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Ms Joy Burch MLA

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Dear Madam Speaker ^{Joy}

Pursuant to Standing Order 254B, I write to request your assistance in facilitating non-sitting circulation to members of the following Government Responses to ACT Legislative Assembly Standing Committee Reports on 2019-20 Annual and Financial Reports:

- Government Response to the Standing Committee on Economy and Gender and Economic Equality Report No 2 – Report on Inquiries into Annual and Financial Reports 2019-20 and ACT Budget 2020-21;
- Government Response to the Standing Committee on Education and Community Inclusion Report No 1 – Annual and Financial Reports 2019-2020 and Appropriate Bill 2020-2021;
- Government Response to the Standing Committee on Environment, Climate Change, and Biodiversity Report No 1 – Report on Annual and Financial Reports 2019-20 and Estimates 2020-21;
- Government Response to the Standing Committee on Health and Community Wellbeing Report No 1 – Annual and Financial Reports 2019-2020; Appropriation Bill 2020-2021 and Appropriation (Office of the Legislative Assembly) Bill 2020-2021;
- Government Response to the Standing Committee on Justice and Community Safety Report No 1 – Annual and Financial Reports 2019-2020; Appropriation Bill 2020-2021 and Appropriation (Office of the Legislative Assembly) Bill 2020-2021; and

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- Government Response to the Standing Committee on Public Accounts Report No 1 – Annual and Financial Reports 2019-2020; Appropriation Bill 2020-2021 and Appropriation (Office of the Legislative Assembly) Bill 2020-2021.

Please see attached a copy of each of the above Government Responses. I will present the Government Responses in the ACT Legislative Assembly on 3 August 2021.

If you require any further information please contact Yersheena O'Donoghue, Director, Cabinet and Legislation, Office of the Chief Minister Andrew Barr MLA on 62074655.

Thank you for your assistance in this matter.

Yours sincerely



Andrew Barr MLA
Chief Minister
28 July 2021

2021

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**GOVERNMENT RESPONSE TO THE
STANDING COMMITTEE ON ECONOMY AND GENDER AND ECONOMIC EQUALITY
REPORT NO.2**

**REPORT ON INQUIRIES INTO ANNUAL AND FINANCIAL REPORTS 2019-20 AND
ACT BUDGET 2020-21**

**Presented by
Mr Andrew Barr MLA
Chief Minister**

Introduction

On 2 December 2020, the Legislative Assembly referred the 2020-21 ACT Budget, *Appropriation Bill 2020-2021*, *Appropriation (Office of the Legislative Assembly) Bill 2020-21* and the 2019-20 Annual and Financial Reports to the seven Standing Committees (the Committees) for inquiry and report.

The 2019-20 Annual and Financial Reports, 2020-21 ACT Budget, *Appropriation Bill 2020-2021* and the *Appropriation (Office of the Legislative Assembly) Bill 2020-21* were reviewed cognately by the relevant Standing Committees. Each Committee reported separately, combining recommendations relating to the 2020-21 ACT Budget, *Appropriation Bill 2020-2021*, *Appropriation (Office of the Legislative Assembly) Bill 2020-21* and to the 2019-20 Annual and Financial Reports.

On 20 April 2021 the Treasurer presented the 'Government Response to Standing Committee Reports – 2020-21 ACT Budget and the *Appropriation Bill 2020-2021* and the *Appropriation (Office of the Legislative Assembly) Bill 2020-21*' in the Legislative Assembly which addressed recommendations relating to the 2020-21 ACT Budget, *Appropriation Bill 2020-2021* and the *Appropriation (Office of the Legislative Assembly) Bill 2020-21*.

The below Government Response addresses the remaining recommendations which relate to 2019-20 Annual and Financial Reports.

The following Annual and Financial Reports or sections of annual reports, were referred to the Standing Committee on Economy and Gender and Economic Equality (the Committee):

- ACT Architects Board (annexed report to CMTEDD Annual Report);
- ACT Construction Occupations (annexed report to CMTEDD Annual Report);
- ACT Executive (annexed report to CMTEDD Annual Report);
- ACT Gambling and Racing Commission;
- ACT Government Procurement Board (annexed report to CMTEDD Annual Report);
- ACT Insurance Authority;
- ACT Long Service Leave Authority;
- Chief Minister and Treasury and Economic Development Directorate;
- Cultural Facilities Corporation;
- Director of Territory Records (annexed report to CMTEDD Annual Report);
- Icon Water;
- Independent Commission for Regulatory Competition (ICRC);
- Lifetime Care and Support (annexed report to CMTEDD Annual Report);
- Major Projects Canberra;
- Motor Accident Injuries (MAI) Commission [including ACT Compulsory Third-Party Insurance (TPI) Regulator—MAI Commission replaced the ACT Compulsory TPI Regulator on 1 Feb 2020] (annexed report to CMTEDD Annual Report);
- Office of the Nominal Defendant of the ACT (annexed report to CMTEDD Annual Report); and
- Public Service Standards Commissioner (State of the Service Report).

Response to Committee Recommendations

Recommendation 3

The Committee recommends that the ACT Government prepare gender-sensitive responses for all stages of future crises to prevent negative consequences for women's rights, LGBTQI+ rights and gender equality.

Government Response - Agreed

The ACT Government will coordinate across key inclusion offices and with Whole of Government crisis response teams to ensure that crisis response and recovery plans adequately integrate gender equality and women's empowerment and LGBTQI+ inclusion.

Recommendation 7

The Committee recommends that the ACT Government give due consideration to the merits, or otherwise, of establishing a long-term goal to work towards a certain energy efficiency standard for its artsACT facilities.

Government Response – Noted

ACT Government will give due consideration to establishing an energy efficiency standard for arts facilities owned by the ACT Government and occupied by not-for-profit arts organisations.

Recommendation 8

The Committee recommends that the ACT Government, for future artsACT funding rounds, give due consideration to providing: (i) greater clarity regarding eligibility requirements; (ii) greater clarity regarding specific exclusions, exceptions, and conditions—such as considering other funding that may have been received; and (iii) improved feedback on funding proposals and assessment processes.

Government Response – Agreed

The ACT Government continually reviews and enhances funding guidelines for individuals and organisations to ensure they are clear, relevant, and transparent. All applicants who seek funding are encouraged to seek feedback from artsACT before and after application.

Recommendation 9

The Committee recommends that the ACT Government's Canberra Economic Advisory Group prepare and release a general communique on a quarterly basis that would permit timely reporting on key aspects of its work.

Government Response – Noted

Canberra Economic Advisory Group (CEAG) members have been appointed for a six-month period through to August 2021. A statement will be released at the conclusion of the work.

Recommendation 10

The Committee recommends that the ACT Government review job retention rates for people with a disability and people of Aboriginal and Torres Strait Islander background who undergo ACTPS targeted programs with a view to identifying the unique structural and social barriers these identified groups may face regarding job retention.

Government Response – Agreed in-principle

The ACTPS supports diversity and inclusion across its workforce and recognises the value of diversity as a key driver of high-performing organisations. Overall ACTPS targeted employment entry Traineeships and Vocational Employment Programs (VEPs) for People with a Disability and Aboriginal and Torres Strait Islander People have a good retention rate; with most former participants continuing their careers in the ACTPS.

The VEPs are being reviewed and evaluated to ensure they continue to support diversity, inclusion, and equality in our workforce. In addition, the evaluation will explore individual wellbeing, connection and engagement experienced by the individual employees in their ongoing career in the ACTPS.

The ACTPS is in the process of implementing a new HR and Payroll Information Management Solution (HRIMS). Subject to the functionality of the HRIMS, new and/or enhanced statistical information will support the identification of trends in the employment and retention of Aboriginal and Torres Strait Islander people and People with Disability in the ACTPS. This in turn will assist with continued improvements and removal of systemic barriers, and new innovations in equity and diversity programs across the ACTPS.

Additionally, the ACTPS is introducing a whole-of-ACTPS employee survey in 2021, which will include a range of questions and demographic information. This resulting analysis will help identify and action any systemic problems identified.

Recommendation 11

The Committee recommends that the ACT Government should continue to build workplace flexibility in the ACT Public Service and give due consideration to normalising the option of working from home as a viable flexible work provision, where permitted by the demands and responsibilities of designated roles.

Government Response – Agreed

The ACTPS continues to explore opportunities to embed and normalise flexible work practices for its workforce.

Further initiatives currently being scoped include the expansion of our portfolio of flexible accommodation spaces to include 'flexi-offices' in all of our town centres. This will boost worker autonomy and facilitate a blend of home based and onsite working, whilst providing more opportunities for staff to work locally within their communities.

The ACTPS Enterprise Agreements supports flexible working arrangements for all ACTPS employees. The ACTPS is reviewing the current flexible work provisions in a collaborative manner with directorates/agencies and unions through Enterprise Agreement bargaining working groups to ensure they reflect and encourage contemporary flexible working practices. Consideration will be given to whether the current provisions require expansion to further facilitate and support employees wanting to engage in flexible working arrangements.

The work practices of the ACT Public Service can significantly impact the social, economic, and environmental sustainability of the Territory and its surrounding regions. We will model workplace practices that influence, promote and advance the priorities of our growing community, and encourage Federal Government departments and industries working in the ACT to follow the same path.

Recommendation 13

The Committee recommends that the ACT Government collect data and report publicly in the State of Service Report on the use across the ACT Public Service of: (i) labour hire and contract employment; and (ii) contractor for services work.

Government Response – Agreed in-principle

This reporting will be included in the 2020-21 State of the Service Report.

The ACT Government has a long-standing commitment to implementing more secure employment within the ACTPS. The Insecure Work taskforce has systematically identified and assessed temporary and casual positions to determine if they should be converted to permanency. In addition, the Government has committed to the introduction of the necessary arrangements to implement a whole-of Government policy that Government services will not be contracted out where they could be performed by public servants. In developing this policy, consideration will be given to the appropriate reporting requirements and method of reporting.

Recommendation 14

The Committee recommends that the ACT Government collect data and report publicly in the State of Service Report on the gender pay gap in the ACT Public service by: (i) directorate; and (ii) classification levels within each directorate.

Government Response – Agreed in-principle

The Government provides gender pay gap information in the ACT Public service by: (i) directorate; and (ii) classification levels within the State of the Service report. The data is subject to significant changes each reporting year, particularly within groups with small numbers. Further consideration will be given to any further breakdown of this data.

Recommendation 15

The Committee recommends that any recommended changes to pricing frameworks for non-potable water arising from the Non-potable Water Review into water costs for high-intensity club users of non-potable water should be consistent with the following principles: (i) the price

of non-potable water should generally reflect the cost of supply; (ii) any subsidy provided should be transparent and based on a demonstrated need; and (iii) cases for support should have regard to the ongoing wider benefits to the community such as economic, social and environmental outcomes.

Government Response – Agreed in-principle

The three principles detailed in Recommendation 15 are consistent with the key issues for consideration set-out in the Non-potable Water Review (the Review) Discussion Paper. Treasury will take these into account whilst reviewing this matter and developing recommendations.

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**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**GOVERNMENT RESPONSE TO THE
STANDING COMMITTEE ON EDUCATION AND COMMUNITY INCLUSION
REPORT NO.1**

ANNUAL AND FINANCIAL REPORTS 2019-2020 AND APPROPRIATION BILL 2020-2021

**Presented by
Mr Andrew Barr MLA
Chief Minister**

Introduction

On 2 December 2020, the Legislative Assembly referred the 2020-21 ACT Budget, *Appropriation Bill 2020-2021*, *Appropriation (Office of the Legislative Assembly) Bill 2020-21* and the 2019-20 Annual and Financial Reports to the seven Standing Committees (the Committees) for inquiry and report.

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On 20 April 2021 the Treasurer presented the 'Government Response to Standing Committee Reports – 2020-21 ACT Budget and the *Appropriation Bill 2020-2021* and the *Appropriation (Office of the Legislative Assembly) Bill 2020-21*' in the Legislative Assembly which addressed recommendations relating to the 2020-21 ACT Budget, *Appropriation Bill 2020-2021* and the *Appropriation (Office of the Legislative Assembly) Bill 2020-21*.

The below Government Response addresses the remaining recommendations which relate to 2019-20 Annual and Financial Reports.

The following Annual and Financial Reports or sections of annual reports, were referred to the Standing Committee on Education and Community Inclusion (the Committee):

- ACT Building and Construction Industry Training Fund Authority;
- Canberra Institute of Technology;
- Chief Minister, Treasury and Economic Development Directorate ;
- Community Services Directorate;
- Education Directorate; and
- University of Canberra.

Response to Committee Recommendations

Recommendation 1

The Committee recommends that the ACT Government ensure that Child and Family Centres provide program offerings simultaneously on the north and south sides of Canberra.

Government Response – Noted

Child and Family Centres are located in the Southside at Tuggeranong and on the North side at Gungahlin and West Belconnen. All centres offer programs and services all year round with groups being run each school term. Groups are run simultaneously from all centres and may be facilitated in conjunction with local partners and also other organisations. The type and time of the groups may vary according to local community need, demand and availability of staff with appropriate training. At times the same groups will be offered and at times they will differ. The Centres also run outreach programs. Families can also walk into all Centres without an appointment at any time the centre is open and receive advice about supports and services available which may also include single session work or individual case management for families. They do not have to live locally to receive a service, so if a family is suitable for a group run in a different location, they can be given the option to attend that group.

Recommendation 6

The Committee recommends that the ACT Government more carefully plans the construction of new schools to better meet size demands at the initial point of construction to avoid further construction work in the early life of the school.

Government Response – Noted

Planning for new ACT Public Schools is informed by enrolment projections and demographic changes. New schools are built flexibly so additional demand can be met if required.

The Education Directorate has a strategic partnership with the Australian National University School of Demography to undertake research to boost the Directorate's approach to forecasting enrolments. Under this partnership, the ANU is undertaking modelling to capture and predict student movements across public and non-government schools in the ACT. This work will allow more precise modelling in high growth areas. This strategic partnership with subject matter experts and demographers at ANU supports the Directorate to plan for future school needs and capacity, as well as making the most of existing school infrastructure across the current 89 public schools.

Recommendation 7

The Committee recommends that the ACT Government outline its plans to improve literacy and numeracy skills among ACT public school students.

Government Response – Noted

The ACT Education Directorate is committed to ongoing school improvement, including improving literacy and numeracy outcomes. Efforts include mentoring and coaching teachers, establishing professional learning communities and ensuring teaching practice is evidence-informed and contemporary. Schools have high expectations for every student.

Recommendation 9

The Committee recommends that the ACT Government connect with the 2020 Young Canberra Citizen of the Year Awards winners and ensure that they are given appropriate opportunities in light of the disruptions experienced in 2020.

Government Response - Noted

This is occurring when appropriate.

Traditionally, the Young Canberra Citizen of the Year Award recipients would be offered a range of opportunities including:

- MC at Citizenship ceremonies;
- Radio/ media opportunities to talk on current issues that would relate to their passion or reason for winning the Award; and
- Present at forums and workshops if relevant to their expertise or passions.

Due to COVID-19, opportunities were limited in 2020.

The Youth Engagement Team, Community Services Directorate will continue to identify opportunities for both the 2020 and 2021 Young Canberra Citizen of the Year recipients to have the opportunities to speak, MC, or present at forums and workshops and benefit from the opportunities this Award offers.

Recommendation 10

The Committee recommends that the ACT Government improve referral and feedback processes when women's safety issues are reported to ACT Government directorates and agencies.

Government Response - Noted

The ACT Government is supportive of improvements to women's safety via improved referral and feedback processes. It will continue to ensure the provision of the Women's Information Line to empower women to access relevant and timely information and to allow women to select options and services that meet their needs.

All ACT Government directorates have an Executive Sponsor for the ACT Women's Second Action Plan. These Executive Sponsors attend regular Inter-Directorate meetings where information is shared, and feedback is provided on women's safety issues and potential opportunities for improvements.

The Justice and Community Safety Directorate (JACS) is committed to continuously improving the legal frameworks and JACS programs that support women's safety. JACS is supportive of participating in any additional referral and feedback mechanisms that may result from this recommendation, aimed at enhancing communication between directorates and agencies on issues affecting women's safety.

Recommendation 12

Committee recommends that the ACT Government ensure that all future procurement processes adequately consider previous work of companies tendering for work.

Government Response - Agreed

ACT Government evaluation criteria for the procurement of infrastructure includes the consideration of previous work experience and track record, including evaluation of relevant experience and past performance on similar projects completed in the last five years.

The Government is working to further improve procurement practices through training ACT public servants undertaking procurement activities on the application of the *Government Procurement (Charter of Procurement Values) Direction 2020*. There are also ongoing improvements being made to the operation of the Secure Local Jobs Code.

2021

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**GOVERNMENT RESPONSE TO THE
STANDING COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY
REPORT NO.1**

REPORT ON ANNUAL AND FINANCIAL REPORTS 2019-20 AND ESTIMATES 2020-21

**Presented by
Mr Andrew Barr MLA
Chief Minister**

Introduction

On 2 December 2020, the Legislative Assembly referred the 2020-21 ACT Budget, *Appropriation Bill 2020-2021*, *Appropriation (Office of the Legislative Assembly) Bill 2020-21* and the 2019-20 Annual and Financial Reports to the seven Standing Committees (the Committees) for inquiry and report.

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The below Government Response addresses the remaining recommendations which relate to 2019-20 Annual and Financial Reports.

The following Annual and Financial Reports or sections of annual reports, were referred to the Standing Committee on Environment, Climate Change and Biodiversity (the Committee):

- Chief Minister, Treasury and Economic Development Directorate;
- Environment, Planning and Sustainable Development Directorate; and
- Office of the Commissioner for Sustainability and the Environment.

Response to Committee Recommendations

Recommendation 1

The Committee recommends that the ACT Government provide an update to the Committee on the status of and progress towards the review of the Climate Change and Greenhouse Gas Reduction Act 2010, as required by Section 26 of the Act.

Government Response – Agreed

Section 26 of the Climate Change and Greenhouse Gas Reduction Act calls for a review of the Act “as soon as practicable after the end of this Act’s 5th and 10th years of operation”. With the legislation commencing in 2010, the review will take place in 2021, in the context of having achieved the targets for 2020 set out in the legislation, the Parliamentary and Governing Agreement identifying a range of new climate change measures and changed Ministerial responsibilities.

The review will consider all of the content and functions of the Act, including the role and effectiveness of targets, powers of the Minister, operation of the Climate Change Council, role of sectoral agreements, and progress reporting.

The review will include independent expert assessment, high-level internal and external oversight, and consultation including with the Climate Change Council which is created through the Act.

The review has been initiated and is expected to be completed by the end of 2021. Results of the review and the government’s response to the review will be made public.

Recommendation 2

The Committee recommends that the ACT Government update the Assembly on the management of invasive plants and animals before the next Budget.

Government Response – Agreed

An update will be tabled in the August 2021 sittings.

Recommendation 5

The Committee recommends that the Commissioner for Sustainability and the Environment update the Committee on the work being undertaken to make the State of the Environment Report more accessible, and the work being undertaken to engage with the community.

Government Response – Agreed

Improving the accessibility of the State of the Environment Report is being undertaken through several concurrent activities.

First, the State of the Environment Report 2019 (SoE19) has been developed into an interactive website (<http://actsoe.com.au/report/>) for community use. This includes key message, actions and recommendations, as well as graphs and data behind the reporting. This has been accompanied by explainer videos for key SoE19 themes that provide summaries of the environmental issues and conditions for the ACT.

Second, the SoE19 is being made available to a wider part of the community through dedicated children's versions. In a first for any Australian jurisdiction, a high school SoE report is now available (<https://www.environmentforyouth.com.au/>) with accessible content and findings for usage by ACT children and young people. A primary school version is due for publication within the 2020-21 financial year.

Finally, we will undertake a comprehensive review of the SoE process prior to commencing the next round of reporting. This will guide efforts towards a comprehensive but accessible report for 2023.

The Office undertakes multiple engagement activities with various parts of the community. This includes school visits, meetings with educators, parents and peak body groups (e.g., AAEE), meetings and phone calls directly with community members and community groups (e.g., Griffith Narrabundah Community Association), the provision of reports and additional information on request, delivery of zoom webinars (e.g., Canberra's Air Quality), Facebook Q&A sessions, engagement and consultation with community volunteering groups and peak bodies (e.g. Landcare ACT) , and through social media channels (Facebook, Twitter and Instagram). We have also undertaken a process to improve our complaints lodgement and handling processes.

The Office values the accessibility of environmental information and strives to be available to the community to discuss how the environment is being managed in the ACT. Further updates can be provided to the Committee on request.

2021

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**GOVERNMENT RESPONSE TO THE
STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING
REPORT NO.1**

**ANNUAL AND FINANCIAL REPORTS 2019-2020; APPROPRIATION BILL 2020-2021
AND APPROPRIATION (OFFICE OF THE LEGISLATIVE ASSEMBLY) BILL 2020-2021**

**Presented by
Mr Andrew Barr MLA
Chief Minister**

Introduction

On 2 December 2020, the Legislative Assembly referred the 2020-21 ACT Budget, *Appropriation Bill 2020-2021*, *Appropriation (Office of the Legislative Assembly) Bill 2020-21* and the 2019-20 Annual and Financial Reports to the seven Standing Committees (the Committees) for inquiry and report.

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The following Annual and Financial Reports or sections of annual reports, were referred to the Standing Committee on Health and Community Wellbeing (the Committee):

- ACT Health Directorate;
- Canberra Health Services; and
- Community Services Directorate.

Response to Committee Recommendations

Recommendation 1

The Committee recommends that data on sexual health services be provided in the next annual report. Included in this information should be results of consultations with clients on how services are provided, and the level of satisfaction recorded by clients.

Government Response – Agreed

Canberra Health Service (CHS) will provide the below data in the Annual Report relating to the Canberra Sexual Health Clinic (CSHC):

- Occasions of Service
- Number of complaints/compliments managed through CHS Consumer Feedback Engagement Team
- Any additional information on internal surveys undertaken directly by CSHC

Recommendation 2

That ACT Health continue to utilise and improve best practice social media and other community communication media to ensure that the community become used to consulting appropriate Apps and online information to assess availability of the appropriate service for treatment – including emergency – needs.

Government Response – Agreed

Both ACT Health Directorate (ACTHD) and CHS aim to ensure effective, best practice, and audience-led approaches to communication that benefits Canberrans and gives them what they need, when they need it. Both directorates manage a number of internal and external communication channels, including media, social media and web, to ensure accessibility of information to the broad ACT community. The directorate employs professional communication staff to support this focus.

ACTHD and CHS are currently undertaking a web redesign project which will ensure the best-practice presentation of information to the community. This project was undertaken with considerable consultation with the consumer and carer community with key recommendations about the design taken on board.

Both directorates continue to promote the ACT Health App as a key source of information about the public health services available, including the location and wait times of public hospital emergency departments. Significant updates to the ACT Health App were made in 2020 to include new details including a link to the hospital COVID-19 screening tool and the inclusion of estimated treatment time for walk in centres and emergency departments. As at 14 July 2021, the ACT Health App has been downloaded 46,983 times.

Recommendation 3

That, in response to this report, that ACT Health continue to provide 6 monthly updated information of junior doctors' recorded feedback and experience.

Government Response – Agreed

ACTHD will continue to work with CHS on implementing the recommendations from the Independent Review of Workplace Culture and provide biannual updates on progress. Specific updates on the feedback and experiences of junior doctors within the ACT public health system will be included in these updates.

Recommendation 5

That the ACT Government continue to implement the Occupational Violence Strategy and seek further ways to reduce occupational violence.

Government Response – Agreed

The Nurses and Midwives Towards a Safer Culture Strategy provides a framework for the ACTHD, CHS and Calvary Public Hospital Bruce (CPHB) to deliver strategic occupational violence and culture enhancing programs.

In addition, CHS continues to implement WHS policy guidelines and advice to staff on occupational violence risk management to support implementation of the Occupation Violence Strategy and the Safer Workplace Strategy. A number of resources have been made available to staff, including:

- An Occupational Violence Information Sheet providing practical information to raise awareness,
- The Staff Rights to a Safe Workplace Factsheet, and
- The Challenging Behaviour Guidelines, which provides a framework for ACT public health care workers to manage and respond to occupational violence demonstrated by patients, consumers and visitors accessing or being treated by ACT public health services.

This is further strengthened by the strategic work through the system-wide Culture Review Implementation program.

All staff are aware that they need to report occupational violence incidents in Riskman and occupational violence data is reported to WHS committee meetings. CHS continues to implement its Occupational Violence Strategy, including:

- Developing a contemporary Occupational Violence Risk Assessment (OVRAT) and rolling it out in 91 client facing work units. This is a comprehensive risk scan to identify and manage occupational violence risks including recommendation to address any identified gaps.
- Implementing the Behaviour of Concern (BOC) Chart, a clinical tool used to predict and manage violent behaviour. The BOC Chart is currently being trialled on two wards.
- Working with stakeholders and conducting a review of occupational violence training (e.g. de-escalation training). Development of material to address these gaps is underway. Two additional occupational violence trainers have been recruited to increase the capacity to deliver training to CHS staff.

- Procurement of 415 community duress devices is close to completion with a rollout planned to commence in June/July 2021. These devices allow CHS community workers, many who work alone, to discretely raise alarm when under threat in the community. The duress alarm communicates to a control centre where appropriate action is determined e.g. contacting Police to attend.

CPHB's Great Workplaces Program are implementing strategic work of the ACT Health Directorates Culture Review Implementation program and deliverables of the Nurses and Midwives: Towards a Safer Culture (NM TASC) Project. Deliverables of NM TASC include:

- Staff Rights to a Safe Workplace Factsheet
- Challenging Behaviours Guidelines for Health Services
- Trialled the Safewards model and interventions in two inpatient wards being the Older Persons Mental Health Inpatient Unit (OPMHIU) and 4W.
- Implemented the "Be kind and respectful to our nurses and midwives" community awareness campaign resources including posters and digital signage.
- CPHB have been active members in the NM TASC Steering Committee and Advisory Group, providing strategic direction of the Project and in the development and implementation of its deliverables.

CPHB Great Workplaces Program has:

- Launched the CPHB's Occupational Violence (OV) Framework. The Framework for preventing and managing OV guides staff at CPHB on how to prevent and respond to the risk of OV from an organisation-wide perspective. It is broken down into Governance, Support, Training and Awareness. Of note, the Great Workplaces program have sought the expertise of Team Teach, to facilitate face to face de-escalation training to CPHB in a staged approach dependent on staff members level of risk to OV in the workplace. This training provider and program is also provided to the ACT Education Directorate. Strengthening this training are online e-learning modules available for all staff.
- Launched the Occupational Violence (OV) Prevention Procedure.

Recommendation 6

That the ACT Government continue to address and rectify the elective surgery waitlist that has occurred as a result of suspension of surgery due to COVID-19.

Government Response – Agreed

The ACT Government is endeavouring to deliver a record number of elective surgeries in 2020-21 to reduce elective surgery wait times. The ACT Government has also committed to deliver 60,000 elective surgeries over the next four years and establish an Elective Surgery Centre on the University of Canberra campus.

The elective surgery waitlist is a dynamic measure and only one element of measuring elective surgery performance. The current waitlist size is now lower than it was before the suspension of non-essential surgery in 2020. Of the patients overdue at the end of the suspension period, they have all been tracked and more than 1000 have received their surgery.

It is likely that only a few patients who are not ready for their procedure will remain at the end financial year. In addition, the number of overdue patients has now dropped to a similar level to before the suspension in March 2020.

Recommendation 8

That the ACT Government explore and report on the provision of an imaging service at a northside walk-in centre.

Government Response – Agreed in-principle

The Territory-Wide Health Services Plan, due to be finalised in 2021, will support the delivery of Government priorities including the expansion of the scope of walk-in centres and establishment of integrated health hubs across the ACT. Improving access to community based medical imaging services has also been identified in the draft Plan and this will need to be considered in context of ensuring the sustainability of existing services and the appropriate timing and location of community-based services in line with service demand across the ACT.

Recommendation 9

The Committee recommends that the current review of the present external merits review arrangements in ACT Child Protection Matters be proceeded with and concluded as soon as possible, and that the results of that review and proposals for change and improvement be made available to the Assembly.

Government Response – Agreed in-principle

The ACT Government has approved funding of \$100,000 for a project to develop a model of external merits review. On 3 May 2021 a tender was released with local expert consultants invited to work with the Community Services Directorate (CSD), community partners and the community to develop options for a model of external merits review.

Once the tender process is completed, the successful consultant will undertake consultation in order to propose options and recommendations for a model of external merits review of child protection decisions, that aligns with internal merits review processes and incorporates family-led, trauma-informed, strengths based, transparent, and restorative approaches. This project is intended to enable a unified model of internal and external merits review of child protection decisions to operate in the ACT. The ACT Government will make the proposed model publicly available.

Recommendation 10

That CSD ensure that an open tender process is used for providing continuation of the Safe and Connected Youth program.

Government Response – Noted

The Community Service Directorate (CSD) undertakes procurements in line with the *Government Procurement Act 2001* and *Government Procurement Regulation 2007*.

Any territory funded works greater than \$200,000 must invite a public tender, except in circumstances where the Director-General (or delegate) is satisfied that the benefit of not complying with the requirement outweighs the benefits of complying with the requirement and will achieve the best value for money.

Recommendation 12

That CSD develop a mechanism which will allow new providers to express an interest in government contracts.

Government Response – Noted

The Community Service Directorate (CSD) currently balances the need for stability and certainty through 'Single Select' and 'Select' procurement processes and allowing opportunity for new providers to qualify for contracts through 'Open Tender' processes.

CSD will continue to work with Procurement ACT to ensure we are aligned with the ACT Government - Commissioning and Procurement – Procurement Better Practice Guide 2021 and whole of government procurement processes to ensure this recommendation is achieved.

CSD has previously undertaken commissioning processes to achieve a balance between ensuring stability and certainty and encouraging expressions of interest from new providers for contracts that are due for renewal. An example of this is the review and redesign of the Community Development Program (CDP) Emergency, Material and Financial Aid (EMFA) program in 2016-17. A suite of procurement strategies (including Grants, Select and Open Competitive Tenders) were used to approach the market and engage successful tenderers.

Contracts for sub-sector programs - CDP; Child, Youth and Family Services Program (CYFSP); Children's Services Program (CSP) expire on 30 June 2022. Contracts under the Specialist Homelessness Service Delivery Program (SHSD) are to be extended to 30 June 2023.

CSD is continuing to work with our community partners and service users to redesign programs within these sub-sectors using a commissioning approach. Future retendering for these programs will use a commissioning approach. This will achieve a better balance between stability and certainty while also allowing opportunity for new providers to qualify for contracts.

Recommendation 13

That ACT Health inquire and determine the rates of occupational pressures, particularly including abuse, experienced by junior Aboriginal and Torres Strait Islander doctors in the ACT and propose a solution to any unsatisfactory situation.

Government Response – Agreed in-principle

There are a range of mechanisms to enable tracking of workplace culture and workplace concerns including:

- review and analysis of workforce data,
- climate surveys undertaken by ACTHD and CHS in November 2019,

- participation by the ACTHD in July 2021 whole of government pilot survey,
- CHS climate survey in November 2021,
- implementation of regular pulse surveys, and
- annual assessment using the Organisation Culture Improvement Model by each arm of the ACT public health system.

Through the system-wide Culture Review Implementation program, ongoing investment is being made in maturing assessment, measurement and evaluation of the data available to ensure a robust means of understanding our workforce in each organisation.

There is opportunity to undertake further exploration and questioning in instances of unsatisfactory data emerging within either organisation, which often provides greater context. This then supports identifying appropriate ways to work with impacted work areas or the broader workforce to address identified concerns.

Through analysis of workforce data, ACTHD records reported instances of occupational violence, where data is available, and provides regular reports, however there are some limitations in data as this relies on self-initiated reporting.

In addition to the instances reported through Riskman, CHS employs staff specialists as post graduate medical education officers under the leadership of the Director of Prevocational Training (CHS DPT). These clinicians are approached in the first instance by doctors and junior doctors with challenging workplace experiences. The CHS DPT team has not identified any current workplace pressures specific to Aboriginal and Torres Strait Islander medical staff.

Recommendation 14

That CSD consider ways of improving the accuracy and timeliness of communications with families who are involved in adoption processes.

Government Response – Agreed

It is acknowledged that timeframes for adoptions can be lengthy and the work involved in the process is substantial. The process for an adoption is a life changing decision for children and their birth families, they are not decisions taken lightly by the Community Services Directorate or the Supreme Court.

Changes recently made to improve communication with carers include face to face meetings at the point of the carer/s entering the adoption program, and on an annual basis. In addition, monthly updates are now provided by CYPS to the carer/s about the progress of their adoption application. Quarterly update reports in consultation with carers are also provided by ACT Together to maintain communication and ensure the most up to date information is available on the progress of the child.

Recommendation 15

That the Government ensure an open tender process is used for the letting of contracts to providers of out-of-home care providers.

Government Response – Noted

The Community Service Directorate (CSD) undertakes procurements in line with the Government Procurement Act 2001 and Government Procurement Regulation 2007.

When developing a procurement strategy CSD considers a number of purchasing principles including:

- Value for Money;
- Accountability and effective competition;
- Assessment and management of risk;
- Optimising whole of life costs;
- Probity and ethical behaviour; and
- Record Management

These purchasing principles as well as procurement policy and guidance from Procurement ACT help to determine the best approach to market and can vary depending on what is being procured.

Any territory funded works greater than \$200,000 must invite a public tender, except in circumstances where the Director-General (or delegate) is satisfied that the benefit of not complying with the requirement outweighs the benefits of complying with the requirement and will achieve the best value for money.

To deliver services under a legislated care and protection purpose, a provider must meet the standards for and register as a suitable entity.

The Human Services Registrar undertakes the assessment, registration, and monitoring of ongoing compliance of providers delivering services under a care and protection purpose, defined in the Children and Young People Act 2008 (the Act).

The Registrar undertakes these duties independently of any funding or service delivery area, including procurement, within CSD and would work closely with potential new providers, outside of the tender process, to build their capacity to meet relevant standards outlined in the Act for engaging in services in the care and protection sector.

Recommendation 16

That CSD provide access to Family Group Conferencing for families.

Government Response – Noted

The ACT has been delivering Family Group Conferencing (FGC) for Aboriginal and Torres Strait Islander families since November 2017. The program continues to mature, and referral processes strengthened to ensure all Aboriginal and Torres Strait Islander families involved with the child protection system are offered an FGC. It is important to note however that FGC is a voluntary process; and although Children Youth Protection Services staff can refer a family, it is voluntary for a family to participate.

Recommendation 17

The Committee recommends that the development of the Youth Navigation Portal continue as advised during the Committee's inquiry, and that other formal advice on the Portal progress, uptake and usage. Be provided to the Assembly and in the Annual Report.

Government Response – Agreed

The Office for Mental Health and Wellbeing engaged the Australian National University and the Youth Coalition of the ACT to partner with, scope and undertake the initial consultation with the community for the Portal.

The information collected from the consultation formed the requirements for a Request for Quote that is currently underway for a community provider to lead and manage the Portal. The Portal will have an iterative release with the first release in September 2021.

Recommendation 18

That the ACT Government act urgently to address the wait times experienced by Canberrans seeking to access mental health services.

Government Response – Agreed in-principle

Addressing long wait times for access to mental health services is a key priority for the ACT Government.

During the last six months:

- Mental Health, Justice Health and Alcohol and Drug Services (MHJHADS) has reviewed Psychiatrist cover across the Adult Mental Health Service Program and has recently opened an additional psychiatric clinic in the Access Mental Health Team to address wait time for psychiatrists' appointments.
- MHJHADS are trialling two Allied Health Assistant positions within the Child and Adolescent Mental Health Services (CAMHS) Community Teams to assist clinicians with duties that would enable them to provide more clinical services.
- COVID-19 Stimulus Funding has provided additional funding to increase resources in Access Mental Health and Home Assessment Acute Response Team (HAART).
- The Child and Adolescent Mental Health Services (CAMHS) received funding to ensure the continuation of the Adolescent Mobile Outreach Services in the 2020-21 ACT Government Budget.
- Opening of the Gawanggal Extended Care Unit and Southside Community Step Up, Step Down Home in April and May 2021 to provide new accommodation options for those with chronic and enduring mental illnesses.
- Permanent funding received for the ongoing Police, Ambulance and Clinician Emergency Response (PACER) services.
- Funding has been allocated to pilot the Safe Haven Café.

The Territory-Wide Health Services Plan, due to be finalised in 2021, will identify the system wide priorities for service development and redesign of publicly provided and funded health services in the ACT over the next five to 10 years.

Work undertaken on the Plan to date has informed investment in additional adult mental health inpatient capacity at Canberra Hospital. A Mental Health Services Plan is also under development and will focus on medium to longer term priorities for managing growth in demand for mental health services and build on the significant investment the Government has already made in expanding mental health inpatient and community based mental health services.

Shifting the focus from hospital to community and managing growth in demand for inpatient beds will be key elements of the Mental Health Services Plan.

Recommendation 19

That the ACT Government, as a matter of urgency, recruit a sufficient number of psychologists, psychiatrists, and other mental health professionals to ensure that the ACT mental health delivery system is fully staffed.

Government Response – Agreed in-principle

Workforce shortages are a national issue and have been identified as an area for action in the Productivity Commission's Final Report from their Inquiry into Mental Health which flags the potential of the forthcoming National Mental Health Workforce Strategy to align the skills, costs, availability and location of mental health practitioners with the needs of all consumers, including those in regional and remote areas (action 16.1). This workforce strategy is expected after June 2021.

Locally, attraction, recruitment and retention of mental health professionals has been identified as a concern for the ACT. The regional ACT Mental Health and Suicide Prevention Plan has identified the broader mental health workforce as an area requiring attention and action. Over the next 12 months ACT Government will develop a workforce strategy for the public health system.

A Mental Health Services Plan is also under development and will focus on medium to longer term priorities for managing growth in demand for mental health services and build on the significant investment the Government has already made in expanding mental health inpatient and community based mental health services. The plan will inform future strategies for mental health service development and decisions on future workforce capacity and composition.

Current recruitment strategies with CHS include:

- Mental Health Justice Health Alcohol and Drug Services (MHJHADS) is working with several recruitment agencies, with the aim of achieving sustainable staffing levels that allow continued safe clinical care and reasonable access to leave.

- CHS is managing current services with existing staff and locums, while rolling out a recruitment strategy, recruiting to vacant medical positions and working hard to encourage clinicians to make the ACT a location of choice.

An ongoing campaign to recruit psychiatrists is now advertised on the ACTPS jobs website. MHJHADS clinicians are also promoting ACT employment opportunities for medical officers, nurses and allied health professionals at national conferences and meetings where possible.

Recommendation 20

That the ACT Government increase and facilitate availability of ACT-based local educational opportunities, including scholarships, to practitioners in all mental health.

Government Response – Noted

The ACTHD offers Postgraduate Scholarship Schemes for nursing, midwifery and allied health professionals employed by CHS, CPHB and ACTHD, inclusive of those working in the mental health services.

The Nursing & Midwifery Office (NMO) is currently undertaking a review of Mental Health Education programs available in the Territory.

Recommendation 21

That the ACT Government outline what further services it can and will add to address long wait times for access to mental health services.

Government Response – Agreed in-principle

The Territory-Wide Health Services Plan, due to be finalised in 2021, will identify the system wide priorities for service development and redesign of publicly provided and funded health services in the ACT over the next five to 10 years.

A Mental Health Services Plan is being developed concurrently. Service needs identified through development of the Mental Health Services Plan to date include a focus on intensive care coordination for individuals regularly presenting to the Emergency Department with mental health needs; increasing capacity for acute, subacute and supported accommodation services and other community-based services and supports to support care closer to home; and improving integration of services and transitions of care between service settings.

There will be a strong focus in the Mental Health Services Plan on medium to longer term strategies and actions to shift the focus from hospital to community and manage growth in demand for inpatient beds.

In addition to the Mental Health Services Plan, the ACT Government has made several election commitments with the aim of increasing access and reducing wait times to mental health services, these include:

- investing \$15 million in more mental health support for Canberra’s young people, including through implementation of Orygen Digital’s Moderated Online Social Therapy platform and establishing an intensive trauma service for adolescents;
- doubling the existing funding for services to address drug and mental health co-morbidity;
- building 5 additional support accommodation houses over the next four years; and
- improving programs that target and support youth mental health, eating disorders, alcohol/drug use/mental health, First Nations mental health, First Nations suicide prevention and postvention and respite for mental health carers.

The ACT Government continues to invest in strategies to increase capacity for support and treatment in the community and reduce pressure on acute services. Recent initiatives or strategies that are underway include:

- In February 2021, the ACT Government extended funding to Police, Ambulance & Clinician Early Response (PACER) – a front-line response to mental health incidents. This service is a joint response from police, ambulance and mental health clinicians to incidents and provides in-situ professional community safety, mental and physical health assessment, treatment and care. This service allows early assessment of the person’s mental state and ensures that people are only transferred to the ED where there is a determined need.
- In May 2020 the ACT Government funded the establishment of a Safe Haven Cafe pilot. This will provide a non-clinical, safe space that people can go to if they are experiencing emotional distress, mental health concerns, isolation and loneliness and are seeking connection and support. This is another option for people experiencing distress and/or mental health concerns, reducing demand on emergency departments when a person’s needs may be better met in a less clinical, less stressful environment. The pilot is expected to be operational in the 2021/2022 Financial Year.
- The Southside Community Step Up Step Down service, opened in May 2021, provides a rehabilitative residential setting with psychosocial support available onsite 24 hours a day, and clinical support available seven days a week. This facility bridges the gap between community and acute services by allowing people to either: ‘step-up’ into care from the community if they need additional support to prevent unnecessary hospital or acute inpatient admissions; or ‘step-down’ from inpatient admission to receive additional support at the facility to support transition to their home environment. Ultimately, the services reduce the person’s time spent with acute services and can prevent the need for an acute admission altogether.

The Youth Navigation Portal (Portal) will launch in September 2021. The Portal will support the mental health of children and young people aged 0-25 years in the ACT and be an online navigation tool for children, young people and their parents/carers to find and access mental health services, support and information. The Office for Mental Health and Wellbeing is in the process of procuring a community organisation to lead and manage the Portal as well as a provider to build the IT component of the Portal.

A range of initiatives to reduce wait times are also being implemented through CHS and Calvary including:

- The City Community Recovery Service (City CRS) mental health team is currently operating a pilot program to meet the needs of people experiencing mental illness and homelessness in the City catchment area. People who are experiencing both mental illness and homelessness require significant care coordination with the aim of providing holistic support services and interventions that will assist them to find secure accommodation longer-term. The Pilot Homelessness Outreach Team (HOT) aims to provide people with an assertive, mobile response from a designated sub-team to meet their short-term needs and then step them down to City CRS standard clinical management for ongoing and more longitudinal care.
- The Adult Mental Health Day Services Program and Adult Mental Health Rehabilitation Unit are currently updating operational procedures, which focus on maximising effort and reducing delay to the delivery of patient services.
- The establishment of five mental health surge beds at Calvary Public Hospital Bruce for 12 Months from July 2020. These beds have been an important resource for improving the acute mental health capacity across the Territory and reducing overall wait times across services.
- Older Persons Mental Health Community Team is drafting a model of care, in support of the ACT Older Persons Territory Wide Strategy. The process is expected to reduce wait times by review of the team's operations and will include research, benchmarking, communication, and consumer consultation.
- Child and Adolescent Mental Health Services (CAMHS) is developing and trialling a group work program that could assist with providing interventions to a larger number of clients. CAMHS is also working with Infrastructure Health Support Services (IHSS) and other areas within CHS in establishing an Eating Disorders Day Program.

Recommendation 22

That the ACT Government continue to provide updates to the Legislative Assembly on the Position Statement on Eating Disorders.

Government Response – Agreed

The ACT Government can provide a yearly update to the Legislative Assembly on progress and developments against the ACT Eating Disorders Position Statement.

Recommendation 24

The Committee recommends that the ACT Government investigate further sites for the accommodation of Common Ground.

Government Response – Noted

Housing ACT is continuing with the construction of Common Ground two and has recently released a Market sounding paper with the expectation that the tender for service provision for the site is released at the end of June 2021.

Once the site is fully established and operational, there may be a future review of the site and its operations to inform any potential third common ground site and potential build.

Housing ACT will continue to monitor and respond to the housing needs of the ACT Community and respond with different housing models consistent with the strategies contained within the ACT Housing Strategy.

Recommendation 25

The Committee recommends that the ACT Government reassess its present rental rebate policy to ensure that it is compliant with the ACT Government's Union Encouragement Policy.

Government Response – Agreed in-principle

Housing ACT is currently in the process of reviewing in detail the way rental rebates are administered for public housing tenants in the ACT, including reviewing the rental rebate policy both for alignment with Housing ACT's Model Social Landlord Framework and in recognition of the unique and complex challenges that exist in the ACT social housing market. Housing ACT's main objective is to maximise housing opportunities for the low income and disadvantaged people, which is affordable, secure and appropriate to their needs, in pursuance to Housing Assistance Act 2007 and its instruments.

While Housing ACT notes the ACT Government Union Encouragement Policy applies to ACT Public Service workers and not to the ACT residents in general, as part of the review of the rental rebate policy currently underway, policy and process settings related to public housing tenants' participation as Union members will be considered.

Recommendation 27

That part of the family safety levy should fund special children's counsellors to support children who are victims of domestic violence.

Government Response – Noted

Between 2018-2022 a number of services had received annual additional Specialist Homelessness Services funding to support children in their service. The need to increase funding to a particular service would require further scoping of the types and quantity of services required across the ACT. Future budget funding to address this need will be considered and incorporated into broader work addressing domestic and family violence and mental health service gaps.

Recommendation 28

That the Legislative Assembly be given quarterly updates on how many new ACT Government employees receive Tier 1 or Tier 2 training.

Government Response – Not Agreed

The Minister for the Prevention of Domestic and Family Violence reports on progress on Safer Families initiatives and reform via the annual Safer Families Statement to the Legislative

Assembly. Safer Families initiatives are also reported on publicly through the Community Services Directorate Annual Report.

Recommendation 29

That evaluation for the Room4Change program be provided as public information.

Government Response – Agreed in-principle

The Room4Change evaluation was commissioned by Domestic Violence Crisis Service as part of the initial funding proposal to ACT Government for the program. The report will be shared publicly, excluding any information in the report that is confidential for safety reasons.

Recommendation 30

That the Legislative Assembly be provided with quarterly updates on the ACT Government’s progress into the implementation of the Fourth Action Plan.

Government Response – Not Agreed

The National Plan provides broad directions and policy objectives for jurisdictions in relation to domestic and family violence. The ACT Government reports to the Commonwealth on progress against the National Plan and this reporting is publicly available.

Recommendation 31

That the Legislative Assembly be provided with quarterly updates on the Family Safety Hub’s activities such as trials, evaluations, innovations, and consultations.

Government Response – Not Agreed

The Minister for the Prevention of Domestic and Family Violence already reports on progress on Safer Families initiatives and reform via the annual Safer Families Statement to the Legislative Assembly. Safer Families initiatives are also reported on publicly through the Community Services Directorate Annual Report.

Additionally, the Family Safety Hub regularly reports on the progress of Hub work online at <https://www.communityservices.act.gov.au/safer-families/family-safety-hub>.

Recommendation 32

That the Legislative Assembly be provided with quarterly updates on the progress of implementation of recommendations from the “Report on Inquiry into Domestic and Family Violence – Policy Approaches and Responses”.

Government Response – Not Agreed

The ACT Government response to the Report on Inquiry into Domestic and Family Violence – Policy Approaches and Responses agreed to 38 recommendations and agreed in principle to 12 recommendations of the Standing Committee Report. Eight recommendations of the Standing Committee Report were noted, and two recommendations were not agreed to.

Of the 38 recommendations that were agreed to, a number reflected work underway across the ACT Government and required no new implementation action. Initiatives funded through the Safer Families package, including other initiatives from the ACT Government Response to Family Violence, addressed most of these recommendations.

The Minister for the Prevention of Domestic and Family Violence already reports on progress on Safer Families initiatives and reform via the annual Safer Families Statement to the Legislative Assembly. Additionally, Safer Families initiatives are also reported on publicly through the Community Services Directorate Annual Report.

Recommendation 33

That CSD review its current approach to case management with the aim of better supporting youth transitioning from Bimberi including youth on community-based orders.

Government Response – Noted

As with any legal order, the value of a community-based justice order is directly linked to the young person's engagement with its terms and associated responsibilities. All case management is tailored to the specific needs of a child or young person subject to the order and is provided in a personal and direct manner which regularly seeks the views and wishes of the young person in case planning. The Children Youth Protection Services (CYPS) case manager works to encourage young people to continue to participate with CYPS and any other services involved, in achieving their individual case plan goals to support their best interest.

Since July 2015, case management for children and young people, in custody or the community, has been delivered within a single case management approach by a single case manager within CYPS. This has ensured consistency in case management standards and simplified the case management process by eliminating duplication in case plans and issues raised by allocating multiple case managers.

Recommendation 34

That CSD ascertain reasons why young Aboriginal and Torres Strait Islanders on community-based justice orders are not successfully completing the conditions of those orders and ensure that provision be made for appropriate and culturally sensitive alternatives.

Government Response – Noted

The numbers of Aboriginal and Torres Strait Islander children and young people in the Territory are extremely small and therefore small fluctuations in numbers appear to create disproportionate trends.

In 2019-20, the 37 community-based orders for Aboriginal and Torres Strait Islander young people that were not successfully completed relates to three young people.

The small number of young people, who have not successfully completed their community orders are supported through a targeted response. This may include referrals to drug and

alcohol services, mental health services, PCYC, Aboriginal Controlled Organisations, youth services, employment service providers, education providers, family support services and accommodation services. It should also be acknowledged that some young people require extensive support due to their highly complex needs and behaviours and as a result may receive multiple orders in the same year.

Community Services Directorate (CSD) recognises the importance of cultural considerations and early intervention measures to ensure compliance with community-based orders. Since February 2021, the Functional Family Therapy – Youth Justice (FFT-YJ) program has been available to young people with youth justice involvement and their families. Priority is given to Aboriginal and Torres Strait Islander families. FFT-YJ strengthens family dynamics and parenting capacity to support parents in addressing their children’s criminogenic behaviour.

In addition, the Warrumbul Circle Sentencing Court has been available since 2020, however from March 2020 – August 2020 the Warrumbul Court was suspended due to COVID-19. This service is an alternative model of sentencing for Aboriginal and Torres Strait Islander young people. It aims to provide culturally relevant sentencing options for young Aboriginal and Torres Strait Islander people (10-17 years) by incorporating Elders and cultural aspects into the court process.

Recommendation 35

That CSD to adjust the operational arrangements and operating framework of Narrabundah House to better meet the needs and expectations of the Aboriginal and Torres Strait Islander community.

Government Response – Noted

Community Services Directorate (CSD) is standing up a second residential property for young people on youth justice orders, ensuring that Narrabundah House continues to prioritise an accommodation option for Aboriginal and Torres Strait Islander young men and supporting them while on a community-based youth justice order. CSD will continue to work with Aboriginal and Torres Strait Islander stakeholders and community in the delivery of services to young men residing at Narrabundah House.

2021

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**GOVERNMENT RESPONSE TO THE
STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY
REPORT NO.1**

**ANNUAL AND FINANCIAL REPORTS 2019-2020; APPROPRIATION BILL 2020-2021
AND APPROPRIATION (OFFICE OF THE LEGISLATIVE ASSEMBLY) BILL 2020-2021**

**Presented by
Mr Andrew Barr MLA
Chief Minister**

Introduction

On 2 December 2020, the Legislative Assembly referred the 2020-21 ACT Budget, *Appropriation Bill 2020-2021*, *Appropriation (Office of the Legislative Assembly) Bill 2020-21* and the 2019-20 Annual and Financial Reports to the seven Standing Committees (the Committees) for inquiry and report.

The 2019-20 Annual and Financial Reports, 2020-21 ACT Budget, *Appropriation Bill 2020-2021* and the *Appropriation (Office of the Legislative Assembly) Bill 2020-21* were reviewed cognately by the relevant Standing Committees. Each Committee reported separately, combining recommendations relating to the 2020-21 ACT Budget, *Appropriation Bill 2020-2021*, *Appropriation (Office of the Legislative Assembly) Bill 2020-21* and to the 2019-20 Annual and Financial Reports.

On 20 April 2021 the Treasurer presented the 'Government Response to Standing Committee Reports – 2020-21 ACT Budget and the *Appropriation Bill 2020-2021* and the *Appropriation (Office of the Legislative Assembly) Bill 2020-21*' in the Legislative Assembly which addressed recommendations relating to the 2020-21 ACT Budget, *Appropriation Bill 2020-2021* and the *Appropriation (Office of the Legislative Assembly) Bill 2020-21*.

The below Government Response addresses the remaining recommendations which relate to 2019-20 Annual and Financial Reports.

The following Annual and Financial Reports or sections of annual reports, were referred to the Standing Committee on Justice and Community Safety (the Committee):

- ACT Director of Public Prosecutions;
- ACT Electoral Commission;
- ACT Gambling and Racing Commission;
- ACT Human Rights Commission;
- ACT Inspector of Correctional Services;
- ACT Integrity Commission;
- ACT Policing;
- Chief Minister, Treasury and Economic Development Directorate;
- Justice and Community Safety Directorate; and
- Legal Aid Commission (ACT).

Response to Committee Recommendations

Recommendation 1

The Committee recommends that ACT Government continue to monitor the regulatory framework for short-term, unsecured, high-interest loans, and engage with Commonwealth, state and territory consumer affairs ministers on matters arising.

Government Response – Agreed

The ACT Government will continue to engage actively with the Commonwealth, State and Territory Governments to secure improved consumer protection and regulatory compliance regarding the offering of small amount credit contracts (SACCs) and consumer leases.

In February 2020, the Attorney-General made a submission to the Senate Economics Legislation Standing Committee (the committee) inquiry into the Private Senator’s National Consumer Credit Protection Amendment (Small Amount Credit Contract and Consumer Lease Reforms) Bill 2019 (No 2) (the 2019 Bill), drawing attention to the need to prevent the exploitation of vulnerable people in the context of these forms of finance. The Attorney-General expressed support for the Bill, which sought to put in place measures to regulate SACCs and consumer leases by amending the National Consumer Credit Protection Act 2009 to impose a cap on the total payments that can be made under a consumer lease (known as rent-to-buy schemes); require SACCs (also known as payday loans) to have equal repayment and payment intervals; remove the ability for SACC providers to charge monthly fees in respect of the residual term of a loan where a consumer fully repays the loan early; prevent lessors and credit assistance providers from undertaking door-to-door selling of leases at residential homes; introduce anti-avoidance protections; and increase penalties.

On 9 December 2020, a Commonwealth government Bill was introduced to the House of Representatives, mirroring the reforms in the 2019 Bill. The National Consumer Credit Protection Amendment (Supporting Economic Recovery) Bill 2020 (the 2020 Bill) is currently before the Senate. The ACT Government supports moves to increase consumer protection reforms, including responsible lending obligations.

The ACT Government remains concerned about the policies and practices underpinning the offering of short-term, unsecured, high-interest loans and the potential for creating financial hardship for vulnerable Canberrans and will continue to engage with Commonwealth and State and Territory Governments around these issues.

Recommendation 2

The Committee recommends that ACT Government urgently address the problem of remandees being accommodated with sentenced prisoners at Alexander Maconochie Centre (AMC). If the problem cannot be addressed in the near future, ACT Government should consider amending the Corrections Management Act 2007 to acknowledge the inability of AMC to meet the section 44 obligation to accommodate convicted detainees separately from non-convicted detainees.

Government Response – Agreed in-principle

Since its inception, remand and sentenced detainees have been managed in a mixed custodial setting within the Alexander Maconochie Centre (AMC). The separation of remanded and sentenced detainees remains a challenge due to the high numbers of remand detainees and the complexities of managing a range of detainee cohorts in one facility. Whilst the design and cohorts within the AMC do not allow for complete separation to occur, ACT Corrective Services continues to separate detainees where necessary based on risk. The Government will examine amendments to the Corrections Management Act 2007 to reflect the reality of challenges to achieving separation between remand and sentenced detainees, whilst recognising the status of remandees as unconvicted persons.

Recommendation 3

The Committee recommends that ACT Government implement the remand policy at Alexander Maconochie Centre, and deliver remandees the protections and privileges due to them under human rights law.

Government Response – Agreed in-principle

The Government takes its obligations under the *Human Rights Act 2004* very seriously and recognises that the treatment of detainees on remand should reflect their status as unconvicted persons as far as practicable.

Recommendation 4

The Committee recommends that ACT Government urgently deliver improvements to the accommodation of women at the Alexander Maconochie Centre.

Government Response – Agreed

The Government will work in close consultation with stakeholders to establish a long-term approach for the accommodation needs of women detainees at the AMC. This will be complemented by the finalisation of the ACT Corrective Services Women Offenders Framework which will support the provision of services to women in custody and supervised in the community, to maximise opportunities for successful rehabilitation and reintegration.

Recommendation 5

The Committee recommends that the Inspector for Correctional Services be provided access to the Criminal Offender Record Information System (CORIS) when it is implemented.

Government Response – Agreed

The Inspector of Correctional Services will be provided with access to the CORIS system on implementation and has current access to the 'JOIST' system which is due to be replaced.

Recommendation 6

Not contained in Committee Report due to formatting error

Recommendation 7

The Committee recommends that ACT Government review the operation of the provisions for involuntary judge alone trials during the COVID-19 pandemic and identify any alternate options for facilitating safe and efficient operation of the court system during future states of emergency.

Government Response – Agreed

As noted by the Committee, these provisions have already been repealed and there is no plan to reintroduce this approach during the COVID-19 pandemic or future states of emergency. ACT Courts and Tribunal introduced social distancing measures and other health and safety measures for the protection of jurors, accused persons, witnesses, legal practitioners and staff. These included: changes to court room lay-out; use of a second court room for jury deliberation; use of specialist cleaners; cleaning at scheduled intervals, lunch breaks and a full clean each evening; excusing jury panel members with health vulnerabilities from jury service; and jury selection by a remote process. Responses to future states of emergency will be dependent on the reasons for that emergency.

Recommendation 8

The Committee recommends that ACT Government continue to monitor the backlog in matters pending before the Courts, and allocate additional resources as necessary to minimise procedural delay in the justice system; the Attorney General provide a statement to the Assembly in September 2021 on progress in clearing the backlog of matters pending before the Courts.

Government Response – Noted

The ACT Government is committed to providing the ACT Courts with appropriate resourcing. The Attorney-General will monitor the backlog of matters pending before the Courts in conjunction with the Chief Justice and the Chief Magistrate.

Recommendation 9

The Committee welcomes the government's stated intention to establish a dedicated coroner's court and recommends that this work progress as soon as possible.

Government Response – Noted

The ACT Government is focused on improving the coronial system and is considering the establishment of a dedicated full-time Coroner's Court. The ACT Government will engage with families with lived experience of the coronial system and key stakeholders throughout this process.

Recommendation 10

The Committee recommends that ACT Courts and Tribunal and ACT Policing align record keeping systems to enable the Integrated Courts Management System to capture and report systemic data on bail and breaches.

Government Response – Noted

The ACT Courts and Tribunal and ACT Policing will continue to work together to address data integration challenges, to enable the Integrated Courts Management System to provide summary reports on bail and breaches.

Recommendation 11

The Committee recommends that ACT Government ensure adequate numbers and safe positioning of helicopter landing sites in Namadgi National Park, with site locations published and made known to relevant agencies

Government Response – Agreed

The Environment Planning and Sustainable Development Directorate (EPSDD) manage over 70% of the land in the ACT including Namadgi National Park. The Parks and Conservation Service's (PCS) Fire Unit are responsible for all fuel management and fire preparedness on all EPSDD and Transport Canberra and City Services (TCCS) managed land in the ACT, including Googong Foreshores in NSW.

A detailed analysis was undertaken of Helipad sites several years ago which involved a map-based exercise to ensure that no land within Namadgi was more than a 2 km walk from a road, helipad or access point.

Based on this data a full network of appropriate size helipads was established within the EPSDD/TCCS managed estate which includes Namadgi. These locations are mapped and have been provided to the Emergency Services Agency.

PCS annually undertake maintenance and upgrade of these helipads (completed for 2020-21); a task that is identified in the annual approved EPSDD Bushfire Operations Plan.

Recommendation 12

The Committee recommends that the Minister for Police and Emergency Services provide a statement to the Assembly outlining the coordination and training activities conducted in the wake of the Orroral Valley fire with NSW and Commonwealth agencies, including the Australian Defence Force, to strengthen future management of cross-border operations; training and coordination activities conducted with NSW and Commonwealth agencies be reported on an ongoing basis in the Emergency Services Agency annual report.

Government Response – Agreed

The Minister for Police and Emergency Services will provide a Ministerial Statement in the Legislative Assembly outlining the actions taken in relation to coordination and training activities with NSW and Commonwealth agencies, including the Australian Defence Force. These actions will also continue to be reported on an ongoing basis in the ACT Emergency Services Agency section of the Justice and Community Safety Directorate Annual Report.

Recommendation 13

The Committee recommends that ACT Government prepare a whole-of-government management plan for future smoke events and other incidents affecting air quality level and present it to the Assembly by the last sitting day in 2021.

Government Response – Agreed in-principle

The ACT Government is developing a Bushfire Smoke and Air Quality Strategy that will be released before the commencement of the 2021-22 Bushfire Season.

Recommendation 14

The Committee recommends that, while the ACT Policing strategic accommodation plan is in development, close attention be paid to areas of population growth, particularly Molonglo Valley.

Government Response – Agreed

The ACT Policing's 20-year Master Accommodation Plan pays close attention to the areas of population growth, including Molonglo. This work factors in the growing Canberra population, geographical trends, community expectations and provides an evidence-base to guide the Government's investment in ACT Policing's infrastructure requirements

Recommendation 15

The Committee recommends that ACT Government report to the Assembly by September 2021 on the measures being taken to ensure that funding for multidisciplinary community policing responses to mental health and family violence situations will keep pace with demand.

Government Response – Noted

ACT Policing continues to engage closely with stakeholders to ensure holistic approaches to both mental health and family violence situations. This includes working across Government to monitor and respond, in a way that best utilises all available support methods including a police response.

The ACT Government provided \$33.9 million to enable ACT Policing to transition to a community and crime prevention model of policing. The Police, Ambulance and Clinician Early Response (PACER) Program was successfully trialled in 2019-20. The tri-service mental health co-response capability is undertaken in partnership with ACT Ambulance Service and Canberra Health Services.

The collaboration is acknowledged for its achievements in inter-agency cooperation and favourable outcomes for people with mental illness or disorder.

ACT Policing has recently implemented a multi-agency family violence hub, a model that provides a coordinated response from professionals and specialist services.

Recommendation 16

The Committee recommends that the number of traffic incidents involving serious injury to vulnerable road users be formally recorded, and that ACT Government periodically assess the data to identify potential systemic responses to prevent and reduce death and injury.

Government Response – Agreed

The ACT Government currently records reported fatal, serious injury, minor injury and property damage crashes for all vehicle types including vulnerable road users. Crash statistics are reported annually in the Road Safety Crash Report.

Vulnerable road users are a key focus area of attention for the ACT Government, as outlined in the ACT Road Safety Strategy 2020-25 and ACT Road Safety Action Plan 2020-23. Historical crash data is used to inform thematic road safety responses including engineering, education and enforcement programs targeted at reducing the frequency and severity of road trauma.

Recommendation 17

The Committee recommends that ACT Government amend the Children and Young People Act 2008 to provide a mechanism for external merits review of child protection decisions made under the Act and ensure compatibility with the Human Rights Act 2004.

Government Response –Noted

The Government is committed to progressing reform and recognises that legislative change is a key priority. The Government notes that a comprehensive review of the Children and Young People Act 2008 (CYP Act) will be required to address the discreet elements of legislative reform required and progress the Government’s legislative reform agenda. This is subject to future Government funding decisions as effective legislation change requires resourcing for implementation across CYPS and community providers.

The Community Services Directorate and the ACT Human Rights Commission jointly hosted two roundtables on 22 July and 17 September 2020 to inform the development of an external merits review model for the ACT, including consideration of how internal and external merits review processes need to be established as a unified system with clear governance arrangements, decision-making points and timeframes.

These discussions provided a valuable foundation for the next stage of work to develop a unified model that appropriately positions both internal and external merits review of child protection decision-making in the ACT. Next steps will include consideration for how the right to seek review will be exercised, and an examination of the way an external merits review mechanism will work with internal review processes and the Courts.

Work to scope legislation reform within resource capacity commenced in early 2021, with the development of a model for internal and external merits review of child protection decision-making in the ACT identified as a priority area.

Recommendation 18

The Committee recommends that ACT Government monitor and report whether ACT Policing are contacting victims of crime within the time limits established in the Charter of Rights for Victims of Crime.

Government Response – Noted

The Victims' Rights Legislation Amendment Act 2020 established the Charter of Rights for Victims of Crime (the Charter) on 1 January 2021.

Under the Charter, ACT Policing have certain obligations with regards to their interaction with victims. ACT Policing must:

- as soon as practicable, refer a victim of an offence to a service that provides support or assistance suitable for the victim and the victim's circumstances (Section 15D, Victims of Crime Act 1994 (VOC Act)),
- as soon as practicable, give a victim information about the administration of justice processes that result from reporting the offence (Section 15D, VOC Act)
- if a victim reports an offence to a police officer, as soon as practicable, provide the victim with written confirmation of the report, including name and contact details of the police officer who took the report and another police officer the victim may contact (Section 16D, VOC Act), and
- if a police officer is investigating a relevant offence, give a victim of the offence an update about the status of the investigation as soon as practicable after a change in the status of the investigation; and at least every 6 weeks, unless the victim wishes to be updated less frequently, or ACT Policing believe updating the victim would prejudice the investigation (Section 16A, VOC Act).

ACT Policing maintain records of any complaints made under the Charter of Rights for Victims of Crime, and this includes complaints where victims have not been contacted within the allocated timeframe. All complaints are treated confidentially, and are resolved in accordance with the AFP National Guideline on Complaint Management

Importantly, sections 18I and 18J of the VOC Act and section 87 of the Human Rights Commission Act 2005 (HRC Act) establish mechanisms to monitor and report on whether justice agencies, including ACT Policing, are upholding victim rights.

In light of these existing mechanisms, it is considered that no additional monitoring or reporting frameworks are required.

Recommendation 19

The Committee recommends that ACT Government engage with Legal Aid ACT and Community Legal Centres to identify the current scale of unmet demand for these services and quantify the additional level of funding that would be required to fully address community need; and the Attorney General report to the Assembly on the outcome of this review by the last sitting day in 2021.

Government Response – Noted

In July 2020, the ACT Government signed up to the National Legal Assistance Partnership, which is an agreement between the Commonwealth and the States and Territories which provides Commonwealth funding for legal assistance services provided by Legal Aid Commissions, Community Legal Centres and Aboriginal and Torres Strait Islander Legal Services (ATSILS). Under the NLAP, the ACT legal assistance sector will receive more than \$42.7 million in Commonwealth funding over five years.

The NLAP requires the ACT Government to produce a Legal Assistance Strategy and a Legal Assistance Action Plan which will be signed off by the Attorney-General in mid-2022. The Legal Assistance Strategy will estimate levels of legal need across the community and ways that services can be delivered to respond to the legal needs of community members. As part of this Strategy, program initiatives delivered by Legal Aid and Community Legal Centres will be considered holistically, including in the context of identifying the current scale of unmet demand for these services. The Strategy will look to support future funding efforts for the legal assistance sector. JACS notes that Recommendation 19 will be achieved through the work being undertaken through the Strategy, which will be made publicly available by 1 July 2022.

2021

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**GOVERNMENT RESPONSE TO THE
STANDING COMMITTEE ON PUBLIC ACCOUNTS
REPORT NO.1**

**ANNUAL AND FINANCIAL REPORTS 2019-2020; APPROPRIATION BILL 2020-2021
AND APPROPRIATION (OFFICE OF THE LEGISLATIVE ASSEMBLY) BILL 2021-2021**

**Presented by
Mr Andrew Barr MLA
Chief Minister**

Introduction

On 2 December 2020, the Legislative Assembly referred the 2020-21 ACT Budget, *Appropriation Bill 2020-2021*, *Appropriation (Office of the Legislative Assembly) Bill 2020-21* and the 2019-20 Annual and Financial Reports to the seven Standing Committees (the Committees) for inquiry and report.

The 2019-20 Annual and Financial Reports, 2020-21 ACT Budget, *Appropriation Bill 2020-2021* and the *Appropriation (Office of the Legislative Assembly) Bill 2020-21* were reviewed cognately by the relevant Standing Committees. Each Committee reported separately, combining recommendations relating to the 2020-21 ACT Budget, *Appropriation Bill 2020-2021*, *Appropriation (Office of the Legislative Assembly) Bill 2020-21* and to the 2019-20 Annual and Financial Reports.

On 20 April 2021 the Treasurer presented the 'Government Response to Standing Committee Reports – 2020-21 ACT Budget and the *Appropriation Bill 2020-2021* and the *Appropriation (Office of the Legislative Assembly) Bill 2020-21*' in the Legislative Assembly which addressed recommendations relating to the 2020-21 ACT Budget, *Appropriation Bill 2020-2021* and the *Appropriation (Office of the Legislative Assembly) Bill 2020-21*.

The below Government Response addresses the remaining recommendations which relate to 2019-20 Annual and Financial Reports.

The following Annual and Financial Reports or sections of annual reports, were referred to the Standing Committee on Public Accounts (the Committee):

- Auditor General of the ACT;
- ACT Ombudsman; and
- Office of the Legislative Assembly.

Response to Committee Recommendations

Recommendation 12

The Committee recommends that the ACT Government simplify the grant application process for community groups and facilitate appropriate supports, feedback, and guidance for less established groups such as:

- new categories of grants;
- regular reviews of grant guidelines;
- standardisation of grant application and grant assessment processes across Directorates; and
- regular reviews of frameworks for grant assessments.

Government Response – Agreed

The ACT Government recognises the value of engaging stakeholders, potential applicants and community members when commissioning services or running grant application processes. Engagement with stakeholders occurs routinely across Directorates. Strategies to assist with the engagement and the development of more efficient processes include:

- industry forum for stakeholder engagement;
- face-to-face meetings with individuals or small groups;
- focus groups;
- routine communication to stakeholders; and
- community forum information and engagement.

Stakeholder consultation via surveys is used to design new grant initiatives, and feedback on existing processes is used internally to design and continually improve the Territory's grant offerings to interested participants.

Within the Community Service Directorate, example activities include:

- holding Grant Writing Workshops for applicants to attend and learn how to use SmartyGrants to submit an application and gain insight on how to submit a good quality grant application; and
- seeking input and feedback on what the Community Sector's needs are for technology upgrades prior to the development of grant guidelines for the recently released Technology Upgrade Funding Grant.

Recommendation 13

The Committee recommends that the ACT Government consider policy interventions; such as new categories of grants; so as to work towards a more equitable dissemination of funding.

Government Response – Noted

Grants are a key mechanism used by the Government to stimulate and foster a range of positive economic, social, community and Grants are a key mechanism used by the Government to stimulate and foster a range of positive economic, social, community and environmental

outcomes for the Canberra region that are aligned with the Government's policies and objectives. Grants programs are offered to support a range of activities and vary in amount and duration to provide flexible support to organisations.

The Government regularly engages with local peak-body organisations to seek feedback on funding allocations or grant assistance in the context of the broader prioritisation of Government spending. A range of mechanisms are available for organisations to provide feedback including participating in the annual Budget consultation process.

The Government selects grant recipients on the basis of merit, and seeks to obtain the best value for money in the benefits and returns for the community for the dollars we invest.

Providing grants in a range of formats and durations ensures that grant application processes remain competitive, that a broad spectrum of organisations and individuals are given the opportunity to compete, and that grant recipients are achieving goals and objectives that are consistent with government policy.

Recommendation 14

The Committee recommends that the ACT Government provide greater transparency into business cases developed for policy decisions.

Government Response – Noted

Business cases are prepared to inform decisions made by Cabinet. As Cabinet documents, business cases are a category of information for which disclosure is taken to be contrary to the public interest under the *Freedom of Information Act 2016* (FOI Act).

However, information is made publicly available about Cabinet and Cabinet committee decisions by the Chief Minister under section 23 of the FOI Act. Summaries of Cabinet decisions are routinely published online at:

https://www.cmtedd.act.gov.au/open_government/inform/cabinet-decisions.

In addition, the *Territory Records Act 2002* (TRA) provides for the public release of Cabinet papers ten years after they have been considered by Cabinet. The list of accessible Executive Documents required by the TRA is updated on Canberra Day each year at:

<https://www.cmtedd.act.gov.au/functions/publications>.