



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

2016–2017–2018

MINUTES OF PROCEEDINGS

No 57

WEDNESDAY, 9 MAY 2018

1 The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms J. Burch) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 MAGISTRATES COURT (RETIREMENT AGE OF MAGISTRATES) AMENDMENT BILL 2018

Mr Hanson, pursuant to notice, presented a Bill for an Act to amend the *Magistrates Court Act 1930*.

Paper: Mr Hanson presented an explanatory statement to the Bill.

Title read by Clerk.

Mr Hanson moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Ramsay—Attorney-General) and the resumption of the debate made an order of the day for the next sitting.

3 DISCHARGE OF ORDER OF THE DAY

Ms Le Couteur, pursuant to standing order 152, moved—That order of the day No 2, Private Members' business, being the Crimes (Invasion of Privacy) Amendment Bill 2017, be discharged from the *Notice Paper*.

Question—put and passed.

4 A.C.T. HEALTH—MANAGEMENT ISSUES

Mrs Dunne, pursuant to notice, moved—That this Assembly:

(1) notes:



- (a) in relation to the Centenary Hospital for Women and Children (CHWC):
- (i) media reports on 26 April 2018 about concerns of clinical staff at the CHWC that mothers and babies' lives are being put at risk by chronic overcrowding within the maternity unit;
 - (ii) the article reported that CHWC clinical staff had sent a letter to the Minister for Health and Wellbeing, outlining their concerns, which included:
 - (A) a lack of integrity in presenting the CHWC for the accreditation audit undertaken in March 2018;
 - (B) a lack of appropriate human and equipment resources and CHWC capacity;
 - (C) the presence of a culture of bullying; and
 - (D) the prevalence of physical and emotional exhaustion among staff;
 - (iii) the CHWC was built in 2012 with no more capacity than the facility it replaced;
 - (iv) according to the answer given to a question taken on notice on 24 October 2017, there were short periods during September 2017, in which the CHWC was over capacity and the maternity ward at Calvary Public Hospital was at capacity; and
 - (v) Calvary Public Hospital is increasing its maternity ward bed capacity by only three, which will not be ready until July 2018;
- (b) in relation to the March 2018 accreditation report by the Australian Council on Healthcare Standards (ACHS) for The Canberra Hospital:
- (i) the accreditation report revealed the hospital failed to meet 37 standards;
 - (ii) of the failed standards:
 - (A) two were rated as extreme risks, relating to patient safety in mental health;
 - (B) six were rated as high risks, relating to governance, strategic planning, decision-making, non-compliance with policy and procedures, and low completion rates of surgical safety checklists and inpatient discharge summaries;
 - (C) 15 were rated as moderate risks; and
 - (D) 14 were rated as low risks;
 - (iii) the media reported the:
 - (A) Minister for Health and Wellbeing had said that the governance issues validated the ACT Government's decision to restructure the Health Directorate;

- (B) Acting Director-General of the Health Directorate had said not being accredited is not an option; and
- (C) Australian Medical Association had said the loss of accreditation would be a disaster;
- (iv) there were media reports of claims by staff of the CHWC that:
 - (A) dirty and broken furniture and faulty equipment in use before the accreditation audit had been removed prior to the audit and returned to use after it was completed; and
 - (B) over-rostering of staff was used to create the illusion of appropriate staffing levels during the audit; and
- (v) the ACHS will review the failed standards in July 2018;
- (c) the intention of the Minister for Health and Wellbeing to split the Health Directorate into two directorates;
- (d) the continuing worsening of emergency department and elective surgery waiting times;
- (e) the delays to the delivery of the Surgical Procedures, Interventional Radiation and Emergency (SPIRE) building at The Canberra Hospital; and
- (f) the unreported waiting times for elective surgery patients to attend an initial appointment with their specialist surgeon; and
- (2) calls on the Minister for Health and Wellbeing to:
 - (a) in relation to the CHWC:
 - (i) by the close of business this day:
 - (A) table the letter that the CHWC clinical staff sent to her; and
 - (B) update the Assembly on the action the Minister and ACT Health took in response to the letter, including any consultation with staff and the agreed outcomes; and
 - (ii) on the first sitting day in June 2018, present a ministerial statement to the Assembly outlining the Government's short, medium, and long-term plans for maternity health services in the ACT; and
 - (b) in relation to the accreditation report for The Canberra Hospital:
 - (i) table in the Assembly by the close of business this day the:
 - (A) ACHS' final report and recommendations of the accreditation audit conducted in March 2018; and
 - (B) Government's response to that report;
 - (ii) report to the Assembly by the first sitting day in June 2018 on the progress being made to address each of the 37 failed accreditation standards in readiness for the accreditation review in July 2018; and

- (iii) table in the Assembly by the first sitting day in August 2018 the:
 - (A) ACHS' final report and recommendations of the accreditation review conducted in July 2018; and
 - (B) Government's response to that report;
- (c) in relation to the proposed split of the Health Directorate, table in the Assembly by the close of business this day:
 - (i) all ministerial briefs prepared by the Health Directorate and given to the Minister, including the Minister's response to those briefs; and
 - (ii) the Director-General's letter of resignation;
- (d) in relation to emergency department and elective surgery waiting times, table in the Assembly by the close of business this day:
 - (i) all statistical reports and related ministerial briefs given to the Minister since 1 January 2017; and
 - (ii) the timetable for publication of waiting times for elective surgery;
- (e) in relation to the SPIRE building, table in the Assembly by the first sitting day in June 2018, the full timetable for the design, construction and commissioning of the building; and
- (f) in relation to the unreported waiting times for elective surgery patients to attend an initial appointment with their specialist surgeon, table in the Assembly by the first sitting day in June 2018, the timetable for introduction of publication of waiting times for elective surgery patients to attend an initial appointment with their specialist surgeon.

Ms Fitzharris (Minister for Health and Wellbeing) moved the following amendment:
Omit all words after "That this Assembly", substitute:

"(1) notes that:

- (a) maternity services for the Canberra community are safe and high quality and recent reporting of some staff and patient concerns have been promptly addressed and acted upon by ACT Health, and include planning for managing future demand for maternity services in the ACT;
- (b) the accreditation process for ACT Health is continuing, following initial feedback that 176 core criteria were met and 33 core criteria were not met and required further action;
- (c) ACT Health will be separated into two organisations, with one organisation focused on the strategic policy and planning stewardship of the health system and another organisation focused on the operations and delivery of quality health services to our growing community, in order to improve the governance, performance and accountability of the ACT public health system;
- (d) in the 2017-18 Budget, the ACT Government provided \$236m to plan, design and commence construction of the Surgical Procedures, Interventional Radiation and Emergency (SPIRE) Centre;

- (e) the impact of increased demand on ACT Health, noting patient presentations to The Canberra Hospital and Health Services Emergency Department increased from 77 747 during 2015-16 to 85 093 during 2016-17 which is a 9.4 percent increase;
 - (f) in February, the ACT Government announced an additional \$6.4m to reduce the number of patients waiting for surgery on the elective surgery waiting list;
 - (g) the ACT Health System-Wide Data Review has recently been completed;
 - (h) Calvary Public Hospital is an important part of the ACT public health system and the trusted partnership between ACT Health and Calvary will continue through an improved agreement for the delivery of public health services for Canberra and the region;
 - (i) the Government has invested in the redevelopment of Canberra and Calvary operating theatres to ensure they are contemporary, fit for purpose and support the cross-territory management of elective surgery; and
 - (j) ACT Health staff share a commitment to delivering high quality health services to the Canberra community and they will be genuinely consulted with regarding ACT Health changes over the coming months;
- (2) calls on the ACT Government to:
- (a) table a copy of the original correspondence from some staff at the Centenary Hospital for Women and Children about maternity services and update the Assembly in August 2018 about the future planning for public maternity services in the ACT;
 - (b) deliver the \$70m expansion of the Centenary Hospital for Women and Children and complete the \$2.6m refurbishment of the maternity ward at Calvary Public Hospital Bruce which will support the growing need for maternity services in Canberra and the region;
 - (c) provide an update to the Assembly in June 2018 on ACT Health accreditation;
 - (d) finalise the ACT Health accreditation process by July 2018 and table the final Australian Council on Healthcare Standards' report in August 2018;
 - (e) provide an update to the Assembly in October 2018 about the separation of ACT Health and associated consultation with ACT Health staff and stakeholders;
 - (f) invest in health infrastructure to enhance and complement our existing health facilities, including new nurse led Walk-in Centres, expansion of the Centenary Hospital for Women and Children, the SPIRE Centre and northside hospital facilities;
 - (g) update the Assembly about the conclusion of the ACT Health System-wide Data Review this week and table the final report as well as the Government response in the coming months; and

- (h) outline in the Government response to the ACT Health System-Wide Data Review, how and where information will be published to ensure the community has access to robust data on areas, including emergency department performance and elective surgery waiting times.”.

Paper: Ms Fitzharris presented the following paper:

Centenary Hospital for Women and Children—Maternity services—Copy of letter to Andrew Brown, The Canberra Times, from Concerned staff members, Centenary Hospital for Women and Children, The Canberra Hospital, dated 15 April 2018.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 13		NOES, 10	
Mr Barr	Ms Orr	Miss C. Burch	Mr Milligan
Ms J. Burch	Mr Pettersson	Mr Coe	Mr Parton
Ms Cheyne	Mr Ramsay	Mrs Dunne	Mr Wall
Ms Cody	Mr Rattenbury	Mr Hanson	
Ms Fitzharris	Mr Steel	Mrs Kikkert	
Mr Gentleman	Ms Stephen-Smith	Ms Lawder	
Ms Le Couteur		Ms Lee	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) maternity services for the Canberra community are safe and high quality and recent reporting of some staff and patient concerns have been promptly addressed and acted upon by ACT Health, and include planning for managing future demand for maternity services in the ACT;
 - (b) the accreditation process for ACT Health is continuing, following initial feedback that 176 core criteria were met and 33 core criteria were not met and required further action;
 - (c) ACT Health will be separated into two organisations, with one organisation focused on the strategic policy and planning stewardship of the health system and another organisation focused on the operations and delivery of quality health services to our growing community, in order to improve the governance, performance and accountability of the ACT public health system;
 - (d) in the 2017-18 Budget, the ACT Government provided \$236m to plan, design and commence construction of the Surgical Procedures, Interventional Radiation and Emergency (SPIRE) Centre;

- (e) the impact of increased demand on ACT Health, noting patient presentations to The Canberra Hospital and Health Services Emergency Department increased from 77 747 during 2015-16 to 85 093 during 2016-17 which is a 9.4 percent increase;
 - (f) in February, the ACT Government announced an additional \$6.4m to reduce the number of patients waiting for surgery on the elective surgery waiting list;
 - (g) the ACT Health System-Wide Data Review has recently been completed;
 - (h) Calvary Public Hospital is an important part of the ACT public health system and the trusted partnership between ACT Health and Calvary will continue through an improved agreement for the delivery of public health services for Canberra and the region;
 - (i) the Government has invested in the redevelopment of Canberra and Calvary operating theatres to ensure they are contemporary, fit for purpose and support the cross-territory management of elective surgery; and
 - (j) ACT Health staff share a commitment to delivering high quality health services to the Canberra community and they will be genuinely consulted with regarding ACT Health changes over the coming months;
- (2) calls on the ACT Government to:
- (a) table a copy of the original correspondence from some staff at the Centenary Hospital for Women and Children about maternity services and update the Assembly in August 2018 about the future planning for public maternity services in the ACT;
 - (b) deliver the \$70m expansion of the Centenary Hospital for Women and Children and complete the \$2.6m refurbishment of the maternity ward at Calvary Public Hospital Bruce which will support the growing need for maternity services in Canberra and the region;
 - (c) provide an update to the Assembly in June 2018 on ACT Health accreditation;
 - (d) finalise the ACT Health accreditation process by July 2018 and table the final Australian Council on Healthcare Standards' report in August 2018;
 - (e) provide an update to the Assembly in October 2018 about the separation of ACT Health and associated consultation with ACT Health staff and stakeholders;
 - (f) invest in health infrastructure to enhance and complement our existing health facilities, including new nurse led Walk-in Centres, expansion of the Centenary Hospital for Women and Children, the SPIRE Centre and northside hospital facilities;
 - (g) update the Assembly about the conclusion of the ACT Health System-wide Data Review this week and table the final report as well as the Government response in the coming months; and

- (h) outline in the Government response to the ACT Health System-Wide Data Review, how and where information will be published to ensure the community has access to robust data on areas, including emergency department performance and elective surgery waiting times.” —

be agreed to—put and passed.

5 CORE SOCIAL AND ECONOMIC SERVICES—CONTINUED INVESTMENT

Ms Cody, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) Canberra is growing by 7 000 people a year, and is estimated to become a city of half a million people by 2030;
 - (b) major international companies and organisations are increasingly recognising Canberra is a good place to base their Australasian operations, bringing with them highly paid and secure jobs; and
 - (c) a growing Canberra needs ongoing, long term strategic investment in services and infrastructure to help keep Canberrans moving and productive, as well as protecting this city’s enviable lifestyle;
- (2) further notes that the ACT Government is growing core social and economic services for a growing city, including:
 - (a) investing \$3 billion over the next four years on key capital projects that will help Canberrans move around our city more quickly and access more high quality services locally;
 - (b) delivering green bin services to Weston Creek, Kambah and Tuggeranong, and rolling out the popular time and cost-saving municipal service to the remainder of Canberra by 2019;
 - (c) operating nurse-led walk-in centres in Belconnen and Tuggeranong which saw 36 785 patients seen in 2016-17, opening a walk-in centre in Gungahlin in 2018, undertaking design work to construct a walk-in centre in the Weston Creek region, and planning for a health centre in the Inner North this parliamentary term, as well as delivering more hospital and health services;
 - (d) improving freight and passenger connections around Australia securing daily international flights;
 - (e) delivering more aged friendly suburbs by improving accessibility for residents of Ainslie, Weston, Kaleen, Monash, Page and Hughes;
 - (f) building an integrated public transport network for our growing city, including commencement of Light Rail Stage 1, planning for Stage 2 to Woden, and delivering five new Rapid services and more buses more often;
 - (g) improving local public schools with more than \$85 million worth of works underway to upgrade and improve teaching and learning spaces at schools across the city, and plan and build new schools for the future; and

- (h) keeping Canberra safe as the city grows, through support for the emergency services, including personnel, equipment and infrastructure; and
- (3) calls on the Government to continue to invest in expanding our core community, social, health, education, emergency services and transport services to cater to a growing and thriving city, for the benefit of its residents and visitors.

Debate ensued.

Question—put and passed.

6 BUS SERVICES—EVENING AND WEEKEND TIMETABLES

Miss C. Burch, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) Canberra is a modern city of over 400 000 people;
 - (b) many Canberrans rely on public transport to get home safely at night; and
 - (c) low-income Canberrans are disproportionately impacted as they are the ones who work the late night hospitality and other shift work and currently cannot rely on public transport to get home safely;
- (2) further notes that:
 - (a) interstate bus services arrive at the Jolimont Centre until 1.30 am;
 - (b) the last bus services on weeknights leave Civic for Belconnen at 11.45 pm, for Gungahlin at 11.00 pm, and for Woden and Tuggeranong at 10.43 pm;
 - (c) the last bus services on Sunday and public holiday nights leave Civic for Belconnen at 7.46 pm, for Gungahlin at 6.59 pm, and for Woden and Tuggeranong at 7.26 pm;
 - (d) the last train services arrive at Kingston at 10.03 pm on weekdays and 9.43 pm on weekends and public holidays; and
 - (e) interstate travellers must rely on family, friends, or on-demand transport services to get home from Civic and Kingston when bus services are not available; and
- (3) calls on the Minister for Transport and City Services to report to the Assembly by Thursday, 23 August 2018 on plans to:
 - (a) extend bus services in the evenings; and
 - (b) extend bus services on Sundays and public holidays.

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

7 QUESTIONS

Questions without notice were asked.

8 BUS SERVICES—EVENING AND WEEKEND TIMETABLES

The order of the day having been read for the resumption of the debate on the motion of Miss C. Burch (see [entry 6](#))—

Debate resumed by Ms Fitzharris (Minister for Transport and City Services), who moved the following amendment: Omit all words after “That this Assembly”, substitute:

“(1) notes that:

- (a) Canberra is a modern city of over 400 000 people;
- (b) the ACT Government is focused on getting more Canberrans to use public transport and ensuring access and equity so that people can move around our city and get home safely at night; and
- (c) the new integrated light rail and bus network will assist in overcoming challenges for people with low income and those who work in late-night hospitality and other shift work seeking to travel home using public transport. This will assist in addressing disadvantage, especially for low income Canberrans, who may be disproportionately impacted;

(2) further notes that:

- (a) interstate bus services arrive at the Jolimont Centre until 1.30 am;
- (b) the last bus services on weeknights leave Civic for Belconnen at 11.45 pm, for Gungahlin at 11.00 pm, and for Woden and Tuggeranong at 10.43 pm;
- (c) the last bus services on Sunday and public holiday nights leave Civic for Belconnen at 7.46 pm, for Gungahlin at 6.59 pm, and for Woden and Tuggeranong at 7.26 pm;
- (d) the last train services arrive at Kingston at 10.03 pm on weekdays and 9.43 pm on weekends and public holidays;
- (e) interstate travellers often rely on family, friends, or on-demand transport services if bus services are not available;
- (f) the ACT Government has committed to delivering a better seven-day bus network as part of building an integrated public transport network for Canberra, including introducing light rail;
- (g) this new integrated public transport network will add five new Rapid routes to the four current Rapids, which will operate seven days a week and continue into the late evening; and
- (h) the ACT Government undertook phase one of public consultation in 2017 on the new bus network and will soon commence phase two of this extensive public consultation, which will help shape Canberra’s future public transport network; and

(3) calls on the Minister for Transport and City Services to report to the Assembly by Thursday, 23 August 2018 on:

- (a) plans to extend bus services in the evenings;

- (b) plans to extend bus services on Sundays and public holidays; and
- (c) plans to get more Canberrans using public transport.”.

Debate continued.

Ms Lawder moved the following amendment to Ms Fitzharris’ proposed amendment:
Insert new paragraph (3)(a):

“(a) information on take-up of Uber in Canberra;”.

Debate continued.

Amendment to amendment agreed to.

Amendment, as amended, agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) Canberra is a modern city of over 400 000 people;
 - (b) the ACT Government is focused on getting more Canberrans to use public transport and ensuring access and equity so that people can move around our city and get home safely at night; and
 - (c) the new integrated light rail and bus network will assist in overcoming challenges for people with low income and those who work in late-night hospitality and other shift work seeking to travel home using public transport. This will assist in addressing disadvantage, especially for low income Canberrans, who may be disproportionately impacted;
- (2) further notes that:
 - (a) interstate bus services arrive at the Jolimont Centre until 1.30 am;
 - (b) the last bus services on weeknights leave Civic for Belconnen at 11.45 pm, for Gungahlin at 11.00 pm, and for Woden and Tuggeranong at 10.43 pm;
 - (c) the last bus services on Sunday and public holiday nights leave Civic for Belconnen at 7.46 pm, for Gungahlin at 6.59 pm, and for Woden and Tuggeranong at 7.26 pm;
 - (d) the last train services arrive at Kingston at 10.03 pm on weekdays and 9.43 pm on weekends and public holidays;
 - (e) interstate travellers often rely on family, friends, or on-demand transport services if bus services are not available;
 - (f) the ACT Government has committed to delivering a better seven-day bus network as part of building an integrated public transport network for Canberra, including introducing light rail;
 - (g) this new integrated public transport network will add five new Rapid routes to the four current Rapids, which will operate seven days a week and continue into the late evening; and

- (h) the ACT Government undertook phase one of public consultation in 2017 on the new bus network and will soon commence phase two of this extensive public consultation, which will help shape Canberra's future public transport network; and
- (3) calls on the Minister for Transport and City Services to report to the Assembly by Thursday, 23 August 2018 on:
 - (a) information on take-up of Uber in Canberra;
 - (b) plans to extend bus services in the evenings;
 - (c) plans to extend bus services on Sundays and public holidays; and
 - (d) plans to get more Canberrans using public transport."—

be agreed to—put and passed.

9 DANGEROUS DOGS—MANAGEMENT AND STAFF RESOURCES

Ms Lawder, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) in 2016 the number of people presenting to ACT public hospital emergency wards as a result of dog attack was 155 meaning that, in effect, a serious dog attack occurred every two days;
 - (b) the former Member of the Legislative Assembly, the late Mr Steve Doszpot MLA, organised a concerted campaign in 2017 to make the Government act on serious deficiencies in ACT laws and administration relating to the management of dangerous dogs;
 - (c) on 25 October 2017 a Watson woman, Ms Tania Klemke, was killed in her house by a dog that on at least two previous occasions in 2017 had previously come to the serious attention of police and Domestic Animal Services (DAS);
 - (d) in October 2017 Minister Fitzharris announced that staffing of the DAS would double;
 - (e) on 23 November 2017 three dogs entered the private property of Ms Colless of Banks and killed her pet cat;
 - (f) on 22 March 2018 Minister Fitzharris stated that the Government was "in the process of increasing the number of Domestic Animal Services rangers";
 - (g) on 29 March 2018 with the case of the attack on Ms Colless's cat still unresolved, I wrote to Minister Fitzharris concerning the lengthy delay in resolving the case, correspondence that has still not been answered; and
 - (h) on about 20 April 2018 DAS wrote in an email to a member of the public who complained about a dog issue that DAS was "understaffed"; and
- (2) calls on the ACT Government to provide the Assembly with a report on the staff configuration engaged in the Licensing and Compliance Branch (branch or equivalent) of Transport Canberra and City Services including the DAS, City Ranger and Licensing Sections (section or equivalent) in:

- (a) each of the past three financial years to 30 June 2017, broken down by:
 - (i) staff levels for each section;
 - (ii) the classification levels of these positions in each section; and
 - (iii) the status of these positions including permanently occupied; and occupied by short term or contract person in each section;
- (b) the period 1 July 2017 to 30 April 2018, broken down by:
 - (i) staff levels in each section;
 - (ii) the classification levels of these positions in each section; and
 - (iii) the status of these positions including permanently occupied, occupied by short term or contract person in each section; and
- (c) the process of currently being engaged in the period 1 May 2018 to 30 June 2018, broken down by:
 - (i) staff levels in each section;
 - (ii) the classification levels of these positions in each section; and
 - (iii) the status of these positions including permanently occupied, occupied by short term or contract person in each section.

Ms Fitzharris (Minister for Transport and City Services) moved the following amendment: Omit all words after “That this Assembly”, substitute:

- “(1) notes that:
- (a) the management of dogs and prevention of dog attacks is of interest and concern to the ACT Government and the community;
 - (b) the Government takes the regulation of dogs, particularly dangerous dogs, very seriously with heavy penalties available where people do not follow the rules;
 - (c) following a concerted campaign from the late Steve Dospot MLA, on 29 November 2017, amendments to strengthen the *Domestic Animals Act 2000* (the Act) were passed by the ACT Legislative Assembly;
 - (d) the amendments focus on responsible dog ownership and public safety, whilst also considering animal welfare outcomes and recognising the benefits that owning a dog can bring to individuals and the community; and
 - (e) further to these amendments, on 25 October 2017, the ACT Government announced additional resources for Domestic Animal Services to enable them to effectively administer and implement these new laws. This included the doubling of the number Domestic Animal Service Rangers; and
- (2) calls on the ACT Government to provide the Assembly with a report on the staff configuration engaged in Domestic Animal Services in the following timeframes:
- (a) prior to October 2017, broken down by:

- (i) staff levels;
 - (ii) the classification levels of these positions; and
 - (iii) the status of these positions including permanently occupied, occupied by short term or contract person; and
- (b) as at 9 May, broken down by:
- (i) staff levels in each section;
 - (ii) the classification levels of these positions in each section; and
 - (iii) the status of these positions including permanently occupied, occupied by short term or contract person in each section.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 13		NOES, 10	
Mr Barr	Ms Orr	Miss C. Burch	Mr Milligan
Ms J. Burch	Mr Pettersson	Mr Coe	Mr Parton
Ms Cheyne	Mr Ramsay	Mrs Dunne	Mr Wall
Ms Cody	Mr Rattenbury	Mr Hanson	
Ms Fitzharris	Mr Steel	Mrs Kikkert	
Mr Gentleman	Ms Stephen-Smith	Ms Lawder	
Ms Le Couteur		Ms Lee	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
- (a) the management of dogs and prevention of dog attacks is of interest and concern to the ACT Government and the community;
 - (b) the Government takes the regulation of dogs, particularly dangerous dogs, very seriously with heavy penalties available where people do not follow the rules;
 - (c) following a concerted campaign from the late Steve Doszpot MLA, on 29 November 2017, amendments to strengthen the *Domestic Animals Act 2000* (the Act) were passed by the ACT Legislative Assembly;
 - (d) the amendments focus on responsible dog ownership and public safety, whilst also considering animal welfare outcomes and recognising the benefits that owning a dog can bring to individuals and the community; and
 - (e) further to these amendments, on 25 October 2017, the ACT Government announced additional resources for Domestic Animal Services to enable them to effectively administer and implement these new laws. This included the doubling of the number Domestic Animal Service Rangers; and

- (2) calls on the ACT Government to provide the Assembly with a report on the staff configuration engaged in Domestic Animal Services in the following timeframes:
- (a) prior to October 2017, broken down by:
 - (i) staff levels;
 - (ii) the classification levels of these positions; and
 - (iii) the status of these positions including permanently occupied, occupied by short term or contract person; and
 - (b) as at 9 May, broken down by:
 - (i) staff levels in each section;
 - (ii) the classification levels of these positions in each section; and
 - (iii) the status of these positions including permanently occupied, occupied by short term or contract person in each section.”—

be agreed to—put and passed.

10 ENERGY EFFICIENCY MEASURES

Ms Orr, pursuant to notice, moved—That this Assembly:

- (1) notes that:
- (a) climate change is a challenge we must respond to through moving to renewable energy while improving energy efficiency of our built environment;
 - (b) the transition to a sustainable future is beneficial to everyone in our community but must also be accessible to everyone in our community; and
 - (c) the ACT Government is already undertaking a range of initiatives that improve the sustainability of our community and also assist more vulnerable people within our community, including:
 - (i) achieving higher energy efficiency for public housing dwellings through the Public Housing Renewal Program;
 - (ii) funding the Low Income Home Energy Efficiency Program which supports 1 000 households per year through draught proofing, in-house education and projects such as the Curtain Retrofit Project and appliance replacement programs;
 - (iii) a pilot program in 2017 which gave 200 public housing tenants access to more efficient heating and cooling systems under the Energy Efficiency Improvement Scheme;
 - (iv) supporting the current trial of a 400-home “virtual power plant” in the ACT and investigating opportunities to create a larger virtual power plant in the future;

- (v) the Solar for Low Income Program which supports vulnerable households to install rooftop solar panels through a subsidy and interest free loan. In 2017-18 over 200 households will receive solar panels and an average household receiving solar will reduce energy costs by up to \$900 per annum; and
 - (vi) Actsmart Home Energy Advice Service workshops which provide tailored support for people of culturally and linguistically diverse backgrounds; and
- (2) calls on the ACT Government to:
- (a) continue to support everyone in our community particularly the most vulnerable Canberrans by improving energy efficiency in lower income and public housing; and
 - (b) explore further measures which could improve the sustainability of our city and enhance the wellbeing of our community.

Debate ensued.

Question—put and passed.

11 BIMBERI YOUTH DETENTION CENTRE—SCREENING PRACTICES—FOETAL ALCOHOL SPECTRUM DISORDER

Mrs Kikkert, by leave, having amended her notice, pursuant to notice, moved—That this Assembly:

- (1) notes that:
- (a) in the Australian Institute of Health and Welfare's 2016 National Drug Strategy Household Survey, one in four women reported having consumed alcohol after becoming aware of their pregnancies;
 - (b) alcohol exposure at any time during pregnancy can cause damage to the developing foetus. Evidence demonstrates that alcohol passes easily through the placenta within a couple of hours, giving the foetus a blood alcohol concentration nearly equal to that of the mother. Amniotic fluid retains alcohol, prolonging exposure to alcohol for the foetus. The foetus has minimal ability to metabolise alcohol and the ramifications of foetal alcohol exposure can produce lifelong harm known as foetal alcohol spectrum disorder (FASD);
 - (c) it is estimated that more than 500 000 Australians suffer from FASD;
 - (d) research has shown that children and youth with FASD have a much higher risk of not completing their education, of falling into lower socioeconomic groups, of self-medicating with drugs and alcohol, of suffering from anxiety or depression and of ultimately coming into contact with the criminal justice system;
 - (e) juveniles with FASD are 19 times more likely to be incarcerated and are far more likely to be recidivist;

- (f) 60 percent of the people with FASD over the age of 12 have criminal histories;
 - (g) prisoners with FASD are prone to exploitation and higher rates of victimisation, as well as repeating the behaviour of their perpetrators to others in the community following their release from prison; and
 - (h) the economic cost of FASD in Australia has been estimated to run into billions of dollars;
- (2) further notes that:
- (a) the 2012 national inquiry into FASD found that there is a need for diagnostic tools and services, as well as capacity to provide them. Consequently in 2016, the *Australian Guide to the Diagnosis of Fetal Alcohol Spectrum Disorder* was published as a national diagnostic and screening tool for FASD;
 - (b) the 2015-17 Banksia Hill Project was the first initiative in Australia to assess and diagnose detainees in a youth detention centre for FASD, resulting in findings of 36 participants (over 33 percent) with FASD but only two who had been previously diagnosed; and
 - (c) justice health services within the ACT, namely Forensic Mental Health Services and Primary Health Services, currently do not assess and diagnose detainees at the Bimberi Youth Justice Centre for FASD in accordance with the *Australian Guide to the Diagnosis of Fetal Alcohol Spectrum Disorder*; and
- (3) calls on the ACT Government to:
- (a) assess and screen all detainees, including newly arrived detainees, at the Bimberi Youth Justice Centre for FASD in full accordance with the *Australian Guide to the Diagnosis of Fetal Alcohol Spectrum Disorder* and develop treatment plans for ongoing care where diagnosed;
 - (b) better support future detainees in Bimberi by practicing robust collection and sharing of data relating to the assessment and screening of detainees;
 - (c) work with nationally recognised and accredited organisations to make sure best practice is reflected at each stage of the process and in all aspects of this work undertaken; and
 - (d) provide specific training to all Bimberi staff on how best to work with and support detainees with FASD.

Mr Rattenbury (Minister for Corrections) moved the following amendment: Omit all words after paragraph (2)(b), substitute:

- “(c) in the ACT, while Justice Health Services (JHS) does not specifically assess young people in Bimberi for FASD on induction, JHS does undertake a screen for key behavioural and clinical indications that can be found in FASD, and if identified, a referral is made to a paediatrician for assessment, diagnosis and treatment recommendations;

- (d) the *Australian Guide to the Diagnosis of Fetal Alcohol Spectrum Disorder* does not include a standardised screening tool for FASD, but instead provides a diagnostic instrument for FASD which is complex, and requires multiple assessments of a range of impacting factors over a long period of time;
 - (e) internationally, there is no validated standardised screening tool for FASD; and
 - (f) the Commonwealth Department of Health is currently leading work to develop the National FASD Strategic Action Plan 2018-2028, which is expected to be released by the end of this year, and the ACT is participating in its development; and
- (3) calls on the ACT Government to:
- (a) continue to work with the Commonwealth Government and other jurisdictions to identify new best practice approaches and tools for the diagnosis and treatment of FASD, both in juvenile detention settings and in the community;
 - (b) consider how the current behavioural and clinical screening practices used at Bimberi Youth Justice Centre could be enhanced in line with the *Australian Guide to the Diagnosis of Fetal Alcohol Spectrum Disorder* to improve the detection of FASD amongst current and future detainees;
 - (c) continue to support detainees in Bimberi by practicing robust collection and sharing of data relating to the assessment and screening of detainees;
 - (d) continue to provide detainees in Bimberi with individualised, trauma-informed supports that address the behavioural, clinical and other issues identified in screening;
 - (e) continue to provide training to all Bimberi staff, and consider future opportunities for additional training, on:
 - (i) understanding the needs of young people who offend;
 - (ii) addressing offending behaviours; and
 - (iii) the delivery of a trauma informed service; and
 - (f) work with nationally recognised and accredited organisations to make sure best practice is reflected at each stage of the process and in all aspects of this work undertaken.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:

- (a) in the Australian Institute of Health and Welfare's 2016 National Drug Strategy Household Survey, one in four women reported having consumed alcohol after becoming aware of their pregnancies;
 - (b) alcohol exposure at any time during pregnancy can cause damage to the developing foetus. Evidence demonstrates that alcohol passes easily through the placenta within a couple of hours, giving the foetus a blood alcohol concentration nearly equal to that of the mother. Amniotic fluid retains alcohol, prolonging exposure to alcohol for the foetus. The foetus has minimal ability to metabolise alcohol and the ramifications of foetal alcohol exposure can produce lifelong harm known as foetal alcohol spectrum disorder (FASD);
 - (c) it is estimated that more than 500 000 Australians suffer from FASD;
 - (d) research has shown that children and youth with FASD have a much higher risk of not completing their education, of falling into lower socioeconomic groups, of self-medicating with drugs and alcohol, of suffering from anxiety or depression and of ultimately coming into contact with the criminal justice system;
 - (e) juveniles with FASD are 19 times more likely to be incarcerated and are far more likely to be recidivist;
 - (f) 60 percent of the people with FASD over the age of 12 have criminal histories;
 - (g) prisoners with FASD are prone to exploitation and higher rates of victimisation, as well as repeating the behaviour of their perpetrators to others in the community following their release from prison; and
 - (h) the economic cost of FASD in Australia has been estimated to run into billions of dollars;
- (2) further notes that:
- (a) the 2012 national inquiry into FASD found that there is a need for diagnostic tools and services, as well as capacity to provide them. Consequently in 2016, the *Australian Guide to the Diagnosis of Fetal Alcohol Spectrum Disorder* was published as a national diagnostic and screening tool for FASD;
 - (b) the 2015-17 Banksia Hill Project was the first initiative in Australia to assess and diagnose detainees in a youth detention centre for FASD, resulting in findings of 36 participants (over 33 percent) with FASD but only two who had been previously diagnosed;
 - (c) in the ACT, while Justice Health Services (JHS) does not specifically assess young people in Bimberi for FASD on induction, JHS does undertake a screen for key behavioural and clinical indications that can be found in FASD, and if identified, a referral is made to a paediatrician for assessment, diagnosis and treatment recommendations;

- (d) the *Australian Guide to the Diagnosis of Fetal Alcohol Spectrum Disorder* does not include a standardised screening tool for FASD, but instead provides a diagnostic instrument for FASD which is complex, and requires multiple assessments of a range of impacting factors over a long period of time;
 - (e) internationally, there is no validated standardised screening tool for FASD; and
 - (f) the Commonwealth Department of Health is currently leading work to develop the National FASD Strategic Action Plan 2018-2028, which is expected to be released by the end of this year, and the ACT is participating in its development; and
- (3) calls on the ACT Government to:
- (a) continue to work with the Commonwealth Government and other jurisdictions to identify new best practice approaches and tools for the diagnosis and treatment of FASD, both in juvenile detention settings and in the community;
 - (b) consider how the current behavioural and clinical screening practices used at Bimberi Youth Justice Centre could be enhanced in line with the *Australian Guide to the Diagnosis of Fetal Alcohol Spectrum Disorder* to improve the detection of FASD amongst current and future detainees;
 - (c) continue to support detainees in Bimberi by practicing robust collection and sharing of data relating to the assessment and screening of detainees;
 - (d) continue to provide detainees in Bimberi with individualised, trauma-informed supports that address the behavioural, clinical and other issues identified in screening;
 - (e) continue to provide training to all Bimberi staff, and consider future opportunities for additional training, on:
 - (i) understanding the needs of young people who offend;
 - (ii) addressing offending behaviours; and
 - (iii) the delivery of a trauma informed service; and
 - (f) work with nationally recognised and accredited organisations to make sure best practice is reflected at each stage of the process and in all aspects of this work undertaken.”—

be agreed to—put and passed.

12 ADJOURNMENT

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.18 pm, adjourned until tomorrow at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Mrs Jones*.

*on leave

Tom Duncan
Clerk of the Legislative Assembly