easily enter into automated payment plans for fines to reduce the upfront financial impact; and
- (2) calls on the ACT government to further develop flexible payment options for fees and charges for those Canberrans struggling to meet their everyday costs to help manage their household bills by smoothing out the peaks, including investigate:
  - (a) extending the period of time in which fines have to be paid by up to six months to ensure unexpected costs do not prevent people from paying for essentials;
  - (b) incremental payment options for the registration of all vehicles; and
  - (c) to report back to the Assembly by the first sitting week 2020.

It is with great enthusiasm that I speak to this very important motion on my birthday. I thank all those who have wished me a happy birthday. Whilst I like to think my birthday is the most important thing going on right now, I think this motion is pretty important too.

According to the census, Canberra is a relatively well educated and affluent community. For us, that is both an opportunity and a risk. The opportunity is to provide high quality services to the community; the risk is forgetting that not everybody in Canberra is well off. That is something that I will never, ever forget.

While some look at our community and see a city of EL2 public servants, I see the skilled and unskilled tradespeople, the retail and hospitality staff, the cleaners and security guards, the bus drivers, the people with normal jobs, the people who the interim Prime Minister ignores and insults when he refers to the Canberra bubble.

When I was a hairdressing apprentice, I was paid \$3.22 an hour. That is right: \$3.22 an hour. Not only did that period of my life teach me that junior and training wages suck and that trade unionism is the best path Australians have for fairer wages; it also taught me to manage a budget on a low fixed income. Since I have had this job with its much higher fixed income, I have done all I can to ensure that this government does all it can for those workers and others in the community who do not have such a high income.

That includes in the way it does procurement, which has been greatly improved by the local jobs code. It is also about working with unions to ensure that every job that can be made permanent is made permanent. Acting as a model employer and giving people security of employment gives them the financial stability to take out a mortgage, buy a house, go on a holiday and so much more. These things also set an example for private industry and are part of fixing Australia's broken industrial relations system.

My vision and that of the people on this side of the chamber extends not only to putting an extra dollar in the pocket of workers, though; it also extends to making life easier in many other ways. They say taxes are the price of civilisation, but so too are fees and charges, and there are many in the community that struggle with these expenses.

The ACT government has a substantial and well-targeted system of concessions. Our concession system should be, and largely is, means tested, not using the taxable income weasel words we hear from across the lake, where millionaires with tricky accountants get more from the federal government than genuine pensioners—actually means tested.

The ACT government has done a fantastic job of helping to reduce the immediate costs associated with things like paying a fine, but there is more that can and should be done. Currently we can pay many of our services incrementally. I pay my rates fortnightly. There are even some options to be able to pay off traffic infringements over a period of time. But we can and we should go further.

The next big item on the list is car registration. A number of years ago the ACT government started the process of being able to pay rego in three-monthly blocks and that has made a big difference to many members of the community. It helps a lot, but we should work towards making that a fortnightly payment. Why? Because small, frequent, predictable bills are so much easier to manage than the shocks that big bills create. We should add fines to this system.

Low income earners are often living pay cheque to pay cheque. Adding additional, unforeseen fines to this can add stress and leave people in financial strife. It is important that we as a government try to lessen the financial stress put on our community. We should do all we can to make life easier for those Canberrans struggling in big ways and small.

**MADAM SPEAKER:** Before I call the next speaker, it seems that, given that it is your birthday, there is an expectation for people to wish you happy birthday. With indulgence, happy birthday, Ms Cody.

**MR COE** (Yerrabi—Leader of the Opposition) (10.50): The opposition will be supporting the motion. As Ms Cody has pointed out, life in the ACT under the ACT government is extremely difficult for many people. The cost of living has risen considerably since Labor and the Greens took power. As Ms Cody has detailed, many people in Canberra are struggling because rates and land taxes continue to increase at

an increasing rate for many households and businesses. When you add to this electricity, gas, water and other household expenses, it really is putting huge strain on many families.

At the same time, many people are seeing a reduction in their quality of life due to services not keeping pace with the fees and charges they are paying. While an elderly couple on a pension of course cannot afford these ever-increasing fees and charges, to date the government's response has been, "Don't worry. You can put it onto your estate; you can put it into a death tax." We in the Canberra Liberals do not think this is reasonable. When fees and charges are increasing at the pace at which they are, we do not think the response should be to put it in a death tax. We firmly believe that is treating the symptom not the cause. The cause is, of course, the ever-increasing cost of living in the ACT. The expenses are adding up.

Canberrans pay much and receive very little in return. I believe the government could be a much lower cost jurisdiction if they simply managed their expenses better. But instead it is quite the opposite—we are a high cost jurisdiction. We have seen it in so many ways: changes to how they calculate rates, by making changes to the methodology; changes to the rates and land tax regime; and so many other fees and charges. It is no wonder that so many low income families are struggling to meet their financial obligations.

Whilst Ms Cody's motion touches on concession programs available to Canberrans, it is not widely known that these concession programs are available. In fact, as we saw in the most recent version of the rates bills, it seems the government is actively discouraging people from paying their rates in part payments. The Independent Competition and Regulatory Commission found that Icon Water was failing to pay rebates for planned disruptions, which is a breach of the minimum service standards. Canberrans were entitled to thousands of dollars in rebates from Icon Water, a corporation wholly owned by the government.

Ms Cody's motion recognises that many people in our community are struggling with cost of living pressures. I believe the government should be doing more to accommodate these individuals in our city. Extending the period for the payment of fines for six months and introducing incremental payment options for motor vehicles is a start, but we need to have more practical and long-term policies. We need to make sure we are dealing with the quantum and not just how it is paid. We also think there is a need to ensure that penalties associated with paying in increments are removed.

Of course, it says a lot that Ms Cody needs to bring this motion to the Assembly. It is obviously not just core business for the government. Why did it not happen two years ago? Why did it not happen six years ago? Why did it not happen 18 years ago? Either they have not done the modelling they should have done on the impact their fees and charges are having or they do not want to know what the impact is.

We will be back in a few weeks to hear about the ACT budget. We hope these ideas will be incorporated in the budget. As is usual for Labor backbench motions, I am sure we will have a government announcement in a few weeks to try to give a certain backbencher a win. But the reality is this should have happened years ago. As I said

before, the Canberra Liberals believe more should be done to address the ever-increasing cost of living pressures in the ACT. Whilst this motion today is a small step it is an important one that must be taken.

**MS LE COUTEUR** (Murrumbidgee) (10.55): I thank Ms Cody for this motion, which covers many of the same issues as the motion I put forward in November last year—which the Assembly passed, which was great. Obviously the Greens will be supporting the motion. It continues in the same vein. These are really important issues, so I thank Ms Cody for bringing it forward.

My motion in November last year called for an investigation of the potential to introduce an income-based fine system and the promotion of existing concessions and payment deferral schemes. This was agreed to by all parties. As all of you would, hopefully, be aware by now, I think we have to speak out more on marginalised, disadvantaged people in our society, on people who are not getting a fair go. That is why I support this motion that Ms Cody has brought forward. She clearly shares these concerns.

As Ms Cody said, Canberra as a whole is a high income community with a growing economy, but a substantial number of Canberrans struggle financially. Many people are on low or minimum wages and quite a lot of people rely on the federal government's assistance payments, such as Newstart, Austudy and the sole parent benefit. I cannot resist noting that yesterday's budget was not at all positive for those people. The benefits went to the people who did not need them quite as much. For those people who do need support, the gap between the rich and the poor is larger than in many other jurisdictions, and they do it tougher because of our higher cost of living, including the costs of housing and fuel. I note that there is a committee inquiry into the issue of pricing fuel.

I acknowledge and of course support the fact that the ACT government does provide many services which provide crucial support to lower income Canberrans—and all Canberrans—including our public health system, public transport, public housing and public education systems, as well as on a more targeted basis providing funding for financial counselling for people who fall into significant hardship. The ACT government also provides concessions to lower income households, such as the utilities concessions and free off-peak public transport fares for pensioners and concession card holders, which is an item from our parliamentary agreement.

However, unfortunately the ACT government's ability to target everyone who needs help is limited because Australia's income test and means-testing systems are operated by the federal government. The ACT government can find out easily who is on social security benefits because they are given a card and a number. But to find the people in the next quintile up is something they cannot easily do.

Another advantage of the land tax exemption which we passed last Assembly is that the community housing advisers are in a position to find the low income potential renters who have a bit more income—so they are not on Centrelink benefits but nonetheless do not have enough income to afford to pay the high market rents in the ACT. That is yet another reason to be positive about the land tax exemption.

There are other things to be positive about. I am glad that the ACT government has been proactively promoting its existing rates deferral scheme as a result of my motion last November. I have spoken to a number of people who have been recipients of the letter from the government pointing out the existing rates deferral scheme. I truly look forward to hearing about increased training and better guidelines for staff in the revenue office to recognise people who are suffering from financial hardship.

This is something which we have talked about in the past and I have had a number of constituent representations about. I look forward also to, as a result of my motion last year, the ACT government working with the federal government and with other states and territories to introduce systems so that states and territories can have access to more Centrelink and tax information, so that they can determine the eligibility of their residents for concessions. I would also like to see as a result of the motion the improved cost of living statement in the budget papers. Progress against all of this is due to be reported in August this year.

Another thing that is happening as a result of continual pressure from this chamber, both from the Liberal Party and from me, and from committee inquiries, is a review of the rates system. That review of the rates system is now including mention of land tax. I note that land tax has been increasing faster than rates. This review is to be made public. I think that this is really important.

The Greens support the basic thrust of moving from stamp duty to rates, which could otherwise be described as moving from a transactional rates government revenue system to an annual government revenue system. When you put it like that, it makes total sense. The government has to pay for its costs on an annual basis, so it is fair enough that that is what its revenue base is based on. However, it is not clear that it is fair that we have removed stamp duty, which was a market value based system. The rates system is a land value based system. All the evidence that we are aware of would suggest that a market-based system is fairer than a land value based system. That is something I have been pushing, and it is something that I believe will be looked at in this review, which will become public, by the government of rates and land tax.

Moving on from rates, there are currently two programs that assist low income Canberrans to pay their traffic and parking fines. The first allows people to pay in instalments. The second, the work and development program, allows people to work off a fine by making an alternative contribution to the community or getting help for the problems in their life which may well have led to the fine. For example, they can work at not-for-profits such as Ted Noffs or Vinnies, attend workshops run by Care Financial Counselling Service or have one-to-one counselling with them, or participate in residential drug and alcohol programs.

To the best of my knowledge, this has resulted in the fact there have been no incarcerations in the past 10 years in the ACT purely on the basis of inability to pay a fine. As a jurisdiction, we are faring better than others in this regard. I imagine that many members are aware of a recent crowd-funding campaign raising funds for women in Western Australia who have been incarcerated because of an inability to pay fines. Thankfully, that is not the situation here in the ACT. I guess we are also all

aware of the tragic death of Ms Dhu. I believe she was incarcerated purely because of an inability to pay fines. This should not happen.

I must acknowledge former Greens MLA Amanda Bresnan for introducing the legislation for both of these options during the Seventh Assembly. That legislation allowed for regulations to prescribe further concessions which allow automatic eligibility for payment by instalment, and for the administering authority to request further information from an applicant to assist decisions on whether to grant the option of payment by instalment or to discharge a penalty by community work or social work development program. Both are a good start and are helpful for many people.

The motion before us today extends these options for those who are doing it tough and experiencing financial hardship. Introducing incremental payment options is an obvious step that we should take. I note that the ACT government already provides an option to pay vehicle registration fees quarterly. It is my hope that this motion will result in more flexible and frequent payment options being available, possibly monthly or fortnightly.

As I have said before in this chamber, it is not just the immediate financial impact of a fine on someone who is struggling financially. Fines can lead to a negative cycle with long-term consequences for the whole family. I am aware of a number of constituents who are on various Centrelink payments who have been hit with large fines—and in a number of cases the fines have been, in their opinion, incorrectly administered—finding it very burdensome to correct the situation and to pay off the fine if necessary.

Last year 12 per cent of traffic fines were not paid on time, but a staggering 87 per cent of people charged with driving an unregistered vehicle did not pay their fines on time. This suggests that what is going on is that the people who cannot afford to pay for their rego, and therefore have not, are then hit with a fine that they also will not be able to pay. It is getting worse and worse for these people, and not better for the ACT community in any way. A more flexible system for payment or waiver of traffic infringement fines and vehicle registrations will allow people on low incomes to do the right thing and pay off their fines and ensure that they have a registered and insured vehicle so that they can retain a connection to the labour market and/or the broader community.

If we introduce better instalment payments, particularly for regos and third-party insurance, it is important that these themselves are not significantly more expensive—so that the situation is not that if you have the money you can choose to pay annually and you are ahead, but if you do not have the money and you pay monthly the processing fees are such that effectively it becomes a tax on being poor. I sincerely hope that any improvements that are made to this bear that issue in mind.

The current status quo unfairly impacts on those who already struggle, such as those with a mental illness, those escaping family violence, those who are struggling to make new lives for themselves, the unemployed, and older people on fixed incomes. The Greens support this motion today, especially since it reflects a key aspect of the Greens' policy, which is about making a real and positive difference to people's lives.

**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) (11.07): I thank Ms Cody for raising this matter, and I wish her a happy birthday today. I thank the Assembly for the constructive nature in which this debate has taken place so far. There is no doubt this government is committed to supporting a socially inclusive, fair and equitable city, and we want everyone in our community to be able to thrive.

We recognise that cost of living pressures can be a challenge for some Canberrans, and an unexpected infringement can certainly have the potential to disproportionately adversely impact some members of the community. But the values of fairness and equality also extend to obeying the territory's laws and regulations, and we have a duty to support a safe city. For those members of our community who do not do this, there are of course penalties, as there are in every society.

Fines and associated demerit points for unsafe and illegal activities are a crucial element to deterring problematic behaviour and improving public safety. Whilst no-one, including members of this place, would be pleased to receive a fine, there are benefits to this approach to compliance and safety compared to an alternative option such as prosecution.

Having said that, we understand that the issuing of fines can present challenges for people who may be impacted by mental illness, intellectual and physical disabilities, drug addiction, lack of language skills and illiteracy, and for those who have simply hit a rough patch in their lives and are struggling with their finances.

We also understand a drivers licence suspension can have problematic consequences such as limiting access to employment, income and housing and can result in homelessness. These consequences have significant social costs. So in 2012 the government released the targeted assistance strategy, which built on the work already undertaken to support Canberrans facing financial pressures.

The 2012 strategy highlighted the need for vulnerable people to gain assistance with paying infringement debt, increasing their ability to retain a drivers licence, and therefore having a flow-on effect on job retention, financial security and quality of life. As a consequence, in 2013 new options were introduced for motorists to manage motor vehicle-related infringement notices by entering into a payment plan by undertaking a community work or social development plan or, in some exceptional circumstances, seeking a waiver of the infringement notice penalty.

The introduction of infringement payment plans back in 2013 has assisted members of our community with breaking the cycle of infringement debt and also provided avenues to address social or development issues through access to drug, alcohol and financial counselling.

Concession card holders and low income applicants earning under \$35,000 per annum are automatically entitled to enter into a payment plan, and through this plan repayments start at \$5 a week. The waiver of a debt can occur in certain

circumstances where a customer provides evidence to support the request and strict guidelines are met. As an example, a fine waiver has been provided to a customer impacted by domestic violence who was forced to drive an unregistered vehicle. This vehicle amassed fines for being unregistered and other offences. These fines were waived due to the circumstances that led to the fines being issues.

I advise the Assembly that as at 1 April this year there have been 36,749 customers who have accessed an infringement notice management plan. Of these, 35,628 entered into a payment plan, 605 into a social development program, and 516 participated in a community work program. So over many years now this process has worked well in the ACT.

I am also pleased to advise that in January this year Access Canberra introduced an online service for customers to create and enter into an infringement payment plan. This online service is available on the Access Canberra website. Since January 1,877 customers have created new plans, using the new online option, and 177 customers have added a new infringement plan to an existing plan. To date, more than 35,000 people have potentially avoided further hardship by accessing the infringement notice management plan.

To further ease pressure on low income families, a number of vehicle registration concessions are also available. Holders of a current Department of Veterans' Affairs pension concession card or Centrelink pension concession cards do not pay for the registration component of their car registration and just pay the compulsory fees such as third-party insurance, the road rescue fee and the road safety contribution.

Incremental vehicle registration payment options include three, six and 12 months, available for all Canberrans, allowing a household to manage their finances and limit the impact of any unexpected expenses. There are also a wide range of other financial supports available to Canberrans who are on low incomes who have a qualifying commonwealth concession card or find themselves in difficult financial circumstances.

Members may not be aware that from 1 July this year the ACT government utilities concession will increase by a further \$46, to \$700 per annum. We also offer support through our public transport concessions and the taxi subsidy scheme. The ACT revenue office provides financial support to eligible concession card holders, with a rebate of up to \$700 a year on rates as well as options to defer the payment of rates to a later day. We have also provided flexible payment options to all ratepayers across the ACT.

Canberra is Australia's most livable city, and the ACT government is committed to ensuring that this is a city where everyone can feel connected and supported, especially when times get tough. We are of course pleased to examine the recommendations outlined in Ms Cody's motion and report back on this important issue.

I note a handwritten amendment has been circulated by Mr Wall in relation to surcharges applied to payments made on an incremental basis. I can signal that I am happy to look at those as well. I am not going to commit today to the abolition of all

of them, but we will certainly look at them. There are reasons why surcharges are applied, and they may relate to the type of payment a customer may use. Some surcharges would be applied by banks or financial institutions to particular payment types. We would also have to look at appropriate safeguards to ensure that, for example, there are no extreme responses where people decide to make very small daily payments that would incur a very significant administrative fee to process.

In this instance we must recognise the need to balance the financial costs of particular transactions but at the same time acknowledge that surcharges that are unnecessary and do not meet administrative costs should be looked at. We are very happy to do that as part of this work. I foreshadow that in response to the amendment that is to be proposed, but I will not give a blanket commitment on the run this morning without looking at each individual circumstance and taking advice on the administrative and financial transaction costs associated with more frequent surcharge payments.

The amendment as it is currently written would remove them all. I am not signing up to that without looking at the detail of each individual one. That is appropriate to do as part of our response to Ms Cody's motion, and that is exactly what we will do. I signal that now. That is what we were intending to do in the context of Ms Cody's motion today.

I thank Ms Cody for raising this issue and I thank members for their largely constructive contributions to the debate today. There appears to be a degree of unanimity around the chamber for this work to occur. We will do so. We have already done a significant amount, going back through this decade and previously, including concession reviews in the last few years and the targeted assistance strategy in 2012-13. We will continue our work in these areas. As technologies and payment plans and transaction methods evolve over time and as more things move online and costs reduce there will be more opportunity for work in this area. We look forward to undertaking that work in the weeks and months ahead.

**MR WALL** (Brindabella) (11.17): I begin by moving the amendment to Ms Cody's motion that has been circulated in my name:

Add new paragraph (2)(d): "remove any surcharge applied to payments made on an incremental basis."

My amendment seeks to add some certainty around the payment terms that might be offered for smaller incremental payments. All too often we see the opportunity to pay fortnightly, monthly, quarterly or half yearly given as an option but it often attracts a surcharge. I note the Chief Minister's comments before my speech that they are not all government controlled, but there should be a very clear expression of intent by this chamber that any component of an increase to those payments put on by government should be removed. In many instances it disadvantages those who can least afford it.

To give members a very clear example, many of us, on a yearly basis, get our registration renewal. To pick a random insurer's options to give members some clear evidence of how this works, if you pay the registration upfront annually the cost is \$1,158.70. To pay it six-monthly is \$600.70, so that is \$42.70 a year dearer than

paying annually. Likewise, if you choose to pay quarterly, as many people struggling to make ends meet will do, the cost is \$307.80. That is \$72.50 extra in the course of a year. Those surcharge breakdowns disproportionately hurt those on lower incomes and those struggling with cash flow.

Likewise, we have seen recently the removal of the discount or the incentive payment applied to rates for those who paid annually, but the by-product of that is it penalised those who could not afford to pay their rates on an annual basis. The government could possibly move to a fairer model where quarterly payments received a discount, should they be paid on time. That would remove the need for reminders and other follow-up to be sent. It is very important that this Assembly makes clear the intent that those people who choose to make small frequent contributions and incremental payments for their government charges, fees, taxes are given the ability to do so without any additional penalty.

There are two ways of managing the pressure household budgets face when it comes to government fees and charges: fairer payment terms and a reduction in the fee being levied. The government obviously has a very clear agenda of increasing fees in many areas, particularly residential rates, but the least it can do is to make sure that those who choose to pay on flexible basis are not penalised for doing so.

One thing I am encouraged by that will help those in the business space is that Ms Cody's motion refers to introducing incremental payment options for the registration of all vehicles. That is for both private and commercial vehicles. That is certainly what it says, and it is important that we consider extending flexible payment options to businesses in the ACT. Cash flow is king when you are running a small business, and if you can avoid large lump sum payments on an annual basis and spread them across a quarterly or a monthly basis it makes the day-to-day operation and the viability of many small and micro businesses in the ACT much more effective. I commend my amendment to Ms Cody's motion to the Assembly.

**MS CODY** (Murrumbidgee) (11.21): This motion is all about making it fairer and easier for people in Canberra that are struggling on a daily basis to meet the often unexpected one-off payments, including fines. Obviously, those of us who drive register our vehicles, but it can still be difficult to pay the costs annually. I thank everyone for their input today. I also thank the Chief Minister for his words about investigating ways that we may be able to reduce some of the surcharges that apply to incremental payments. I look forward to hearing back from the government in the first sitting week of 2020 so that we can continue to move forward with a wonderful agenda of helping to support our community.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **Schools—sport and physical education**

**MS LEE** (Kurrajong) (11.23): I move:

That this Assembly:

(1) notes that:

- (a) every child should have access to good physical education and sport at school;
- (b) regular physical activity is an important contributor to good overall health, including promoting healthy weight and reducing chronic disease risk;
- (c) obesity is becoming a serious issue in many communities and especially among young people;
- (d) the Australian Department of Health suggests, children aged 5-12 years/young people aged 13-17 years should undertake at least 60 minutes of moderate to vigorous-intensity physical activity every day;
- (e) the ACT Education Directorate's Physical Education and Sports policy specifies that from Kindergarten to Year 6, students must have 25 minutes a day of moderate to vigorous physical activity as part of a planned physical education program;
- (f) research has shown that children who spend the recommended amount of time per week in physical activity show improved NAPLAN scores from Years 3-6 compared with less active peers; and
- (g) teachers and parents have expressed concern that many schools may not be delivering on the Government's physical education policies; and

(2) calls on the ACT Government to:

- (a) engage appropriate staffing cohorts to ensure the necessary skill sets within schools to deliver on the physical education policy;
- (b) partner with Sport Australia and their Sporting Schools program that is funded to deliver a range of sporting programs through partnerships with over 30 key national sporting organisations;
- (c) fund more ACT sports associations and clubs to deliver programs to assist local schools to meet their physical education policy goals; and
- (d) report back to the Assembly by the end of the last sitting week in August 2019 on how it has achieved these outcomes.

Keeping active is important for everyone at every stage of life. But good habits are often formed and embedded from a young age. Playing sport and keeping healthy are two such habits. The ACT Education Directorate knows this. That is why it has a policy that supports physical education and sport in all ACT government schools. The policy is quite prescriptive. It states, inter alia:

Students in kindergarten to year 6 will be provided with a minimum of 25 minutes of moderate to vigorous physical activity per day as part of planned physical education and sport programs.

It further states:

Students from year 7 to 10 will be provided with a minimum of 150 minutes of moderate to vigorous physical activity per week as part of planned physical education and sport programs.

The policy goes on to require that:

Schools will make reasonable adjustments to provide all students the opportunity to access and participate in physical education.

Principals will ensure physical education and sport events are supervised by an individual with appropriate qualifications and suitable experience to manage the activity.

We often hear that the school day and the school curriculum are becoming ever more crowded. I must say that I have sympathy with that view. Class teachers, at primary school level especially, already have a very eclectic and hectic day teaching a range of subjects and skills without factoring in what sporting expertise they can also deliver.

School principals have a difficult time balancing the class teacher skill sets required, along with student cohorts on a year-to-year basis in order to meet the Education Directorate's sports policy. They have to find a primary school teacher that has both the academic skill sets the school needs as well as appropriate qualifications and suitable experience to manage sport and PE activities.

So why is this important? There is a wealth of research that highlights the benefits and importance of physical education for children. There is ample evidence that shows that Australian children are increasing in mean average weights, and not in a healthy way. Changing lifestyles and the growth in technology have changed our children's play. The neighbourhood street cricket team, the backyard footy or front yard basketball hoop, common family activities in the 1960s, have made way for sedentary indoor activities like computer games and internet surfing.

A 2017 report from the Australian Institute of Health and Welfare, AIHW, gave some alarming statistics, concluding that the percentage of overweight children aged two to five in 2015 had doubled since 1995. This has implications for adult life health, with a higher prevalence of obesity-related chronic conditions developing at younger ages. This will, in turn, lead to higher health costs.

Another 2017 AIHW report showed that just over a quarter, 27 per cent of children and adolescents aged five to 17, were overweight or obese, with 20 per cent overweight but not obese, and seven per cent obese. The Australian Bureau of Statistics indicates that boys and girls in that age group had similar percentages of overweight and obesity combined—28 per cent of boys and 27 per cent of girls—and obesity alone affects seven per cent of boys and eight per cent of girls.

For children aged two to four, one in five—that is, 20 per cent—were overweight or obese, with similar percentages of boys, seven per cent, and girls, nine per cent, in that age group being obese. The AIHW also reported that various physical activities have positive health impacts, including reducing body fat and reducing the likelihood of gaining weight. On the other hand, not expending enough energy can contribute to energy imbalance, weight gain and obesity.

There is another reason why physical education is important in schools, and that is the benefit it provides to improved academic outcomes. A 2004 study, one of many on the subject undertaken by Professor Mark Mattson from Johns Hopkins University, showed that physical activity presents a physiological stress to the brain that, when balanced with recovery, promotes adaptation and growth, preserves brain function and enables the brain to respond to future challenges.

Other studies have shown that physical activity has enhanced learning and memory in animals and delayed or prevented cognitive decline in elderly humans. Many schools are now motivating students to maintain a balance between their school work and physical education.

Several studies show that performing physical activities helps in enlarging the basal ganglia of the brain. The basal ganglia is a part of the brain responsible for maintaining an individual's capability to focus. In this current era, students have several distractions in the form of technologies, television, tablets, PCs and mobile phones, and it can be difficult for them to maintain focus on a single task.

The results of these studies suggest that vigorous physical activity out of school results in higher test scores and reading comprehension improvements. The studies also suggest that physical activity leads to significant improvements in children's maths and that cognitive benefits are maintained over time.

I referred earlier to the increasing prevalence of obesity in children. Physical education at school helps in preventing obesity and high blood pressure. Physical exercise and activities will help them burn off their extra calories. If those calories are not burnt off they will be stored as fat. By doing physical exercise, individuals use their extra calories to gain energy. Plus, such activities play an important role in the healthy growth and development of bones and cartilages.

Bone strengthening exercises, such as jumping, are particularly important for school students, as such activities produce a force on the bone that helps to enhance its strength and growth. While muscle strengthening exercises make muscles larger and stronger, they also help children carry more weight and aid in protecting joints against injuries. Physical education at school will help with heart health. Research shows that kids who perform aerobic exercises, such as basketball, soccer or skipping rope two to three times a week for at least 20 minutes, have a healthier heart compared to those who do not take part in physical education.

Physical education at school prevents sleep deprivation. Those students who take part in regular physical activities and exercise have a tired and exhausted body that craves a good night's sleep. Complete sleep makes kids more upright and attentive during lectures in classroom. Being attentive will give them a better start to be better learners and get the best out of their studies and their lessons.

Physical education in schools helps in relieving stress and anxiety. Anxiety is becoming a serious issue in schools across the world. Talking with school principals here in the ACT, it is of major concern. We know that for some students school life

can be very stressful. Stressed students are not able to concentrate and focus on their academic performance if they are not allowed time to de-stress. Physical activities give them an environment to breathe out their stress. By exercising and breathing deeply, extra air to our lungs provides more oxygen to the brain, making the brain feel relaxed and stress free.

Physical education in schools helps to create happier and healthier children. In turn, it creates happier and healthier students. Many schools have made physical education an essential component of the school curriculum and students are prompted to maintain a healthy balance between their education and exercise.

Students who take part in physical activities have proved to be happier and healthier than those students who spend all their time doing school education work only. Such activities help develop the blood circulation in a child's body. This helps in providing more oxygen to the heart and brain and allows the body to maintain a balance between physical and mental health. The Education Directorate presumably knows these things too and has prescribed a policy to deliver all of these benefits.

My motion today calls on the government to ensure that schools are sufficiently resourced with equipment and the appropriate and qualified staff to deliver on the policy. It calls on the government to partner with Sport Australia and their sporting schools program. It calls on the government to fund more ACT sports associations and clubs to deliver programs to assist local schools to meet the policy. And it calls on the government to report to the Assembly on how the Education Directorate is meeting its physical education policy objectives by the end of the sitting week in August.

My colleague Mr Milligan will talk more on the current sports programs available. He has worked with a number of sporting organisations and is passionate about greater participation in sport, both in and out of school, for all Canberrans. Sport in any and all forms is important and we need to ensure that, if we have a policy that values physical education in our schools, our schools, our school leaders and our teachers are supported to deliver on this important part of the school curriculum throughout all schools in the ACT.

We know that physical education in schools delivers improved academic performance. We know that it delivers better health outcomes that can last throughout a child's life. We know that it can minimise mental health stresses in young people. I encourage our schools to look for opportunities to work with sporting clubs and associations to deliver on the Education Directorate's physical education policy. It is one that should be supported, but it should be ensured that it is being delivered in a meaningful way to and for all Canberra schoolchildren. I commend my motion to the Assembly.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (11.33): I thank Ms Lee for bringing forward this important motion on physical education and activity for children and young people in ACT schools.

It is useful in debating this motion that I hold the responsibility for both the education and sport portfolios and can bring both perspectives to this issue. Of course, we are again debating a motion from the shadow education minister that seems to overlook all of the work the government is already doing in this area. I will be moving an amendment to the motion because, with respect to all of the actions that the motion calls for, the government is already doing them.

The Australian curriculum is the framework used by government schools to deliver education. It provides learning opportunities that are contemporary, inquiry-based, developmentally appropriate, learner-centred and relevant to the student and the local and global communities with which they identify. Included in the Australian curriculum is the health and physical education learning area. My colleague Ms Cody, who is celebrating her birthday today—happy birthday, Ms Cody—will speak more about this in her speech.

Healthy, active living benefits individuals and society in many ways, with participation in physical activity and good nutrition improving a range of health and learning outcomes, including physical fitness, healthy body weight, psychological wellbeing, and cognition and readiness to learn. A healthy, active population enhances productivity and personal satisfaction and reduces the burden of chronic disease.

One of the roles of health and physical education in the Australian curriculum is to educate students to optimise their potential for health and wellbeing and contribute to building healthy, active communities. There has been pressure for the health and physical education curriculum to take on undue responsibility for a range of public health concerns about children and young people, including the rise in obesity. Members should recognise that, although the schools and curriculum contribute to health promotion goals by supporting the development of knowledge, understanding and skills that students can use to make healthier and safer choices, it is beyond the scope of the school to solve problems related to the health and wellbeing of children and young people. Like many issues, a whole-of-community response is required in this space, not solely an education response.

Regardless, the ACT government recognises the importance of providing students with opportunities to participate in physical education and sport. The Education Directorate provides schools with policy support and guidelines to enable high quality and consistent delivery of the Australian curriculum. The physical education and sport policy aims to ensure the participation of all students in safe and effective physical education and sport activities. Physical education and sport activities play an important role in enhancing students' health and fitness, and support curriculum delivery and contribute to a positive school culture.

The ACT government believes this matter is important, and it is very serious about ensuring that it continues to be delivered. Schools are required to comply with the directorate's physical education and sport policy and procedures, and the physical education and sport activity-specific mandatory guidelines.

Students in kindergarten to year 6 are provided with a minimum of 25 minutes of moderate to vigorous physical activity per day, as part of planned physical education and sport programs. Students from years 7 to 10 are provided with a minimum of 150 minutes of moderate to vigorous physical activity per week as part of planned physical education and sport programs.

Because the government welcomes diversity in its schools, all schools must make reasonable adjustments to provide all students with the opportunity to access and participate in physical education. Already, principals ensure that physical education and sport events are supervised by an individual with appropriate qualifications and suitable experience to manage the activity. The opposition does not need to call for this to happen; it already does.

However, as I have stated previously in this place, my future of education implementation update describes how the government is aware of the need to look at the teaching workforce and devise a workforce action plan, at the industry and public school level, to make sure there are sufficient teachers available with the knowledge and skills required to meet the ACT's needs. I am pleased to hear that Ms Lee has already begun adopting some of these proposals that I have raised around this issue, like sharing specialist teachers across ACT schools.

Ms Lee's motion states that she has been told by teachers and parents that many schools are not following the government's physical education policies. I encourage Ms Lee, if she believes or if she is being told that there are schools not following the policy, to bring those matters to my attention or to ask those people who she says are raising the issue with her to bring it to the Education Directorate's attention so that the directorate can work with the school and support them effectively to deliver the high quality sport and PE programs that our community expects and that our children should receive.

There are also other programs run in schools alongside the Australian curriculum to keep kids active, safe and healthy, such as the aqua safe program. Aqua safe is delivered in partnership with Royal Life Saving ACT for year 2 students in public schools. The aqua safe program is not a learn-to-swim program; it is a holistic mix of water awareness, survival and rescue skills, and water safety knowledge that students are able to apply to a range of aquatic contexts.

Aqua safe focuses on helping children to make safe decisions around and in the water, including areas such as stormwater drains, dams, creeks and rivers, and is supplementary to the requirements of the Australian curriculum health and physical education learning area. Each year the government invests up to \$400,000 in delivering this important program, and we intend to keep delivering it as it plays an important part in keeping kids healthy, active and safe. Some schools go even further and include learn-to-swim programs for their students in their school programming.

The Education Directorate maintains a close and productive working relationship with School Sport ACT, who work with schools across the public, Catholic and independent school sectors in providing pathways for elite level sport participation.

School Sport ACT is chartered to organise representative school sport activities and programs on their behalf for all government and non-government students in the ACT. In addition to the three ACT educational sectors, School Sport ACT has the support of sector unions, parents and citizens associations and state sporting organisations.

The ACT government has funded School Sport ACT via service agreements since 2003. Currently, the ACT government provides over \$350,000 annually to School Sport to deliver this valuable service. School Sport ACT currently have 122 member schools and provide sport services to over 53,000 students; 161 teachers are engaged to assist in the organisation of sporting events through School Sport ACT. They have organised and assisted over 18,000 students to participate in 74 regional and ACT events, and 727 students represented the ACT from 38 ACT representative teams in 19 sports. Twenty-one ACT students were selected to represent Australia, which is a phenomenal accomplishment for such a small jurisdiction.

I would also like to acknowledge the work of School Sport ACT, and in particular their executive officer, Ms Liz Yuen. Liz and her team have worked for many years on supporting talented young sportspeople to reach their full potential and to go on to achieve great things in their sporting lives.

Just a few weeks ago I had the chance to attend the school sport excellence awards, which is an annual event celebrating and acknowledging the achievements of ACT students who have been nominated for an award either by their school or by the School Sport ACT appointed team official. They certainly are an amazing group of young people. A group of incredible under 18s boys had to join up with some other young men from Western Australia to form a water polo team, and they went on to win the gold medal in the national championship. One young tennis player, Tallulah Farrow, is now on a full scholarship program in the United States and is playing on the US college tennis circuit. The under 12s girls' basketball team demonstrated outstanding sportsmanship and persistence, overcoming bigger states to take out a silver medal at the School Sport Australia championship.

I also need to bring to the attention of the opposition and this Assembly that many schools already have affiliations with Sport Australia. I can advise members that, as at December 2018, 118 ACT schools had registered with the sporting schools program. This includes 74 government schools, 25 Catholic schools and 19 independent schools. To date, 107 schools have received funding to participate. The average grant is \$2,800, for a total investment in the ACT of \$1.7 million. This funding allows each school to purchase content from the available sport activity providers. In 2018 the most popular activities selected by schools were tennis, orienteering, touch football, athletics, basketball and gymnastics. In the last two years over 60,000 students participated in sporting schools programs.

The ACT government is continuing discussions with Sport Australia in respect of how the program may continue to develop in the future and to explore specific opportunities for ACT schools. Additionally, given my position as a member of the COAG Education Council and my participation in meetings of sport and recreation ministers, at the last sports meeting I offered to develop a short paper proposing a way

forward for these ministerial councils to work together. This paper is listed for discussion at the next sports meeting, which is this Friday.

Among the proposals is joint policy work by the interjurisdictional Schools Policy Group and the Australian Curriculum, Assessment and Reporting Authority on opportunities to improve the teaching of physical education and physical literacy in the Australian curriculum, in partnership with Sport Australia, including through review of the current sporting schools program.

The ACT government currently provides more than \$1.6 million in operational funding per year to the major peak sporting bodies. This funding supports continued competition delivery, promotion and development. Where sports consider that in-school delivery, outside the sporting schools initiative, is worthwhile, this funding may also support the employment of development staff and in-school delivery.

The ACT government also provides further funding of approximately \$860,000 per year to sport and recreation organisations for capital works and infrastructure, community sport and recreation development projects, the sports loan subsidy scheme, inclusive program funding, and the minister's emergency and supplementary program.

While this further funding provides for wider community needs, it also assists schools with infrastructure and facilities to support physical education opportunities. Simply "outsourcing" physical education to sporting providers is not the best way to encourage children into more active lives through out-of-school, club-based participation or building teacher capacity to deliver quality physical education.

A lot of work is being done nationally in furthering the curriculum alignment of sport-based delivery, improving teacher learnings and creating a whole-of-school environment that better embraces physical activity as well as physical literacy. On this note, the ACT government has provided funding to support capacity building within all schools to deliver physical education through the PE pulse program. This has seen a number of workshops delivered in partnership with the Australian Council of Health, Physical Education and Recreation as professional development opportunities to assist curriculum delivery and innovative approaches for student engagement.

I again thank Ms Lee for bringing this important matter to the ACT Assembly today. I look forward to continuing to hear the discussion on this matter. I move the following amendment to Ms Lee's motion that has been circulated in my name:

Omit paragraphs (1)(g); and (2), substitute:

"(2) further notes:

- (a) the Government is, as part of implementing the Future of Education Strategy, developing a workforce plan at both the industry level and for government schools, which will assist in the availability of appropriate staffing cohorts to ensure the necessary skill sets within schools to deliver on the physical education policy;
- (b) the Minister for Education and Early Childhood Development, in her capacity as Minister for Sport and Recreation, is leading work to improve the teaching of physical education and physical literacy in the Australian

Curriculum in partnership with Sport Australia, including review of the current Sporting Schools program;

- (c) the ACT Government currently provides more than \$1.6 million in operational funding per year to the major peak sporting bodies;
- (d) the ACT Government also provides further funding of approximately \$860 000 per year to sport and recreation organisations for capital works/infrastructure, community sport and recreation development projects, the sports loan subsidy scheme, inclusive program funding and the Minister's emergency and supplementary program;
- (e) ACT schools from all sectors share in a total of \$1.7 million in government funding to access content from sport activity providers through the Sporting Schools program;
- (f) the ACT Government currently provides up to \$400 000 a year towards the Aqua Safe Program, delivered in partnership with Royal Life Saving ACT, to provide all year two students in public schools with a holistic mix of water awareness, survival and rescue skills, and water safety knowledge; and
- (g) the ACT Government has also invested in programs to support children and young people at school to make healthy choices and live active lives, through programs including Fresh Tastes, It's your Move and the Ride or Walk to School program, and funds programs such as Food&ME and It's Your Move Safe Cycle to support nutrition education and cycling skills; and

(3) Calls on the ACT Government to:

- (a) continue the work outlined in paragraph 2; and
- (b) report back to the Assembly by the last sitting day in 2019 about progress on the work outlined in paragraph 2."

**MR RATTENBURY** (Kurrajong) (11.46): I am pleased to have this opportunity to discuss the issue of physical education in ACT schools and I am glad that Ms Lee brought this forward for discussion in the Assembly today. Regular physical activity is an important contributor to good health and wellbeing for everyone in our community. It is particularly important during the school years because we have an opportunity to instil in our children good habits and a love of being active from a young age.

With those habits established early, they are then more likely to continue them into adulthood. Some describe this as the notion of physical literacy, and that is the idea that if you have confidence in how to do an activity then you will be more likely to go and do it. I think that is a very simple principle but one that makes a lot of sense. Obviously giving young people that belief that they can jump on a bike or go to a gym and do those sorts of things is a very valuable thing to do.

As Ms Lee outlined in her opening remarks, the latest statistics on some of these issues in Australia are ones that we need to be very focused on. When it comes to rates of physical activity across our community, the figures are concerning, to say the least. Data from the Australian Institute of Health and Welfare released last year found that just 30 per cent of children and 44 per cent of adults meet the national

physical activity guidelines. Additionally, most children exceeded the recommended amount of sedentary, screen-based activity time.

The data on rates of obesity are even more alarming. A recent report which was released just last week by the Collective for Action on Obesity found that over the past 10 years the number of Australians living with obesity has more than doubled, from 2.7 million in 2007-08 to 5.8 million today. Over recent years this trend has been worsening, with 900,000 more Australians living with obesity now than there were just three years ago. If this current rate of growth continues, more than 40 per cent of the Australian adult population will be living with obesity within a decade.

This is a frightening statistic and it is one that does require urgent action. I note Ms Berry's comments about this being a whole-of-community issue and I think that those figures around adults point to the fact that while the focus of the motion today is on young people—and that does hopefully set a new trend for future generations—we have got a much more significant issue that we need to deal with more broadly.

Research shows that health and mortality risks increase with the number of years someone is living with obesity. Children experiencing obesity are five times more likely to also experience obesity as adults. The consequences of this, of course, are extremely serious. Overweight and obesity in childhood is linked to poor mental health and social outcomes as well as a number of chronic conditions, including type 2 diabetes, asthma, sleep apnoea, bone and stomach problems and liver disease. Many of these are conditions which were previously only seen in older adults.

We all agree this is a serious issue, and the experts are telling us that governments have a key role to play in responding. Obesity and physical inactivity are complex issues that will not be addressed by simply blaming individuals and calling only for greater personal responsibility. We live in environments that provide readily available, high-energy food, low-exercise demands and numerous other features that promote weight gain and discourage active lifestyles.

Certainly the ACT government has recognised the need for leadership on this issue and there have been actions taken. The healthy weight initiative was launched in 2013 and had a broad goal of increasing physical activity and improving nutrition across the ACT, with schools identified as one of the six target areas. A key action for schools as part of this initiative was to improve the measurement, capacity to deliver and curriculum support for physical education in all ACT schools. The initiative notes that just as regular physical activity has direct benefits for the health of children and young people it also has clear links with learning and academic performance. This is consistent with the point made in Ms Lee's motion about improved NAPLAN scores for students who undertook the recommended amount of physical activity.

Additionally, we know that involvement in sport has many other benefits, teaching important skills such as teamwork and persistence. I think it also does a lot to deliver in terms of self-confidence in particular, and people understand that they can overcome challenges. Perhaps they will not always achieve exactly what they want to achieve but they are learning some of the really important life skills that go with both the highs and lows of sport and physical activity. The benefits are clear and so the

question before us is: what can we do and what are we already doing to get more sports and recreational activities into our schools?

I want to emphasise that point for a moment as well. Often the focus is on sport. I think the notion of recreational activities is an important part of the story—and I do not think anyone has disputed that today—but it is worth elaborating that not everybody wants to play a competitive sport or be in a team. There are lots of activities out there that can deliver the sorts of health benefits we are talking about in this discussion today without necessarily needing to be competitive or having to turn up regularly on a Saturday morning. They can be a diverse range of activities. We should not lose sight of that in the discussion today.

The healthy weight initiative 2016-17 progress report noted the ACT government's partnership with the Physical Activity Foundation to run the PE pulse program. The program provided support to primary schools in the ACT such as resources, services and professional development opportunities related to physical education, sport and recreation.

In 2016, when I was the education minister, I released the *Action research report on building teacher capability to deliver physical education in ACT public primary schools*. It was not the catchiest title ever known, but it was a good resource that outlined a range of resources to support teachers to deliver structured, developmentally appropriate physical education programs in our schools. I think the real strength of it was that it gave teachers a whole lot of stuff, essentially on a platter, so that as part of their busy jobs they were given the sorts of support materials they would need when they may not necessarily have the expertise or background. It gave them lots of easy pathways to bring more physical activity into their curriculum in an easy way.

At that time we also saw the implementation of the Australian curriculum based health and physical education in all ACT schools, to give resources and advice to teachers on how to embed physical education into the curriculum. The curriculum also gives advice on how to assess student learning through their involvement in health and physical education activities. Since then some of the programs have changed, but ACT schools are continuing to deliver a broad range of programs and activities to meet the physical activity guidelines: a minimum of 25 minutes a day for students in kindergarten to year 6, and 150 minutes a week for students in years 7 to 10.

In addition to the funding that ACT schools and sporting organisations receive through the sporting schools program, there are a range of programs funded across the ACT government in this space. I note that Ms Berry's remarks, and also her amendment, go to spelling out a range of those programs.

The ride or walk to school program provides infrastructure to encourage active travel and creates safe and accessible routes for getting to school without needing to be driven. This is an example of where I think we can bring better physical activity into people's lives almost by stealth. They do not necessarily need to go to the gym. Simply the action of getting to work or getting to the many activities that people are involved in can be a really effective way of meeting these national guidelines without

everyone having to think that they must commit to a gym membership or something like that, which is perhaps not always the thing people most want to do. That is certainly where there is room for more creativity in bringing incidental exercise into people's lives generally, particularly children and young people, where we are again creating those lifelong habits.

As someone who is involved in a lot of sport and physical activity, I often meet people who say, "It's so great that you ride to work or do some of these things." I think there is a perception in our community that only athletes or super-fit people can do it or you have to have done it all your life. Part of this is twofold, one being that that is not the case; you can start at any point in your life. But I think also—and, again, as is the focus of today's motion—we should be making sure that young people have that understanding from the beginning so that it can be part of their life.

Drawing from my personal experience of living in the Netherlands, everybody rides a bike and it is perceived as something you do. Kids do it from even before they can ride themselves. They are ridden to places by their parents and it becomes a part of normal life. That is certainly a space where we have a lot of work to do in Canberra.

In terms of government programs, ACT Health funds the it's your move initiative to support students to develop and implement a project that improves the health of their school community. I particularly like this one because it invites community participation; it invites student leadership. There is a lovely example at Mount Stromlo High School, which has promoted active lifestyles by developing a QR code tagging system with QR code signs installed in underpasses around the school.

Students are encouraged to scan the QR code on their phone when they walk or ride to school, and this is then linked to a Google form where students enter their information and are placed in a draw to win a prize each term. This is a great example of a simple idea that is student led and is encouraging the school community to change habits in a positive way. It is just one example, but we are seeing students develop some really creative and clever ideas across many of our schools.

It is great that these kinds of programs are already happening in our schools, but we know there is more work to do. The 2016 ACT Chief Health Officer's report found that 88 per cent of ACT high school students are not getting enough exercise every day and one in four children in the ACT are overweight or obese. This is why we need to continue to do more.

I will be supporting Ms Berry's amendment today. It retains all of the first part of the original motion and then adds information about the work that is currently happening in this space in her proposed paragraph (2). We support a slight extension in the reporting date to ensure that the Assembly can receive an update which includes the latest work happening through COAG ministers meetings and the future of education strategy. I look forward to receiving further information about the work that is occurring on this issue, in particular how we can attract and train staff with physical education expertise, and the review of the current sporting schools program.

**MR MILLIGAN** (Yerrabi) (11.58): I thank my colleague Ms Lee for bringing this important motion to the Assembly. We all know Ms Lee's passion for providing the best possible education for students in ACT, and this push to improve physical education in schools is yet another example of that. The minister made some important points in her amendment to the motion. However, I highlight that the funding for peak bodies and capital works to community organisations is not directly linked or tied to sport in schools. I also note that the amount of funding the ACT government is making use of from the sporting schools fund is only a very small piece of the pie, given that this program is worth \$200 million. There are some positives, though, and I am glad to see yet another review is occurring from this minister who is looking at the curriculum in this area.

No-one can argue against the benefits of physical education and sport for our youth—or any age level or generation for that matter. So why should we care about this issue and why is it important for our schools to show leadership in this area? Only six out of 10 children aged between five and 14 years participate in sport outside of school. Seventy per cent of boys participate in sport compared to 56 per cent of girls. Evidence suggests that physically active children are more likely to mature into physically active adults.

Taking steps to reduce children's inactive time and instil a love of sport and recreation early in life is crucial. I say sport and recreation because both are important. Not all kids love sport, and I understand that. But that does not mean they should not have the opportunity to try and be challenged. Kids want to explore other interests these days and teachers are amazing at finding creative ways to include that in our schools—dance, hiking, orienteering, geocaching, parkour. The options are wide and varied.

We need to be mindful that without greater structures and support for schools to deliver physical education not only does sport suffer but the inclusive option that recreation provides to students can also be overlooked. With everything we have heard recently in this place about bullying and the trends in our society in terms of online interaction and social isolation, sport has never been more important to our community and our culture.

At the end of the day, these are things we all know and can agree on. Any logical person understands that physical education and physical literacy are important skills for our children. We know it is important for young people to play sport and stay active for their physical and mental health and wellbeing and to develop their physical literacy. Physical literacy is the motivation, confidence, competence, knowledge and understanding to value the responsibility for engagement in physical activities for life. Again, we can all agree that these are key skills and attributes to instil in our children and our youth. Coaches, teachers, sporting organisations and parents can help get young people moving and this should be a higher priority in our schools.

As outlined by my colleague Ms Lee the current policy is that students in kindergarten to year 6 will be provided with a minimum of 25 minutes of moderate to vigorous physical activity per day. Students from years 7 to 10 will be provided with a minimum of 150 minutes of moderate to vigorous physical activity per week as part

of planned physical education and sport programs. That sounds reasonable—in fact, it sounds great.

There is clear distinction between physical activity and physical education. Physical activity is a broad term which describes movement in everyday life that accelerates the heart rate. Physical education is a process of gaining knowledge, skills and attributes mainly through physical activity. Sport is defined under this policy as physical activity formalised by a set of rules, usually competition based.

Taking all of that into consideration, what do these definitions mean for students in ACT schools? Technically, walking around the campus can be classified as physical activity. Technically, many aspects of other lessons, games, dancing and recess activities, can be counted as recreation. Forgive me for using a cliché, but back in my day this is not what physical education was about. I am sure there are those within this chamber and more importantly in the community who would agree.

PE was a dedicated class with a dedicated teacher. We had guest speakers and got to meet local sporting heroes. We learned the rules and skills of team sport and fundamentals like good sportsmanship. We played games, yes, but also sport too. We had sporting carnivals and contests. Ribbons and prizes were awarded, and this was long before there was such a thing as a participation award.

These are some of my fondest childhood memories and I feel like the current system is letting our kids down. Sport is a core part of our culture and there are so many amazing organisations that are willing to increase the prominence and, dare I say, fun of physical education in our schools. That is why this motion is so important.

I acknowledge that schoolteachers have a crowded curriculum to deliver and I can appreciate how challenging it must be to meet the many demands placed on people in the education profession. That is why this motion asks that staffing cohorts be addressed so that the necessary skill sets are available to deliver the current policy.

The motion also asks the government to make use of the federal policies and initiatives with proven models operating across the country. Sport Australia has some amazing resources and programs that are just not being used enough in the ACT. The sporting schools program, for example, is a \$200 million Australian government initiative designed to help schools increase participation in sport and to connect children with community sporting organisations. The program partners with over 30 national sporting associations to deliver this program, bringing their expertise to support teachers and kids to experience the best of what these sports have to offer.

I have seen firsthand the benefits of bringing sporting organisations such as Tennis ACT and Netball ACT into local schools through kids developing skills and confidence in sporting activities. Why can this program not be either better utilised in the ACT or replicated with our local associations and sporting groups? We have a lot of homegrown talent, sporting associations and clubs in the ACT that would love the opportunity to work with students, but they need funding to do so. I hope the government takes this motion in the spirit it is intended and stops ignoring and underplaying this issue.

Physical education is important. The health and wellbeing of our students matter, and the tools are there. There are federal resources and local organisations ready to get involved and to help our kids get active. I commend this motion and I look forward to working further with sporting groups in the ACT to get our population moving and to give them the resources and the opportunities to do so. Hopefully, the ACT government can get on board and provide greater support and resources to enhance sport in our schools.

**MS CODY** (Murrumbidgee) (12.06): What a wonderful birthday present. Not only have I been able to move a motion today but also I get to talk about sporting and recreational activities in schools. I congratulate Minister Berry on some of her additions to Ms Lee's motion. In an increasingly complex, sedentary and rapidly changing world, it is critical for all young people to be able to cope with life's challenges, as well as flourish as healthy, safe and active citizens in the 21st century.

The health and physical education learning area of the Australian curriculum aims to develop the knowledge, understanding and skills to enable students to take positive action to protect, enhance and advocate for their own and others' health, wellbeing, safety and physical activity participation across their life span. This learning area offers experiential learning, with a curriculum that is relevant, contemporary, physically active, enjoyable and developmentally appropriate. Importantly, it teaches movement skills and strategies to enable students to confidently participate in activities.

Movement is a powerful medium for learning through which students can acquire and practise a range of personal, interpersonal, behavioural, social and cognitive skills. Students develop the knowledge, understanding and skills to become resilient, to develop a sense of self, to build and maintain relationships and to make health-enhancing decisions.

According to the Australian Curriculum and Reporting Authority, health and physical education is uniquely positioned to provide opportunities for the education of students to adopt lifelong healthy, active living. The knowledge, understanding and skills taught through health and physical education provide a foundation for students to enhance their own and others' health and wellbeing in varied and changing contexts.

As students mature, they learn about key issues affecting the health and wellbeing of young people and the communities to which they belong, and learn how to apply problem-solving techniques to these issues. This is critical to maintaining and promoting healthy, active living. The Australian curriculum is a world-class, high quality curriculum delivered to students in the ACT.

In addition to the delivery of the Australian curriculum, schools make a range of school-based decisions in delivering additional programs to increase the health and wellbeing of their students. For example—and Mr Rattenbury has already talked about this briefly—many schools participate in the ride or walk to school program, which seeks to develop students' skills and confidence to travel actively to and from school.

The ride or walk to school program was developed by the Health Directorate in 2012. Since its inception the number of schools participating has increased, with over 80 schools now registered in the program. Ride or walk is designed to promote an active travel culture change within school communities. The program is designed to drive a cultural change within the school community to make riding and walking to school the norm for children.

It also provides accredited teacher professional learning and Australian curriculum aligned resources to help in the classroom. Schools participating in the program can access lesson plans, curriculum resources, bikes and equipment to deliver safe cycling lessons, tailored route maps, bike maintenance workshops and a range of resources to promote active travel throughout the school community. I might need some of those for my cycling efforts.

The program is a free service which is delivered in schools by the Physical Activity Foundation, on behalf of the ACT government. An evaluation of the ride or walk to school program found that students at schools participating in the program were more likely to use active travel as their usual mode of travel. Teachers reported increased confidence in students undertaking active travel as a result of the program.

Another example is the it's your move program, which is an innovative student-led health promotion initiative implemented in ACT high schools. Again, Mr Rattenbury outlined some of these things in some of my local schools. It encourages students to develop creative solutions to improve school health, supported by seed funding from the Health Directorate and guidance from local business mentors. This cutting-edge program sees students as innovators. It uses a problem-solving approach called design thinking used in a range of entrepreneurial and technology-focused careers.

Being active and healthy in schools, playing sport or just being recreational is a very important part of all school curriculums. I encourage more students, teachers and community members to be involved in their local school community, particularly in the ride or walk to school programs. They are a great way to keep children active and enhance their ability to be safe and confident when undertaking riding to school.

**MS LEE (Kurrajong) (12.12):** I thank Mr Milligan for his support and the other members for their contributions to my motion. I note Ms Berry's amendment and thank her for outlining some of the other initiatives that the government has embarked on in relation to sport, but there are some aspects of it, especially when it comes to funding, as Mr Milligan has already pointed out, that do not actually go directly to school sport and physical education in schools.

Ms Berry also said that schools cannot be solely responsible for the health of our children. Of course that is right, but that is not what my motion is calling for. As both Ms Berry and Mr Rattenbury have acknowledged, an important aspect to consider is the instilling of good habits when it comes to physical education and activity. To establish physical literacy, as Mr Rattenbury put it, is important. We have an opportunity and a responsibility to do it in the formative years, while our children spend a lot of their time at school.

It is clear from the debate that all parties see the benefit of physical activity through sport and physical education in schools. I was heartened to hear Mr Rattenbury acknowledge that we can and should be doing more. I hope he will support me in holding the minister to account on that aspect of things.

Well-known Canberran and former ABC sports commentator Tim Gavel wrote an article in the *RiotACT* in July last year. His piece was headed “Why isn’t physical education viewed as important in our primary schools?” He said that from his experience as a parent and as a board member of the Physical Activity Foundation and through his involvement with School Sport ACT over the years, he believed that the sports program in primary schools was ad hoc at best. He said:

Some teach physical education very well but it can be hit and miss. It’s very much dependant on the teachers involved and their commitment to the benefits of physical education for children.

He praised the work of Dr Dick Telford, whose research had shown that children who spend more time per week undertaking physical activity improved their NAPLAN scores between year 3 and year 6, compared with less active children. Mr Rattenbury referenced that too. Mr Gavel also asks the question:

But if we are so concerned as a society about kids watching too much television or being on their screens all day with little desire for exercise, why aren’t we doing more to solve the problem?

Indeed.

This motion came about because I have had parents, teachers and members of the general Canberra community express to me a concern that the government’s own policy on sport and PE in schools was not being met. I note that in the minister’s amendments she does not acknowledge that aspect of it. So I urge the minister, who is also the Minister for Sport and Recreation, to review the physical education policy that her directorate has adopted and ask how and whether this is being supported in our schools, particularly, in our primary schools, and whether more could and should be done to deliver on that policy commitment. I look forward to hearing the report that the minister is going to bring back to the Assembly on that.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

**Sitting suspended from 12.16 to 2.00 pm.**

### **Questions without notice**

#### **Canberra Health Services—consent for procedures**

**MR COE:** My question is for the Minister for Health and Wellbeing. Minister, what does it take to substantiate a patient’s claim that she was “forced into a vaginal examination without consent”?

**MS FITZHARRIS:** I will take the question on notice. It requires clinical input for me to appropriately answer that question.

**MR COE:** Minister, in the event that you need clinical advice, why is it that you dismissed the claim on the basis that it was not substantiated?

**MS FITZHARRIS:** I have not dismissed the complaint. I indicated on a number of occasions that the complaint was taken seriously; that all complaints are taken seriously.

**MRS DUNNE:** Minister, how many consumer feedback submissions have you dismissed on the basis that they were not substantiated?

**MS FITZHARRIS:** None.

### **Ginninderry—development**

**MS LE COUTEUR:** My question is to the Treasurer and relates to his proposed arrangement for the New South Wales part of the cross-border Ginninderry development. According to yesterday's *Canberra Times*, New South Wales residents will be paying ACT-level rates for ACT government-provided services. Will residents pay ACT-level stamp duty, or the higher New South Wales stamp duty?

**MR BARR:** In response to Ms Le Couteur, firstly, any cross-border development is at least a decade away, into the 2030s. The ACT's preferred position remains that the border shift. I believe that the *Canberra Times* reported that that would not happen. I do not think that there is any basis to make the statement that it would not happen. It remains an ongoing discussion between ACT, New South Wales and Australian governments and the Yass Valley Council. So on one level the question is hypothetical. Our preference remains that the border move. It is not an urgent issue. It will not be one that will need to be considered for at least a decade.

If the border is not moved, then some form of memorandum of understanding between the ACT, New South Wales and Yass will need to be struck. Those issues would need to be considered at that time. That would of course depend on the relative settings of stamp duty in New South Wales at that time compared to the ACT; the relative settings of local government charges in New South Wales in that council area and in the ACT; and on the types of services that were being provided. A statement of principle would be that ACT residents would not be subsidising the services of those in that part of the development were it to be in New South Wales. But I reiterate that our preference remains that the border move. That reduces the complications considerably.

**MS LE COUTEUR:** Given that the border has in fact not moved, are we having a situation where residents will get ACT services but vote in New South Wales? Is this effectively a proposal for taxation without representation?

**MR BARR:** No, definitely not a proposal in that regard. No residents will be subject to any arrangements at this point and none will be until the 2030s. There is a lot of time to resolve this issue. There will be numerous chief ministers and premiers before there is any development in that area as it is more than a decade away. I assure members I will not be the Chief Minister in 2030—I can give you that commitment—there will be new New South Wales premiers and, on our current rate of churning through prime ministers, unless there is a change of government next month, the Liberal Party will certainly churn through at least five prime ministers in a decade, on their current form.

**MS CODY:** Chief Minister, what services do rates get you in the ACT that are not available to New South Wales council ratepayers?

**MR BARR:** Of course our unique governance structure that sees us provide both local government and state government services means that rates paid in the ACT also go to the provision of health, education, police and emergency services, community services—things like housing, for example—as well as economic development and tourism and services that are provided at a state level. The two are not comparable, clearly, because the remit of local government in New South Wales is much narrower. Where there is an overlap is in the provision, for example, of waste collection services and some planning services but not all, as many are handled at a state level within New South Wales as well.

There are clear points of difference. This is one of the complexities of any cross-border arrangement that would see that development be in New South Wales but only accessible through the ACT and with ACT services being the only logical provision.

That is why I think it is fundamental that the border move—and that remains our position—and I see no reason why that cannot occur, because it is the most sensible outcome. But again I stress that it is not an immediate concern. It is one that we will need to address as governments in the next 10 years.

### **Canberra Health Services—unauthorised examinations**

**MRS JONES:** My question is to the Minister for Health and Wellbeing. Minister, regarding the aforementioned examinations, in the six weeks between 7 February and 21 March, what did Canberra Health Services do to inform its initial advice to you that there had been no consumer complaints?

**MS FITZHARRIS:** I note that my original statement was made in the sitting of 21 March, when I said:

Canberra Health Services have investigated that and said that it is not the case but they will continue to look very closely at this.

That is what they have done, and I referred yesterday in my answers to a range of meetings that have taken place. This is, as was discussed yesterday, a serious matter. I am glad that Mrs Dunne was able to take up an opportunity this morning to be

briefed by the CEO of Canberra Health Services. I do intend, given the Assembly's interest in this, and notwithstanding the current maternity services inquiry, to make a full statement to the Assembly on a range of matters that have been undertaken since, and will be undertaken over the next few weeks, in the May sittings.

**MRS JONES:** Minister, between 7 February and 21 March, what went wrong in Canberra Health Services that the initial advice was incorrect?

**MS FITZHARRIS:** I have discussed this with Canberra Health Services and have let them know my clear expectation that I should have been advised of the review that was subsequently undertaken, but I will take the specifics of that on notice in terms of a chronology between 7 February and 21 March. I did refer yesterday to an email that was sent from within maternity services to all staff following receipt from the consumer feedback area.

**MRS DUNNE:** Minister, who was aware of the complaint in the Canberra Hospital, and who briefed you that there had been no complaint?

**MS FITZHARRIS:** Two questions there: who was aware and who briefed me. I will take on notice who was aware because clearly, as I indicated in my previous answer, an email was sent internally within maternity services upon receipt of that complaint.

My initial verbal advice following the publication of the *Canberra Times* article was in a verbal briefing with Canberra Health Services on 13 March.

### **Centenary Hospital for Women and Children—consent for procedures**

**MR HANSON:** My question is to the Minister for Health and Wellbeing. On 21 March you told the Assembly that the allegations of vaginal examinations being performed at the Centenary hospital without consent caused distress to staff. You expressed no concern about the woman who complained that she was forced to have a vaginal examination at the Centenary hospital without consent. Why have you not expressed any concern about the woman who allegedly had a vaginal examination performed without consent?

**MS FITZHARRIS:** I am very concerned about this matter, including, of course, about the woman who has made that complaint. Unfortunately that is not someone we can contact because that submission was made anonymously. I have expressed my concern about the seriousness of this matter. I can reiterate to all members present that at the time of the publication of the *Canberra Times* article and the subsequent meeting that was undertaken at Canberra Health Services a high level of concern among staff had been conveyed to me.

**MR HANSON:** Minister, will you now apologise to the woman who had a vaginal examination done without consent and apologise for your previous denials?

**MS FITZHARRIS:** Could I clarify for Mr Hanson that, although this matter continues to be investigated, there is no evidence currently before CHS that this did occur. What it is clear that occurred was that the complaint was made and, as the

minister, I have a clear responsibility to ensure responsibility and due process regarding any complaints that are made. If any allegation about an examination without consent is to be proven, it will be absolutely clear that that is absolutely unacceptable.

But if the opposition—

**MADAM SPEAKER:** Can you resume your seat please.

**Mr Coe:** On a point of order, on relevance, Mr Hanson's supplementary question included: would the minister apologise for denying that the event took place? I ask her to be directly relevant with regard to her denial.

**MADAM SPEAKER:** Mr Coe, there is no point of order. I think that the minister has gone to some lengths to say that there is a serious investigation into the allegation and that needs to be brought to a conclusion.

**MRS DUNNE:** Minister, will you guarantee that midwives who raise concerns about this issue will not be subject to retribution?

**MS FITZHARRIS:** Yes, I absolutely will.

### **Government—airline policy**

**MS CHEYNE:** My question is to the Chief Minister. Chief Minister, what recent activity has the ACT government undertaken to attract more international airlines to Canberra?

**MR BARR:** I thank Ms Cheyne for the question. Members will be aware that we have gone from zero international flights to 14 per week in recent years, connecting our city to Asia, the Middle East and on to Europe, through Singapore Airlines and Qatar Airways. The ACT government is continuing to work with our tourism and business partners to expand this global connectivity even further. The goal is for Canberra to ultimately have international aviation connections to key points of the world where there are business opportunities, where there are tourism opportunities and where Canberrans would like to holiday.

Firstly, we are focusing on more access to cities in the Northern Hemisphere, via China, and an eastbound connection to the United States and South America via New Zealand. We have been working with Canberra Airport to negotiate with airlines about reconnecting Canberra and New Zealand. In the final months of Singapore Airlines' service to Wellington, that sector often operated at 70 per cent capacity in a 260-seat wide bodied aircraft and the market had grown by 20 per cent, showing that there is a clear and compelling case to reintroduce a connection with a more appropriately sized narrow bodied aircraft.

Last week, I led a ministerial delegation to China. We were accompanied by representatives from Canberra Airport and VisitCanberra. We met with senior

representatives from China's largest airline, China Southern Airlines, as well as Air China and Beijing Capital Airlines. China is Canberra and Australia's biggest market by both visitor volume and visitor spend, and international direct flights present a significant opportunity for boosting regional tourism, trade, investment, freight and business opportunities.

**MS CHEYNE:** Chief Minister, what developments are taking place with low-cost carriers?

**MR BARR:** Again, this time two years ago we had no low-cost carriers operating in our market. Following a concerted campaign by the ACT government and tourism industry partners to demonstrate aviation opportunities that Canberra presents we now have eight services a week and a strong demand for more frequency and new routes.

The success of Tigerair entering the market and connecting Canberra to Melbourne and Brisbane has shown that Canberrans will strongly support low-cost carriers and interstate travellers will strongly support them flying to Canberra. Tigerair now provides 200,000 seats a year, making it more affordable for Canberrans to travel and for leisure visitors to come to our city all year round.

This success combined with record leisure visitors means that there is an opportunity for securing more services and new routes to Canberra Airport. This includes the possibility of expanding Tiger's existing services and for Jetstar to consider Canberra's potential.

I can advise the chamber that I have recently met with the CEOs of both airlines to discuss the possibilities. The ACT government is working in partnership with Canberra Airport and our tourism authorities and with other state governments and their tourism authorities and airports to promote these opportunities. We look forward to that dialogue continuing and the announcement of new low-cost carriers entering our market soon.

**MR PETTERSSON:** Chief Minister, what have the recent international and low cost carriers coming into Canberra meant for the ACT?

**MR BARR:** I thank Mr Pettersson for the question. During 2018—the year, of course, that *Lonely Planet* classed Canberra as one of the top three cities in the world to visit—we recorded a record number of both domestic and international visitors. Air access makes a really big difference to those outcomes and supports the growth of our visitor economy.

In 2018, we had 2.79 million Australian and over 251,000 international visitors, making for a combined total of over three million overnight visitors coming to Canberra. Importantly, our international visitor spend increased by 25 per cent for the year ending December 2018, which was well ahead of the national average of eight per cent, meaning that international visitors contributed \$686 million to our local economy in 2018.

Why is this important? It is because it has led to the creation of more jobs and more opportunities for Canberrans. Domestically, we have seen very strong growth in the Victorian and Queensland markets. That can be directly linked to the commencement of the Tigerair flights between Melbourne and Canberra and Brisbane and Canberra.

Key international markets connected by Singapore Airlines and Qatar Airways are also growing strongly. This includes a further five per cent growth out of China, which is already our strongest market, accounting for one in five of our international visitors. We have seen 35 per cent growth out of Germany, a 25 per cent increase from India and strong growth from the United Kingdom, Singapore and Taiwan.

### **Canberra Health Services—media statement**

**MS LAWDER:** My question is to the Minister for Health and Wellbeing. Minister, when Canberra Health Services made a media statement on 13 March 2019 about the *Canberra Times*'s reporting of the midwife's submission to the maternity services inquiry, Canberra Health Services were more distressed over the headline than over the incident outlined in the submission and how it might have impacted on the patient.

On 21 March you expressed concern about the way this matter was reported but did not express concern about the impact of this serious incident on the patient. Minister, why are you more concerned about a newspaper headline than the distress suffered by a patient being forced into a vaginal examination without consent?

**MS FITZHARRIS:** I am not. I think, out of respect to the patient and to staff who work closely with patients every day, we should allow due process to take place, noting that it is very difficult for due process to take place regarding an anonymous complaint. But I am concerned by any report that examinations without consent in maternity services would have taken place. I repeat that in the answer to this question.

**MS LAWDER:** Minister, did you agree to the media statement made by Canberra Health Services on 21 March?

**MS FITZHARRIS:** I refer Ms Lawder to the answer that I gave yesterday. I was aware of it but I do not have a role in approving it.

**MRS DUNNE:** Minister, who is investigating the public statements made in early March and the consumer complaint?

**MS FITZHARRIS:** I am sorry, I am not sure what Mrs Dunne means by the first part of her question. Could she repeat it, please, Madam Speaker?

**MRS DUNNE:** Who is investigating the consumer complaint that was made on 7 February? Is anyone investigating the comments made on 13 March by Canberra Health Services and are they investigating the veracity of those statements?

**MS FITZHARRIS:** I am sorry, I am finding that question very hard to follow. For the first part of the question, which is about a complaint received on 7 February and

which Mrs Dunne also received, if Mrs Dunne has any suggestions on how that anonymous feedback can be followed up I would welcome them because there is no information on which to follow up.

As I indicated in a previous answers, a range of activity has been undertaken within Canberra Health Services in recent months and I intend to provide a full statement on that to give the facts to the Assembly in May. As I indicated in March and again yesterday, I was also mindful that the maternity services inquiry of this Assembly is underway and I was respectful of that process as well. But since then there has been a delay in public hearings for this committee because another inquiry has taken precedence.

### **Centenary Hospital for Women and Children—patient privacy**

**MR WALL:** My question is to the Minister for Health and Wellbeing. Minister, on 21 March you told the Assembly that you had been assured that adequate safeguards are in place to protect the privacy of patients at the Centenary hospital. Minister, what were those assurances?

**MS FITZHARRIS:** Certainly throughout the course of my responsibilities as the minister for health it is very clear to me that there are a number of privacy considerations, for both clinical and non-clinical staff, in a hospital setting that are adhered to regularly.

**MR WALL:** Minister, what safeguards have you directed be put in place to protect the privacy of women patients at the Centenary hospital?

**MS FITZHARRIS:** To be clear: my expectation as minister is that all relevant legislation, regulation, and professional and organisational policies are adhered to.

**MRS DUNNE:** Minister, what are the processes for ensuring that consent for vaginal examinations is obtained?

**MS FITZHARRIS:** I understand that in this morning's briefing with the CEO of Canberra Health Services, Mrs Dunne requested a copy of that policy. I believe it should be with her office by the end of the day.

This is Question Time - Apr03-22

### **Bushfires—season update**

**MR PETTERSSON:** My question is to the Minister for Police and Emergency Services. What update can the minister provide about the bushfire season?

**MR GENTLEMAN:** I thank the member for this important and timely question. I can advise the Assembly that the Emergency Services Commissioner has extended the bushfire season by one month. This year's season has not been easy. The lead-up to this bushfire season saw some of the driest conditions on record in the ACT and significant active fires in New South Wales. The season's weather has seen a number of extreme weather events develop in the ACT, including heatwave conditions and a

week of temperatures above 40 degrees, followed by storm activity producing lightning, high winds and patchy rain. These weather events, particularly in the mountains to the west of the ACT, posed a significant threat of bushfires and grassfires in the ACT and surrounding region. A slight reprieve was felt when the fire danger index, the FDI, reduced from late December 2018 to January 2019, but it rose steadily after this period. This resulted in three days of total fire ban and 16 very high fire danger days. These conditions were a strong reminder of the risks that Canberra faces as the bush capital.

**MR PETTERSSON:** Minister, how does this year's season compare to others?

**MR GENTLEMAN:** The 2018-19 ACT bushfire season has seen Canberra experience conditions of bushfire risk greater than in 2003. With the extension I mentioned earlier, we have also seen the longest season since 2003. However, the benefit of 15 years of strategic planning and actions undertaken to mitigate our most extreme risk through the strategic bushfire management plan, or SBMP, has seen many of those risks prevented or quickly responded to.

The SBMP provides a planned and measured approach to managing the risk to the territory and is reviewed every five years and presented to this Assembly. All actions in the current version are in the final stages of completion, which culminates five years of work from across numerous areas of government. The ESA is currently consulting the community on what the next SBMP should look like, and I encourage all Canberrans to have their say. Go to [yoursay.act.gov.au](http://yoursay.act.gov.au).

I note the warning of the ESA commissioner that, with the influence of climate change, our fire seasons are becoming longer. In the past, incidents such as the Pierces Creek fire, which was in early November last year, would not normally have been seen until after the Christmas period and well into summer.

**MS CODY:** What investment has the ACT government made to help prepare for the threat of bushfires?

**MR GENTLEMAN:** I thank Ms Cody for her question. I am delighted to get a question from her on her special day. I want to thank the hardworking staff across our agencies who have kept Canberra safe this season and who continue to do so. The work is led by the commissioner and the dedicated staff across the various services that make up the ESA and also through our hardworking parks and conservation service. They are supported by all directorates, and I want to thank them all.

The ACT government continues to invest in preparing for the threat of bushfires. This season the ESA contracted a specialist intelligence gathering helicopter. The helicopter significantly enhanced bushfire fighting operations by allowing key decision-makers to better understand the extent of situations as they unfolded.

To further improve incident management, the ACT government invested in an upgrade to the incident management facilities at ESA headquarters, which were successfully used to fight the Pierces Creek fire. We are also rolling out new personal protective clothing, including for our ACT Fire & Rescue staff. Madam Speaker,

these are just some of the investments this government is making to keep our city safe as it grows.

### **Centenary Hospital for Women and Children—examinations policy**

**MR MILLIGAN:** My question is to the Minister for Health and Wellbeing. Why did the Centenary Hospital for Women and Children introduce a policy of having midwives present during vaginal examinations?

**MS FITZHARRIS:** I will take that question on notice.

**MR MILLIGAN:** Minister, are you aware of any other instances of vaginal examinations being performed without the consent of the patient which led to this policy?

**MS FITZHARRIS:** No. I note there is a consent policy across Canberra Health Services, which includes maternity services. It was renewed in 2016 and is due for renewal again this year.

**MRS DUNNE:** Minister, can you be precise and tell the Assembly whether there is any investigation into the matter reported to the Canberra Hospital on 7 February either in your office or in the department?

**MS FITZHARRIS:** No. On the particular matter received on 7 February there is a range of follow-up actions which are quite extensive and which I will detail in full in the next sitting. The precise consumer feedback received on 7 February did not provide any detail of the individual or the person or the time at which the alleged matter took place. While efforts were made to see if further information could be acquired it was not possible to do so given how scant the information was in that consumer feedback.

I note that Canberra Health Services encourages through their consumer feedback channels that if a person wishes to make an anonymous submission it will respect that submission and respect the request of the person making it.

### **Canberra Health Services—media statement**

**MRS KIKKERT:** My question is to the Minister for Health and Wellbeing. Minister, in the media statement issued by Canberra Health Services on 13 March 2019, it was stated, “The allegations are misleading and unfair.” And yet Canberra Health Services knew that a complaint had been made. Indeed, a staff meeting to discuss the complaint and the issue it raised about protocols associated with medical procedures had been held only the day before. Minister, why did you allow Canberra Health Services to make media statements that, in themselves, were misleading and unfair to the concerns raised by the patient?

**MS FITZHARRIS:** As I indicated before, Canberra Health Services wished to make this statement. I was aware of it but did not have role in approving it.

**MRS KIKKERT:** Minister, what media statements have Canberra Health Services made expressing their concern over how the patient might be feeling?

**MS FITZHARRIS:** As members are aware, Canberra Health Services, on this matter, have released only one media statement.

**MRS DUNNE:** Minister, what proportion of consumer feedback is provided anonymously, and is it the practice to give the benefit of the doubt to people who complain about their treatment at Canberra Health Services?

**MS FITZHARRIS:** I caught the first part of that question or the first question in that question, but not the subsequent one. Could Mrs Dunne repeat that, please.

**MRS DUNNE:** The second part of the question was: is it the practice to give the benefit of the doubt to people who make claims about their treatment at Canberra Health Services?

**MS FITZHARRIS:** Madam Speaker, I would take your guidance on multiple questions that have a number of questions in them. I will take the first part of the question on notice in terms of what proportion are anonymous.

**MADAM SPEAKER:** The question will be in order. It is a practice that there are parts to questions. The standing orders reflect that the question shall be brief and to a single issue, though.

**MS FITZHARRIS:** As to the second part of the question, from my discussions with the CEO, and she has also indicated it publicly, including in an interview yesterday, yes, all complaints are taken seriously.

### **ACT Health—workplace culture**

**MISS C BURCH:** My question is to the Minister for Health and Wellbeing. I refer to the Reid report into Health culture, which found that:

The information gathered from submissions, individual and group interviews and the staff survey reveal a worrying and pervasive poor culture across the ACT Public Health System.

Minister, how long has there been a worrying and pervasive poor culture across ACT public health?

**MS FITZHARRIS:** I do not think a precise timeline can be put on it but I note that in his statements upon the release of the report Mr Reid indicated that it was decades.

**MISS C BURCH:** Minister, what areas of ACT Health have you targeted as requiring the most urgent attention?

**MS FITZHARRIS:** There are a number of areas within ACT public health services that require some work on their culture. That is absolutely the case. Members will be aware that Mr Reid indicated that he would write to me about these areas. He has done so and I have had the opportunity to discuss this with the culture review oversight group, which met for the first time last week.

**MRS DUNNE:** Minister, why have successive Labor governments over the past 18 years allowed poor culture to fester in ACT Health?

**MS FITZHARRIS:** I disagree with the premise of that question. Last week we had the first meeting of the culture review oversight group, from which there was a communique. It was an excellent meeting. We agreed on a number of issues, but one of the more important ones was to invite four additional members to join that oversight group. I will be delighted to welcome them into the group for its next meeting in June.

### **Municipal services—Heritage Library**

**MS CODY:** My question is to the Minister for City Services. Minister, how does the relocation of the ACT Heritage Library help the government to preserve Canberra's history?

**MR STEEL:** I thank Ms Cody for her question. I was delighted to open the new ACT Heritage Library last month. The relocation represents the ACT government's continuing commitment to preserving the rich history of our city and providing better facilities for the community to engage with the ACT's heritage. The ACT Heritage Library helps tell the stories of Canberra's people and history, and this larger space will help house the ACT's growing and unique collection of irreplaceable items.

The library collects and stores a variety of different documents including newspapers, photographs, maps, books and diaries as well as digital material and microfilm. The previous location at Woden library was reaching 96 per cent capacity, so the relocation will provide the library with secure and expanded storage so that they can continue their fantastic work.

The larger space at the ACT Heritage Library at 255 Canberra Avenue in Fyshwick will provide more opportunities to have regular displays in the library, providing better opportunities to showcase our history. During the Heritage Festival on at the moment the exhibition *Track me to the moon* is now displaying records of Canberra's very significant contribution to the moon landings.

The ACT government Heritage Library is also collocated with Archives ACT. Archives ACT is a fantastic resource for those who want to learn more about our city's rich history. There is a space for Canberrans to engage with these records in the reading room as well.

Another excellent service provided by our libraries is the ability to look back through digitised newspapers from the past, and the heritage library should be recognised as a

significant contributor to the trove project nationally. If you were to search the births, deaths and marriages of digitised newspapers for this very day about 40 years ago you might find the birth of a very significant member of this place. Happy birthday, Ms Cody.

**MS CODY:** Minister, what will the previous location of the Heritage Library be used for?

**MR STEEL:** I thank Ms Cody for her supplementary question. Previously the Heritage Library was located at Woden on the mezzanine level. As the population of Woden grows, I am pleased that the relocation of the Heritage Library into its new premises at Fyshwick will provide more community space in the Woden town centre while we continue to plan for a new community centre for Woden.

There is significant demand on the south side for larger community spaces for meetings and activities. The previous location of the Heritage Library will be opened up to allow for the community to use the space and for Woden library to deliver its variety of programs, such as language and English conversation; health, wellbeing and support; parents groups; hobby groups; business meetings and workshops; community council meetings; and government meetings and consultations in the future.

I have also asked Libraries ACT to explore ways that community groups can access the other community space at Woden library, once occupied by Access Canberra, so that this section of Woden library can be opened up after hours and more community groups are able to use the space available.

**MS ORR:** Minister, what are the broader benefits of this relocation?

**MR STEEL:** I thank Ms Orr for her supplementary. While this relocation will ensure the ongoing preservation of and access to the documentary heritage of the ACT community, there are also broader benefits for the Canberra community now and into the future. One of the considerations of the relocation is that Canberra's population is growing and our heritage collection is growing with it.

The new location provides room for the collection of diverse publications, archival collections, images, maps, plans and books for community use. I know they are always interested in getting more material that is significant to the ACT's heritage.

The new space also provides additional safety for the stored records, which are located in a box within a box, with fire retardant walls and climate control to manage both temperature and humidity conditions for often fragile paper and other materials.

At the new location, parking will also be convenient, with some free parking nearby and unmetered two-hour parking adjacent to the Heritage Library in Fyshwick, thus making the library accessible. I believe that at the commencement of our new bus network, it will be the No 2 bus that people will be able to catch to access the library on our new network 19 bus system.

### **ACT Health—NGO funding**

**MR PARTON:** My question is to the Minister for Health and Wellbeing. Non-government organisations have been waiting to hear from ACT Health about variations to funding agreements by the end of last month. ACT Health has now advised NGOs that it hopes to finalise negotiations by the end of April to ensure that the new arrangements are in place by the end of June. What are the reasons for the delays in finalising negotiations with health non-government organisations?

**MS FITZHARRIS:** I am aware that there are ongoing discussions with a range of very important NGO partners. I will take the question on notice.

**MR PARTON:** Minister, will you guarantee that ACT Health will finish negotiations by the end of April and that all funding agreements will be in place by the end of June?

**MS FITZHARRIS:** I certainly expect that all funding arrangements will be in place by the end of June, and I will take specific advice on the exact time for when negotiations will conclude.

**MRS DUNNE:** Minister, when will health non-government organisations have certainty in funding?

**MS FITZHARRIS:** They have certainty in funding. I know that there was significant work undertaken with the NGOs towards the end of last year about ongoing certainty for them in funding over multiple years. I was very pleased to be able to provide them with that level of certainty. I will take the previous questions on notice and believe that that will answer Mrs Dunne's subsequent question as well.

### **ACT Policing—assault victims**

**MS LEE:** My question is to the Minister for Police and Emergency Services. When victims of sexual assault or domestic violence come forward what is the procedure and training for frontline staff in how to handle those allegations?

**MR GENTLEMAN:** I thank Ms Lee for her important question. I have been working with ACT police over the past 14 years in regard to domestic violence, particularly the sorts of violence Ms Lee raised, both in my role as a white ribbon ambassador and in my current role as Minister for Police and Emergency Services. There are a number of detailed operational matters that police are involved with when it comes to the reporting and investigation of these sorts of actions. They take a long-term and very detailed approach to ensuring the safety of particular people in these situations and ensure that their wellbeing is looked after at the same time.

They are involved with a number of Canberra groups that assist people in these situations; the Canberra Rape Crisis Centre is a very good example. There is a whole team in ACT Policing dedicated to this sort of work. Every officer is trained in, if you like, personal situations with family violence and those sorts of matters.

In regard to the detail of the operations, that is up to police. It does change not regularly but it does change from time to time. Dedicated officers are also on board and ready to respond.

**MS LEE:** Minister, how are anonymous allegations of domestic violence or sexual assault handled by front-line staff?

**MR GENTLEMAN:** All reports to ACT police are taken as reports and investigated from there on.

**MRS JONES:** Minister, is support provided to front-line staff who deal with these types of complaints whilst also supporting the investigation into these serious allegations?

**MR GENTLEMAN:** Yes. We have health and wellbeing officers embedded in ACT Policing. There is a general theme for ensuring the safety of all front-line police as they operate on the ground, whether it is in these matters or other matters of policing. That is followed up with the health and wellbeing officers as well.

### **Centenary Hospital for Women and Children—unauthorised examinations**

**MRS DUNNE:** My question is to the Minister for Health and Wellbeing. Minister, nearly 12 months ago you received an anonymous letter from nurses and midwives at the Centenary Hospital for Women and Children. In it they said:

It is only a matter of time before there is an adverse outcome for a mother, baby or staff member.

On 7 February this year a patient at the Centenary hospital complained that she was forced into a vaginal examination without her consent. Minister, could you have done more to prevent this alleged assault from occurring?

**MS FITZHARRIS:** There has been significant work undertaken, particularly in maternity services, over the past 12 months. What I have done is to ensure that there is proper governance and leadership in both Canberra Health Services and our ACT Health Directorate.

I was very clear also that we needed to relieve some of the pressure on the Centenary hospital, which is why I insisted upon an upgrade to and an expansion of the Calvary public hospital's maternity capacity. That has since opened and is now wonderfully being able to take up more women across Canberra to have their babies.

A range of activities is underway prompted by the submissions to the maternity services inquiry. They have been part of the discussions in maternity services over the past 12 months. I have paid close attention both to those matters and to expanding and improving the access to and the quality of maternity services in the ACT.

Members may also be aware that we have released for public consultation the ACT's approach to public maternity services. That work has also been underway over the past 12 months, particularly with the Women's Centre for Health Matters, who undertook a significant level of stakeholder consultation to inform the development of this new model of care. This is a very exciting opportunity for women in Canberra, and I encourage anyone who may want to make a submission to the current broader community consultation to do so. It is a wonderful new model and I think it will continue to serve Canberra women and their families very well.

So a range of matters has been followed up. We will continue to do so because—  
(*Time expired.*)

**MRS DUNNE:** Minister, why is it the case that there does not seem to be the capacity for front-line staff to follow up such serious allegations as that which the health service received on 7 February?

**MS FITZHARRIS:** I do not agree that there is not the capacity. I certainly know that the staff in our maternity services, particularly at Centenary, work extremely hard. They are highly valued by the Canberra community. I know that there is also significant data available that speaks to the quality of outcomes from Centenary hospital.

Some of that data has been provided to the maternity services inquiry and I have encouraged Canberra Health Services to make more data available through the context of that maternity services inquiry so that the Canberra community can be in no doubt about the very high quality of care and the very good data that is available that demonstrates this very high quality of care.

I certainly take a complaint seriously but what I also take seriously is the feedback we have, which is overwhelmingly positive, about the staff who undertake our really important work caring for women, families and babies 24 hours a day, seven days a week. I balance appropriately my concern about individual complaints with the ongoing wellbeing and support of Canberra Health Services staff.

**MS LAWDER:** Minister, have you contacted the person who contacted you on Saturday about this matter?

**MS FITZHARRIS:** As I indicated yesterday, that contact was made anonymously. I have had discussions with my office and I will follow up on that.

**Mrs Dunne:** Point of order. Just by way of clarity, the person who contacted Ms Fitzharris on Saturday contacted her by email. The question was: has she responded to it?

**MS FITZHARRIS:** It is certainly the plan that my office is to respond. I will take advice on whether that has occurred. Madam Speaker, I would be clear that, as the opposition know, the signature was "Anonymous". It is also the case that I do respect initially—I absolutely do respect—someone who signs off an email as "Anonymous".

## **Children and young people—out of home care**

**MS ORR:** My question is to the Minister for Children, Youth and Families: what is the government doing to ensure that the voices of carers are heard in the out of home care system?

**MS STEPHEN-SMITH:** I thank Ms Orr for her ongoing interest in the role of carers in our out of home care system. The government is committed to hearing the voices of kinship and foster carers in the ongoing implementation of our five-year out of home care strategy, A step up for our kids. Carers play a critical role in delivering trauma-informed care to some of the most vulnerable children and young people in our community.

In 2017 we formalised the role of the carer wellbeing subcommittee within the governance arrangements for A step up for our kids to ensure that kinship and foster carers have a direct role in influencing the implementation of the strategy. The role of this subcommittee is to monitor and report on the wellbeing of carers, advise on strategies to support the role of carers within the strategy and monitor how the strategy impacts on the carer experience. On this subcommittee carer representatives sit alongside representatives from ACT Together, Carers ACT and the Community Services Directorate. The subcommittee reports to the joint governance group which oversees the implementation of A step up for our kids.

In February I had the opportunity to attend a meeting of the subcommittee to discuss the outcomes of the recent carer survey which the group commissioned. The survey provided an opportunity to hear directly from carers about their experiences and the circumstances which make caring either easier or more stressful. More than 200 carers responded to the survey, and I appreciate the time they took to share their views and experiences.

The findings were mixed and certainly point to a number of areas where improvements are required to better support carers in their role, particularly in the area of communication and involvement in decision-making. The carer wellbeing subcommittee and partner agencies across A step up for our kids are committed to addressing the findings of the survey and to improving carers' experiences and, by extension, the care they offer children and young people.

**MS ORR:** Minister, What action has the ACT government taken to ensure that carers are supported in their role?

**MS STEPHEN-SMITH:** I thank Ms Orr for the supplementary. The ACT government is committed to supporting kinship and foster carers in a role that is extremely rewarding but also very challenging. Under A step up for our kids the government has introduced a range of supports, including trauma-informed training for carers and independent carer advocacy through Carers ACT. As I mentioned earlier, the recent carer survey showed that there is more to be done, including better access to clear and timely information as well as support for carers to care for the children and young people they look after.

The government recently launched a new handbook for carers which provides comprehensive information about being a kinship or foster carer in the ACT. The carer handbook provides clear information about child protection processes. Specifically it includes information about what to expect as a kinship or foster carer; how the out of home care system works in the ACT; caring for a child who has experienced trauma; working with Child and Youth Protection Services and ACT Together case managers and staff; the importance of carers looking after themselves; and the supports and services available to carers and the children in their care. The carer handbook has been developed by the Community Services Directorate in partnership with ACT Together and Carers ACT and in consultation with kinship and foster carers. It is now available on line and all carers will receive a hard copy of the handbook in the next couple of weeks.

The ACT government has also taken a decision to continue grandfathered subsidies for carers that were due to expire in June this year. Carers who are impacted by this change will receive a letter in the coming days with further information, if they have not already. The continuation of these grandfathered subsidy arrangements is one more way that we are recognising the importance of stability for children and young people and the support that carers provide for them.

**MS CHEYNE:** Minister, given the sometimes unexpected nature of kinship care, what other support is being provided to kinship carers?

**MS STEPHEN-SMITH:** I thank Ms Cheyne for the supplementary. A step up for our kids prioritises the placement of children and young people with kin over other forms of available care, where this is possible and where it is in the best interests of the child or young person. We know that this can place a strain on family members as they take on new roles as primary carers.

Through A step up for our kids, we have developed specific programs to support kinship carers. This includes child and youth protection services partnering with the Australian National University to deliver the connect for kinship parents program, which was launched in early 2018.

The connect for kinship parents program is a nine-week strengths-based program that utilises a trauma and attachment-informed approach to support kinship carers of children aged eight to 16 years. Each week of the program covers a new principle relating to kinship parenting, attachment and child development. Carers can flexibly apply these principles, and feedback to date has been extremely positive.

The program targets the building blocks of secure attachment, specifically: reflective parenting, that is, awareness of your own and the child's mental states, including feelings, desires and thoughts, and how these underpin behaviour; parenting sensitivity, that is, being tuned in, open and attentive to children's feelings and thoughts and responding in a way that promotes a safe haven and secure base; emotional regulation within the relationship, utilising the relationship as a context in which the child can manage difficult emotions and feel supported; and shared partnership, joining with the child to promote emotional reciprocity in the relationship.

The evidence base supporting best practice in child protection and out of home care is constantly evolving. This program also forms part of a research project conducted by the ANU that will evaluate the immediate and long-term effects of the program on child and carer wellbeing, the quality of carer-child relationships and placement stability.

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

### **Supplementary answer to question without notice Centenary Hospital for Women and Children—unauthorised examinations**

**MS FITZHARRIS:** As I indicated throughout my answers, I will be making a full statement to the Assembly in May regarding the issues that have been raised over the previous two question times. In addition, I want to follow up on one question that was asked in the final question from the opposition: yes, there has been an acknowledgement of the email sent to me on Saturday and a subsequent follow-up from my office that was quite specific to the original sender of the email.

### **Public administration—whistleblower protections**

**MR COE** (Yerrabi—Leader of the Opposition) (2.56): I move:

That that this Assembly:

(1) notes:

- (a) the need for stronger legislative whistleblower protections in the ACT;
- (b) the current processes are complex, lengthy, and often require legal expertise to navigate;
- (c) that integrity and confidence in public administration should be a high priority for the ACT Government;
- (d) the need for a review of the effectiveness of the *Public Interest Disclosure Act 2012* has been repeatedly raised and agreed to during this Assembly;
- (e) the Government agreed to Recommendation 78 of the Select Committee on an Independent Integrity Commission's report tabled on 31 October 2017, *Inquiry into an Independent Integrity Commission*;
- (f) Recommendation 78 of the *Inquiry into an Independent Integrity Commission* report states:

the Committee recommends that the ACT Government appoint an independent person to conduct a statutory review of the *Public Interest Disclosure Act 2012* (the PID Act). The Review, amongst other things, should consider: (a) any potential conflict of interest (real or perceived) as it concerns decision makers and disclosure officers under the PID Act; (b) the findings of the Moss Review examining the operation of the Commonwealth *Public Interest Disclosure Act 2013* as it concerns the strengthening of that legislation to achieve the Act's integrity and

accountability aims; (c) the matters raised in submission No 3 (as detailed in paragraph 3.162) to the Inquiry as it concerns the PID Act; (d) application of the PID Act to any future ACT Anti-Corruption and Integrity Commission (ACIC)—in particular, its articulation with any protected disclosure provisions that may apply to any informants providing assistance to the ACIC or anyone consequently at risk; and (e) the suitability of an ACT ACIC for the purposes of receiving disclosures pursuant to the PID Act;

(g) the Government agreed to Recommendation 54 of the Select Committee on an Independent Integrity Commission 2018's report tabled on 31 October 2018, *Inquiry into the establishment of an integrity commission for the ACT* report; and

(h) Recommendation 54 of the *Inquiry into the establishment of an integrity commission for the ACT* report states:

the Committee recommends that the ACT Government establish a comprehensive review of the *Public Interest Disclosure Act 2012* as soon as is possible with the aim of having changes implemented by 2020; and

(2) calls on the Government to:

(a) commence an independent review of the existing whistleblower mechanisms, including the PID Act, by 1 July 2019 and take into consideration relevant recommendations from interjurisdictional reports and the operation of the ACT Integrity Commission;

(b) work with the independent reviewer to facilitate appropriate consultation with interested parties, including the ACT Integrity Commission and members of the public;

(c) table the final report of the independent reviewer no later than the last sitting day of October 2019; and

(d) present final legislation during the first sitting week of 2020.

Madam Speaker, it is clear that the current whistleblower processes and opportunities are not working. It is extremely difficult for individuals to call out behaviour that is unethical or perhaps even illegal in the ACT. You should not need to engage a lawyer before you can bring something to the attention of somebody in authority, especially for serious governance issues that we have seen in the territory. I am amazed that nobody seems to have come forward. That is not because I think that everybody thought what was happening in the LDA was okay but more because nobody felt comfortable or confident enough to speak out. We have heard reports that individuals who do make complaints have been intimidated, harassed or discriminated against, suffered disciplinary action or even lost their jobs for speaking out. This is unacceptable.

There is no reason why Canberra, the heart and home of the public service in Australia, should not have the best whistleblower protections for reporting poor behaviour in government. I believe that we in the ACT government should be setting the standard for all other governments to follow. I believe the ACT should be a jurisdiction renowned for its integrity. However, I do not think anybody could say that about us at the moment.

The need for a review of the Public Interest Disclosure Act 2012 has been discussed on many occasions throughout the Ninth Assembly. We have seen recommendations from both select committees that looked into the integrity commission, and we also note that the ACT government agreed to the review in their government response.

The government's proposed amendment to this motion indicates that they have started the process for selecting an independent reviewer. This is a good first step in the right direction towards better processes in the territory. However, I note that the 2018 select committee's recommendation was to have this legislation in place by 2020. I think it is highly unlikely that we are going to get there at the current pace. I hope things accelerate.

The government's proposed amendment to my motion pushes back the time frame for the introduction of the final legislation until June next year. Whilst this is obviously not our preference, we are willing to support this so that at least we get something today. But to all the public servants that have called out unethical behaviour, or perhaps illegal behaviour, within the public service, I thank you. And to all those public servants that know of unethical or perhaps illegal behaviour taking place in the ACT public service, I ask you to let it be known that this is happening.

I believe there is an obligation on all public servants to not only act in an ethical way but also call out anything that they believe is unethical or illegal. That can be done through managers, but often a manager may not be the appropriate person. There are other appropriate channels and other opportunities for people to report such unethical behaviour. We in the opposition hear from public servants who contact us, often anonymously, with concerns about behaviour. We always respect their privacy, we always respect their confidence, and we always check the veracity of those claims.

My motion today and the amendment that I believe the government is going to put forward call for a review with similar parameters. The review should be independent and take into consideration the integrity commission and interjurisdictional reports like the Moss review. The review would consult stakeholders and take public submissions. Importantly, my motion has a defined early deadline for the review and legislation being presented in the Assembly.

I note with concern that the government's amendment fails to provide a due date for the report. Instead, they only have to commit to providing an update by the end of the year. There is a risk that this open-ended date would push the introduction of the legislation and consultation back even further. I hope that the Chief Minister, when he speaks to this, will be able to give some assurance as to when he expects the final report to be presented.

The Canberra Liberals are committed to doing everything we can to ensure that we have integrity in the public service. It is my view that the vast majority of public servants operate with extreme integrity and dedication to the ACT. That is why it is disappointing when you get a handful of people that do the wrong thing and tarnish the reputation of everybody else. That is what makes it so important that we call out unethical or illegal behaviour when it takes place.

The Canberra Liberals are committed to integrity, and we are committed to ensuring that whistleblowers, brave whistleblowers, are listened to and protected. We hope that this motion today will provide further assurance to potential whistleblowers and past whistleblowers that we respect them and, importantly, that it will result in action from the government.

**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) (3.03): I welcome the opportunity to speak on the Leader of the Opposition’s motion. I move the amendment circulated in my name:

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

“(1) notes:

- (a) the need for a strong public interest disclosure (PID) framework in the ACT;
- (b) that current PID processes are sometimes complex, lengthy, and often require legal expertise to navigate;
- (c) that integrity and confidence in public administration is a high priority for the ACT Government;
- (d) the ACT Government has consistently demonstrated its commitment to transparency and integrity in public administration through reforms to Freedom of Information rules, the establishment of the ACT Integrity Commission, and reforms to political donation laws;
- (e) the need for a review of the effectiveness of the *Public Interest Disclosure Act 2012* (the PID Act) has been raised and agreed to during this Assembly;
- (f) the Government agreed to hold a review into the PID Act in response to Recommendation 78 of the Select Committee on an Independent Integrity Commission’s report tabled on 31 October 2017, *Inquiry into an Independent Integrity Commission*, and the Government agreed that the issues for consideration in that review would include:

relationships between existing integrity bodies in the ACT, including the sharing of information and the referral of complaints; oversight and accountability mechanisms; and identifying gaps in the current framework to determine solutions;

- (g) Recommendation 78 of the *Inquiry into an Independent Integrity Commission* report states:

the Committee recommends that the ACT Government appoint an independent person to conduct a statutory review of the Public Interest Disclosure Act 2012 (the PID Act). The Review, amongst other things, should consider: (a) any potential conflict of interest (real or perceived) as it concerns decision makers and disclosure officers under the PID Act; (b) the findings of the Moss Review examining the operation of the Commonwealth Public Interest Disclosure Act 2013 as it concerns the strengthening of that legislation to achieve the Act’s integrity and accountability aims; (c) the matters raised in submission No 3 (as detailed

in paragraph 3.162) to the Inquiry as it concerns the PID Act; (d) application of the PID Act to any future ACT Anti-Corruption and Integrity Commission (ACIC)—in particular, its articulation with any protected disclosure provisions that may apply to any informants providing assistance to the ACIC or anyone consequently at risk; and (e) the suitability of an ACT ACIC for the purposes of receiving disclosures pursuant to the PID Act;

- (h) the Government acknowledged that the PID Act should be reviewed in response to Recommendation 54 of the Inquiry into the establishment of an integrity commission for the ACT, that the review would need to be conducted in the context of the Integrity Commission Bill and the new ACT Integrity Commission, and any legislative amendments would be subject to an assessment of legislative priorities;
- (i) Recommendation 54 of the *Inquiry into the establishment of an integrity commission for the ACT* states:
  - the Committee recommends that the ACT Government establish a comprehensive review of the Public Interest Disclosure Act 2012 as soon as is possible with the aim of having changes implemented by 2020;
- (2) further notes the ACT Government has already commenced the process for selecting an appropriately qualified person to lead an independent review of the existing PID framework in the ACT; and
- (3) calls on the Government to implement a phased approach to updating the existing PID framework in the ACT, which includes:
  - (a) commencing an independent review of the existing PID framework in the first half of the 2019 calendar year which takes into consideration the relevant recommendations of the Moss Review and the practical operation of the ACT Integrity Commission which commences on 1 July 2019;
  - (b) working with the reviewer to develop an appropriate timeline for the review that allows for proper consultation with all interested parties, including the ACT Integrity Commissioner, and the ability to take submissions from the public on the operation of the existing PID framework;
  - (c) updating the ACT Legislative Assembly before the end of the 2019 calendar year on the progress of the independent review;
  - (d) consulting on draft legislation reflecting the recommendations of the independent review, including with the relevant Assembly Committee; and
  - (e) presenting final legislation reflecting the recommendations of the independent review to the ACT Legislative Assembly by June 2020.”.

It is important that Canberrans continue to have confidence in public administration in the territory, and we are committed to delivering on that. This government has consistently delivered open, transparent and accountable administration and has consistently demonstrated a strong commitment to transparency and integrity in public administration in the territory.

We have done this by recently passing legislation to establish the ACT Integrity Commission, through reform of our freedom of information laws, and by introducing legislation to ban political donations from property developers. An independent review of the ACT's public interest disclosure regime is an important next step in ensuring our integrity framework remains best practice. I am pleased to advise the Assembly that we have already begun taking the necessary steps to get that review underway.

The Public Interest Disclosure Act is an important component of the integrity framework. It provides protections for individuals making disclosures about maladministration and wrongdoing in the public sector. Back in June of 2012, as Deputy Chief Minister, I introduced the Public Interest Disclosure Bill into the Assembly and it passed later that year. At that time I observed that under the ACT's public interest disclosure regime anyone who observed wrongdoing in the public sector would be able to make a disclosure about that conduct and that this reflected the proximity of the Canberra community to the services provided by government.

Then and now, this ability for anyone who observes wrongdoing in the public sector to disclose such conduct is an important part of ensuring open, transparent and accountable administration. The establishment of the ACT Integrity Commission involved extensive consultation with stakeholders and, of course, two select committees of inquiry in this place. On more than one occasion it was highlighted that a review of the ACT's public interest disclosure regime would be appropriate in the context of the new Integrity Commission.

In February 2018, in response to recommendation 78 of the inquiry into an independent integrity commission, the government agreed to conduct a review of the ACT's public interest disclosure regime. At the time we said the review would examine the relationships between existing integrity bodies in the territory, including the sharing of information and the referral of complaints, oversight and accountability mechanisms, and identifying gaps in the current framework to determine solutions.

Last year, in response to recommendation 54 of the inquiry into the establishment of an integrity commission for the ACT, the government agreed to conduct a review. We said the review would need to be conducted in the context of the integrity commission bill and, of course, the new Integrity Commission and that any legislative amendments would be subject to an assessment of legislative priorities.

There is of course a direct link between the ACT's public interest disclosure regime and the ACT Integrity Commission, and it is important that we in this place understand how these two parts of our integrity framework interact. We need to ensure that they are both working effectively and efficiently together. Therefore, it is important that this review is conducted in the right way. We need to make sure that the independent reviewer considers relevant legislation and human rights compatibility, previous review reports, the select committee reports and, of course, relevant research in this field.

It is important that the person appointed to conduct this review is given adequate time to undertake the necessary consultations. This will include consulting with the newly appointed ACT Integrity Commissioner, a process that has been somewhat set back in recent days. Consultation with the newly appointed Integrity Commissioner and the taking of submissions from the public on the operation of the current PID regime are an important part of the review.

In that context, I intend to make sure that the independent reviewer is appointed and commences their review in the first half of this year. I advise members that the process for that appointment is now very well advanced. We will work with the appointed person to establish a time line for the delivery of their report and recommendations for improvement.

It is important that the reviewer be involved in determining the appropriate time line for this review. However, given the importance of the review and the Assembly's interest in the matter, I will provide an update to the Assembly before the last sitting day of the year, in November. I state clearly that it is our intention to present amending legislation, based on the findings and recommendations of the review, for consideration of the Assembly by June 2020. If it can be done sooner, we will certainly do so. This time frame will allow for proper consideration of the issues and include consultations with the relevant Assembly committee on the draft legislation. It is important to put on the record that it is our intent that there will be time for the relevant Assembly committee to be consulted on the draft legislation.

It is important that the ACT's integrity framework remains best practice, and this review is an important part of ensuring that. I certainly appreciate the opportunity the motion has given me this afternoon to update the Assembly on this important area of work for the government. We look forward to that work commencing very soon and being completed possibly ahead of the time frames we set, but I do note the importance of engagement both with the Integrity Commissioner, when appointed, and key stakeholders, and this Assembly's right to look at the draft legislation through the relevant committee before we ultimately make a determination as members on a piece of legislation. I commend my amendment to the Assembly. I thank the opposition leader for his indication of support for the amendment in his opening remarks.

**MS LE COUTEUR** (Murrumbidgee) (3.10): It will not come as a surprise to anybody that, given the Greens' commitment to transparency and integrity in government, the Greens are strong supporters of whistleblower protection legislation. The Greens have been long-term advocates for public interest disclosure reforms. In fact, the 2012 legislation was as a result of the first Labor-Greens parliamentary agreement from 2008.

We believe it is extremely important for public servants and others with relevant information to be able to report issues of potential corruption or similar public accountability issues. At the moment public interest disclosures, or PIDs, can go to the Ombudsman, the Auditor-General or the Public Service Standards Commissioner for examination. It is important that the public is able to depend on this process being

robust and trustworthy. Together with these other accountability mechanisms, we believe there is a reasonably robust framework to ensure public accountability.

The Integrity Commission legislation allows us to also have a place for more systemic corruption to be examined. Hopefully, it will come into operation in July this year, pending agreement on a commissioner. I note the comments in the *Canberra Times* today. The Greens agree that it is important for us to review the existing PID legislation. The review needs to, firstly, assess whether the system is working and, secondly, how it will interact with the Integrity Commission. This is one of the recommendations of the select committee examining the details of the Integrity Commission, and we are pleased to reiterate the Greens' support for this review today.

The legislation commenced in the ACT in early 2013, so we have had six years of it being in place. While I understand that there have been quite a few PID referrals over the years, from the outside it is hard to know whether matters are being resolved and resolved satisfactorily. When the PID legislation was debated in 2012 the Greens raised a few issues that were outstanding from the legislation then, and we hope these issues might be re-examined through this review process.

One issue was the lack of compensation for public servants who may have suffered detriment as a result of their speaking out. I understand the UK has best practice compensation mechanisms, but in Australia we are reliant on federal changes to workplace relations legislation before we are able to allow this in the ACT. I repeat our 2012 call for the ACT government to raise this issue with federal colleagues to instigate commonwealth reforms. A key part of this is recognising public interest disclosure as a workplace right under the Fair Work Act. Given that we have agreement in the ACT Assembly from both the Liberal and Labor parties, I hope this matter can progress regardless of which party becomes the federal government after the soon-to-be held election.

In terms of Mr Coe's motion before us and the process set out in the government amendment, the Greens strongly support putting a clear timetable to the review process, given that all parties agreed to the recommendation of the integrity commission select committee last year that a statutory review of the PID legislation be undertaken. The timetable set out in the amendment allows for the review and the legislation to be passed in this term of the Assembly. We started discussing this time line in more detail in February, and members will note that this motion was on the notice paper to be debated in the February sitting period but this debate did not happen.

We are really pleased the government has gotten on with the job of getting this review underway in the meantime, thus making this motion possibly a little superfluous. But it allows the Assembly to restate its commitment to this legislation and to better understand the time line and what is involved in the updating. We understand the time line allowed a longer period for the reviewer to be engaged. This was discussed in February, and we understand that the process to appoint a reviewer is underway and the reviewer will be announced very soon.

The time line also allows the reviewer to liaise with the new Integrity Commissioner, and we believe it is vital that these processes interact positively and productively. However, as members would be aware, at this point there appears to be a significant hold-up in the appointment of the Integrity Commissioner, according to the *Canberra Times* report. Given that this looks like it may not occur in this sitting period, this is a concern both for the Integrity Commission commencement in July but also for the PID reviewer to be able to do their work.

When we discussed this issue with the government in February we were also keen to see a public consultation process integrated as part of the review, as it is key that any people who may have lodged PIDs over the past six years are able to give their feedback to the reviewer on their experience of using this process. As we can see in Mr Barr's amendment, this community consultation has been incorporated into the plan and the time line. However, we are not convinced that a public inquiry process is necessarily the best way to air those concerns, given that the whole point of the scheme is to protect whistleblowers. Instead, we have asked that the committee report back to the Assembly by the end of this year on the progress of the review.

The process requires the final legislation to be presented to the Assembly by the June sitting next year, allowing for the relevant committee to examine draft legislation and for the Assembly to be able to pass the legislation, if it so desires, within this term. We are very pleased to see the review process get underway, and the Greens will support this motion as amended.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **Recreation—gaming and e-sports**

**MR PETTERSSON** (Yerrabi) (3.17): I move:

That this Assembly:

- (1) notes the rise in popularity of e-sports and its potential as the future of gaming and sport as evidenced by:
  - (a) sales of video games were projected to hit US\$138 billion in 2018;
  - (b) e-sports is projected to become a US\$1.5 billion industry by 2020 with a global audience of 600 million;
  - (c) inclusion in the Asian Games as a demonstration sport in 2018 with discussions underway to make e-sports an official sport of the 2022 Asian Games; and
  - (d) in 2017, 60 million viewers of the final series of just one popular e-sport, compared to the National Basketball Association finals in America averaging 20 million per game over a seven game series;
- (2) also notes the potential partnerships for e-sports in the Capital, including:
  - (a) the strong popularity of e-sports in the Asian market and among our target international engagement demographics;

- (b) the potential synergies for advertising Canberra as a foreign student destination;
  - (c) assisting with bringing greater attention to Canberra and working toward Canberra's International Engagement Strategy, including direct flights; and
  - (d) partnerships with local gaming industry to build Canberra as an investment location for gaming studios; and
- (3) calls on the ACT Government to investigate the potential of developing an e-sports strategy to attract tournaments and promote local economic growth.

I rise today to call on the ACT government to investigate the potential of developing an e-sports strategy, with the goal of attractive tournaments and promoting local economic growth through video game development. In the last five years we have seen an unprecedented boom in the electronic sports sector both worldwide and in Australia. A decade ago you could play games competitively amongst friends to win a small pool of money. Video games lacked sophistication and polish.

Quite rapidly, the video game industry began to create better graphics and more complex games, allowing more players to participate, which for some turned the hobby into a profession. The video games industry generated just shy of \$138 billion in 2018, marking an 11 per cent increase in market value over the year. But it is not just big gaming companies that are profiting from this e-sports boom. Just last year a Melbourne teenager took home \$3 million after winning a defence of the ancients tournament, placing his earnings above some of Australia's top sports stars.

No longer are e-sports tournaments held in internet cafes or in basements. We have seen the e-sports industry grow to a standard where tournaments are hosted at Olympic stadiums, with the League of Legends World Championship in 2017 drawing a crowd of 40,000 to the Bird's Nest in Beijing.

The popularity of e-sports can be attributed to the fact that they are cheap and easily accessible. Many games are free and fuelled by micro-transactions, with most revenue coming from gaming on mobile devices. *Fortnite*, the game that took the whole world by storm last year, surpassed \$500 million in revenue. E-sports still have a lot of growing to do. Tournament viewings, such as at the League of Legends Championship, have doubled in a year. The market growth reflects this. It is projected to climb at an annual growth rate of 23 per cent.

The majority of this marketing revenue comes not only from ticket sales but also from merchandise, advertising and, increasingly, media and sponsorships. Broadcasting deals with streaming services such as Twitch have the potential to grow the industry at exponential rates, with Twitch's streaming deal for the tournament Overwatch League generating \$90 million over two years.

Interestingly, we have seen the e-sports industry shift to a model where viewers are now able to support their local e-sports teams. Currently being trialled in the US, the Overwatch League tournament assigns its teams a home city, with the company

looking to build local interest by holding matches in each city in the near future. This model operates in much the same way that an individual is able to support their local football team and occasionally go along to watch them play live and purchase their merchandise to show their support.

Just recently, Philadelphia's Overwatch League team announced its plans to build an e-sports arena to host its matches, the first dedicated stadium for e-sports in the United States. Relevantly, the decision was made to build the stadium in the same precinct as the city's NFL and NBA sports complex, with the expectation that the stadium will house a training facility and a broadcast studio so that they can operate in the same way that other sports stadiums run.

However, e-sports investment is not new. In fact, the 1990 Nintendo World Championship toured across 30 cities of the United States. The finalists competed for a \$10,000 prize, a 40-inch television, and a gold-painted Mario trophy. Ten years later, in our neck of the woods South Korea took the lead by establishing the Korea e-Sports Association, an arm of the ministry of sports and tourism, with the goal of solidifying the commercial position of e-sports. This forward-thinking move by the South Korean government has allowed the country to participate in and benefit from the growth of e-sports, with its video game market currently generating approximately \$5 billion. For South Korea, e-sports has become a mainstream sport.

E-sports has been broadcast on TV in South Korea for 18 years now. It is quite commonplace for families and friends to watch a tournament in the evening, in much the same way that many of us will watch our traditional sporting teams play. In 2005 the world's first e-sports stadium was built in the Yongsan district. It has since become a mecca for every e-sports fan, with the region drawing in thousands of fans every year for its championship tournaments.

What the examples of the US and South Korea make clear is that, as e-sports become more and more of a mainstream sport, fans are increasingly willing to travel to watch tournaments. The Asian Games included e-sports as a demonstration sport in 2018 and it will become a medal event in 2020, which will undoubtedly draw not only more people to the games but a more diverse audience.

Given our close proximity to Asia and current partnerships with the region, it is common sense for the ACT government to engage with the e-sports industry. There are a multitude of economic and social benefits that we will be able to attract that come in the form of research and development as well as benefits to our tourism sector. The Victorian government has already identified the potential of e-sports as a strategy to lure tournaments to Melbourne. The Melbourne Open, which is very different from the Australian Open, is set to reel in \$25 million over the next five years and will give Melbourne great exposure right around the region.

Madam Assistant Speaker, I am calling on the ACT government to investigate the potential of developing an e-sports strategy. I strongly believe this presents an opportunity for Canberra to become an Australian leader in this sector and hopefully grow our visitor economy. Canberra already has strong recognition as a university city, with high numbers of international students and a young population making the

ACT the right place for the development of the Australian e-sports industry. This is a sector that is only going to grow more and more in the foreseeable future. We need to strike while the iron is hot.

The e-sports industry is beginning to gain recognition in other global cities. For the ACT to become an industry leader in the region, we must act soon. There is vast potential for the ACT to become a tourism hub in the sector for the Asia-Pacific region. This will align with our international engagement strategy in diversifying our local economy and delivering smart city initiatives. The Canberra international engagement strategy makes clear that we are striving towards education, research and tourism partnerships with China, the US and greater Asia, and an e-sports strategy that includes attracting tournaments from overseas would make headway on this goal.

An e-sports hub in the ACT is also a smart move. It would mean hundreds of new jobs for Canberrans in research and development, infrastructure and education in electronic gaming. An e-sports strategy in the ACT will benefit both our education and tourism sectors, while creating a multitude of local jobs for Canberrans. That is why I call upon the members of this place to support the motion.

**MR MILLIGAN** (Yerrabi) (3.26): I take this opportunity to thank Mr Pettersson for raising this important matter. Many of us here in the Assembly have a personal interest in e-sports. This motion has elevated that interest for discussion in this chamber. His motion also notes potential links with Canberra and opportunities for us to exploit this new market for tourism and growth. But that is where my praise ends.

The wording and evidence used in Mr Pettersson's motion were a bit of a concern. There were so many references to American dollars and American examples of e-sport. At first I thought it was Mr Pettersson's other interests that led him to this strange argument. But then I googled some of the facts he listed and I found a report he may have well used to mount his case. Madam Assistant Speaker, I seek leave to table this article for everyone's reference. It is an American article that has clearly been such an inspiration for Mr Pettersson's motion today.

Leave granted.

**MR MILLIGAN:** I table the following paper:

eSports graduates to the big league: Can the industry help media and entertainment companies access a changing audience?, dated 23 July 2019.

I thank the Assembly. Instead of relying on the American experience, American projections and American comparisons, I extended my research and found some amazing examples right here in our own back yard. This is on top of the many gaming recreational groups I already know of in the ACT and, of course, our emerging technology and gaming industry.

I take this opportunity to share with members some more relevant examples for both the Australian context but more specifically the ACT context. For most millennials and techno-fans, e-sport is not a new thing. E-sport is competitive video gaming that

has morphed into a spectator sport. No longer are these pursuits merely online. E-sports are large-scale tournaments and events that attract thousands of audience members to get involved and to watch the action.

Audience members get to meet the players, watch their skill, learn new tricks for their own gaming and enjoy the atmosphere and arena experience. These tournaments are growing in popularity around the world. We have also seen the emergence of domestic events here in Australia. Last year the Victorian government provided \$4.5 million in funding to host Australia's largest e-sport tournament. The Melbourne Esports Open was a two-day festival that had crowds of more than 10,000. There is already a 2019 waiting list established for the next event.

The Intel Extreme Masters event in Sydney last year was also a massive success. Sixteen international teams battled it out over three days for \$310,000 in prize money. These events are serious business. At a local level, we have an Australian Esports Association that was established in 2013. They are working towards having the sport recognised by Sport Australia, as they know that this formal accreditation will help the credibility and reputation of this sport. A secondary aim is to support high-preference level Australian e-sport athletes and to cultivate more pathways for participation.

We have an Australian Esport League, which focuses on grassroots e-sport for high school students, universities and corporate entities, as well as having an Australian category for us veterans in the community. Alongside this is the Esports Games Association of Australia and New Zealand, which again is focused on growing and legitimising e-sports.

Add to this some of the emerging businesses in this space, like e-sport camps, coaching businesses and competition operators; this really is a growing area. Australia even had its first dedicated e-sports arena opened in inner Sydney, with an old movie theatre retrofitted with an elevated stage and massive LED screens. This venue now hosts competitions using the three most popular games—*Street Fighter*, *Counter-Strike: Global Offensive*, and *Rocket League*. Six teams compete in front of an audience, prize money is awarded and the show is also broadcast on Twitch.tv, where fans can engage and comment on the action. These things are already happening. I am afraid that once again Canberra is falling behind.

Sadly, Mr Pettersson's motion calling on the government "to investigate the possibility of developing a strategy" does not really provide sufficient structure or faith that this important area of sports, tourism and innovation will be assessed. Equally, I believe that the focus of Mr Pettersson's motion is too outward looking.

Instead, I think we can direct much more effort to things happening here in Canberra in local clubs, groups and emerging technology businesses. Mr Pettersson's motion is based on an article, I suspect from the United States, and makes little to no reference to what is happening in our own backyard. It makes no real commitment to investment in this growth area and provides nothing of substance to the gaming community about what the future might entail.

**MS LE COUTEUR** (Murrumbidgee) (3.31): I have to admit to some surprise when I first saw this motion. Given my age, I am not a gamer and I was not aware of any groundswell of community support for an ACT government e-sport strategy, but obviously we live and learn. I am aware, particularly from a stepson, that many people are seriously involved in the gaming community. Regardless of this, the Greens are always willing to explore new and innovative ideas, and we will be supporting this motion without amendment.

I note a motion moved earlier today, Ms Lee's motion about the importance of physical activity in schools, and more broadly the importance of physical activity for everybody and especially young people. E-sports certainly have a place, but we need to make sure that people still do some physical activity, be it sporting or otherwise. That may be an issue with the expansion of e-sports. I understand that e-sports are growing in popularity and that they truly present many opportunities. Beyond the enjoyment that people derive from gaming, they offer participants an opportunity to be someone else, to delve into a different world, to be anonymous.

Competitive gaming, I think we have to acknowledge, suffers from some image problems. The stereotype is of the young, socially isolated man sitting in a dark room eating unhealthy takeaway food. But this is not a fair representation of either the diversity of gamers or the types of e-sports that can be played in open arenas for the enjoyment of spectators, not just players. Gamers are clearly a diverse group, and gaming can be a positive, prosocial activity. It can offer a genuine alternative recreational option, and doubtless creates global connections and friendships.

Video games can be culturally significant, artistically significant and economically significant. They can help shape young minds and tell stories. They form part of our artistic landscape, bridging and feeding into other artistic communities and mediums. The Greens believe that we must have Australian voices and stories conveyed through this medium and we must invest in Australian artists for our industry to grow and thrive.

Despite these positives, there are some major public image, and more than image, issues. The gaming community, and the industry for that matter, has been responsible for some serious and utterly repugnant misogyny. Over the years, the issue of women in gaming, be they creators, developers, animators, commentators or players, has been in the media for all the wrong reasons.

I am advised that there is a massive under-representation of women gamers. For example, women now make up 25 per cent of the US e-sports fan base, but there is still a distinct lack of professional women players at professional gaming events. There are reports of bullying, trolling and doxxing of women gamers. These constitute very serious cyberbullying. The gaming community both here and overseas has seen personal attacks, including threats of rape and death threats.

Women make up a significant proportion of the consumer market, but they are struggling to break into top gaming events and are also, perhaps unsurprisingly, under-represented in game development. The same can be said for female avatars and

characters that have populated some of the games themselves over the years. This is not the time to explore all of the sexist tropes and examples I am advised of regarding gratuitous violence towards women or nudity that have appeared in games for many years.

As a progressive member of the Assembly who I assume has an ongoing interest in this area, I am sure that Mr Pettersson is aware of these issues. Given that that is the case, when conducting its investigation of the potential of developing an e-sports strategy to attract tournaments and promote local economic growth, the ACT government should be mindful of developing strategies that will prevent or at least reduce online vilification and harassment. We should be helping to create an environment where people feel safe when they are gaming and that encourages more girls and women into the gaming community in a safe way.

The ACT is already well known for its support for gaming and is already profiting from the economic benefits of gaming. There are game developers in Canberra, including the ACT Greens Senate candidate Dr Penny Kyburz. The Academy of Interactive Entertainment has been a great incubator for small gaming businesses and many gaming programmers who have gone on to work internationally in the field. They employ teaching staff and have students who come from far afield to study here in Canberra. In fact many moons ago when I was studying computing in the Northern Rivers, I attempted to do an offsite unit with the forerunner of the Academy of Interactive Entertainment. Just a few years ago we had an office here for 2K Games, who are a big game company. It eventually closed but they did manage to develop content for the game *Borderlands* from start to finish right here in Canberra.

We do not have a port, heavy industry or a significant manufacturing sector in Canberra. For our economic diversity it is important that we work to attract other industries and events. E-sports are incredibly popular internationally, particularly in Asia, and Canberra would no doubt get a lot of visibility were games to be held here. However, it is worth noting that few tournaments happen outside big cities. For instance, the Overwatch League has 20 teams that are from all over the world but spend the entire season in Los Angeles and play all their matches there. It could be difficult to coax major e-sports teams to Canberra. On top of this, we must not forget that video game companies control every level of the competition: the games, the teams, the broadcast, the merchandising et cetera.

The Greens have a solid plan for growing the gaming industry in Australia. We want to see investment in game development projects and to help successful games companies grow their business. We believe that this must include initiatives for diversity and inclusion.

During a 2016 Senate inquiry, the industry was forthright in its concerns that, while the audience for games is extremely diverse, the industry workforce is heavily demographically skewed towards young males. A variety of strategies for promoting diversity were canvassed during the various hearings of the committee, leading to a unanimous recommendation that any commonwealth funding support for such proposals as those addressed in its paper should be premised on proactive developer strategies to improve the diversity of its workforce.

The Greens will extend the producer tax offset and the PDV offset—that is post, digital and visual effects—to video game developers. This will help to bring international investment in game development into Australia and to make sure there are jobs for the talented graduates that we are turning out. These successful programs are refundable tax offsets that are currently available to producers of Australian feature films and television but have never been made available to game developers. Lastly, we need to acknowledge that the true fortunes of this industry are tied to fast, reliable, universally accessible national broadband, something that Australia can hardly lay claim to having.

Notwithstanding some of these infrastructural and cultural problems, and in particular the gender issues I have mentioned, there is much to commend this motion. The Greens will be supporting it.

**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) (3.40): I am very pleased to speak in support of the motion put forward by Mr Pettersson this afternoon. It would be fair to observe that video games have come a long way since *Pong* was first played on the Atari in the 1970s or since a small yellow dot called Pac-Man began munching on little white pills whilst running away from ghosts, and since that little pixelated man called Mario began rescuing princesses from *Donkey Kong* in the early 1980s.

Leaps and bounds in computer processing, advanced graphic capabilities and of course the advent of the internet have completely changed the video game industry. I confess—and this will date me shockingly—*SimCity* and *Civilization* were the games of my era. Given the theme of those games, it is perhaps no surprise that I have ended up where I have.

**Mr Hanson:** Prefer *Call of Duty*?

**MR BARR:** I will leave that well alone. In 2018 global sales were projected to reach \$A200 billion and revenue from the release of the most popular video games now is outstripping even the biggest of Hollywood's blockbuster films. It used to be that a video game would be built on the back of a good movie—and I think of *Star Wars*, *Indiana Jones*, James Bond or *Harry Potter*—but today it seems like a movie, maybe of questionable quality, is more likely to be built on the back of a successful video game. The *Resident Evil* franchise, for example, has grossed more than \$1 billion at the worldwide box office. Indeed, some reports show video game revenue surpassing the film industry global box office and streaming services.

Gone are the days when a video game was, as Ms Le Couteur described, a somewhat socially awkward, single young male playing against a computer. Today the most successful games are massive multiplayer online games played by millions of people around the world simultaneously—real people playing against each other, cooperating with each other and forming online communities. The number of gamers globally is expected to grow to 2.7 billion by 2021; so it is clear that video games are now very big business and they are also becoming a very big sport.

E-sports, as it is known, is professional level competitive gaming in an organised format with, as we have heard, big prizes. These sports are predicted to become a \$A2.5 billion industry globally by 2022, more than doubling from around \$1.2 billion last year.

In 2017 the world championship for the video game *League of Legends* was held in China. The developer of the game said that the finale of the championship attracted a global audience of around 60 million people. In 2018 the same competition held in South Korea became the most watched e-sports event in history, reaching a peak of over 200 million concurrent viewers.

To put this in some perspective, last year's AFL grand final between two teams no-one really cares about had a 4.3 million-viewership. The 2018 NRL grand final, similarly between two unimportant teams, attracted around three million viewers. The American Super Bowl, in a much larger country with a sport that has a degree of global interest, attracted around 100 million viewers globally. In 2018 there was more than \$A185 million in prizes awarded for the top 10 e-sports games. So it is clear that this is a booming industry that is going to continue to grow and evolve.

But it is fair to say that in our country e-sports is still in its infancy. States and territories are only now starting to make the link between industry development, tourism and economic development in this context. Last year our Victorian colleagues hosted the Melbourne e-sports open at Melbourne Park and over 12,000 fans attended the two-day event, and our Victorian colleagues estimate that it will bring in around \$25 million over five years to their state's economy.

In this context it is clear that Canberra has an opportunity to leverage this new market and to play a role in becoming a leader in our country in e-sports. We are fortunate to have a number of major contributors to Australia's creative digital sector in our city in terms of game development and technologies and screen and video production. They are already based here, and our unique offering of a strong knowledge economy has seen important collaborative relationships develop in related technology specialities.

In particular, it is important to highlight the work of the Academy of Interactive Entertainment, AIE, who have been based in Canberra since 1997. The AIE is a major contributor to the creative digital sector in this nation and in this city through the expansion of its game development, animation and simulation training capabilities, grants and incubated programs and creation of film production infrastructure and, more broadly, job creation in Canberra. The AIE is behind the establishment of the Game Developers Association of Australia, the former Australian Game Developers Conference, and most recently the student AIE incubators set up in major cities across the country.

We are very fortunate to have Game Plus located at the AIE's Canberra campus. It is an example of a collaborative workspace for game developers and related specialist technology start-ups. I have had the opportunity to visit Game Plus in recent times. Screen Canberra also plays a significant role in supporting local creative industries through engagement and professional development, and we have a great opportunity

to capitalise on the synergies between game and film development. It was indeed a great pleasure to attend one of Screen Canberra's special film pods over a weekend just last month.

We are of course happy to investigate how we can take further advantage of the opportunities available from e-sports and how we can further leverage our city's strengths and comparative advantages in these sectors to promote further economic growth in Canberra. This fits very well with our ambition for Canberra as a city that attracts smart people and retains talent. We have a very strong history of leading innovation and entrepreneurial development in these fields in our city and I believe we can work more closely with industry to maximise our opportunities. I thank Mr Pettersson for bringing this motion forward this afternoon and for the support, it would appear, of all members for this opportunity for Canberra.

**MR PETTERSSON** (Yerrabi) (3.48), in reply: I would like to thank everyone who has taken the time to contribute to this debate, particularly Mr Milligan and his profound insights that he clearly gleaned from Google. As I mentioned earlier, Melbourne has already seen success with the Melbourne Open, and other cities around the world have benefitted from hosting individual tournaments on the professional circuit.

What we have in Canberra is an opportunity to evaluate what has happened so far and to choose the best course for us. Whether that is a league of our own, a weekend featuring multiple games or even a dedicated tournament, we are in the right space to investigate the best possible options for Canberra. We are an international city. We have a large population of young and middle aged individuals who play video games, as well as maybe some older individuals who are so inclined, and we also have the facilities in Canberra to host those events. This industry is growing and it is growing exponentially. We can see tournaments with prize pools of \$25 million. This is incredible and was unheard of. But this is the future of e-sports as they continue to grow.

Just yesterday I had the pleasure of visiting Reload Bar and Games in the city, which I hope all of you have been to at some point, particularly you, Madam Assistant Speaker Cody, to celebrate your birthday. I was excited by the ideas that we discussed. Canberra genuinely has the potential to be the home of e-sports in Australia. One of the ideas that we discussed yesterday was the prospect of a home-grown league here in Canberra. Such a league would have buy-in from local teams, potentially based in the higher education campuses of our city. By providing a semi-professional local league we can encourage people to build their skills and to compete. It provides a pathway, much like sporting leagues and traditional sports do, for talent scouting and for people to potentially move into the professional arena.

I know that a level of concern has been raised by several people in this debate that people spend too much time in front of the screen as it is, especially kids. I understand that concern. What I would say is that there are benefits to playing video games. They teach complex skills; they encourage team work and come up with strategies. There is such a complexity of video games that it is hard to express in a short speech. While I do understand the hesitation of some to encourage people to play video games, what

I would say is that this is not just mindless fun and that people should most definitely step outside and get some exercise.

As someone that enjoys the occasional game, not as much as some people would assume, I would be happy to see more engagement with the Canberra community on this issue. Traditional sports are catered for, but there is space to work with and support new endeavours like e-sports. That starts with this motion and with the actions of the wider Canberra community. I once again encourage all members in this place to support this motion, but I suspect that they will.

Question resolved in the affirmative.

## **ACT Policing—resourcing**

**MRS JONES** (Murrumbidgee) (3.51): I move:

That this Assembly:

- (1) notes that under 18 years of Labor-Greens rule, the ACT Government has failed to provide adequate resources to our police force;
- (2) further notes:
  - (a) the number of frontline ACT Policing officers has reduced from 719 in 2010-11 to 642.59 in 2017-18, while the population has increased by over 50 000;
  - (b) the ACT Government cut \$15 million from ACT Policing in the 2013-14 budget; and
  - (c) that the latest report on government services shows that the ACT has the smallest police force per capita; and
- (3) calls on the ACT Government to restore police funding and increase the number of frontline officers in the upcoming 2019-20 Budget.

I am pleased to speak to the motion in my name relating to ACT Policing. After 18 years in power, the Labor-Greens government has failed our police force and it has failed the people of Canberra. There are 18 years of evidence of it. Labor and the Greens do not care sufficiently about the strength of the police force. The government has all of its priorities wrong. As a result, the men and women in uniform are suffering.

In 2010-11 there were 719 full-time equivalent sworn police officers serving in ACT Policing. That figure has been cut to just 643, 75 fewer sworn front-line police officers than a decade ago. In the same time, we have seen CPI growth make wages more expensive, as is normal, and a very significant increase in the ACT's population, of well over 50,000 people. The Chief Minister constantly praises the strong population growth in Canberra. Yes, of course; that is correct. The population continues to grow at a steady rate. Why has the government cut the police force? There are now more and more people in our city to protect and fewer officers to do it. This is a terrible trend.

Put simply, the ACT government is expecting our police officers to do more with less and less. It was made abundantly clear in the 2013-14 ACT budget when, as Treasurer, the current Chief Minister ripped \$15 million out of ACT Policing. The Canberra Liberals warned that these cuts would lead to job losses and a smaller police force. The AFPA, the Australian Federal Police Association, warned the same. The government believes, perhaps, that if it tells a lie often enough it will become the truth. The then police minister, Ms J Burch, gave assurances that the cuts would not impact on front-line policing. She said:

There is no intention to cut from front-line policing staff ... I can assure the people of Canberra that front-line policing services will not be affected by the general savings measures being implemented across ACT Policing.

When the impacts of these cuts were being felt in 2015, the then police minister, Simon Corbell, assured the public that stripping \$15 million from ACT Policing would not lead to any personnel cuts. He told ABC News:

The Australian Federal Police Association are being alarmist.

Minister Corbell was pretty good at shooting the messenger. He said:

The Government does not have plans to reduce police numbers in that way.

He said:

We do not expect any reduction in the level of policing ... ACT Policing has a very large budget.

Fast forward to today and we are 75 front-line officers down and we have a smaller front line than at any time in a decade. The government's ongoing cuts to ACT Policing have led to job number losses. It was as clear as day in 2013, it was as clear as day in 2015 and it is as clear as day now.

This is supported by the latest *Report on Government Services*, released in January. The latest *Report on Government Services* data shows that the ACT has the smallest per capita police force in the country. At 205 per 100,000 people, the ACT is far behind Victoria's 290 officers per 100,000, Queensland's 288 officers per 100,000 and South Australia's 308 officers per 100,000. Even the second lowest jurisdiction for police force per capita, New South Wales, has a much higher 237 officers per 100,000. Just to get to the New South Wales level of police staffing, the second lowest in the country, we would need over 100 more police officers in ACT Policing. Clearly, there is much more that the government should be doing, and should have been doing for the last decade.

ACT Policing officers are our best and bravest people. They are the ones on the front line, protecting the community day in and day out. Despite the hugely important role that these front-line officers have in our community, the government has not appropriately prioritised them. Instead, the government seems more focused on other pet projects. It is appalling to think that the government happily and actively seeks to

grow the population whilst wilfully and knowingly neglecting resources and ignoring the needs of the police force. The way that this government has neglected our police force numbers is not something that can be brushed aside and forgotten.

I know that the minister will attempt to change the narrative, put his spin on the facts, and have a go at me, attack the metric perhaps. He loves to attack the metric—like when he decided to abolish the minimum crew measure for ambulance resourcing after we exposed the fact that more than 40 per cent of all ambulance shifts were below minimum crewing. How convenient. The government and the minister keep putting their heads in the sand, hiding behind a futures review, pretending that this is not a present, acute problem. This is another total failure to back our men and women in blue.

As Canberra grows, we must work with our police force to ensure that they are always being given the staffing and resources they need to meet growing demand. This is a fundamental service that the government provides. One of the most basic features of government is keeping the population well represented with a police force that can protect them, one that has the time to look into the things that are affecting them. You would think it was obvious. What would be more important? Clearly this tired old government is struggling to work out what its priorities should be. What does the minister really do all day? You would think that making sure that the front-line services keep up with population growth would be one of the most basic metrics that a minister would seek out.

The Canberra Liberals presented anti-consorting laws to the Assembly which would give police the powers to prevent and disrupt bikie gangs more effectively and prevent organised crime from meeting for criminal purposes. This government said no. The Canberra Liberals asked the government to reconsider the weak police pursuit policy they have foisted on police. Police officers and vehicles are now being rammed by cars, with criminals driving off laughing, knowing they will not be followed. Once again, the government said no. The Canberra Liberals have called for stronger laws to protect our police and emergency services workers. But to this point the government has said no.

It is clear that after 18 years in power, this government will always say no to protecting and supporting our police appropriately. You begin to wonder whose side they are on. What are they doing here exactly? Why did the minister get himself elected—to be in photographs with the very emergency services workers he is not doing the basics for? This government is overseeing a police force that is being deprived of the necessary resources to meet growing demand for its services, and hardworking Canberrans are expected to quietly suffer the consequences.

The men and women of our police force are extraordinary people. They do a remarkable job of protecting our community in what can be such emotionally and physically gruelling work. They do their job in spite of the 18-year-old government that does not care to make sure that there are anything like enough of them. They do their jobs despite a government that funds them less than any other government in the country funds front-line personnel.

I am calling on this government and this minister: before you get up and praise the men and women in blue and pretend to give a damn, stand up here in this place and commit to increasing their numbers, and significantly. Commit to restoring the cuts you have made, which have left them, in the words of one officer who recently spoke to me, vulnerable, exhausted and constantly being pestered to do more and more overtime. Our police deserve better and our community deserves better.

**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) (4.00): I thank Mrs Jones for bringing this motion here today. I cannot agree with her comments, unfortunately, but I will answer some of the questions that she put during her speech. She asked why I was elected. It is because I support social justice and equity in our community and I stand up for community values. I cannot agree with Mrs Jones’s motion. I can say emphatically that we do not ignore police. I move:

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

- “(1) thanks the ACT Policing workforce for their dedication and diligence in keeping Canberrans safe;
- (2) recognises the investment and funding that has been made in recent years by the ACT Government in ACT Policing, including in the 2018-19 Budget which contained:
- (a) \$5.6 million for new smartphones to all police officers to improve the secure capture, transmission and sharing of data and radio communications;
  - (b) \$2 million to upgrade the facilities at Tuggeranong Police Station and Winchester Police Station;
  - (c) \$2.6 million to recruit four, new specialist positions to expand ACT Policing’s strategic analysis capability, helping to identify and target emerging crime trends; and
  - (d) \$1.6 million to recruit two specialist officers to combat organised crime, strip criminal wealth and deliver an improved surveillance capability to monitor the activities of criminal gang;
- (3) notes the Canberra Liberals voted against the 2018-19 Budget, including funding allocated for ACT Policing; and
- (4) calls on the ACT Government to continue working with ACT Policing as the city grows.”.

Canberra has the benefit of a hardworking, dedicated and effective police service. ACT Policing’s history of high performance is proof of this commitment and the professionalism of our officers, as well as evidence of this government’s continuing commitment to ensuring that ACT Policing’s resources continue to meet the needs of our community.

The government has, on the one hand, made sure that ACT Policing is operating as efficiently as possible and, on the other, supported ACT Policing to deliver specialist and priority responses. On both fronts, the approach is to meet the community's expectations of prudent, responsible government and supporting community safety. From 2013-14 to 2016-17 ACT Policing's annual operating budget not only remained above \$149 million but increased by just over \$6 million, from \$149.966 million in 2013-14 to \$156.066 million in 2016-17.

The ACT experiences relatively low crime rates compared to other jurisdictions, and the overall crime rate has been stable over the last decade. However, the operating environment for police is constantly changing. The ACT government has worked closely with ACT Policing to ensure that our police force is adequately resourced to respond to emerging crime trends, priorities and ACT Policing's organisational needs.

For example, in 2010-11 the government funded 16 additional police officers for liquor reforms and to establish an automated numberplate recognition team. In 2011-12 ACT Policing received funding for additional officers and equipment to enhance traffic operations to introduce random roadside drug testing, as well as staff to support the COAG security industry reforms. In 2013-14 ACT Policing's road safety team was expanded by eight FTE, and additional vehicles were funded to improve road safety outcomes. In 2015-16 the ACT government increased ACT Policing's baseline funding to enable services provided by a broader AFP across the areas of financial and commercial, ICT, operations, high-tech crime operations, legal and human resources and forensics.

In 2016-17 ACT Policing received funding specifically to support victims of family and domestic violence as part of the ACT government's safer families budget announcement. This was in addition to increasing the capacity for Taskforce Nemesis to combat organised crime. More recently, in 2017-18 the ACT government supported a range of policing initiatives, including \$5.3 million for enhanced protective security measures for ACT Policing, including equipping front-line officers with tasers; \$2.1 million to plan for the future of policing; \$4.9 million for an additional six police officers for extra patrols to support safer nightlife precincts; and a new maritime facility for the ACT's water police team.

In the current budget, this government has continued its commitment to resourcing our police force, providing \$167 million for ACT Policing, which includes \$5.6 million to provide new smartphones to all police officers, to improve the secure capture, transmission and sharing of data and radio comms; \$2 million to upgrade the facilities at Tuggeranong police station and Winchester police station; \$2.6 million to recruit four new specialist positions to expand ACT Policing's strategic analysis capability, helping to identify and target emerging crime trends; and \$1.6 million to recruit two specialist officers to combat organised crime, strip criminal wealth and deliver an improved surveillance capability to monitor the activities of criminal gangs.

This wide-ranging list of budget initiatives demonstrates how this government has increased ACT Policing's capacity to respond to the changing demands and needs of the community over the last decade as well as provide for its organisational needs in a modern police force.

The Canberra Liberals voted against this budget, calling into question their professional support for ACT Policing. While I have clearly demonstrated that ACT Policing has the resources it needs to do the job, I acknowledge that the ACT is growing and changing. With that, the government and community expectations of ACT Policing continue to evolve.

The government has invested in the future of ACT Policing with \$2.1 million in 2016-17 to review current operating models and infrastructure in light of the continually evolving operational environment. This funding supports the ACT Policing futures program, launched by the Chief Police Officer in March 2017, and will assist the government and ACT Policing to make informed, evidence-based decisions on policing in the ACT over the coming years.

ACT Policing is well resourced and Canberra is well served by its high-performing and dedicated community policing organisation. I take this opportunity to thank every police officer and professional staff member of ACT Policing for the excellent work they do 24/7. Mrs Jones laughs across the way, Madam Deputy Speaker. She thinks that this is funny.

ACT Policing do a fantastic, important job. We support them for the work they do 365 days of the year. I want to thank their families, who have to cope with the pressures of shiftwork. They work around the clock to keep Canberrans safe. The community can be assured that this government is committed to continuing to provide ACT Policing with the funding and resources it needs, now and into the future.

**MR HANSON** (Murrumbidgee) (4.08): I thank Mrs Jones for bringing this matter forward. I congratulate her on what she has done—working with ACT Policing representatives, articulating the pressure that they find themselves under. There is no question that our front-line police—she has described them as the best and the brightest, and I think that is a very apt description—are under enormous pressure and are not getting the support they need from the ACT Labor-Greens coalition. There is no question about that.

Mrs Jones has been very clear that we need more police on the ground. We need more police on the beat. We know that our police are facing a growing population, they are facing the scourge of ice, they are dealing with the issue of bikies—and trying to do that with one arm essentially tied behind their back because the government will not give them the anti-consorting laws that they need—and they are dealing with domestic violence. Policing is a very complex space, and they are doing it without adequate numbers. That is beyond doubt.

We will not be supporting the amendment put forward by Mr Gentleman. It is a whitewash of what Mrs Jones is calling for, which essentially is for the government to go away and do what it should do: restore the cuts it has been making, the \$15 million in the 2013-14 budget, which would then enable this government to put more police on the ground.

Mr Gentleman keeps making this ridiculous, hollow point that the ACT Liberals did not support the budget that therefore somehow we are not supporting policing. Put your money where your mouth is; that is my response. If he does believe that, I would say to him: put the \$15 million back, come down with a separate appropriation for ACT Policing, put in the numbers of extra police that Mrs Jones is talking about and restore the numbers that we need to meet adequate growth for the increased complexity in policing and the growing population in the ACT.

I am sure that Mrs Jones and the rest of the Canberra Liberals would be delighted to support that. But we know that this government will not provide that support for ACT Policing because this is the very government that cut \$15 million from ACT Policing, that continues to starve them of the resources that they need and continues to deny them the legislative tools they need to take on as ACT Policing. The government continue to present hollow arguments such as, “The Liberals didn’t support our budget last year.” They continue to say, “I congratulate the police,” and, “We support the police,” when they do everything but support them.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (4.11): I am pleased to have an opportunity to speak about this matter today. Picking up on some of the observations that have been made, it is always worth starting by reflecting on the challenging job that police have. They do put themselves at risk to help protect and serve the people of Canberra. Having made a few field trips with the police in my time in this place, I know that they go out there every day unsure of what is going to come their way. It is not only dangerous; it is also socially challenging at times. Undoubtedly, it is a profession that receives a fair degree of scrutiny.

It is important that we think very carefully about what the right resourcing level is for our police, what are the right laws and various other things. They are, of course, the topics that we debate here relatively regularly. I do not think the fact that people have different views on those things reflects the fact that there is a different level of esteem in which our police are held in this place. I think there are different views, as there are within the police force. The AFP puts forward certain views that I am sure are not universally held by all members of the police force. If the police were a homogenous group, I think we would all be shocked. These are issues that warrant some debate, and I do not think there is a singular answer to them.

When it comes to resourcing our police, it is clear that the government has been making injections of additional resources in recent times, and Minister Gentleman has spoken about some of those. I was, as the Minister for Road Safety, very interested to read the story in yesterday’s media coverage about the new equipment that all traffic operations cars will be fitted with. They will now have near 360-degree camera coverage. The encrypted footage will either be stored on board the car or fed back live to the traffic operations centre. All 15 traffic operations cars will be fitted with this technology. That will include the five new high-performance black VW Passat R-Line wagons which are due to join the road safety operations team next month.

The ability of the operations centre to have a view of what the police on the ground are seeing will enable police to be more responsive, whilst also improving the safety of the officers at the scene. Previously, at major events the operations centre had to rely on radio reports. With this new technology they will have the potential to see what is happening in real time. I noted that Sergeant Marcus Boorman, a 30-year police veteran who heads up the road safety operations team, said that this new technology will make police officers feel safer. He was quoted as saying:

There's also those situations where you pull up a car at night and there's four guys in the car you stopped, and you have that feeling that something's not quite right. Back in operations, they can see exactly what's going on. When you're out on your own, that's reassuring.

Those comments reflect how much potential there is for technology to make policing safer. The fitting of the new technology to police operations cars is just one example of the resources that have been given to ACT Policing. I was extremely pleased to see the recent announcement that 480 body camera kits will also be rolled out across the ACT's police force over the next 12 months. This follows the introduction of this technology in other police forces around Australia.

The cameras, which will be worn at chest level, are electronically linked to the officer's taser and Glock sidearm. If the Glock is drawn, the camera automatically activates. When the taser is activated, ready for firing, the camera will also start recording. When on patrol in groups, when one officer's camera starts recording, all of their colleagues' cameras start recording as well. This will enable a retrospective view, from multiple angles, of a particular police interaction with the public. At the end of each shift, any recorded information is uploaded and stored.

This will increase public confidence about how the police force conducts itself. It will also greatly assist in prosecutions for offences committed against police or in the presence of police. With video evidence, the court will be able to have a much more complete picture of a particular series of events, rather than merely relying on one person's word against another's.

These are good examples of additional resources that have been given to ACT Policing that will make their jobs easier, safer and more efficient—a range of things, depending on the circumstances. Minister Gentleman has outlined other examples of how the ACT government has been investing in ACT Policing, and some of that is touched upon in the amendment that he has moved today.

For me, the central point in this discussion is actually about keeping our community safe, because that is the role of police. It is worth reflecting that Canberra is one of the safest places in Australia to live and that in recent times we have seen crime numbers going down. Community safety is also about more than police numbers. When we are having a discussion about community safety, we need to reflect on the fact that in order to reduce crime and to assist police in performing their duties we also need to be investing in educational and social programs—investing in our community.

That is something that I am pleased to have been working on with my justice and corrections portfolio responsibilities. I recently announced the government's justice reinvestment program, building communities not prisons. In the context of crime rates in Canberra, we know that crime rates have been decreasing, while our prison population has been increasing. In 2016–17 there were 2,762 offenders proceeded against by police in the ACT, a decrease of four per cent, or 102 offenders, since 2015-16. However, during this time our prison population has also gone up.

The purpose of the building communities not prisons program is to make our community safer. It recognises that people who are in prison will ultimately come back out into our community—some sooner rather than later, and others after a much longer period of time. The government wants to use some of the funds from the criminal justice system that might otherwise be used to expand the highly secure capacity at the AMC to build community resilience, to invest in the programs that will actually break the recidivism cycle and ultimately make our community safer.

This is a wise investment. It is a smart way to spend our money. It means police can focus on particular matters and that they will not spend their time simply rearresting the same people they have arrested many times before. When you look at the profile of many of the offenders in the ACT, they do have long criminal histories. Certainly, by the time they end up in custody, it is usually not their first interaction with the justice system—in fact, almost certainly, except in the most heinous of cases.

When we are reflecting on how to make our community safe, we need to look at the whole picture here. It is not simply a question of police numbers. Even when it comes to police resources, it is not merely about police numbers; it is about the operating principles of the police and a range of other matters, including the technology that is available to them.

Justice reinvestment aims to implement targeted, evidence-based interventions to achieve cost savings as well as a safer community. Those cost savings can be reinvested in delivering further improvements in social and criminal justice outcomes. Building communities not prisons will progress a number of intersecting and overlapping initiatives that address key opportunities across the human services system to reduce reoffending, reduce the prison detainee population and improve the lives of those individuals and their families. That is an important part of the story as well. With those individuals who are known to the system, if we can stop them being involved then we are targeting those people who are responsible for ongoing crime in the territory.

Let me touch on a few examples of what is being funded in this program. The high-density housing project has had quite some media coverage. Mark, who runs the program, has become a minor criminal justice celebrity in his own right. This is a place-based example of justice reinvestment. It is a multi-agency initiative targeted at reducing crime and building community at the public housing sites along Ainslie Avenue. This has been a very successful program for the money invested in it. It has significantly reduced the number of police call-outs to those sites that have been

funded. The money spent there has been an excellent return on investment, it has reduced the workload of police and it has made our community safer at the same time.

Yarrabi Bamirr is another example. It is a family-centric service support model for Aboriginal and Torres Strait Islander people. It involves a range of agencies, including Winnunga Nimmityjah Aboriginal Health and Community Services, the Domestic Violence Crisis Service, ACT Policing, the Aboriginal Legal Service, and Mulleun Mura at the Women's Legal Centre, co-designing and delivering culturally sensitive and intensive support to families. This is all about working with families to be self-reliant in navigating the service system and helping them to avoid interactions with the justice system through the various pathways that help them get their lives on track.

Ngurrambai is another example. It supports people to meet their bail conditions. We know that, particularly for Aboriginal and Torres Strait Islander people, this can be challenging. We find that they end up with justice procedure offences and the police have to execute arrest warrants. Often they have not done anything particularly criminal but they have failed to meet various conditions. Again, this is about breaking that cycle of involvement in the criminal justice system.

There are a number of other examples in the space that I could talk about, but I will save those for another day. Today we are particularly focusing on policing. We will be supporting Minister Gentlemen's amendment today, which we believe accurately reflects the funding that ACT Policing is receiving from the ACT government, including measures contained in the 2018-19 budget.

The amendment makes a clear undertaking to continue to work with ACT Policing. I know, through discussions that I am involved in as part of the government, that there is a very active, ongoing discussion with Policing about how they deliver police services in the future. I am very optimistic about the discussions we are having with ACT Policing. I think they have a very clear vision of the future of policing in the ACT, and I look forward to working with them to implement that vision and continue to make Canberra one of the safest places to live in Australia.

**MRS JONES** (Murrumbidgee) (4.22): I thank members for their contributions. I respect Minister Rattenbury for at least addressing the issue of police numbers, unlike the minister, who did not mention it once in his speech. That is very telling. Minister Rattenbury claims that the central point is keeping the community safe. Indeed it is, but the method we use to keep the community safe is our police force. The cost of not having enough police—and there clearly are not enough police in the ACT—is breaking the backs of those who serve us as police.

As I have said many times in this place, front-line serving officers in this city are not the types who will call in the blue flu and stop turning up for extra shifts. They will just do them until they get injured or somebody gets depressed, cannot cope with their life and ends up with post-traumatic stress disorder. The response from Minister Rattenbury shows that no matter how many times he has been out with police he does not understand that the state of play at the moment is extraordinary. Our police carry an extraordinarily huge load compared to any other place in the country.

This government, aided and abetted by Minister Rattenbury, is like the worst kind of boss. Imagine if you came into this place and said, "We don't need more nurses because we've given them better blood pressure machines." Can you imagine it? What an embarrassment. I hope the minister goes home and has trouble sleeping, because I know the staff of ACT Policing who are suffering from post-traumatic stress disorder do not sleep. They do not sleep because their workload is too much.

What an absolute embarrassment of an amendment the government has put up. We have an unjustifiably low number of police. That is not to say there are no other programs that need to be run in society, but we have an unjustifiably low number of police compared to anywhere else in Australia. This is after 18 years of Labor government, so it is nobody else's fault. The minister stood with a straight face while moving to change my motion about police numbers to completely omit the whole point of this motion—police numbers.

The government's response to the fact that we have 75 fewer police officers today than we had at the start of the decade, while the population is 50,000 stronger, is: "We're fine because we've given the police smartphones, a slightly better upgrade of the Tuggeranong and Winchester stations, four new specialist positions in crime trends targeting and two specialist officers to combat organised crime." God help the minister if he ever needs help, because it is so difficult for these people to do their jobs now.

This government's response over the long term to all of its front-line workers who put on a uniform for the government and go out there every day and do their difficult jobs is, "Suck it up, sweetheart. Put up with it. That's all you're getting and that's adequate and that's fine by me." Why on earth did the minister get himself elected in the first place? He talks about social justice, but it is not particularly socially just to expect people to do more than a full-time load. It is not particularly socially just to expect our men and women in the police force to carry this huge load.

What a disgrace that the minister says he will continue working with ACT Policing. Of course he will continue working with ACT Policing; he has not got any choice—he is the minister for police. I note that he is smirking away at his computer while we are talking about the huge load on the backs of our men and women in blue. What an absolute disgrace. In his whole speech there was not a single mention of the front-line officer numbers; not a single mention of the fatigue and the overtime. It was a very weak response and a very, very weak amendment.

Which part of the motion does the minister consider to be incorrect: that the number of officers has reduced, that his government cut \$15 million out in 2013-14 or that the ROGS data shows we have the lowest policing per capita in the nation? Which part of that do we need to delete? Why do we need to delete that in an amendment? Those are simple, plain facts, and the minister knows it.

The ACT has 205 officers per 100,000 people. Even New South Wales has 237 per 100,000. We are miles behind on police recruitment. Minister Rattenbury claims the AFPA does not speak for all the police. Well, I challenge him: find me one police

officer in the ACT—one—who thinks the staffing numbers are adequate. Find me one, because I guarantee you there is not one.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 12

Noes 9

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

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## Adjournment

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

That the Assembly do now adjourn.

## Menslink

**MRS KIKKERT** (Ginninderra) (4.33): Young men are strongly represented in a number of worrying community statistics. For example, school dropout rates for boys are nearly double those of girls. Nationally, young men are over-represented in the juvenile justice system by a ratio of nine to one. In the latest year for which we have ABS statistics, fully three-quarters of those who died from intentional self-harm were men. Suicide is the leading cause of death of young men, a dark shadow that follows them well into adulthood, remaining number one in every male cohort from age 15 up to age 44.

Menslink got their start in Canberra as a young men's support network, under the umbrella of the Woden Community Centre. In 2002 they became an independent organisation dedicated to meeting the increasing needs of young men and their families in our community. They do this by running education sessions at schools and in other community settings to teach young men that it is okay to speak up and get help; by providing short-term counselling to help boys get through stressful events in life; and by providing longer term mentoring support from positive male role models. The latter can be especially important for the 17 per cent of young men who have no father in the home.

I rise today to thank Martin Fisk, CEO of Menslink, and all who work alongside him for their tireless dedication to helping Canberra's young men. Their ultimate goal is to help these youth identify their own options for the future and to discover that doors are open to them when they have lost all other hope. Each time Menslink succeed, they help turn around some of the grim statistics that I quoted earlier.

I also wish to thank the men behind Kick2Kick4aCause—Matt, Adam, Dave, Anthony and Paul—who once again this year partnered with Menslink to help them try to raise \$100,000 to support the important work they do. Kick-to-kick is an AFL-inspired activity that, as its names suggests, involves kicking a football back and forth between two players. The goal of the fundraiser, besides seeking sponsors and raising funds, was to keep a single game of kick-to-kick going for a solid 24 hours from 4 pm on Saturday, 16 March to 4 pm the following day.

It was my privilege to support this effort. I not only attended the launch on Saturday but was back again at 6 am on Sunday morning to kick the ball. That seemed like an awfully early start to me, so I was deeply impressed, touched and grateful for all the participants who had spent the night on Deakin oval in the rain to keep the game going and for all those who turned out to lend their support and encouragement over the course of the 24-hour period. Some might think this sounds like an ordeal, but I think everyone was having too much fun to see it any other way.

I am happy to report that the fundraising goal of \$100,000 was reached. I express my thanks to all who donated, as well as to the event's many local sponsors. I also extend special thanks to the wives of the Kick2Kick4aCause organisers for all they did to support and run the event. Menslink are an important part of our community, and I encourage all Canberrans to learn more about what they do and support them in their efforts.

### **Environment—climate change**

**MS ORR** (Yerrabi) (4.37): I rise this afternoon to reflect on some of the comments made in this this place during yesterday's discussion on the matter of public importance. I was unable to participate in the discussion as I was in the Speaker's chair; however, I did hear several remarks from the Canberra Liberals environment spokesperson that I found quite concerning.

Climate change is the single biggest issue that governments right across the world are having to act on. We are seeing the harmful effects of climate change on the natural environment and the flow-on effects that are impacting our everyday lives. Unfortunately, this year we have seen several extreme weather events that have caused disastrous damage to communities across Australia. While the ACT has been lucky in the last 12 months in not experiencing the serious flooding and bushfires we saw in Queensland, New South Wales, Victoria and Tasmania, we cannot be complacent.

Taking real action on climate change and preparing the ACT for more extreme weather events is something that Canberrans expect their government to do, and that

is why we are delivering real results. It is unfortunate that those opposite, and particularly their environment spokesperson, do not understand the urgent need to do more to protect our local environment against climate change.

In Ms Lee's speech during the MPI yesterday, she went down the path of suggesting that the onus of acting on climate change needs to be placed on us as individuals. She spoke about wearing warmer clothes in winter, using less air conditioning in summer and focusing on being sensible about what we can and apparently might do. Ms Lee should know that Canberrans expect more from us as their representatives than just talking about rugging up for winter and talking in hypotheticals.

In yesterday's discussion the only time she used the term climate change was in the same sentence as making reference to deniers and alarmists. Not once did she acknowledge the causes of climate change. Not once did she call out the fossil fuel industry. Instead she claimed that calls to stop coalmining were alarmist. Not once did Ms Lee express her support for further action on climate change that provides real results. While listening to her speech yesterday, I thought she was even going to reach the point of denying the reality of climate change altogether.

Yesterday's remarks from Ms Lee were unfortunately not out of character. Time and again she has said things that you would expect to hear from a spokesperson who is against the environment. It was only a few weeks ago that Ms Lee suggested young Canberrans who raised their voices in the School Strike 4 Climate were "being driven by their teachers or parents". She responded with similar arrogance to Ms Cheyne's motion on the maladministration of the Murray-Darling Basin Authority, saying:

Once again it seems the government backbenchers have clearly run out of local issues to talk about, so we have an aspirational motion clearly within the federal political arena.

This is even though Canberra is the largest settlement within the basin and we know it is under pressure from climate change. Ms Lee's incessant need to express her disdain at having to be involved in debates on motions regarding the environment and climate change makes me wonder whether she should even be the shadow spokesperson for the environment. Would Ms Lee rather pass her portfolio on to one of her colleagues?

This government knows that Canberrans support real action on climate change. We were elected because Canberrans trust us to take the issue of climate change seriously, and to do more than just think about so-called sensible options. The same cannot be said for those opposite. It is time for the Canberra Liberals to wake up and start taking climate change seriously. If Ms Lee takes her role as environment spokesperson seriously, Ms Lee needs to formally place on the record her position on climate change and what policy action she is willing to take. Canberrans, and her electors of Kurrajong, deserve to know where she stands.

I wish my comrade Ms Cody a very happy birthday. She brings a lot of life and energy to this place, and I hope that today she has been receiving the same positive energy back. Happy birthday, Bec.

**Rotary Club of Canberra Weston Creek**

**MRS JONES** (Murrumbidgee) (4.41): Tonight I highlight the Rotary Club of Canberra Weston Creek and their wonderful members. Rotarians believe in service above self, and the efforts of our local Rotary members demonstrated this again last fortnight. Overcoming some considerable obstacles along the way, they managed to raise over \$4,000 for the victims of the recent Christchurch attacks. The funds will go towards supporting the injured and the families who lost loved ones in this terrible attack.

I would like to take a moment to thank those who stood at Coleman Court for several hours collecting funds: Ash Pagett, Warwick Elliot, Richard Gilbert, Catherine Ross, Lionel Wood, Graham Giles, Gillian Giles, Keith Richmond, Ken Riordan, Jan Adams, John Gibson, Les Sutton, Barry Lambert, Tony Maple, John Green and Christine Pilgrim. To all of those I have named and to anyone I may have missed, a heartfelt thankyou and a heartfelt thanks from the Canberra community for all that you do.

Question resolved in the affirmative.

**The Assembly adjourned at 4.43 pm.**