



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

JACS No. 54

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

JEREMY HANSON CSC MLA (CHAIR), MARISA PATERSON MLA (DEPUTY CHAIR), JO CLAY MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21
ANSWER TO QUESTION ON NOTICE**

Asked by Mrs Elizabeth Kikkert MLA: To ask the Discrimination, Health Services, Disability and Community Services Commissioner

In relation to: **Resourcing and capacity**

Ref: Budget Statements D, Disability, Output class 1.5 Protection of Rights

1. The Commissioner received a record high of 829 complaints for 2019-20, with a continued pattern of increase into the year 2021. What challenges and concerns were identified in regards to the resourcing and capacity of the Commissioner to resolve a significantly higher number of complaints in a timely and successful manner?
2. Are there plans to increase resourcing and capacity of the Commissioner, given the new jurisdictions accepted as well as the ongoing increase in complaints?
3. What new policy considerations are being explored by the Commissioner to enhance its capacity for the future?

Ms Karen Toohey: The answer to the Member's question is as follows:—

1. Resourcing is an ongoing challenge to effectively handle complaints in a timely manner while also undertaking systemic investigation, community training and information sessions about the complaint jurisdictions available to them, undertaking legislative and policy reform activities.

To ensure a timely, accessible and effective response to all complaints we triage all matters to ensure we can respond or intervene quickly in time sensitive matters such as children not attending school, concerns about immediate health treatment, where housing or employment is at risk, risks to older people or people with a disability. We try and resolve matters quickly through quick informal interventions or conciliation processes where that is possible and have streamlined our complaint process to ensure a timely, accessible and impartial complaint handling process.

My team also undertakes systemic reviews such as the report on Bimberi Youth Justice Centre released in 2019 and the recent report we released on a childrens services complaint about Brindabella Christian College.



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We continue to review our processes to optimise the efficiency of the service we provide but adequate resourcing is necessary to ensure we continue to provide a timely and effective service for the Canberra community.

2. Increases in resourcing is subject to budget approval processes.

3. JACS is undertaking work to review components of the Discrimination Act which will assist in clarifying exceptions currently provided for in the Discrimination Act. The President of the Human Rights Commission, Dr Watchirs, and I have advocated for a human rights complaint mechanism as is provided for by the Queensland Human Rights Act. ACT Health has undertaken a number of public consultations on the National Code for of Conduct for Health Care Workers which provides for a standard code of conduct for non-registered health workers in the ACT and provides a complaint mechanism for people accessing those services. Enactment of the Code in the ACT would bring the ACT in to line with other states that have enacted the code such as NSW, Victoria, South Australia and Queensland.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:

A handwritten signature in black ink, appearing to read "Karen Toohey".

Date:

8/3/2021

By the Discrimination, Health Services, Disability and Community Services Commissioner, Ms Karen Toohey