



Investing in our Social Capital

ACTCOSS Submission to the ACT Budget
2008-09
September 2007

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About ACTCOSS

ACTCOSS acknowledges that Canberra has been built on the traditional lands of the Ngunnawal people. We pay our respects to their elders and recognise the displacement and disadvantage traditional owners have suffered since European settlement. ACTCOSS celebrates the Ngunnawal's living culture and valuable contribution to the ACT community.

The ACT Council of Social Service Inc. (ACTCOSS) is the peak representative body for not-for-profit community organisations, people living with disadvantage and low-income citizens of the Territory.

ACTCOSS is a member of the nationwide COSS network, made up of each of the state and territory Councils and the national body, the Australian Council of Social Service (ACOSS).

ACTCOSS' objectives are representation of people living with disadvantage, the promotion of equitable social policy, and the development of a professional, cohesive and effective community sector.

The membership of the Council includes the majority of community based service providers in the social welfare area, a range of community associations and networks, self-help and consumer groups and interested individuals.

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Abbreviations

ABS	Australian Bureau of Statistics
ACOSS	Australian Council of Social Service
ACTCOSS	ACT Council of Social Service
ACT	Australian Capital Territory
ACTPLA	ACT Planning and Land Authority
ADD	Attention Deficit Disorder
AHURI	Australian Housing and Urban Research Institute
AHW	Australian Institute of Health and Welfare
AMC	Alexander Macochie Centre
AOD	Alcohol and Other Drugs
CALD	Culturally and Linguistically Diverse
CAMHS	Child and Adolescent Mental Health Service
CALMS	Canberra After-Hours Locum Medical Service
CHC	Community Housing Canberra
CIT	Canberra Institute of Technology
CLC	Community Legal Centre
COAG	Council of Australian Governments
COSS	Council of Social Service
CPI	Consumer Price Index
CRA	Commonwealth Rent Assistance
CRDA	Commonwealth State Territory Disability Agreement
DHCS	Department of Disability, Housing and Community Services
DIAC	Department of Immigration and Citizenship
DJACS	Department of Justice and Community Safety
ESL	English as Second Language
GP	General Practitioner
HACC	Home and Community Care
ISP	Individual Support Plans
JCGRG	Joint Community Government Reference Group
MHCN	Mental Health Consumers Network
MOU	Memorandum of Understanding
MS	Multiple Sclerosis
NSP	Needle and Syringe Program
PPEI	Promotion, prevention and early intervention
PSU	Psychiatric Services Unit
SAAP	Supported Accommodation Assistance Program
SACS	Social and Community Services
TAMS	Department of Territory and Municipal Services
TPV	Temporary Protection Visa
WHO	World Health Organisation

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Summary of Recommendations

1. Community Sector Viability

- Recommendation 1.01**
That the ACT Government introduces a statutory portable long service leave scheme for the ACT community sector
- Recommendation 1.02**
That the ACT Government fund a community sector industrial relations advisor, located in an appropriate community organisation
- Recommendation 1.03**
That the ACT Government conduct a needs analysis of training for the community sector workforce
- Recommendation 1.04**
That the ACT Government fund additional programs to ensure that organisations have the capacity to recruit and retain workers from diverse backgrounds
- Recommendation 1.05**
That the ACT Government fund studies to examine the composition, wages and future growth in the community sector workforce, to inform a progressive reduction of the disparity in pay and conditions
- Recommendation 1.06**
That the ACT Government ensures that organisations contracted to use volunteer labour have adequate resources to support these workers
- Recommendation 1.07**
That the ACT Government provides growth funding for all health and community service funding programs that, at a minimum, are indexed to population growth
- Recommendation 1.08**
That the ACT Government ensures that the recommendations of the Red Tape Review are considered in consultation with the community sector and that appropriate initiatives are resourced for implementation
- Recommendation 1.09**
That the ACT Government resources additional community sector networks and collaborative development projects
- Recommendation 1.10**
That the ACT Government provides resources to the ACT community sector to develop a cohesive strategic development strategy
- Recommendation 1.11**
That the ACT Government re-instates the Renew Community Infrastructure and Facilities Grants Program
- Recommendation 1.12**
That the ACT Government ensures that there is adequate affordable space for community organisations in Civic and central Canberra
- Recommendation 1.13**
That the ACT Government maximise retention of school sites for community organisations, and ensure these are upgraded for the safe and appropriate use by community organisations
- Recommendation 1.14**
That the ACT Government increase resources to community sector peak and representative bodies to improve engagement with ACT Government agencies, particularly at the early stages of policy development

2. Housing and Homelessness

- Recommendation 2.01**
That the ACT Government makes a significant injection of new funds be provided in the Budget to expand public housing stock
- Recommendation 2.02**
That the ACT Government sets medium and long term targets for a growth in public housing stock that is commensurate with community needs
- Recommendation 2.03**
That the ACT Government reviews the income eligibility criteria for public housing, and implements a system that recognises the appropriateness of public housing for some households that are currently ineligible
- Recommendation 2.04**
That the 6 month residency requirement for all asylum seekers and Temporary Protection Visas (TPV) holders be revised
- Recommendation 2.05**
That the ACT Government ensures that vulnerable public housing tenants are not forcibly required to move out of their homes
- Recommendation 2.06**
That the Government outline a strategic direction for the future of the community housing sector in the ACT
- Recommendation 2.07**
That the Government re-focus its efforts to provide culturally appropriate housing for Indigenous people, and provide adequate support to Indigenous housing organisations
- Recommendation 2.08**
That the Government advocates for the Australian Government to introduce tax and other measures which reduce the impact of property speculation and reward investment in affordable rental housing
- Recommendation 2.09**
That the ACT Government advocates for the Australian Government to increase the level of assistance provided under the CRA Scheme, and review the CRA Scheme to improve its relevance for current circumstances
- Recommendation 2.10**
That the ACT Government legislates against the practice of rental auctions in the rental market
- Recommendation 2.11**
That ACT Government amends the *Residential Tenancies Act 1997* to remove the provision for a 'no-cause' eviction
- Recommendation 2.12**
That the ACT Government legislates for minimum standards for rental accommodation
- Recommendation 2.13**
That the ACT Government provides additional exit points for service users of SAAP services
- Recommendations 2.14**
That the Government re-invests the \$1million cut in the 2006-07 Budget from annual funding back into the SAAP sector
- Recommendation 2.15**
That the ACT Government provides additional funds to enable SAAP services to meet the specific needs of children and young people who enter these services

3. Health and Ageing

- Recommendation 3.01**
That the Government establish new initiatives to improve access to health services, including by addressing skills shortages in the health care field
- Recommendation 3.02**
Address the shortage of female bulk-billing GPs in the ACT and expand women's health services
- Recommendation 3.03**
That the ACT Government invest in reducing public dental health waiting lists and improving access to dental health care
- Recommendation 3.04**
That the Government commits additional resources to meeting the full range of health needs of disadvantaged people
- Recommendation 3.05**
That the Government commit to developing a comprehensive health PPEI strategy for the ACT
- Recommendation 3.06**
That the Interstate Patient Travel Assistance Scheme be enhanced so that it better reflects the full costs of accessing medical treatment interstate
- Recommendation 3.07**
That the ACT Government provides additional resources to improve the accessibility of maternity and midwifery services in the ACT
- Recommendation 3.08**
That the Government addresses the gap in asylum seeker and TPV access to general practitioner services
- Recommendation 3.09**
That the Government invests in more community based health and other support services
- Recommendation 3.10**
That the Government commit to developing a detailed strategic plan, in consultation with the ACT community, for meeting the health service needs of Canberra's population growth
- Recommendation 3.11**
That the Government review the services and entitlements available from residential care services and the HACC program with a view to achieving more equitable entitlements between the two
- Recommendation 3.12**
That the Government explore options for facilitating access to a more holistic range of services for older people, to maximise the extent to which they can continue to reside in their own homes
- Recommendation 3.13**
That a review of the current and future needs of ageing AIDS sufferers be undertaken, and measures introduced to meet these needs
- Recommendation 3.14**
That the Government identify a site for an additional palliative care service and provide additional funding to enhance palliative care services
- Recommendation 3.15**
That a HACC Consumer Advisory Board be established to advise on the delivery of HACC services and on policy and strategic issues relating to the HACC Program

4. Mental Health and Alcohol and Other Drugs

Mental Health

- Recommendation 4.01**
Resource appropriate supported and transitional housing models for people with a mental illness in the ACT
- Recommendation 4.02**
Expand the availability of counselling and support services for people seeking mental health early intervention and prevention.
- Recommendation 4.03**
Ensure that adequate, appropriate and safe forensic mental health services are available by the opening of the AMC
- Recommendation 4.04**
Commit to continuing consultations with mental health consumers, carers and advocates in relation to the location and design of the new PSU, and to ensuring that the facility provides a safe and therapeutic environment
- Recommendation 4.05**
Address the gaps around youth mental health services by expanding the capacity of CAMHS and resourcing the community sector to provide mental health PPEI for young people
- Recommendation 4.06**
Implement the recommendations of the ACTCOSS No Wrong Doors Report to improve care and case coordination
- Recommendation 4.07**
Commit to funding key community mental health services for after-hours and outreach care
- Recommendation 4.08**
Assess the need for designated CALD mental health services/ workers in the ACT and consider ways to improve the accessibility of mainstream services for CALD and Indigenous communities
- Recommendation 4.09**
Examine the existing scope of mental health services in the ACT, with a view to addressing the gaps around certain behavioural and personality disorders
- Recommendation 4.10**
Fund a range of employment programs for people with a mental illness
- Alcohol and Other Drugs**
- Recommendation 4.11**
Allocate designated dual-diagnosis funding, to facilitate better policy and service coordination and to support community collaboration
- Recommendation 4.12**
Address existing gaps in AOD service delivery by resourcing residential programs for people seeking to discontinue use of pharmacotherapies and short term residential rehabilitation programs
- Recommendation 4.13**
Expand residential alcohol and drug treatment programs for women which also address the specific needs of their children
- Recommendation 4.14**
Resource community education campaigns about the harms caused by excessive alcohol consumption, with a focus on young people

5. Disability Services

- Recommendation 5.01**
Commit to the continuing expansion of ISP funding to meet unmet need, ensuring flexibility
- Recommendation 5.02**
Complement ISP funding with increased direct agency funding to ensure the long term viability of community service providers
- Recommendations 5.03**
Expand existing post-school options programs and services to improve employment readiness for young people with a disability
- Recommendation 5.04**
Address the shortage of respite and vacation care places for children with a disability
- Recommendation 5.05**
Expand disability advocacy services in the ACT
- Recommendation 5.06**
Resource disability services to cope with the additional demands of the ACT's ageing population
- Recommendation 5.07**
Examine the level of need across specific areas of disability, and ensure parity in service delivery

6. Justice and Human Rights

- Recommendation 6.01**
That the ACT Government commits to recurrent funding for the Alexander Maconochie Centre based on need, rather than historical cost estimates, reinstating those facilities which were to be delayed due to costs
- Recommendation 6.02**
Maintain and demonstrate a genuine commitment to consider the viability of a needle and syringe program in the AMC
- Recommendation 6.03**
That the ACT Government adequately resource community services to provide services in the prison, as well as to cope with the additional demand on their services created by the prison population post-release
- Recommendation 6.04**
Engage in whole-of-government planning to provide the necessary support services and infrastructure required by the prison population pre and post-release. This must include planning for the provision of appropriate housing for prisoners upon release
- Recommendation 6.05**
Develop a clear crime prevention policy and funding strategy that emphasises social support
- Recommendation 6.06**
Develop an Indigenous Justice Framework with clear goals and measurable targets, to reduce the rate of Indigenous contact with the criminal justice system
- Recommendation 6.07**
Ensure that the ACT Human Rights Commission is adequately resourced to perform its function effectively
- Recommendation 6.08**
Review the adequacy of existing CLC facilities and engage in a dialogue with CLCs about emerging service gaps around homelessness and housing advice services
- Recommendation 6.09**
Resource additional legal advocacy services to support people involved in hearings in the Mental Health Tribunal and in the areas of guardianship, powers of attorney and capacity

Recommendation 6.10
Resource the Youth Law Centre to provide outreach, engagement and community legal education services

Recommendation 6.11
Commit funding to maintain the flexibility, uniqueness and informality of specific tribunals through the tribunal reform process, preserving multi-member panels in hardship and rights cases, among others

Recommendation 6.12
Increase the number of Indigenous liaison officers in the police force

Recommendation 6.13
If the ACT Government is determined to extend restorative justice programs to sexual assault and family violence cases, it must ensure that women's legal services and victim support services are adequately resourced provide advice and support to women involved in the process

7. Poverty Alleviation and Financial Stress

Recommendation 7.01
That the ACT Government reviews its regulatory oversight of credit providers and non-bank lenders to ensure sufficient prudence in lending practices

Recommendation 7.02
That the ACT Government ensures that financial advisory and counselling services have sufficient resources to meet growing demand

Recommendation 7.03
That the ACT Government reinstates the Financial and Material Aid Grants Program at 2005-06 funding levels

Recommendation 7.04
That the ACT Government reduces the number of electronic gaming machines available for use in the ACT

Recommendation 7.05
That the ACT Government ensures that improvements to ACT concessions resulting from the Concessions Review be incorporated into the ACT Budget 2008-09

Recommendation 7.06
That the ACT Government resource additional awareness and promotion of concession entitlements.

Recommendation 7.07
That the ACT Government ensure that changes in debt recovery and debt waiver process do not place low-income households in additional financial stress

Recommendation 7.08
That the ACT Government investigates a mechanism to exempt properties purchased for genuinely compassionate purposes from commercial taxation arrangements

8. Transport, Planning and Sustainability

Recommendation 8.01
That the ACT Government delivers a significant expansion of ACTION bus services in the development of the 2008 bus network

Recommendation 8.02
That the ACT Government progresses the bus replacement program to ensure greater access for people with disabilities, and otherwise ensures that service changes improve social equity outcomes and human rights principles

Recommendation 8.03
That the ACT Government ensures the development of diverse socio-economic neighbourhoods through strict controls on the location of affordable housing and compact blocks

Recommendation 8.04
That the ACT Government investigates the adoption of inclusionary zoning requirements for multi-unit urban redevelopment

Recommendation 8.05
That the ACT Government extend its Home Energy Audit Scheme to ACT community organisations to increase information on energy savings in the community sector

Recommendation 8.06
That the ACT Government introduces a renewable energy feed-in tariff that is volumetric and exempts concession card holders

9. Youth, Children and Family Support

Recommendation 9.01
That schools be better resourced to meet the counselling and other personal support needs of their students

Recommendation 9.02
That the Government reviews the support available to young ACT carers, with a view to ensuring they and their families receive adequate support

Recommendation 9.03
That the Government fund support workers to work with refugee children in schools

Recommendation 9.04
That the Government responds to the reduction in ESL assistance services

Recommendation 9.05
That the ACT Government re-focus efforts to build school cultures that provide an inclusive and supportive environment for Indigenous students

Recommendation 9.06
That the Government reviews the adequacy of the tutorial assistance available for Indigenous students

Recommendation 9.07
That the Government strengthen support for community childcare providers, sufficient to ensure that Canberra maintains a diversity of providers in the child care sector

10. Women

Recommendation 10.01
Provide gender disaggregated budget and policy analysis to assess the relative impact of Government initiatives on men and women

11. Indigenous Services

Recommendation 11.01
Support the community sector to recruit and retain Indigenous workers, by providing secure funding for Indigenous training, support and networking

12. Multiculturalism, Migrants and Refugees

Recommendation 12.01

Review the eligibility criteria for free English language classes, with a view to including asylum seekers and those on bridging visas

Recommendation 12.02

Ensure that free interpreter services are available in all public institutions and resource community organisations to access these services for service users

Recommendation 12.03

That resources be provided to assist community services to provide more appropriate services to culturally diverse service users

Recommendation 12.04

Ensure that accurate information is distributed to all Government personnel involved in the implementation of refuge and asylum seekers support programs, for example, health, transport, energy concessions

Recommendation 12.05

That the ACT Government provide resources to expand refugee settlement services

Introduction

Canberra has often been seen by outsiders as a uniform society; a sprawling middle-class suburbia where nothing much happens outside the antics displayed on the floor of Parliament House, sustained by profligate spending on the public service by the Australian Government. Certainly, Canberra is an affluent city, and routinely produces the best outcomes on a range of measures; as a group, we have high incomes, good health, and higher levels of education, employment and social equity than the rest of the country.

However, these results are not uniform. Simply because Canberra performs better on average, these results hide the very real disadvantage that exists in our community. One in six Canberra households depend on government support as their main source of income, and one in twelve Canberrans live in poverty. We have a responsibility as the most affluent city in a very wealthy nation to ensure we share our resources to ensure that everyone in our community is able to reach their potential and live a meaningful life. If we cannot achieve this in Canberra, it is unlikely to be achieved anywhere.

The ACT community sector is at the forefront of this aspiration. The workers and volunteers that spend every day helping people to build fulfilling lives are some of our cities greatest assets, but they receive little recognition for their important work. The ACT Government and our elected representatives in the Legislative Assembly need to continue to build their relationships with the community sector, so we can work together to create a community where everyone gets a fair go.

The past year has been an eventful time for the ACT Government. In March, the Chief Minister announced a new Affordable Housing Strategy and Action Plan to address the shortage of affordable accommodation. The new ACT Skills Commission has begun its work to try to provide meaningful solutions to Canberra's current labour and skills shortages, and a number of key health commitments have been released during the year. In June, the ACT Budget contained many welcome initiatives that will help strengthen our social fabric, including additional resources for mental health, dental services, people with a disability and supporting children and young people. The ACT Government has also released its Climate Change Strategy and Action Plan, committing the ACT to do more to reduce the impacts of global warming.

But there is still more to do. High rental prices and high demand for public housing continue to create problems for people needing secure and affordable accommodation. Labour and skills shortages are making the smooth provision of both community and public services more difficult. The impacts of the 2006-07 ACT Budget are still being felt. Families and communities are still mourning the closure of their local school and others are preparing for additional closures this year. Cuts to bus services are impeding travel options for many people. Cuts to homelessness services

have meant some organisations have had to reduce their staff and change the way they provide services to save money. Reductions in operating expenses in Housing ACT are further stretching their capacity to provide a well maintained and managed public housing system. The opening of the Alexander Maconochie Centre next will also increase demand for community services.

In conjunction with the other community sector peak bodies, we convened six consultation forums to inform this submission. A large number of community organisations and interested individuals attended these forums and provided relevant information about current gaps in service delivery and areas of unmet need. Several individual consultations were also held on issues relating to the ACT's multicultural and Indigenous populations. A list of all those organisations consulted is included at the end of the submission. The ACTCOSS budget submission was also informed by a body of research literature, government policy documents and ACTCOSS papers and submissions from the last year.

Informed by our consultations and research, in this submission we identify priorities for budget expenditure in the 2008-9 ACT Budget in the following areas:

- Community Sector Viability;
- Housing and Homelessness;
- Health and Ageing;
- Mental Health and Alcohol and Other Drugs;
- Disability;
- Justice and Human Rights;
- Poverty Alleviation and Financial Stress;
- Transport, Planning and Sustainability;
- Youth, Children and Family Support;
- Women;
- Indigenous services; and
- Multiculturalism, Migrants and Refugees

Overall, the 2007-08 Budget made some small steps towards achieving a more equitable Canberra. Despite this, there is significant progress still to be made. The 2008-09 budget will be the final Appropriation Bill to pass in the 6th Legislative Assembly. With an election due in October 2008, there are high expectations about what the Budget may contain. We hope, through this submission, that the ACT Government will concentrate on those initiatives that will help build a more equitable and sustainable community for many years to come.

1. Community Sector Viability

Community organisations are among the most efficient and effective resource managers in the ACT. By their very nature, community organisations do not distribute profits, meaning that all resources received by the organisation are used to fulfil their objectives. Further, community organisations have always stretched the available resources to their limit, ensuring that they spend wisely to achieve the maximum use of all revenue and in-kind resources. However, this very efficiency and the tightness of their budgets makes organisations vulnerable. Few organisations have any significant capital reserves or access to debt-financed capital, leaving them vulnerable to fluctuations in income and unexpected costs.

Similarly, community organisations often avoid duplication in staff skills, ensuring that the organisation can generate the maximum outputs from their staff profile. However, this also leaves organisations vulnerable to losing skills and organisational knowledge through staff 'churn', which in the ACT continues to be nearly double the rate for the community services workforce nationally.¹ In an environment of labour shortages, the community sector has less capacity than the public or private sectors to compete for skilled labour, and this competitive disadvantage over a number of years has begun to erode the skills base of the sector.

In addition, there continues to be pressure from funding agencies for improved efficiencies from community sector organisations. Naturally, community sector organisations are always interested in improving their effectiveness and use of resources, so long as this does not compromise the quality or philosophy of service delivery. However, organisations often require specific knowledge and skills to implement changes, and in an environment where it is already difficult to recruit skilled staff this presents a challenge.

Workforce development

Of all the concerns raised by community organisations, the capacity to recruit, train and retain skilled staff consistently ranks first. A general labour shortage is making many jobs very difficult to fill, and we hear many anecdotal reports of positions going unfilled for long periods of time. This is worsened by increasing competition from public sector agencies that are also experiencing difficulties recruiting, particularly due to the recent expansion of the Australian Government workforce. In addition, the high cost of housing in the ACT deters workers from filling modestly paid positions, with home purchase near impossible on community sector wages, and average rents very high. One positive development in recent years has been the introduction of a new indexation policy for community sector organisations announced as part of the 2005-06 ACT Budget. It is comprised of an 80:20 composite of the Wage Price Index and the

¹ The ACTCOSS Community Sector Survey (2007) estimated the rate of ACT community sector staff turnover at 26%, compared with 14.3% nationally.

Consumer Price Index (CPI). This has prevented the current wage gap from widening, but not reduced it.

In 2006, the ACT Government released the Report of the Community Sector Taskforce; a group comprising both government and community sector representatives established to devise strategies to improve the sustainability of the community sector workforce. The report confirms the large pay and conditions differential between similar positions in the ACT community sector and the public service, and the difficulties organisations have in maintaining a skilled workforce. The report outlined some immediate initiatives and future directions for improving the community sector workforce. ACTCOSS continues to express its disappointment at the ACT Government's lack of action in response to the report, with workforce problems have only worsening in the meantime.

One of the most concrete recommendations from the Report of the Community Sector Taskforce that the introduction of a statutory portable long service leave scheme for the community sector be considered, similar to those in the cleaning and building and construction industries. With high staff turnover across the sector, many workers are unable to use their acquired entitlement to long service leave because they change employers or leave the sector. The benefits of introducing a scheme include:

- Retaining entitlements for people working in the sector, including those changing employers or taking time out from the sector (e.g. to raise children);
- Encouraging employees to stay in the community sector to access their entitlements, which helps reduce the number of workers leaving the sector, and encourages them to stay in the ACT;
- Reducing the stress and burn-out that is common among employees through increased use of long service leave entitlements;
- Reducing the effective gap in working conditions between the community sector the ACT public sector; and
- Allowing greater movement of workers between organisations, providing more attractive career paths and assisting in worker retention across the sector.

ACTCOSS suggests that, based on the actuarial report from the community sector taskforce, the scheme will likely require some additional funding in the out-years to minimise the financial impact on community organisations.

Recommendation 1.01

That the ACT Government introduces a statutory portable long service leave scheme for the ACT community sector

The Report of the Community Sector Taskforce also highlighted changes to industrial law in Australia, in particular, the resulting uncertainty about the future of the Social and Community Services (SACS) Award. The sector is concerned about the failure of the Award to keep pace with

wages, but also about the possibility that the Award may be abolished, with a loss of conditions. Even before the Federal Governments WorkChoices legislation, the Award was not proportionately increasing wages at higher pay levels, and began reducing some entitlements. Community organisations have begun to move to collective bargaining arrangements and other mechanisms of determining pay and conditions yet the knowledge base and resource capacity of the sector to engage in this form of negotiation is limited. In addition, ACT Peak Bodies and the relevant unions continue to receive requests for industrial relations advice from the sector for which they do not have the capacity, responsibility or expertise to respond, highlighting a key gap in support required by community organisations.

A key recommendation from the Report of the Community Sector Taskforce was to investigate the need for the provision of industrial relations advice to the sector. ACTCOSS advise that a number of important benefits would likely result from the introduction of a community sector-based industrial relations advisor, including:

- Assistance in adopting appropriate industrial instruments that have the capacity to improve workforce pay and conditions, leading to improved workforce sustainability;
- Information in handling industrial issues with employees;
- Greater awareness of the relevant industrial, health and safety laws which would facilitate greater compliance;
- Access to an independent advisor, which would reduce misinformation about industrial practice and provide unbiased information in which organisations would have greater trust; and
- Knowledge of employment and training incentives which could be used to improve the skills base of the sector and further develop the workforce.

Recommendation 1.02

That the ACT Government fund a community sector industrial relations advisor, located in an appropriate community organisation

In response to growing concerns raised with the ACT Government about labour and skills shortages, the ACT Government has set up the ACT Skills Commission. ACTCOSS welcomes this initiative, and particularly notes the work of Rosemary Follett in consulting the community sector on their workforce needs.

However, ACTCOSS raises the immediate concern that current and potential community sector workers are not accessing appropriate training services. Reasons for this include:

- Lack of awareness of training and professional development services, and lack of resources to identify and access them;
- The high cost of many training courses, which prove too expensive for organisations to afford, and are beyond the reach of workers to cover;

These shortcomings make it difficult to accurately assess community sector pay levels the extent of wage disparity with the public sector. We advocate that the collection of better data on the composition, wages and future growth of the community sector workforce must be progressed as soon as possible, with a view to determining a suitable mechanism to progressively reduce the disparity.

Recommendation 1.05
That the ACT Government fund studies to examine the composition, wages and future growth in the community sector workforce, to inform a progressive reduction of the disparity in pay and conditions

Finally, ACTCOSS draws attention to the fact that a number of community organisations depend heavily on volunteers to deliver services to the community. Indeed, some organisations have contractual relationships with the ACT Government to utilise volunteer labour. However, the use of volunteers is not costless, and resources for volunteer management, training and support need to be found by organisations to best utilise their volunteer workforce. ACTCOSS pays tribute to the essential work done by volunteer support organisations, but adds that organisations which use volunteers also need to have the resources and skills to support volunteers.

Recommendation 1.06
That the ACT Government ensures that organisations contracted to use volunteer labour have adequate resources to support these workers

Funding management

ACTCOSS again welcomes the ACT Government's indexation model for community services, which has gone some way to assisting community organisations meet rising service delivery costs. However, this indexation only meets the rising cost of existing levels of service delivery – it does not supplement funding programs to provide additional services to meet growth in need. While there are exceptions, such as the Home and Community Care (HACC) program, most funding programs do not have any growth funding built into them, and organisations receiving funding from zero growth programs have found that there are increasing levels of demand for their services with no provision to fund them. This phenomenon is expected to increase over time if not remedied.

Funding programs should anticipate growth in demand for services based on appropriate indicators of demand, such as population growth. As Territory's funding base grows with population increases, it is financially sustainable and responsible to include this type of growth funding in programs. ACTCOSS would also stress the importance of using other indicators of need where appropriate such as data on the ageing population, as areas such as disability services and programs for older people are likely to experience growth in demand that exceeds population growth.

- The inappropriate content of some training programs, which are primarily designed for business of the public sector, and do not adequately address the needs of not-for-profit organisations;
- Lack of resources to backfill staff positions when attending training, particularly for residential services with a 24 hour duty of care;
- The perception that it is ineffective to invest in training in the context of high staff turnover, with the loss of staff to the public sector after they have received training;
- Subsidies and incentives that privilege new employees or long-term training commitments, leaving out short courses or existing workers; and
- A general lack of knowledge of employment assistance in general.

The Report of the Community Sector Taskforce recommends undertaking a needs analysis of training needs for the community sector workforce, including:

- A review of existing training programs and gaps in training;
- Identifying barriers to access for training; and
- Options for enhancing training.

Recommendation 1.03
That the ACT Government conduct a needs analysis of training for the community sector workforce

As detailed in the ACTCOSS publication "The Economic Contribution of the Community Services Workforce", the community sector provides an important source of assistance for people experiencing disadvantage as well as a source of employment for this population. The community sector is committed to employing people from diverse backgrounds, including Indigenous people, mental health consumers, people with disabilities, people with experience of problem alcohol and other drug use, and those from diverse cultural and linguistic backgrounds. This diversity plays a key role in improving the ability to deliver services to these population groups. However, organisations do not have the requisite knowledge and support to recruit and retain these workers. Additional support is required to ensure that maximum benefit is made of these employment pathways and that the potential reach of service delivery is maximised.

Recommendation 1.04
That the ACT Government fund additional programs to ensure that organisations have the capacity to recruit and retain workers from diverse backgrounds

One issue that continues to hamper the effective management and development of the community sector workforce is the lack of specific data on the composition and rates of pay of the workforce. ACTCOSS understands that the Community Services and Disability Ministerial Advisory Council is progressing some work in this area, however, we perceive that progress is slow through this process. Other data sources, such as from the Australian Bureau of Statistics and the Australian Institute of Health and Welfare, do not provide adequate information.

Recommendation 1.07

That the ACT Government provides growth funding for all health and community service funding programs that, at a minimum, are indexed to population growth

Community organisations frequently approach ACTCOSS with concerns about funding, including the standard and consistency of funding management, the transparency of funding decisions, and the concern that funds are inadequate for the services that need to be provided.

ACTCOSS is aware that ACT Government departments are themselves going through a period of high staff turnover and recruitment difficulties. Community organisations observe that this has had a deleterious effect on the quality of funding management, with numerous agencies reporting substantial difficulties with their contractual relationships. These include:

- Funding plans being developed too late to receive timely authorisations from Procurement Solutions meaning that agencies are forced to sign three-month extensions with no ongoing certainty in funding;
- Service funding negotiations commencing late or even after contracts have expired for renewal of service agreements;
- Whole funding programs being rolled over in their entirety due to scheduled program reviews not taking place and no strategic direction being formulated;
- During contract negotiations, organisations have reported feeling intimidated and their service models specified in unprecedented levels of detail;
- Organisations receiving funding payments long after the specified time period in service agreements, and being required to function without sufficient funds during that time;
- Deep inconsistencies in the reporting requirements of funding agencies, leading to an increased administrative burden and multiple record-keeping systems needed to report accurately on different funding agreements, at both ACT and Australian Government levels;
- Long time-lags in announcements of indexation payments from the Australian Government, preventing organisations from planning accurate budget for the coming year;
- Burdensome levels of administration and specificity required merely to apply for grants at both levels of government;
- Additional requirements to conform to new ACT Government policies, without consultation in the development of those policies, or considerations as to whether policies were appropriate for an agency or funding for implementation; and
- The practice of providing short-term grants for "pilot" projects with no provision for ongoing funding if the pilot is successful.

ACTCOSS observes that the Department of Disability, Housing and Community Services (DHCS) has initiated a "Red Tape Review" for not-for-profit organisations to investigate the causes of administrative burden

and provide solutions for reducing them. ACTCOSS applauds this initiative, but retains some scepticism at its potential effectiveness having seen a similar review at the Commonwealth level result in little change.

Recommendation 1.08

That the ACT Government ensures that the recommendations of the Red Tape Review are considered in consultation with the community sector and that appropriate initiatives are resourced for implementation

The ACT Government has committed to working with the community sector to devise core pricing principles to inform ACT Government practice in determining funding levels for organisations. ACTCOSS welcomes this initiative, and is participating in this process through the Joint Community Government Reference Group (JCGRG).

Finally, ACTCOSS notes that the ACT Government has introduced a new grants portal to centralise information about ACT Government Grants. ACTCOSS welcomes this initiative, but believes that the portal requires additional development in order to maximise its usefulness. The portal is currently simply a list of web-links and users are required to click through most links individually to see if applications for that grant are currently open. A first step would be to list grants currently open and those that will open for applications in the immediate future.

Sector development and collaboration

Community organisations, being goal-orientated rather than profit-maximising, have a far greater propensity to work together to achieve their objectives than through the competitive model of the private sector. Through collaboration, organisations can share resources and information thereby reducing their running costs and improving service delivery outcomes. The ability of organisations to work together to establish a strategic direction for the community sector and to evolve and develop methods of service co-ordination and delivery has greater potential to develop positive outcomes.

Collaboration does not occur in a vacuum, and when organisations find themselves over-stretched or under-staffed, we often find that it is strategic thinking and participation in networks and collaborative ventures that are the first to suffer. On occasion, government agencies have tried to promote networking through contractual or compliance mechanisms, but these types of arrangements rarely provide the energy or voluntariness required for productive collaboration. ACTCOSS continues to advocate that resources for collaboration be provided to the community sector to bring together organisations for information sharing and collective resource development, as well as to promote improved referral and joint management pathways, closer working relationships and a shared identity.

Recommendation 1.09
That the ACT Government resources additional community sector networks and collaborative development projects

ACTCOSS continues to commend the initiatives and direction that the current ACT Government developed in its first term, such as the ACT Social Plan, The Social Compact, the Community Sector Funding Policy and the Community Engagement Manual. The implementation of these documents, however, has been patchy at best, not least due to the disruption caused within government by the Costello Review and its consequences. While the aims of these social policy documents have been laudable, their further elaboration over this term of government has been erratic, and no cohesive strategy for the future direction of the community sector has evolved.

While the ACT Government was a leader in its initial development of the Social Compact and other strategic social policy directions, other jurisdictions have now caught up and surpassed the ACT in formulating a strategic direction for their community sectors. Pioneering projects such as Queensland's "Strengthening Non-Government Organisations" Project or Tasmania's "Community Services Industry Plan" are turning rhetoric into action and providing resources to the community sector in those jurisdictions to work collaboratively to develop the sector and improve service delivery outcomes. ACTCOSS advocates that the ACT develops a similar strategy by providing resources to the sector to work together to forge a cohesive strategic direction for community services in the ACT.

ACTCOSS observes that there are sporadic initiatives in this area, such as individual government agencies providing resources to particular sub-sectors for sector development and workforce development projects. These initiatives are welcome and provide essential support to the organisations involved in those fields. However, as initiatives are often developed in isolation from one another, no over-arching direction is achieved, and different parts of the sector are developing independently, and some parts have been overlooked entirely.

Recommendation 1.10
That the ACT Government provides resources to the ACT community sector to develop a cohesive strategic development strategy

Community facilities and capital infrastructure

Due to their insecure funding base and propensity to run small surpluses or deficits, community organisations are generally unable to secure access to debt-funded finance. In addition, many grants and funding programs do not allow funds to be used for capital expenditure. This means that community organisations are often under-capitalised, and have limited capacity to improve efficiency through capital investment. Further, in some areas of service delivery, such as disability services, advances in

technology mean that service delivery has become more capital intensive, placing increased strain on organisational resources.²

In the 2006-07 Budget, the ACT Government cut the Renew Community Infrastructure and Facilities Grants Program, following a reduction in the amount available from that program in the 2005-06 Budget. This year, a number of grants programs with surplus resources have been combined into the Community Support and Infrastructure Grants program, but this program is a one-off source of funds. Even through this program, any substantial investment into infrastructure needs to be accompanied by matched funding from another source.

ACTCOSS urges the ACT Government to reinstate funding to assist community organisations invest in capital infrastructure by re-instating the Renew Community Infrastructure and Facilities Grants Program at its 2004-05 level of \$1.5 million per annum, with appropriate indexation.

Recommendation 1.11
That the ACT Government re-instates the Renew Community Infrastructure and Facilities Grants Program

Due to the expansion of the Australian Public Service, Canberra is undergoing a commercial property boom resulting in higher rents for commercial properties, especially those that are centrally located. At the same time, premises previously used for community facilities in City West are undergoing redevelopment, other community facilities such as the Civic YMCA have been redeveloped, and there is continuing uncertainty over the future of Havelock House. ACTCOSS also notes that the Old Downer Primary School has unexpectedly been included in the consultations around former schools sites. ACTCOSS observes that many organisations have found themselves forced to relocate outside of Civic and the inner north.

We observe that many community organisations operate from premises that are not protected by a community facilities zone, and this has left those organisations prone to forced relocation due to competition from commercial tenants and redevelopment. While the impacts of locating outside central Canberra are different depending on the organisation, in our view, the trend towards community services relocation to the outer suburbs must be addressed. Civic remains the most central of Canberra to reach, particularly given the Civic-centred nature of the public transport system. Location in Civic is of great benefit to community organisations, particularly those that directly provide services to the whole of the ACT from a single location.

Recommendation 1.12
That the ACT Government ensures that there is adequate affordable space for community organisations in Civic and central Canberra

² For example, see the National Disability Service, *Report on Infrastructure Costs*, available at <http://www.nds.org.au/act/publications.htm>

As a result of the school closures, the ACT Government has commenced a consultation process to determine the future use of the closed school sites. ACTCOSS raises a number of concerns with this process, including:

- The basis of which the demand for community space has been assessed, is this sourced solely from the current waiting list for community organisations maintained by TAMS?
- The short notice given before the information and consultation forums, reducing the number of interested organisations able to participate;
- The requirement that the process be revenue-neutral or generate revenue for the Territory.

ACTCOSS advocates that maximum use be made of the remaining sites for the provision of affordable space for community organisations. While some sites may be unsuitable due to their location, we would disagree with the hasty assumption that community demand for space would only fill 4 school sites (or equivalent). While these sites may be unsuitable for many organisations, there will be other, not necessarily listed on the TAMS register, who would value the opportunity to access more affordable premises rather than maintaining high rents in the private sector.

Another issue for consideration is the safety and condition of these sites. ACTCOSS is aware that a number of former schools sites that have been converted for community use continue to be unsuitable for tenants, without appropriate heating or cooling, kitchen facilities or attention to maintenance to ensure that the space provided is safe and appropriate.

Recommendation 1.13

That the ACT Government maximise retention of school sites for community organisations, and ensure these are upgraded for the safe and appropriate use by community organisations

Peak and representative bodies

Community sector peak and consumer and carer representative bodies in the ACT have been under increasing pressure in the past couple of years. While there are some exceptions, on the whole ACT peak bodies have received minimal, if any, increases in resources as a group. Community sector peaks are also experiencing the same viability issues as the rest of the sector.

In addition, ACTCOSS noticed a distinct reduction in the ACT Government's engagement with peak and representative bodies and the community sector as a whole, probably as a result of the cuts to the ACT Budget in 2006-07. These changes caused a notable rift in relationships, both due to community sector anger, as well as public service cuts. With fewer resources, the public service had to implement substantial changes in some areas, resulting in stress, staff turnover and a lack of time to maintain and repair relationships. While, in our view, this has slowly begun to moderate with time, there continues to be a need to rebuild

relationships and invest in goodwill. While the ACT Government may have seen a need to respond to fiscal pressures, that exercise resulted in damage to relationships that will still take some time to repair, and in the meantime has reduced the effectiveness of government agencies.

This phenomenon extends to ACT Government policy development. ACTCOSS notes that in the last budget the Government budgeted for an additional allocation of \$9million over 4 years for additional policy development and co-ordination by the Chief Minister's Department – something that ACTCOSS has previously advocated.³ However, ACTCOSS notes a recent trend, perhaps in the spirit of the Costello Review, for Government policy to be formulated behind closed doors with little room for community consultation or debate. This process reduces the quality of policy development, and undermines community consensus and acceptance of Government policy positions. We also observe that community sector peak and representative bodies are increasingly only invited to comment after substantive policy decisions have been made, and are then criticised by Government for disagreeing with policy positions to which they had no opportunity to contribute.

ACTCOSS believes that, with Government encouragement and support, these concerns can be remedied through open and honest engagement with the community sector and re-establishing collaborative relationships in the spirit of the Social Compact.

Recommendation 1.14

That the ACT Government increase resources to community sector peak and representative bodies to improve engagement with ACT Government agencies, particularly at the early stages of policy development

³ For example, see the ACTCOSS Submission to the 2007-08 Budget, *30 Ways to Make Canberra Fairer*, p.85

2. Housing and Homelessness

Housing issues are currently very much at the forefront in the public domain in the ACT, primarily because of the high cost of buying or renting a house, and the growing number of households who are suffering 'housing stress' as a result. Housing stress is endemic across all forms of private tenure, and public housing remains difficult to access, with the issue requiring sustained intervention to ease pressures across the community. The high cost of housing and private rental accommodation, in turn, results in pressure on crisis accommodation through the lack of suitable exit points.

The inter-relatedness of pressures in the various housing sectors has been highlighted by the St Vincent de Paul Society, whose 2007 report on housing stress in Australia's private rental market (*Don't dream it's over*) highlighted that half of all low income households in the private rental market are in housing stress, and a third of those are in housing crisis.⁴ The Society points to the fact that in the past 12 months, homeless services across Australia have had to turn away half the people seeking immediate accommodation.

Moreover, unless concerted action is taken by governments, it is likely that the housing situation will worsen over time. A report recently released by the Australian Housing and Urban Research Institute (AHURI); *Housing Affordability: a 21st century problem*; emphasises this point, predicting that housing affordability problems will only increase in the first half of this century. AHURI estimates that:

"the proportion of lower-income households with a ratio of housing costs to income of more than double the Australia-wide average could increase by more than 20% by the time those who are now 25 turn 65."⁵

Also, the proportion of households with high housing costs in relation to their income is polarised and polarising: 28% of lower-income households pay at least 30% of their income in meeting their housing costs, and this has increased from 24% over the last decade.⁶ This has long-term implications for social cohesion, as well as social justice.

ACTCOSS particularly highlights the plight of the most financially and socially vulnerable people in our community, for whom the impact of current housing affordability situation is even more severe. The number of people in this category is growing: non-government organisations which provide non-housing support to ACT citizens report that housing has become a priority for more, if not most, of their service users.

⁴ St Vincent de Paul Society, *Don't Dream it's Over – Housing stress in Australia's Private Rental Market*, 2007.

⁵ Australian Housing and Urban Research Institute, *Housing Affordability: A 21st Century Problem*, 2007, p.4

⁶ *Ibid.*, p.4

In this section, we identify some of the key issues relating to housing and homelessness in the ACT and make recommendation to improve access to housing for low-income and disadvantaged people.

Public housing

A key solution to a number of the issues we have identified in the following paragraphs is to provide more public housing. ACTCOSS supports the St Vincent de Paul Society's conclusion that demand-side measures taken to address the housing affordability crisis generally only serve to push up prices for both home ownership and rentals. The Society proposes that the real solution "lies in decisive government action to increase the supply of low-income public and social housing."⁷

It is notable that, according to the Productivity Commission, there has been a 25.1% decline overall in real expenditure under the Commonwealth-State Housing Agreement in the decade between 1996-97 and 2005-06. The Commission also reported that the tenable stock of ACT public housing has fallen from 11,060 in 2002 to 10,755 in 2006, despite a steady growth in the ACT's population over that time.⁸

ACTCOSS notes that the Government has committed spending of \$10 million per year over 2006-09 to expand the public housing stock. It is not clear whether this expenditure will make a sufficient impact on the total available stock, or on the waiting list. In any event, only \$4m of this allocation has been appropriated from general revenue – the balance of \$6m per year is to be found from Housing ACT's existing resources. At the same time the 2006-07 Budget cut of approximately \$7million per annum to Housing ACT's operating budget makes the task of maintaining and attending to tenant's needs more difficult.

The situation is exacerbated by the practice of de-commissioning older multi-unit complexes and not replacing the full number of public housing units provided by them. While these environments bring their own social difficulties and the policy direction of progressively redeveloping them is supported, it nonetheless needs to be pointed out that the process results in fewer dwellings overall unless supplemented by additional government investment.

The inadequacy of public housing provision has had unwelcome effects on the Government's housing policy. The changes to eligibility criteria for public housing reflected a move from a system based on identifying demand and attempting to meet the need, to identifying the supply and prioritising needs to match.⁹ Further, failing to meaningfully expand public housing stock will result in continuing pressure on a range of areas, starting with the Supported Accommodation Assistance Program (SAAP).

⁷ St Vincent de Paul Society, *Don't Dream it's Over – Housing stress in Australia's Private Rental Market*, 2007, p.11

⁸ Productivity Commission, *Report on Government Services 2007*, Table 16A.1.

⁹ see ACTCOSS, *Comment on the Public Housing Changes Discussion Paper*, September 2007, for more detail.

AHURI's report on housing affordability says that in the context of policies to improve housing affordability, it is important to ensure that the level of social housing does not decline further, and that social housing should be better integrated into a more diversified system of affordable housing provision.¹⁰

Recommendation 2.01

That the ACT Government makes a significant injection of new funds be provided in the Budget to expand public housing stock

Recommendation 2.02

That the ACT Government sets medium and long term targets for a growth in public housing stock that is commensurate with community needs

ACTCOSS has recently commented on the new eligibility criteria for public housing, in response to the Government's Discussion paper on public housing changes.¹¹ Our commentary describes the 'competitive disadvantage' generated by the new criteria, and its perverse effects, including the following:

- There have been many instances of prospective tenants refusing offers of work, because this would jeopardise their place on the waiting list and leave them without hope of accessing affordable and secure housing;
- People who show signs of being able to temporarily manage without public housing, or show signs of improvement in their existing condition, may lose their eligibility for the priority housing or high housing needs lists;
- The proposal that households whose annual income is over \$80,000 be required to buy their home or move into the private housing market may similarly encourage people to limit their income. While we are assured that this criterion is subject to further assessment, the blanket imposition of a single household income criterion, regardless of household size or circumstances, is of concern;
- The social sustainability of the public housing system will be undermined as it targets ever more disadvantaged and high needs tenants, with the consequential impact on social status of tenants and public housing generally. AHURI has commented that "a social housing system ... that results in a segregated and stigmatised form of housing offering little choice or flexibility is not seen as desirable by many prospective tenants."¹²
- There will also be a diminution of economic sustainability: already there is a reduction in the annual rent received by Housing ACT.

Another key point about the eligibility criteria is the apparent inflexibility of the recently lowered income eligibility criteria, and the fact that the tight criteria will automatically exclude some applicants who are genuinely in need. A fair process for granting eligibility would allow for the individual

¹⁰ Ibid, p.49.

¹¹ Ibid.

¹² Ibid, p.49.

circumstances of applicants to be taken into account. Examples might include large families, people with a disability, or people who need to be in particular locations because of their special needs. ACTCOSS urges the Government to establish a mechanism to achieve this.

Recommendation 2.03

That the ACT Government reviews the income eligibility criteria for public housing, and implements a system that recognises the appropriateness of public housing for some households that are currently ineligible

As part of the changes to public housing eligibility announced last year, the ACT Government introduced stricter requirements for residency in the ACT. Although this requirement is waived in the case of those on refugee (200) visas, people within this visa category are no longer sent to the ACT by the Department of Immigration and Citizenship (DIAC) due to the housing affordability crisis. However, holders of Special Humanitarian Visas are subject to the requirement, which prevents this group from accessing the public housing system. We understand that Housing ACT has shown no willingness to modify the criteria for this visa category despite concerns being repeatedly raised by community organisations.

Recommendation 2.04

That the 6 month residency requirement for all asylum seekers and Temporary Protection Visas (TPV) holders be revised

A further change to public housing policy discussed in a recent proposal by Housing ACT suggests that tenants who have two or more spare bedrooms be compulsorily required to relocate within the housing system. ACTCOSS disagreed with this proposal. Security of tenure is essential in ensuring a sense of stability and security in the public housing system, which provides a secure base from which people can be reasonably self-sufficient and work towards progress in life. For the many who have a range of other complex social issues to contend with, this security is essential to their success in addressing them. Security of tenure in a particular property also provides a sense of ownership and the incentive to enhance this environment, thus adding value to this asset.

As indicated in our comment on the Public Housing Changes Discussion Paper, a key concern with this proposal is the likelihood that many tenants may find themselves facing the prospect of having to move at a time when they are dealing with other major changes in their lives, for example, when children leaving are home, or during a relationship breakdown. ACTCOSS does support a policy which assists people who wish to relocate within the public housing system to do so. There will be people who wish to downsize because it suits their individual circumstances, and ACTCOSS believes this is a socially more desirable approach.

If, however, the policy is implemented, it needs much greater clarification in order to provide more certainty for tenants. Our consultations have found that many community services are also concerned about the

possible impact of this policy. There is concern, for example, about the effect on vulnerable people such as older people or people with disabilities, who may have been in their properties for a considerable period of time, and have built up a local network of community supports which would be disrupted in a move to another property.

ACTCOSS notes that in assessing tenants' entitlements, the Government will adhere to guidelines which take account of caring and access requirements. Nevertheless services have expressed concern that some disadvantaged people will be vulnerable in this situation.

Recommendation 2.05

That the ACT Government ensures that vulnerable public housing tenants are not forcibly required to move out of their homes

Community housing

There is some concern within the sector about the impact of the affordable housing strategy on the social housing sector. On the one hand, the effort to provide more affordable rental housing through Community Housing Canberra (CHC) is laudable. However by transferring 135 properties from the general community housing sector for this purpose, one negative effect is to reduce the number of social housing properties that are available at the cost of 25% of an individual's income. After transfer of property titles, the housing to be provided by CHC will address a different client group who can afford to pay 75% of the market rent.

The reduction in the number of community housing properties available at the equivalent of public housing rent (maximum of 25% of income) is in itself of concern, and also leaves the remainder of the community housing sector in uncertainty about its future role. In this context, ACTCOSS believes that it is important that the Government articulate a clear role and direction for community housing for the medium- and long-term. While the *Affordable Housing Action Plan 2007* sets out the objective of enhancing the capacity of Community Housing Canberra to deliver innovative affordable housing solutions, there is no direction given to the other strengths of community housing, for example, its supportive housing role for young people, people with disabilities or mental health problems.

Recommendation 2.06

That the Government outline a strategic direction for the future of the community housing sector in the ACT

Indigenous housing

Housing is a particularly important issue for the ACT's Indigenous people. While Indigenous people comprise just 1.2% of the ACT population, 24% of Indigenous households are public housing tenants, and 12.9% of all

SAAP service users in the ACT are Indigenous.¹³ The 2001 Census revealed that 17% of all Indigenous households in the ACT had fewer bedrooms than they need, compared to the figure for all ACT households of 6%.¹⁴

ACTCOSS understands that ACT Government expenditure on housing for Indigenous people has declined recently, and that the Government has not been pursuing efforts to implement appropriate housing models for the ACT's Indigenous community. ACTCOSS urges the Government to refocus its efforts to improve housing for Indigenous people, to re-engage with Indigenous community organisations and to resource them adequately as part of this effort.

Recommendation 2.07

That the Government re-focus its efforts to provide culturally appropriate housing for Indigenous people, and provide adequate support to Indigenous housing organisations

Affordable housing

The Government's efforts to develop more affordable housing options for the ACT community are to be commended. These include: initiatives to increase diversity in the market to include affordable housing and land products; the requirement that 15% of new blocks released target affordable house and land packages; shared equity schemes for low income earners and first home buyers; and deferral of some up-front Government charges for some groups.

Similarly, the *Affordable Housing Action Plan* includes initiatives to increase the supply and range of properties available for private rental – including encouraging the development of dwellings with the potential for shared equity and sale to eligible tenants – which are potentially helpful. The provision of additional support to tenant information and advocacy services is also welcome, in a context where greater financial advice will be required to assist potential tenants to understand and negotiate the new and complex arrangements.

However, many of these initiatives will take some time to make an impact. In the current tight housing market, there is a strong need for initiatives aimed at achieving affordable private rental arrangements immediately. Options might include the provision of emergency loans for people affected by rises in mortgage interest rates, or a mortgage assistance scheme such as proposed by Australians for Affordable Housing.¹⁵

¹³ Social Policy and Implementations Branch, Chief Minister's Department. *A Social Overview of the ACT, 2007* (Paper prepared for the ACT Community Inclusion Board), p.32

¹⁴ *Ibid.*, p.32

¹⁵ Australians for Affordable Housing, *Addressing housing affordability: A 5-point plan for the next 10 years, 2007.* (*Addressing housing affordability*)

There are other possible measures which would require joint action with, or an approach to, the Commonwealth Government. These include:

- Increasing the financial support available under the Commonwealth Rent Assistance (CRA) Scheme. ACTCOSS notes that in the ACT, even after taking account of CRA assistance, 17.2% of recipients paid more than 50% of their income on rent in 2005-06. This was the highest proportion in any jurisdiction, and compared to a national rate of 9%.¹⁶ National Shelter has proposed a review of CRA payment levels to ensure they remain adequate to keep housing costs below 30% for low income households. ACTCOSS supports this proposal, and also believes there should be a broader review of the CRA to ensure it better reflects current circumstances;
- Reviewing tax arrangements to ensure that tax concessions and capital gains tax arrangements do not promote property speculation and lead to exorbitant increases in housing values. Secondly, amend the tax system to ensure that it rewards investment in affordable rental housing.¹⁷

Recommendation 2.08

That the Government advocates for the Australian Government to introduce tax and other measures which reduce the impact of property speculation and reward investment in affordable rental housing

Recommendation 2.09

That the ACT Government advocates for the Australian Government to increase the level of assistance provided under the CRA Scheme, and review the CRA Scheme to improve its relevance for current circumstances

Private rental

ACTCOSS again calls on the Government to review or enact legislative provisions to protect private renters from predatory practices and discrimination.

In our submission on the 2007-08 Budget, ACTCOSS reported that the practice of informal rental bidding was occurring in the private rental market. Although the practice of formal auctions for rental housing, as mooted by some real estate agents, has not apparently eventuated, ACTCOSS is concerned that the continuing tightness of the market might eventually bring about proposals to allow or extend these practices. ACTCOSS again calls on the Government to legislate against such arrangements.

ACTCOSS also reiterates our call for the Government to remove the 'no cause' eviction clause from the *Residential Tenancies Act 1997*. In current circumstances, this clause could be used by landlords to force tenants to agree to rent increases before their current lease expires, under threat of

¹⁶ Productivity Commission, *Report on Government Services 2007*, Table 16A.65.
¹⁷ These issues are discussed in more detail in *Addressing housing affordability*.

eviction. Similarly, this clause can also lead to discriminatory behaviour, for example, by allowing tenants to be evicted because they belong to a minority group.

In the current environment, often the only accommodation that the most disadvantaged can afford to rent is very poor quality accommodation. ACTCOSS calls on the Government to legislate requirements for minimum standards for rental accommodation.

In summary, it becomes increasingly important, in a highly competitive rental market, to ensure that government regulations remain appropriate. Regulations should be strong enough to provide protection for renters or potential renters as well as public housing tenants.

Recommendation 2.10

That the ACT Government legislates against the practice of rental auctions in the rental market

Recommendation 2.11

That ACT Government amends the *Residential Tenancies Act 1997* to remove the provision for a 'no-cause' eviction

Recommendation 2.12

That the ACT Government legislates for minimum standards for rental accommodation

SAAP services and homelessness

A key theme that has emerged from ACTCOSS' consultations is the urgent need for more exit points from SAAP services. The SAAP National Data Collection for 2005-06 reported that the ACT had the highest proportion of all States/Territories of service users supported for more than six months - 14% compared to the Australian figure of 6.3%. The average length of support provided in the ACT was 86 days, compared to the national average of 48 days.¹⁸

One effect of this is that it creates a bottleneck within SAAP services, so that other people who are homeless or in insecure accommodation are unable to have access to these services. The Australian Institute of Health and Welfare (AIHW) reported that in 2004-05 the ACT had a substantially higher average daily turn-away rate (71%) for people requesting SAAP accommodation than the other states or territories¹⁹. ACTCOSS continues to be concerned that some SAAP services are required, under their Government contracts, to limit the period of time for which service users can be offered accommodation to three months.

¹⁸ Australian Institute of Health and Welfare (AIHW) (2006), *Homeless People in SAAP: SAAP National Data Collection National Report 2005-06 Australia*, p.46.
¹⁹ Australian Institute of Health and Welfare (AIHW) (2006), *Demand for SAAP assistance by homeless people 2004-05*, p.60.

The figures quoted above suggest that even if more exit points from SAAP are created, it is likely that the demand for SAAP services will remain substantial. The AIHW reported that the number of clients supported each year in the ACT remained fairly static over a decade: 2,200 in 1996-97 and 2,000 in 2005-06. Similarly, the number of 'support periods' provided ranged from 3,200 in 1996-97 to 2,800 in 2005-06.²⁰ This data supports the view that SAAP-funded organisations will continue to be under pressure for the foreseeable future.

ACTCOSS also notes that the housing affordability crisis makes settlement particularly difficult for migrant and refugee communities, with even those eligible for public housing waiting for up to 18 months for a public housing dwelling. We have heard reports that some refugee and asylum seeker families are being accommodated in SAAP services, and that this form of accommodation was considered inappropriate. SAAP services that have housed refugee and migrant families reported that the particular support services they provide were often not needed, as the individual or family simply needed accommodation. In addition, they highlighted the additional costs in accommodating these families, for example, in acquiring interpreter services.

As a positive observation, ACTCOSS notes that the Government's moves to provide transitional housing are a welcome step in easing the pressure on the SAAP system and helping people to transit into longer term accommodation. Also welcome is the intention, indicated in the *Affordable Housing Action Plan*, to continue to strengthen the transitional housing program.

Recommendation 2.13

That the ACT Government provides additional exit points for service users of SAAP services

A comparison of ACT SAAP service provision with national statistics illustrates the context in which ACT services operate. Compared to other jurisdictions, in 2005-06, SAAP service users in the ACT required the highest level of support in the areas of accommodation (90% of service users); basic services such as meals, laundry, shower, and transport (71%); personal support – family violence, family/relationship and emotional issues (66%); financial/employment services (51%); and specialist services – medical services, specialist psychological and counselling services, drug and alcohol support, and disability services (44%).²¹

The picture emerges that ACT SAAP services provide longer periods of support to clients who typically have more complex needs than are recorded in other jurisdictions, and therefore require more sophisticated

²⁰ Ibid, p.89. Note that the AIHW indicated that the figures for 1996-97 and 2005-06 are not strictly comparable. They are however, useful for indicative purposes, and the figures for 2004-05, which are comparable, portray a worse scenario.

²¹ Ibid, p. 58.

interventions. The situation is made even more difficult because there is a growing shortage of specialist support services to which they can refer clients to address specific needs.

However, in announcing the 2006-07 Budget cuts, the Government indicated that they would not result in a reduction in the number of beds provided through SAAP services. This does little to resolve the problem, with the implication that services are expected to 'do more with less'. A number of services report that the funding cuts have forced them to reduce their staffing levels and the level of service they can provide. Against this, the complexity we have described demonstrates the need for more funding for SAAP services to enable them to provide the necessary support for their clients.

The 2006-07 Budget cuts included a cut in funding for sector development services, at a time when SAAP services most needed support to adjust to the major changes included in that Budget. ACTCOSS calls on the Government to resource strategic development and support services for the sector.

ACTCOSS therefore calls on the Government to re-instate the \$1m cut from funding for the SAAP sector in the 2006-07 Budget.

Recommendations 2.14

That the Government re-invests the \$1million cut in the 2006-07 Budget from annual funding back into the SAAP sector

This year, services have highlighted the need to make improved special provision for children in SAAP services. *Breaking the Cycle* recognised that 'many of the children entering SAAP services have experienced trauma, violence, living in insecure accommodation, or are suffering from the effects of situational factors such as drug and alcohol issues, gambling and mental health issues.'²² The strategy said that all SAAP providers would be allocated funds which would allow them to provide professional interventions and programs and provide practical assistance. The extent to which specific funds have since been provided is unclear – however SAAP services themselves are saying that there is a need to invest more in this area. The AIHW reports that in 2005-06, 900 children accompanied their parents in using SAAP services.²³

Young people, too, have very limited accommodation options. *Breaking the Cycle* recognised that the number of young people experiencing homelessness aged between 13-15 years of age is increasing, and added: 'Their needs are complex, and they require a range of accommodation and support services to prevent a cycle of homelessness and poverty.'²⁴

²² ACT Government, *Breaking the Cycle of Homelessness: Homelessness Strategy ACT, 2003*, p. 15 (*Breaking the Cycle*).

²³ AIHW, *Homeless People in SAAP – SAAP National Data Collection Annual Report 2005-06 Australian Capital Territory*, p.11

²⁴ ACT Government, *Breaking the Cycle*, p.16.

The AIHW reported that in 2005-06, 250 clients aged 0-17 years independently used SAAP services.²⁵

ACTCOSS notes that the ACT Department of Disability, Housing and Community Services recently commissioned a report by the Australian Catholic University's Institute of Child Protection Studies on children's experience of homelessness in the ACT.²⁶ The report captures the trauma and anxiety surrounding children's experiences of housing instability. The findings from this investigation would tend to support our call for greater investment in meeting the needs of these children in SAAP services.

Recommendation 2.15

That the ACT Government provides additional funds to enable SAAP services to meet the specific needs of children and young people who enter these services

3. Health and Ageing

In this submission, we build on a number of broad themes that inform ACTCOSS' approach to health and ageing policy:

- An awareness of the social determinants of health, and that providing a healthy social environment leads to better health outcomes;
- An awareness of social health inequality, noting that health outcomes are worse for low-income and disadvantaged Canberra;
- The need to change the mix of public health services to minimise the reliance on acute services and provide better outcomes for health consumers;
- The need to improve access to health services by disadvantaged groups.

Primary health care

During ACTCOSS' Budget consultations, community members reported that it was becoming increasingly difficult to access a range of health services.

The shortage of general practitioners (GPs) and some specialists has not shown any signs of easing. The ACT has one of lowest ratios of doctors per capita nationally, and is second only to the Northern Territory²⁷. Community representatives have indicated that many doctors have closed their books to new patients. Community representatives express exasperation at the difficulties in accessing bulk-billing health professionals, and particularly finding bulk-billing specialists. Other instances cited included:

- A shortage of doctors who are prepared to do home visits and visits to residential facilities;
- Finding a sympathetic GP for HIV/AIDS sufferers; and
- Affordable after-hours primary health care: while the Canberra After Hours Locum Medical Services (CALMS) is available, the cost of this service remains prohibitive for disadvantaged members of the community.

ACTCOSS also observes that a relatively small proportion of older people in the ACT receive an annual in-depth health assessment, as provided for under Medicare. The Productivity Commission's *Report on Government Services 2007* shows that the ACT has the second lowest uptake of this service among the jurisdictions.²⁸ This may be influenced by, and symptomatic of, a number of factors, including the shortage of doctors, low bulk billing rates, and transport difficulties.

Difficulties in accessing doctors has wider ramifications for the community, with doctors acting as gatekeepers to a wide range of other services, such as specialist medical services, HACC services, rehabilitation services, and a number of government entitlements. Yet there are also shortages of a

²⁷ Productivity Commission, *Report on Government Services*, 2007, p.10.8.
²⁸ *Ibid.*, P10.35.

²⁵ AIHW, *Homeless People In SAAP – SAAP National Data Collection Annual Report 2005-06 Australian Capital Territory*, p.10.
²⁶ Australian Catholic University, *Finding their way home: Children's experiences of homelessness*, 2007.

range of other health and allied health professionals, including paediatricians, dermatologists, psychologists, dentists, and midwives, to name just a few. These circumstances are being exacerbated by the retirement of older personnel.

It is suggested that options for addressing skills shortages could include:

- A specific allocation of funds to encourage GPs and other professionals to come to the ACT.
- Providing more scholarships for professionals and allied health professionals.
- Enhancing the training available for these staff through Canberra's tertiary institutions.

The Government may wish to explore the concept of establishing 'super clinics'²⁹ in a small number of locations. These centres could enhance primary health care by offering a range of affordable health services, including GPs; allied health services such as physiotherapy, podiatry, midwifery; dental services, and mental health services including counselling. ACTCOSS would encourage the Government to favourably consider an earlier proposal to establish a facility similar to this at West Belconnen.

Recommendation 3.01

That the Government establish new initiatives to improve access to health services, including by addressing skills shortages in the health care field

We understand that, in addition to the general shortage of bulk-billing GPs in the ACT, there is a particular shortage of female GPs. This impacts negatively on women, many of whom feel more comfortable seeing a female doctor about women's health issues. We also understand that the women's health service is over-stretched, with only one GP attempting to meet the complex needs of women in crisis situations. We therefore call for the ACT Government to increase resources to the women's health services in the ACT, particularly for low income and disadvantaged women.

Recommendation 3.02

Address the shortage of female bulk-billing GPs in the ACT and expand women's health services

Dental health

Our comments on this issue are set within a national context in which 40% of Australians cannot access dental care when they need it³⁰, with long waiting lists for public dental care and private treatment prohibitively expensive for many. Some 21% of Australian adults who are not eligible

²⁹ As mooted in Federal ALP policy – see media statement, *Labor Announces GP Super Clinic Funding in Ballan*, 17 September 2007, accessed at <http://www.alp.org.au/media/0907/mst1eadr170.php> on 26 September 2007.

³⁰ ACTCOSS, *Fair Dental Care for Low Income Earners*, 2006.

for public dental care avoid or delay treatments because of the cost of basic dental care³¹.

ACTCOSS notes that the mean waiting time for restorative dental treatment through the ACT Dental Health Program has steadily increased over the first three quarters of 2006-07, reaching a high of 16 months in the third quarter³². This is despite the additional funding provided in the last Budget. Given the relationship between dental health and general physical health and the importance of early treatment, there is a clear case for further reducing the waiting list for publicly funded dental care.

Our consultations have also identified the need for mobile dental services to be provided to residential aged care facilities. It is understood that some 40% of people on the public dental health program waiting list are over 65 years old. ACTCOSS notes that the national oral health plan, which was endorsed by all Governments in 2004, sets out actions to address this issue, including:

- Making affordable portable dental equipment available to public and private oral health providers to enable them to treat older people in their homes and in residential aged care facilities; and
- Establishing affordable and appropriate transport arrangements to enable frail older people to attend oral health clinics.³³

A further concern is that the ACT Dental Health Program is focussed at the emergency end of services – preventative oral health is not well resourced. The national oral health plan sets out an intention to increase funding to oral health services to ensure concession card holders have timely access to preventively focused dental care that meets the minimum standard benchmark for oral health service provision.³⁴

Recommendation 3.03

That the ACT Government invest in reducing public dental health waiting lists and improving access to dental health care

Health care for disadvantaged groups

It is now well accepted that disadvantaged groups in our community suffer from poorer health outcomes than the population as a whole. This has been noted by agencies such as the World Health Organisation (WHO), which reported that people 'further down the social ladder usually run at least twice the risk of serious illness and premature death as those near the top.'³⁵ WHO's 2003 report on the social determinants of health concluded that a failure to address this 'social gradient' and other determinants of health and wellbeing:

³¹ *Ibid.*

³² ACT Government, *ACT Public Services Performance Report, Quarter 3 2006-07*, p.23.

³³ Cited in ACTCOSS Information Paper, *Fair Dental Care for Low Income Earners*, October 2006, p.18.

³⁴ *Ibid.*, p.18.

³⁵ Wilkinson, RG and Marmot, M (Eds.), *Social Determinants of Health: The Solid Facts*, second edition, World Health Organisation, 2003.

...ignores one of the most important social justice issues facing modern societies.... Welfare policies need to provide not only safety nets but also springboards to offset earlier disadvantage.³⁶

ACTCOSS has consistently advocated the importance of adopting a human rights approach to health, premised on the universal right to access to health care. This right has been recognised by Article 12 of the International Covenant on Economic, Social and Cultural Rights, which includes 'the right of everyone to the enjoyment of the highest attainable standard of physical and mental health'. The United Nations went on to say that this right implies the right to a system of health protection which provides equality of opportunity for people to enjoy the highest attainable level of health.

It is therefore incumbent on governments to give special priority to the needs of disadvantaged people in their community. In particular, we seek a Government commitment to minimise the level of co-payments required for access to health services by disadvantaged groups. ACTCOSS notes that in a number of other jurisdictions, no co-payments are required for many of these services.

The importance of addressing the social determinants of health was acknowledged by the Government in its *Health Action Plan 2002*.

Recommendation 3.04
That the Government commits additional resources to meeting the full range of health needs of disadvantaged people

The implications for the health sector of the WHO's findings are that in both social and economic terms, there are significant benefits to ensuring that disadvantaged groups are able to access health services early. Apart from being socially responsible, early intervention helps to minimise the incidence of chronic illness and the need for expensive treatments or hospitalisation.

Once again, ACTCOSS urges the Government to develop strategies for shifting the balance of health service provision from acute care to promotion, prevention, and early intervention (PPEI). This may seem difficult in a situation where the demands on acute care are pressing. However it is important, not only in terms of reducing the overall costs of care, but also because it is a major contributor to our general quality of life. The Government's initiative in developing a PPEI strategy for mental health sufferers should be matched by a strategy for health services overall.

Recommendation 3.05
That the Government commit to developing a comprehensive health PPEI strategy for the ACT

³⁶ Ibid.

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Our consultations have highlighted the need for greater promotion of the Interstate Patient Travel Assistant Scheme, which is not as well known as it might be. Such promotion should include information about the availability of the scheme in general, together with more readily available details about the assistance available under the scheme.

The Australian Senate released a report of its inquiry into state/territory patient assisted-travel schemes on 20 September 2007³⁷. This report found that the subsidies only cover a small fraction of the travel and accommodation costs for patients. The report recognises that the scheme is not intended to cover the full costs incurred by patients, but recommends that Commonwealth, State and Territory Governments should agree on transport and accommodation subsidies that better reflect a reasonable proportion of the actual costs. ACTCOSS believes that the ACT Government should not wait for national agreements to improve access for people who are required to seek health services interstate, particularly given the small proportion of costs that are met under current provisions.

Recommendation 3.06
That the Interstate Patient Travel Assistance Scheme be enhanced so that it better reflects the full costs of accessing medical treatment interstate

Our consultations have identified a shortage of maternity and midwifery services in the ACT. The ACT Assembly Standing Committee on Health 2004 report, *A Pregnant Pause - the future of maternity services in the ACT* highlighted the importance of boosting these services as one of an array of support services for pregnant women. Midwifery services also serve to ease pressure on other primary health care services and are therefore particularly significant in the ACT's current circumstances.

The Standing Committee recommended that the Government increase funding for the Canberra Midwifery Program, and also that a needs analysis be undertaken as a matter of urgency, to determine the actual level of unmet demand for the program.

ACTCOSS is not aware of the Government's response to these recommendations, but we are informed that there is currently a shortage of these services in Canberra. ACTCOSS calls on the Government to boost resources for these services.

Recommendation 3.07
That the ACT Government provides additional resources to improve the accessibility of maternity and midwifery services in the ACT

We welcome the ACT Government's announcement earlier this year that it will provide access to medical treatment in ACT hospitals and facilities for

³⁷ Senate Community Affairs Committee, *Highway to Health: better access for rural, regional and remote patients*, 2007.

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asylum seekers and TPV holders ineligible to access Medicare. This covers all hospital and dental costs, but does not provide access to general practitioners. This is currently a gap in health services for these vulnerable groups. Although some refugee support services, like Companion House, provide free access to GPs, they are not able to fully meet the need of the entire asylum seeker and TPV holder population.

Recommendation 3.08

That the Government addresses the gap in asylum seeker and TPV access to general practitioner services

Hospital care and supporting services

ACTCOSS has previously highlighted that the need for a different mix of health services to support the objective of having shorter lengths of stay in hospital, and to better support people who suffer from chronic health conditions. In particular, there is a need to provide more community-based health services and more non-medical support services to help avoid hospitalisation and allow an early return to the community for those who are hospitalised.

Our consultations have identified the need for increased pre-admission planning, to ensure that health care consumers will be able to care for themselves and cope in their convalescence. Similarly, a greater focus on discharge planning is needed, with an emphasis on allied health service support, to assist with convalescence at home. These observations seem to be confirmed in the ACT Health performance report for the third quarter of 2006-07³⁸, which shows a significant increase in the number of Nursing Home Type Patient Bed-Days in ACT hospitals.

It is not clear whether the current pressure on hospital maternity services is a temporary phenomenon. However given the projected growth of the ACT's population, it would be helpful if the Government were to outline its proposals to ensure that maternity care services are adequate to meet the needs of the population.

The Government has recently announced a major expansion of Canberra suburbs to the west and north of Canberra. This will result in a significant expansion of Canberra's population, and will consequently generate a need for a major expansion of health services, including hospital services. Pressures on the hospital system are already evident in areas such as maternity services, which have been raised in our consultations. ACTCOSS calls on the Government to develop a detailed strategic plan for the development of health services, including hospital services, in the medium to long term. This work should include extensive community consultation.

Recommendation 3.09

That the Government invests in more community based health and other support services

³⁸ ACT Government, *ACT Public Services Performance Report, Quarter 3 2006-07*, p37.

Recommendation 3.10

That the Government commit to developing a detailed strategic plan, in consultation with the ACT community, for meeting the health service needs of Canberra's population growth

Aged care and community care

Our consultations highlighted the significant shortfall in the number of transition beds available for people convalescing from hospital treatment. It is understood that the Australian Government has increased the number of Home and Community Care (HACC) Program packages in an effort to overcome this problem, but this is not a satisfactory solution.

Consumers have expressed a general concern about the mismatch of entitlements (from both Commonwealth and ACT Government programs) for people in residential facilities and those who receive support under the HACC Program. It was also reported to us that there is inconsistency in the administration of the HACC program in the ACT when compared to other jurisdictions. In addition, there is reportedly an issue around whether agencies are allowed to provide any form of support to older people once they have received a HACC package. This is again an issue around the relationship between Commonwealth and ACT Government entitlements.

Recommendation 3.11

That the Government review the services and entitlements available from residential care services and the HACC program with a view to achieving more equitable entitlements between the two

In general, consumers have a strong preference for receiving support which allows them to reside in their own homes. Yet HACC packages are becoming increasingly inadequate to meet the full range of needs of individual recipients. Clients whose needs are becoming more complex are increasingly unlikely to have them met. For example, community agencies have noticed that there is an increasing number of older people with psychological problems who need significant support to remain in the community. When this is not available, there is a tendency to place them in residential care - this is often not the most appropriate solution.

Moreover there is a concern among consumer representatives and service providers that packages are being allocated very thinly, so that consumers are not getting the full range of holistic support that is needed. There are also reportedly a significant number of people who cannot get support packages at all.

In a similar vein, consumers find it difficult to navigate the HACC system to gain their entitlements. ACTCOSS recommends that the Government establishes a mechanism to assist consumers to do this. Community organisations have reported that with the current pressure on hospital facilities, there has been a growing tendency to assume that aged care facilities can provide services that would normally be provided in

hospitals. This is not the case, and any reliance on such an arrangement will put older people at risk.

Overall, representatives of the aged have highlighted the complexity of multiple issues that beset older people. In a situation where they must negotiate a range of specialist services, it is difficult to obtain a comprehensive set of services that meet the needs of older people holistically. A scheme which addressed this situation would be of great benefit for a significant, and growing, segment of the ACT community.

Recommendation 3.12

That the Government explore options for facilitating access to a more holistic range of services for older people, to maximise the extent to which they can continue to reside in their own homes

Many AIDS sufferers in the ACT are ageing, and concerns are emerging regarding their future access to housing, nursing homes, and general health services. There is limited capacity for the health system to meet their special health needs, for example, dental problems and addressing the effects of long-term use of therapeutic drugs. This is a particularly disadvantaged group in Canberra, and a review of how their current and future needs can best be met is warranted.

Recommendation 3.13

That a review of the current and future needs of ageing AIDS sufferers be undertaken, and measures introduced to meet these needs

Our consultations have revealed a need for forward planning to identify another site for a palliative care service – particularly to accommodate more complex cases. It is suggested that this should preferably be located on the south side of Canberra. There is also a shortfall in the availability of palliative respite care, including beds, support for home-based respite care, and respite for home-based carers.

Recommendation 3.14

That the Government identify a site for an additional palliative care service and provide additional funding to enhance palliative respite care services

HACC services believe that consumers need to be given a voice in relation to the services they receive, and have their variety of interests and capacities catered for. It is proposed that a Consumer Advisory Board be established to provide advice on the delivery of HACC services, as well as on policy and strategic planning issues relating to the HACC Program, both to the sector and to the Government.

Recommendation 3.15

That a HACC Consumer Advisory Board be established to advise on the delivery of HACC services and on policy and strategic issues relating to the HACC Program

Health and ageing issues discussed elsewhere

Issues relating to health and ageing have also been raised in other sections of this submission, including:

- HACC service provision to the Culturally and Linguistically Diverse (CALD) community – see 'Multiculturalism, Migrants and Refugees'
- The provision of health services in the Alexander Maconochie Centre – see 'Justice and Human Rights'

4. Mental Health and Alcohol and Other Drugs Mental Health

We congratulate the ACT Government on its demonstrated commitment over the last few years to improve mental health services in the ACT. This has been reflected in the last two budgets.

The 2006-7 Budget provided \$8 million in funding for promotion, prevention and early intervention programs and improved access to hospital and community-based specialist mental health services, consumer and carer participation, short and long term 24 hour residential supported accommodation and a youth step up/step down facility, among other initiatives.

The 2007-8 Budget included funding of \$12.6 million over 4 years for mental health service enhancements (including enhanced staffing of the Older Persons Mental Health Inpatient Unit, the recruitment of Emergency Department mental health nurses, a 24 hour Adult Step Up/Step Down and outreach program, additional staff and training as well as care coordination programs), \$2.29 million for the Mental Health Acute Inpatient Unit (capital works funding for the design of a 40 bed adult inpatient facility to replace the existing Psychiatric Services Unit (PSU)), \$1.2 million for the High Secure Mental Health Inpatient Unit and \$2.078 million over 4 years for at risk children and families (to fund an integrated mental health and opiate replacement program).

This additional spending has taken place in the context of the Minister for Health's commitment to increase mental health spending to 1.2% of the health budget by 2012. In this submission we repeat our call for new funding to be mainly directed towards promotion, prevention and early intervention, rather than acute care. As the community sector is the main provider of these services, we hope to see a continuing trend towards increasing funding for the sector. A useful medium term goal of 30% of mental health funding to the community sector, as is the case in New Zealand, should be adopted.

While recent budget initiatives have been very welcome, there have been a number of policy and law reform processes that seem to have lost momentum, including the *Mental Health Act Review* and the *Mental Health Services Plan*. Participants in community consultations expressed concerns about the delays in these processes, particularly as some community consultations took place almost 12 months ago without any clear outcomes to date. We urge the Government to re-commit to these processes and provide some realistic timeframes for their completion.

The mental health service system is now facing new challenges with the construction of the Alexander Maconochie Centre. The new prison population will comprise a significant proportion of inmates with mental health problems, needing a broad spectrum of support, care and

treatment. In addition to forensic mental health services, the ACT Government must ensure that adequate funding is allocated to the provision of mental health services to the prison population, with continuity of care post-release. Vital among these services must be supported accommodation as well as early intervention and support services.

Supported and transitional accommodation

The key message expressed during our mental health community consultation was the acute need for housing support for people with a mental illness. Appropriate accommodation must form a key part of the ACT prevention, promotion and early intervention strategy. The need for both supported and transitional accommodation was highlighted. Supported accommodation is essential for people who need short or long term support in a residential facility. Transitional accommodation is intended for people who have just exited the PSU or prison and need accommodation and support for a limited period. Participants highlighted the fact that the ACT is one of few jurisdictions without a specific mental health housing support model. We are aware of a number of service models in other jurisdictions that could form the basis of an ACT program.

The Standing Committee on Health and Disability released a report on these issues in May, entitled, *Appropriate Housing for People Living with a Mental Illness*. This report recommended that Housing ACT investigate alternative models of community housing, such as that provided by Supported Housing Ltd, Victoria, to support people with special needs in a variety of housing options.³⁹ It also recommended that the government ensure that there is a range of accommodation models to provide for a diversity of clients with a mental health illness in the ACT.⁴⁰ We note that Dr Peggy Brown, Director of Mental Health Services in the ACT, estimated in giving evidence to the Committee that four to five hundred accommodation units of various types were required "to meet the social and treatment needs of people with a mental illness in the Territory".⁴¹

Recommendation 4.01
Resource appropriate supported and transitional housing models for people with a mental illness in the ACT

³⁹ Recommendation 3.

⁴⁰ Recommendation 15.

⁴¹ Transcript of evidence, 22 March 2006, p. 183, quoted in the report at pg 20. It should be noted that although ACTCOSS supports these recommendations, this should not be taken as an endorsement of all of the report's findings. Though we support a large number of these recommendations, the Committee's response to the challenge of service integration and communication is of concern to us. The Committee suggests that difficulties navigating the service system and coordinating services are due to the large number of community services, suggesting that an audit of community services and a subsequent reduction in the number of services be considered. In our *No Wrong Doors* report, although we identified similar challenges, we suggest that solutions lie in Government support for collaboration. For a more detailed discussion of these issues, see the full ACTCOSS *No Wrong Doors* report.

place. This is consistent with recommendation 1.2 of the Human Rights Commission in its recent corrections audit, which stated:

In order to provide satisfactory treatment for forensic mental health patients, the secure facility to which the ACT Government has already committed itself should be established as soon as possible. If this is not possible in 2008 when the AMC opens, then an interim facility should be established as a matter of urgency.⁴²

We stress the need to ensure that, despite the escalating costs of the prison, adequate resources are allocated to the forensic unit and mental health support services. Quality services are essential to prisoner rehabilitation and to help prisoners re-build their lives upon release. We need to ensure that the forensic unit is complemented by supported and transitional accommodation, so that it does not become a long-term living environment and further institutionalise those in residence.

Forensic mental health services must be able to competently manage dual diagnosis clients and be able to work effectively with alcohol and other drug services to get the best support and outcomes for clients. This is one example of the broader need for the Government to be engaging in whole-of-government planning for the Alexander Maconochie Centre (AMC), involving all relevant government departments and engaging with the community sector. Community sector organisations have repeatedly expressed concern that they will be expected to pick up the additional need created by the prison, without any commensurate increase in support.

Recommendation 4.03

Ensure that adequate, appropriate and safe forensic mental health services are available by the opening of the AMC

Psychiatric Services Unit (PSU) upgrade

We understand that the planned upgrade to the PSU is still in its early stages, with funding committed to scoping but no contractor as yet selected. We welcome the new facility, aware that the existing PSU is considered to be unsafe, poorly designed and traumatising for patients. However, we have a number of concerns about the development of the new facility. Firstly, we are concerned that the design of the new facility is taking place before the completion of the mental health services plan, and raising questions about coherence with the rest of the system. Further, the Government has indicated that it is planning a 40 bed facility despite community calls for a maximum capacity of 30 beds. We urge the Government to maintain its dialogue with consumers, carers and other mental health advocates, to ensure that the new facility is appropriately located and designed and adopts a best practice service delivery model. In particular, it should provide a safe and therapeutic environment, include quiet spaces for relaxation and outdoor and recreation areas.

⁴² ACT Human Rights Commission, *Human Rights Audit on the Operation of ACT Correctional Facilities under Corrections Legislation*, July 2007.

The funding allocations for adult and youth step up/step down facilities have been a very welcome step. We are pleased that problems with the funding for the youth step-up/down facility were addressed in the last Budget, and welcomed the additional allocation for an adult facility. These developments are extremely positive, however, current need is estimated to exceed the capacity of these facilities. Consultation participants estimate that two adult facilities will be needed in the ACT to meet the need. The level of need for this service should be monitored over the next few years to assess whether one facility can meet demand.

Early intervention

While the importance of early intervention is now almost universally recognised, there are simply not enough early intervention support services for those wishing to seek help before their situation deteriorates. This is currently undermining the 'get help early' message that the Government and the community sector seeks to communicate to those experiencing mental health problems. Community organisations provide the bulk of early intervention and psychosocial rehabilitation services in the ACT. We acknowledge the funding boost to this sector in the last Budget, but are concerned that community members continue to report a shortage of early intervention services.

In our *No Wrong Doors* report into mental health service delivery in the ACT, we noted the difficulties people had in getting access to help before a crisis, due to the crisis oriented nature of many services. The same issues were highlighted in our budget consultations. We are aware that there is currently a critical under-supply of counselling services needed to provide immediate short-term assistance. Some individuals are having to wait several weeks to months to see a counsellor under the current system. Early access to counselling services can serve to either prevent the onset of a more serious mental health episode, or to bridge the gap until longer term specialist services are available. We urge the Government to consider various models for early intervention counselling, including a brief intervention crisis counselling service.

Recommendation 4.02

Expand the availability of counselling and support services for people seeking mental health early intervention and prevention.

Forensic mental health services

With the new prison to open mid next year, there is a critical need to develop an effective forensic mental health system in addition to general mental health support, care and treatment for the prison population. We understand that there are plans for a 15 bed forensic unit at a location yet to be determined. We also understand that an interim facility has been forecast, pending the construction of the new secure unit. We are alarmed by the possibility that neither facility will be operational by the opening of the prison, and urge the Government to act urgently to ensure that there is an adequate, appropriate and safe system of care and treatment in

It is also essential that the new facility is culturally appropriate for Indigenous and CALD communities. Finally, we urge the Government to respond to calls from women for the inclusion of a women's only space in its plans for the new facility and, more generally, to address issues of access to bedrooms and bathrooms. These measures are important to provide a safe space for women patients in the PSU, many of whom will have experienced trauma and violence, and feel vulnerable and unsafe in the current facility.

Recommendation 4.04

Commit to continuing consultations with mental health consumers, carers and advocates in relation to the location and design of the new PSU, and to ensuring that the facility provides a safe and therapeutic environment

Mental health services for young people

Mental health services for young people remain insufficient, with young people only able to access treatment and support once they are at immediate risk. The Child and Adolescent Mental Health Service (CAMHS) is generally overburdened and, we understand, is currently in a process of further tightening eligibility. With CAMHS overburdened, young people are prevented from accessing the public mental health system, with community services needing to meet this gap. Young people are also affected by a lack of on-call services.

Recommendation 4.05

Address the gaps around youth mental health services by expanding the capacity of CAMHS and resourcing the community sector to provide mental health PPEI for young people

Consumer and carer participation and support

The Consumer Participation and Carer Participation, 'Framework for Action' framework was released earlier this year and sets out:

'the principles for participation and the structures required for continuous improvements to the quality of relationships between consumers, carers and staff of Mental Health ACT, and the quality of services.'

To implement this framework, the ACT Government must recognise the costs involved in supporting and training consumers and carers as representatives. This cost is often borne by community organisations, and frequently goes unrecognised. The Mental Health Consumer Network (MHCN) has reported that it is being given more and more responsibility for consumer and carer participation without adequate resources to meet this demand. The pressure to meet the organisation's commitments is placing a burden on staff and resources, with a number of staff experiencing burnout. These costs need to be acknowledged and consumer and carer representatives and advocates adequately funded so that they can continue to provide valuable policy and other input.

Consumers and carers have also expressed a need for a more coordinated approach to consultation.

Care and case coordination

One of the key findings of ACTCOSS' *No Wrong Doors* report was the lack of service coordination for people with intersecting mental health problems and other social service needs. We highlighted the need for better coordination between government and non-government services, as well as the need for better coordination across the spectrum of community services, including alcohol and other drug services, housing and homelessness services, employment services, primary health care services and community legal services, among others.

We identified a number of obstacles to collaboration, including competition for limited resources, funding limitations and a lack of core pricing, high pressure on services, government service purchasing, service segregation and program siloing.⁴³ We now call on the ACT Government to implement the recommendations of this report, in particular, by:

- Developing Memoranda of Understanding between relevant government departments and community sub-sectors ('sectoral MOUs');
- Investing in care and service case coordination systems, for example, informed by the Victorian Primary Care Partnerships model; and
- Allocating designated funding in funding contracts to community organisations to perform case management and service coordination. At present this is either not happening at all or organisations are performing this function without being resourced to do so with no recognition of the costs in staff time and resources. This ACT Government funding should complement, and extend more broadly than, existing COAG funding for 'community coordinators' for people with severe mental illness and complex needs who are most at risk of falling through the gaps in the system'.⁴⁴

Recommendation 4.06

Implement the recommendations of the ACTCOSS *No Wrong Doors* Report to improve care and case coordination

⁴³ These issues were identified and discussed in *Mental Health Community Coalition ACT, Building Capacity in the ACT Community Mental Health Sector*, June 2007, 26-29.

⁴⁴ Council of Australian Governments, *National Action Plan on Mental Health 2006-2011*, 14 July 2006, at 5

Outreach support, after-hours care and long term support

Mental illness does not just strike between 9am and 5pm. Nor does it always occur within easy proximity of an existing treatment or support service. At present, few organisations receive funding to provide services after hours, nor for all 52 weeks of the year. This is a critical gap in the current system which should be addressed as a priority. In addition, some services are available only to those within designated postcodes. An example of this is the Personal Helpers and Mentors Program, where some postcodes are simply not covered, precluding access for people in these areas. There is a need to expand this coverage and resource outreach programs.

Recommendation 4.07

Commit to funding key community mental health services for after-hours and outreach care

Trans-cultural and Indigenous mental health

The ACT Government has expressed a commitment to improving trans-cultural and Indigenous mental health services in the ACT.⁴⁵ However, the continuing lack of funded programs for the CALD population group was highlighted in community consultations. The special needs of some migrant groups, particularly refugees, who require specialist trauma services was also raised. It is important that the ACT Government also continue its efforts to improve the accessibility of mainstream mental health services for CALD and Indigenous groups, and resource the community sector to recruit and train a diverse workforce and improve the cultural appropriateness of service delivery.

In this submission we wish to express our support for many of the mental health recommendations made by Winnunga Nimmityjah Aboriginal Health Service ('Winnunga') in its recent report on holistic health services to inmates of the new prison. We will make further comments on these issues in our response to the Draft Corrections Health Plans.

Recommendation 4.08

Assess the need for designated CALD mental health services/ workers in the ACT and consider ways to improve the accessibility of mainstream services for CALD and Indigenous communities

Other issues related to mental health

There are a number of areas, generally considered to be on the periphery of mental health policy, which are not addressed under any other policy or funding area. These 'grey areas' include women who have experienced trauma or sexual assault and the links between sexual assault and mental illness, sufferers of borderline personality disorder and Attention Deficit

⁴⁵ ACT Government, *ACT Mental Health Strategy and Action Plan 2003-2008* at 48, 68-69.

Disorder (ADD). We highlight the need for the Government to recognise the mental health needs of women who have experienced trauma, violence and/or sexual assault, specifically address the needs of the children of women who have experienced trauma and respond to the gap in services for people with personality disorders who are not currently eligible to access mental health services.

A number of issues were raised relating to Attention Deficit Disorder (ADD). These included:

- The need for better support for ADD children and their parents with difficulties reported in accessing treatment programs, particularly for single parent families with other children to care for;
- The failure of particular community care and support programs to recognise ADD children and families as needing or being eligible for support services including the ACT Education Department and the HACC Program;
- The inadequacy of special education plans and support services for children and young people with ADD and their parents;
- The inadequate number of qualified professionals with expertise in ADD in the ACT/Queanbeyan region;
- The need for training for primary, secondary and tertiary teachers and tutors in dealing with ADD students;
- The need for training and education for child protection, corrections, health and alcohol and drug workers about ADD and the links with other issues (e.g. problem alcohol and drug use). There are reportedly currently low levels of awareness, which can exacerbate problems; and
- The need to recognise the incidence of ADD among the parents of children with ADD, which may impact on the success of behavioural plans which rely on parents to implement.

Recommendation 4.09

Examine the existing scope of mental health services in the ACT, with a view to addressing the gaps around certain behavioural and personality disorders

Employment and the impact of Welfare to Work

The COSS network and the mental health peak bodies in each state and territory have raised concerns about the impact of the Commonwealth Government's welfare-to-work policy on people with a mental illness. At our recent community forums, attendees reported concerns that these reforms are impacting adversely on mental health consumers who, in their words, 'can't jump through the hoops' or who have overt behaviours in the workplace which draw the attention of employers and colleagues.

The regressive nature of these policies aside, the push towards workforce participation has not been complemented by efforts to address employer prejudice nor by investment in alternative employment options for people with a mental illness, for example, Social Firms. As consultation

participants highlighted, the workplace is often a hostile environment for a person with a mental illness, such that the open employment market is not always a possibility. There needs to be a whole range of employment options for people with a mental illness, capable of accommodating the needs of this group and enriching the lives of individuals.

The ACT Government can play a role in ameliorating the effects of Welfare to Work by investing in socially supportive and sustainable employment programs for people with a mental illness. Of course, full employment will not be an option for all people with a mental illness and cannot displace the need for other support and welfare structures, for example, income support and supported housing.

Recommendation 4.10
Fund a range of employment programs for people with a mental illness

Alcohol and Other Drugs

The challenges caused by problem alcohol and drug use have become more complex with an increase in the use of crystal methamphetamines, and the associated mental health problems with which it has been associated. Alcohol and Other Drug (AOD) services have repeatedly indicated that they are now dealing with a client group with more high and complex needs than in the past, and with a very high proportion of dual-diagnosis clients. However, no significant additional budget funding has been allocated to this sector in the past few years, and funding proposed for the redevelopment of Karraika several years ago has been withdrawn. As yet, the ACT service system has failed to meet the challenge of dual-diagnosis, with low levels of coordination and integration between mental health and alcohol and drug services. This was identified by a number of consultation participants as the 'number one' budget priority this year.

Dual-diagnosis

The ACT Government Dual Diagnosis Project estimated in 1999 that up to 80% of people with a diagnosed mental illness also have a diagnosis of problematic substance use.⁴⁶ In recent years, both mental health and AOD services have consistently reported seeing a high number of clients with a dual-diagnosis. This is consistent with general reports that community service providers in these areas are seeing an increase in the number of clients with high and complex needs.⁴⁷ As noted above, both sub-sectors express continuing frustration with the lack of policy and service coordination in this area and are keen to see improvements in their treatment of dual-diagnosis. In the last Budget, we were pleased to see a

⁴⁶ Leigh Cupitt, Elizabeth Morgan and Marilyn Chalkley, *Dual Diagnosis: Stopping the Merry-go round*, prepared for the ACT Department of Health and Community Care, April 1999. Accessed at www.health.act.gov.au.

⁴⁷ Some 66% of ACT community sector respondents to the ACOSS *Australian Community Sector Survey Report 2007* agreed that their clients in 2005-6 had more complex needs than in 2004-5.

substantial dual-diagnosis initiative: \$2.078 million over 4 years for at risk children and families, to fund an integrated mental health and opiate replacement program providing intensive support and assertive case management for women and their families from pregnancy to 2 years of age. This is an important Budget initiative and must be complemented by much broader attempts to integrate the two sectors and systemically address the needs of all those with a dual-diagnosis.

Early this year, we conducted consultations with both sub-sectors to inform our report, *No Wrong Doors*. These consultations revealed a reported increase in dual diagnosis cases, often associated with crystal methamphetamine ('crystal meth' or 'ice') and homelessness.⁴⁸ The difficulties associated with meeting all the needs of dual diagnosis clients became readily apparent, with those consulted reporting that such clients were often 'shunted' from service to service. One organisation reported that they had a developed an award winning dual diagnosis residential program for young people, but were forced to discontinue the program due to inadequate resources to provide after hours care and support. Some consultation participants have suggested the need for a dual-diagnosis step up/ step down service. Most expressed the view that the emphasis should be on community service provision, rather than acute care, for this population group.

In the *ACT Action Plan for Mental Health Promotion, Prevention and Early Intervention 2006-2008*, the ACT Government made a policy commitment to:

...extend the collaborative approach developed between alcohol and drug clinical services for people with a co-morbid illness, to develop strategies and services in mental health promotion, prevention and early intervention [...and to...] strengthen collaboration.⁴⁹

We now call upon the ACT Government to implement the recommendations contained in the *No Wrong Doors* report relating to dual-diagnosis including: the development of referral and information-sharing protocols, cross-disciplinary training of staff in both sectors and detailed protocols for the care and treatment of dual diagnosis clients related to the severity of each condition.⁵⁰

Recommendation 4.11
Allocate designated dual-diagnosis funding, to facilitate better policy and service coordination and to support community collaboration

Address service gaps in the AOD sector

Two other significant service gaps were identified in the ACT alcohol and other drugs sector. Firstly, the fact that there are no ACT services to

⁴⁸ ACTCOSS, *No Wrong Doors: Towards an integrated mental health service system in the ACT*, June 2007, at 26.

⁴⁹ At 24, Action 7.2

⁵⁰ For further detail, see the *No Wrong Doors* report, at 26-29.

support people seeking to discontinue their use of pharmacotherapies. At present, these people are sent to Sydney to access services. We understand that a recent funding application to establish an ACT service was rejected.

The other significant gap identified was for short term rehabilitation programs. Existing residential rehabilitation programs only offer longer term programs, for example, for 12 months. At present, shorter term programs are not available for those who are unable to commit to a long term program or do not necessarily need a 12 month program.

Recommendation 4.12
Address existing gaps in AOD service delivery by resourcing residential programs for people seeking to discontinue use of pharmacotherapies and short term residential rehabilitation programs

AOD support for women and children

The needs of women with AOD problems and their children were highlighted as requiring urgent attention. In particular, an expansion of treatment programs for women and their children which specifically respond to the needs of children is needed. During consultations, one community service provider reported that, between July and December 2006, some 122 children and their families were on the waiting list for an AOD treatment service, and were therefore not able to be assisted during this time.

The lack of family treatment and support programs can result in the intervention of child protection services, where neglect or abuse is a concern. Community organisations suggested that the current high rate of child protection orders is partly due to support services not being available to work with these families. This indicates the need for a whole of government and community sector response to the intersections between mental health, alcohol and drug problems and child protection. Where possible, family treatment and support should be a first option, with the separation of families a last resort.

Recommendation 4.13
Expand residential alcohol and drug treatment programs for women which also address the specific needs of their children

Problem alcohol use and young people

Alcohol is the most widely used recreational drug in Australia but its harmful effects are not well understood by the community in general, nor by young people in particular. Recent studies indicate that the rate of harmful alcohol consumption is increasing, particularly among young people, with the average age of first use decreasing. In light of these trends, there is a need for youth education about the harms caused by excessive alcohol consumption.

Recommendation 4.14
Resource community education campaigns about the harms caused by excessive alcohol consumption, with a focus on young people

Mental health and problem alcohol and other drug issues raised elsewhere

Issues relating to mental health and problem alcohol and drug use have also been raised in other sections of this submission, including:

- The need for a needle and syringe program in the new prison – see 'Justice and Human Rights';
- The likely impact of the new prison on mental health and AOD services – see 'Justice and Human Rights';
- The shortage of school counsellors in the ACT – see 'Children, Youth and Families';
- Support for refugee children in schools – see 'Children, Youth and Families';
- The need for expanded individual and legal advocacy services for people with a mental illness – see 'Justice and Human Rights';
- Pressure on SAAP services – see 'Housing and Homelessness'.

5. Disability Services

ACTCOSS welcomed the significant increase in disability funding in the last budget, with an additional injection of \$15.3 million. This was a timely response to a significant area of need. The Government has indicated that this funding will be directed towards the priority areas of supported accommodation, increased carer support, respite, community access services and the needs of young people leaving school at the end of 2007. It will be allocated through individual support packages (ISPs) as well as through direct agency funding. The allocation is to be used to 'respond to the needs of those people who have been previously assessed as a priority for support', and thus will not respond to emerging or unknown need. This is estimated to include a minimum of 60 additional people who will be able to receive recurrent services across the accommodation, respite and community access areas. An additional 35 people are estimated to be able to benefit from the Quality of Life Grants round, which is for smaller amounts of funding.⁵¹ Disability ACT has also indicated that there will be two new services for tender; a transition service for school leavers and additional respite services.⁵²

Having outlined its general funding priorities, we now urge the Government to develop a detailed plan for the allocation of this funding, clearly outlining the programs and services to receive funding as well as the funding structure to be employed. Community sector organisations consulted in relation to this submission had the impression that, though a number of funding announcements have been made, they appear to be *ad hoc* rather than part of a broader spending plan. The community sector also seeks further information about the likely recipients of this new funding, particularly whether it will be directed to public, private or community services.

In determining current levels of need for this year's disability budget allocation, a reassessment of waiting lists as well as other information should occur. Further, we note that the ACT Government has acknowledged that the level of existing unmet need will not be met by this new funding, stating in its funding application documentation that 'Despite this substantial additional funding, requests for services are expected to exceed the available resources.'⁵³ The Department has therefore undertaken to retain information about unmet need obtained during this process and to inform the ACT Government of the extent of this need.⁵⁴ Supplementary information on the level of unmet need, particularly through community consultation, is vital given that a number of organisations have ceased maintaining waiting lists despite continuing

⁵¹ Disability ACT, '2007-8 Budget Initiative - Response to Known Unmet Demand Questions and Answers', accessed at: http://www.dhsa.act.gov.au/_data/assets/pdf_file/0005/10769/0_and_A_Itr_Website.pdf on 14/9/2007.

⁵² *Ibid*.

⁵³ Disability ACT, 2007-8 Disability Support Funding Information Package for Applicants.

⁵⁴ *Ibid*.

high levels of unmet need. The community sector is concerned to ensure that this fact does not result in a distorted picture of the level of need.

Conflicts and gaps in funding

Gaps and conflicts between Commonwealth and ACT disability and related funding programs were highlighted during our community consultations, particularly in the areas of employment and education. One example given was the gap between work readiness programs and employment options programs. The mismatch between disability and HACC funding was also highlighted, with reporting and acquittal inconsistencies. These issues have led to calls for better coordination of funding programs.

There is considerable uncertainty around the future direction of the Commonwealth State Territory Disability Agreement (CSTDA), with much pending on the outcome of the Federal election. Community representatives seek some positive outcomes from this process, including the development of consistent reporting requirements for Commonwealth and State disability funding programs. We urge the ACT Government to continue to use the CSTDA process to seek to address the gaps between funding programs and to simplify reporting requirements for community organisations.

Individual Support Plans (ISPs)

There was considerable discussion of the ISP program during our Disability Budget consultation forum. The general view expressed was one of support for the continuation and expansion of ISPs, but the need for more flexible guidelines around the use of funding and for complementary direct service funding. One of the concerns about the current system of ISP funding is the impact of sioed funding on service provision. With funding specified for particular uses, community services are finding it difficult to provide the holistic care and support that would be most beneficial to their service-users.

Community organisations also stressed that ISPs were not sufficient in themselves to meet the needs of recipients, highlighting the need for supplementary stable direct service funding, to enable long term organisational planning, allow for more flexible and holistic care and support. There are concerns that, although the purpose of ISPs was originally to meet 'additional' support requirements and thereby complement existing community and government services⁵⁵, in fact they are often being used to fulfil more basic disability related needs due to the absence of alternative funding sources and difficulty accessing services. A number of participants indicated that, once individuals have an ISP, it becomes very difficult to obtain additional resources where they are needed. A more basic concern is that ISP funding is offered by Disability ACT only when the budget allocates funding for this purpose, rather than according to need.

⁵⁵ See DHCS ACT, *Individual Support Packages (ISP) Policy and Procedures*, February 2007.

Recommendation 5.01

Commit to the continuing expansion of ISP funding to meet unmet need, ensuring flexibility

Community service providers have emphasised the need for ISP funding to be complemented by direct funding to service providers. DHCS has indicated that, in deciding where to direct the additional funding allocated in the last Budget, Disability ACT will consider whether the needs of the individual who has applied for additional funding will be best met by the allocation of funding levels in the form of Individual Support Package⁵⁶ or block funding⁵⁷, indicating that 'where an individual is purchasing a place from one service it is most likely that block funding will be provided.'⁵⁸

Recommendation 5.02

Complement ISP funding with increased direct agency funding to ensure the long term viability of community service providers

Children and young people with disabilities

A number of priorities were identified during the consultation process in relation to children and young people with disabilities. With current post-school programs full with significant waiting lists, young people are losing the skills and confidence they have acquired during their school education. To preserve the gains made through early intervention and supported school education, continuity in education and training, through to employment where possible, needs to be maintained. We understand that funding was allocated in the last budget to purchase 10 new places for 2007 graduates in services for school leavers, in addition to 10 new places in the three-year transitional service.⁵⁹ Though this funding is welcome, we understand that it will not nearly meet the existing need.⁶⁰

In addition, recent Commonwealth changes to disability employment programs, under the rubric of 'Welfare to Work', are having an adverse impact on this population group. Job Network providers are now constrained in the functions to a narrow band of activities and are therefore unable to provide the holistic support services they previously provided. As a result, an increasing burden is falling on community services to pick up the additional support services unable to be offered by Job Network providers. This phenomenon was documented in ACTCOSS' recent publication on the intersection of mental health and other support services, entitled *No Wrong Doors: Towards an integrated mental health service system in the ACT*.

⁵⁶ Disability ACT, '2007-8 Budget Initiative - Response to Known Unmet Demand Questions and Answers', accessed at: http://www.dhcs.act.gov.au_data/assets/pdf_file/00065/1/0709IQ_and_A_for_Webbitsa.pdf on 14/9/2007.

⁵⁷ *Ibid*.

⁵⁸ Disability ACT, 2007-8 Disability Support Funding Information Package for Applicants.

Due to the structure of Job Network programs, with capped and uncapped places, severe bottlenecks are being created for those who have recently finished school. In addition, the Commonwealth program is time limited. Therefore, if a Job Network client does not achieve an employment outcome within an 18 month period, they are required to exit the service. If they still wish to seek employment through the Job Network, the individual's eligibility needs to be re-determined and they are then required to re-commence the program when a place becomes available. By providing enhanced post-school options and services to improve employment readiness, service-users could in fact progress through employment services more quickly. In this way, the ACT Government could play a role in ameliorating the worst effects of the Commonwealth Government reforms.

Recommendations 5.03

Expand existing post-school options programs and services to improve employment readiness for young people with a disability

Caring for children with disabilities

Caring for children with high needs can be a huge emotional and economic drain on families. As a result, the families of children with disabilities require a range of services and support to be available. Respite care was identified as a specific area of need, with the shortage of places in respite and school vacation care programs for older children with disabilities highlighted. There are currently waiting lists for those programs that do exist and a limit to the number of days children can be included in the program. As a result of the lack of availability of services, parents can find themselves unable to take a break from caring for their child, or due to work commitments, with no-one to care for their child during school holidays. This places enormous pressure on families. Although long term support programs exist, it can be very difficult to access temporary respite or vacation care where children are not already in a program. A more general need for enhanced support services for the families of brain injured children was also identified.

A number of issues were identified this year in relation to older carers of children with disabilities. A need was identified to provide funding and support for future planning for this group, currently caring for their children, but facing the prospect of being unable to so as they age.

Recommendation 5.04

Address the shortage of respite and vacation care places for children with a disability

Individual advocacy services for people with disabilities

The vast majority of advocacy performed by disability advocacy services is in relation to generic service systems, for example, Housing ACT or the criminal justice system. The independence of individual disability advocates from government or community service delivery is critical, and

means that such advocacy has certain benefits that service provider advocacy does not have. The primary gap in relation to individual advocacy is for people who do not have a support network able to advocate for them, and who therefore need regular assistance accessing services and claiming their rights (for example, to income support). In this context, the role of the public advocate is now restricted to cases where guardianship is an issue, leaving a broad area not covered by this or any service.

As a consequence of resource limitations, there are currently a total of only three advocates in the ACT. We understand that there is little ACT funding for individualised advocacy, but some funding exists for systemic advocacy. This contrasts to other jurisdictions, in which individual advocacy services receive state government funding. Under the CSTDA, support for advocacy is a shared responsibility.⁵⁹ Concerns have been raised that demand on these services will significantly increase with the construction of the new prison, the population of which is likely to contain a large proportion of people with mental health problems or intellectual disabilities.

The other area of need identified in recent consultations was tenancy management services for children and young adults who need support, for example, in the management of properties, utilities, maintenance, cleaning and personal care. Services are needed to act as an interface with tradespeople and other home services. This call arises from the observation that home service people are sometimes not fulfilling their commitments to young people with disabilities due to workforce and management issues, leaving individuals with houses not cleaned and food not delivered. Individual advocates can play a role in acting as an interface between the individual and the service, and assert the right to service on their individual's behalf, reducing their vulnerability to neglect.

Recommendation 5.05

Expand disability advocacy services in the ACT

Population ageing and disability services

The ACT Government has recognised the challenge that the ageing ACT population poses in recent health and social support planning. Disability services are a critical area of service delivery for this population group, and detailed planning and appropriate resourcing is required to ensure that they are able to meet the growing need for these services. Particular priority areas for additional budget funding include day programs and retirement options for older people with a disability. It is also important to ensure coordination between disability and aged care services, particularly the gaps around retired people under 65 years of age who are ineligible to access aged care services yet still need support.

⁵⁹ Information on the Commonwealth – State/Territory Disability Agreement obtained from the DHCS website, at: www.dhcs.act.gov.au/disability_act/cstda. Accessed on 14/9/2007.

Recommendation 5.06

Resource disability services to cope with the additional demands of the ACT's ageing population

Addressing some specific forms of disability

There were a number of specific forms of disability highlighted as areas of need by attendees at our recent Budget consultations. Advocates for the deaf have highlighted the need for a dedicated community worker to the deaf and better access to assistive listening devices. Community advocates have also expressed their concern that multiple sclerosis (MS) support and care services are not being adequately resourced to meet the increased rate of diagnosis of the disease.

Recommendation 5.07

Examine the level of need across specific areas of disability, and ensure parity in service delivery

Disability issues raised elsewhere

Issues relating to disability have also been raised in other sections of this submission, including:

- Accessible transport - see 'Transport';
- Equal access to disability services for men and women - see 'Women';
- The need for gender disaggregated data relating to funding and service delivery - see 'Women'.

6. Justice and Human Rights

In the last Budget, ACTCOSS welcomed funding to improve services to victims of crime as well as for the construction of the new youth justice centre, Blimberl. However, we were disappointed to see that the Budget contained few new community justice initiatives with no funds directed to prevention, intervention and rehabilitation programs. In addition, apart from rental tenancy advocacy services, there was no new funding to community legal services or consumer advocacy services.

The most significant issues arising this year during our Budget consultations on justice and human rights related to the opening of the Alexander Maconochie Centre. The prison, and related social issues and services, arose in almost all of the budget consultations that ACTCOSS conducted with relevant peak organisations. It emerged clearly as an area that crosses government policy portfolios and requires whole of government planning. The need for adequate resourcing to ensure that the prison represents a leading practice, human rights compliant facility was strongly emphasised, as well as the need for strong links to be developed with community organisations to provide services to prisoners both pre and post-release.

Other issues which we have identified as priorities for the next Budget include crime prevention initiatives, better resourcing of the Human Rights Commission, an expansion of legal advocacy services, expanding community legal centre (CLC) facilities, maintaining the flexibility of tribunals through the tribunals review and resourcing advice and support services for women victims of sexual assault and violence. The last recommendation is particularly important if the ACT Government expands restorative justice proceedings to include cases of violence against women, a proposal about which we have serious concerns.

Corrections

Particular concerns have been raised by our member organisations about the expenditure cap on the AMC, and the recently announced cuts to planned facilities. Of particular concern is the loss of the quiet space for religious and Indigenous spiritual reflection and the loss of the gymnasium. A number of our members have stressed the importance of this recreation space and its positive effect on rehabilitation outcomes. Former prisoners consulted have also highlighted the role of a gym as an outlet for depression and frustration, thereby preventing aggressive or violent behaviour.

Recommendation 6.01

That the ACT Government commits to recurrent funding for the Alexander Maconochie Centre based on need, rather than historical cost estimates, reinstating those facilities which were to be delayed due to costs

The prison population will be characterised by complex health, mental health, alcohol, drug and trauma issues. It is important that within the

prison environment, prisoners have access to qualified corrections mental health and AOD support staff, but also that all staff receive regular training in interacting with people with mental health and alcohol and drug problems. We also stress the need to provide a variety of alcohol and other drug treatment programs, including methadone and alternatives to methadone.

The Draft Corrections Health Plan has been recently released, including details of the policy on drug use in the prison. We are disappointed by the Government's decision not to proceed with a needle and syringe exchange program in the prison pending further examination of the issue. We reiterate our calls for this service, as an essential aspect of harm minimisation in the prison. We also draw the Government's attention to a body of literature which demonstrates the safety and health benefits of Needle and Syringe Programs (NSPs) to both inmates and staff.

Recommendation 6.02

Maintain and demonstrate a genuine commitment to consider the viability of a needle and syringe program in the AMC

The community sector is the main provider of social services in key areas affecting the prison population, including housing and crisis accommodation services, alcohol and drug services, sexual assault services, mental health services, intellectual disability and advocacy services, legal services (e.g. Welfare Rights) and other post-release transition services. A large proportion of the prison population, both during incarceration and upon release, is therefore likely to seek access to, or benefit from, a broad range of community services. The ACT Government has repeatedly expressed its commitment to 'throughcare' in the prison. To make this rhetoric a reality, individuals should be linked to relevant community organisations during their incarceration, such that relationships are built prior to release - a time of particular vulnerability. Case management services, engaged prior to release, are also essential to connect individuals to relevant services and ensure a supported transfer from prison to community.

Although an opportunity has been provided to organisations to apply to be involved in providing services in the prison, no indication has been given as to the kind of programs that will be sought, nor to the availability and level of resources to be allocated to organisations providing services. We emphasise the importance of a broad range of social services being able to participate in service provision in the prison, including peer support by former prisoners. In our view, peer support services can play a critical role in developing trust and rapport with inmates and connecting prisoners with community support services.

To this point, the ACT Government has not outlined whether, and how, organisations are to be resourced to meet the additional demand likely to be placed on their services by the prison and to play a meaningful role in the provision of services within the prison. Our concern is that services

may be selected on the basis of cost, rather than the quality, appropriateness and need for the service.

Recommendation 6.03

That the ACT Government adequately resource community services to provide services in the prison, as well as to cope with the additional demand on their services created by the prison population post-release

It is particularly critical that individuals are supported in their post-release transition from prison. This support must include access to appropriate post-release accommodation, assistance in organising identification and welfare payments as well as mental health and alcohol and other drug care, treatment and support. Appropriate accommodation is essential, forming the basis on which people can begin to re-build their lives. It is therefore with concern that we note the recent cuts to the number of transitional accommodation beds in the AMC. Further, we are alarmed at the lack of whole-of-government planning for the prison and post-release arrangements, particularly at the apparent lack of planning by Housing ACT for the impact of this population on its services.

If ex-prisoners are simply added to the Housing ACT waiting list upon release, this is likely to undermine attempts at rehabilitation and place people in a very vulnerable position, less able to build stable lives and more at risk of recidivism.

Recommendation 6.04

Engage in whole-of-government planning to provide the necessary support services and infrastructure required by the prison population pre and post-release. This must include planning for the provision of appropriate housing for prisoners upon release

A number of serious human rights issues were raised in the recent Human Rights Commission, *Human Rights Audit on the Operation of ACT Correctional Facilities under Corrections Legislation*. Particularly important is the recommendation to provide training to all prison staff, including management, in human rights principles and practice, to avoid the transplantation of established, negative prison cultures into the AMC. We also call on the ACT Government to prioritise the implementation of those recommendations marked as requiring urgent implementation, including:

- The construction of a new secure mental health facility, with an interim facility pending the construction of the permanent facility scheduled for 2010;
- The construction of new premises for the periodic detention centre;
- Providing adequate staffing levels in remand centres to ensure that detainees are able to spend a reasonable amount of time outside their cells; and

- Resources to ensure that detainees are offered a program of organised activities⁶⁰

We await the development and release of a women's corrections policy and seek to ensure that it deals sensitively with issues of strip searching, sexual assault and trauma. In addition, we await further detail about the support services to be provided to women who have children in prison.

Crime prevention, early intervention, diversion and rehabilitation

The establishment of the new ACT prison does not remove the need to invest in effective and innovative crime prevention, early intervention and diversion programs. Indeed, if anything, it heightens this need to counter the trends towards increased incarceration rates which have emerged elsewhere with the construction of a new prison. It is now well understood that those who come into contact with the criminal justice system are disproportionately affected by a number of issues, including mental illness, alcohol and drug problems, problem gambling, homelessness, low levels of education, dysfunctional family lives; and a history of physical and/or sexual abuse.

In our view, investing in social support services is an investment in crime prevention. We therefore call on the ACT Government to develop a crime prevention strategy that emphasises social support, and provides a framework for the development and resourcing of innovative crime prevention and diversion programs designed to reduce the rates of incarceration and prevent recidivism. It is essential that the role that community organisations play in crime prevention is recognised and that effective support programs are adequately resourced.

Recommendation 6.05

Develop a clear crime prevention policy and funding strategy that emphasises social support

In discussions with Indigenous community organisations and representatives, a number of issues related to criminal justice have emerged as priority areas for spending in the next Budget. These include the rehabilitation of Indigenous prisoners and detainees, family support services where a family member has had contact with the criminal justice system, crime prevention, diversion and family conferencing. As the Indigenous youth population grows, the rates of Indigenous contact with the justice system are also likely to rise, unless effective prevention and diversion programs are established. We suggest the need for the creation of an Indigenous justice framework, with some clear goals and measurable targets relating to reducing the rate of Indigenous incarceration.

⁶⁰ ACT Human Rights Commission, *Human Rights Audit on the Operation of ACT Correctional Facilities under Corrections Legislation*, July 2007 at 6 (Human Rights Audit)

Recommendation 6.06
Develop an Indigenous Justice Framework with clear goals and measurable targets, to reduce the rate of Indigenous contact with the criminal justice system

We also wish to highlight and reinforce the recommendations on Indigenous detainees made by the Human Rights Commission in its recent *Human Rights Audit on the Operation of ACT Correctional Facilities under Corrections Legislation*. In particular, we emphasise the need for all non-Indigenous Corrective Services Officers to attend cultural awareness training and the assessment of potential officers for cultural competencies during recruitment and ongoing training.⁶¹ Indigenous liaison officers in the new prison should be given adequate support and resources to effectively perform their function. The Commission also recommended that more culturally appropriate activities be provided for Indigenous detainees. On this issue, we repeat our concerns about the deferral of the construction of a 'quiet area' in the AMC, which was specifically to have provided a space for spiritual reflection for Indigenous detainees.

Human rights

The enactment of the ACT *Human Rights Act* was an important milestone in the ACT. However, it represents the start, not the end, of human rights recognition, protection and fulfilment. The importance of the role of the Human Rights Commission in monitoring human rights protection, and the need for it to be appropriately resourced, was raised at a number of community budget consultations. In particular, concerns were expressed by consultation participants that the Human Rights Commission is inadequately funded to perform its required function, with very few support staff and some commissioners with multiple part-timings. Of particular concern was the amalgamation of the roles of the Disability & Community Services & Children & Young People Commissioner. We also understand that the Health Complaints Commissioner is experiencing a large workload and needs additional resourcing. In addition, community members stressed the need to make human rights rhetoric a practical reality, for example, by using it as a framework in all departmental and government service planning.

Recommendation 6.07
Ensure that the ACT Human Rights Commission is adequately resourced to perform its function effectively

Concerns have been expressed about the delayed progress of the *Discrimination Act* review. Despite Government commitments to this review taking place in 2007, ACTCOSS has heard nothing about it since the discussion paper on racial and religious vilification last year. After years of advocacy on issues related to the Act, in particular, the need to include social status as a prohibited ground of discrimination, the community is frustrated at the lack of progress.

⁶¹ Human Rights Audit at 66-67.

In a recent paper on ACT sex workers, ACTCOSS identified a number of issues affecting the rights, health and wellbeing of sex workers in the ACT.⁶² We reiterate the concerns we raised in that paper and repeat our calls for legislative reform in the identified areas. In addition, we ask the Government to consider funding for the recommendations made in that report to:

- Resource the publication and broad distribution of information about sex worker rights and complaint mechanisms in English and relevant other languages, in consultation with sex worker representatives or services;
- Resource additional support services to be provided to sex workers during discrimination complaints processes;
- Fund the expansion of support services to CALD sex workers, with attempts to address some of the workforce and social barriers to establishing a peer-based, CALD sex worker outreach program;
- Resource sex worker advocacy and community education, such that peer based community organisations are able to represent local sex workers and raise concerns with government. This is essential to raise awareness among sex workers of rights but also to combat discrimination and stigma in the community; and
- Provide information to sex workers about the sex worker registration process and the level of confidentiality of all information obtained. A review of the registration process should also be undertaken, in order to improve privacy protection and provide for the deletion of records on request or after a period of time, to thereby reduce obstacles to registration.

Advocacy services and community legal centres

Priority issues identified this year by community legal centres (CLCs) in the ACT include:

- The lack of office space, making it difficult to create new staff positions;
- The potential for development of a community legal precinct. It has been suggested that this might take place in the heritage-listed Supreme Court building once the Court moves to a new premises. CLCs predict that co-location would facilitate collaboration between organisations and the sharing of resources, particularly back-office services. However, new premises must be accessible to accommodate the diverse client group who access these services;
- The need for a homeless persons' legal centre. This is currently being considered by CLCs, who are examining the Victorian model. We call on the ACT Government to enter discussions with the CLCs about the need for this service, and to commit to support the project once need and viability are explored; and

⁶² ACTCOSS, *Sex workers, rights and regulation in the ACT*, June 2007. This comment is available for download from our website, at: www.actcoss.org.au.

- The need for project funding for the CLCs to create a solicitor position to advise people affected by changes to government housing policies.

Recommendation 6.08

Review the adequacy of existing CLC facilities and engage in a dialogue with CLCs about emerging service gaps around homelessness and housing advice services

The need for more individual advocates for people involved in Mental Health Tribunal proceedings was raised at a number of our consultation forums. Although a Legal Aid duty lawyer may be available to represent individuals in the tribunal, a number of concerns were expressed about the capacity of the duty lawyer to adequately present their client's case, given the little time available for briefing and the very complex nature of the issues likely to be involved. Participants reported that many people are going through the Mental Health Tribunal without assistance. With individuals often unable to present the particularities of their situation to the Tribunal, standard orders are often made despite the fact that more tailored, specific orders might be more appropriate. We suggest that the ACT Government examine the level of need for mental health advocacy services, and consider various service models, either building on existing services or looking to the Victorian model of a Mental Health Legal Centre.

In addition to the Mental Health Tribunal, concerns have been raised by the community about the need for further resources for specialist legal and advice services in the areas of powers of attorney, guardianship and capacity. Currently, we understand that ADACAS is often left to play the role of de facto legal adviser in these matters, in the absence of legal advice services, despite the fact that they are not qualified to do so. Other states, in recognition of this gap, have funded disability legal advisors, for example, in Queensland, where the disability advocacy service now has a paid lawyer to provide such services. We understand that other states have developed schemes using law students to provide advice, for example. Consultation participants expressed the view that a level of specialisation is required to competently advise on issues in the Guardianship Tribunal, suggesting that a generalist Legal Aid duty lawyer may not be the best model.

Recommendation 6.09

Resource additional legal advocacy services to support people involved in hearings in the Mental Health Tribunal and in the areas of guardianship, powers of attorney and capacity

Community budget consultation participants also highlighted the need for low-income older people to have access to free legal advice for civil law matters.

Community sector disability advocates have indicated the complexity of legal issues which can arise for older people, often involving complex contractual disputes with retirement villages or nursing homes. We

understand that in other states, there has been a move to have separate legal services for older people, in recognition of the specificity of issues that arise for this group.

We also understand that the Youth Law Centre, a partnership between Legal Aid, Clayton Utz, the ANU and the Youth Coalition of the ACT, is currently not resourced to provide outreach services, engage with young people in community services and schools or conduct community legal education. Awareness of legal rights and remedies is very low within the youth population, and many young people do not seek to enforce their rights, nor see their issue as a legal one. Outreach, engagement and community legal education could therefore play an important role in raising awareness and empowering young people to assert their rights and avoid unfair treatment.

Recommendation 6.10

Resource the Youth Law Centre to provide outreach, engagement and community legal education services

ACT tribunals review

ACTCOSS reiterates the issues we recently raised in our response to the 'Options for reform of the structure of ACT tribunals: Discussion Paper' in August 2007. Our primary concern is to ensure that, in the Department of Justice and Community Safety's (DJACS) effort to cut costs, access to tribunals must be preserved, including their flexibility, unique areas of specialisation and multi-member panels where appropriate (particularly in hardship and rights cases).

Concerns were also expressed during community Budget consultations about the likely withdrawal of resources from the Magistrates Court in order to implement the tribunal reforms. ACTCOSS calls on the ACT Government to ensure that the tribunal reforms do not compromise the fairness, quality or efficiency of decision making in the ACT Magistrates Court.

Recommendation 6.11

Commit funding to maintain the flexibility, uniqueness and informality of specific tribunals through the tribunal reform process, preserving multi-member panels in hardship and rights cases, among others

Indigenous police liaison officers

ACTCOSS has serious concerns about the number of Indigenous police liaison officers in the ACT. We understand that although there was previously one male and one female officer, the female position has been vacant for some time. We are aware that there is enormous demand for additional liaison officers, with the single remaining officer under enormous pressure. With high rates of Indigenous incarceration relative to the rest of the population, there is a critical need to improve the relationship between the police and the community.

Recommendation 6.12

Increase the number of Indigenous liaison officers in the police force

Sexual assault and violence against women

ACTCOSS understands that phase 2 of the Restorative Justice Act is likely to be implemented in the next few years. While Phase 1 related to juvenile offenders, Phase 2 will involve restorative justice in adult family violence cases and sexual assault cases. We have some serious concerns about the extension of restorative justice programs to cases involving violence against women. However, we seek to ensure that, if the ACT Government is determined to proceed with this expansion of the program, that adequate support services are provided for women involved. Community organisations have expressed concerns about the need for free legal advice to these women, as well as counselling and emotional support through the process. We understand that existing women's legal services and rape crisis services will be unable, without additional resourcing, to support all women needing advice and support during this process.

Recommendation 6.13

If the ACT Government is determined to extend restorative justice programs to sexual assault and family violence cases, it must ensure that women's legal services and victim support services are adequately resourced provide advice and support to women involved in the process

Justice and human rights issues discussed elsewhere

Issues relating to interpreter services have been raised in the section on 'Multiculturalism, Migrants and Refugees'.

7. Poverty Alleviation and Financial Stress

A number of changes in economic circumstances are affecting the ability of people who live on low-incomes to make ends meet. Indeed, reports from emergency relief and financial counselling services indicate that instances of financial stress are also occurring more frequently among middle income earners.

Firstly, the so-called "credit-crunch" is having an impact. Many years of unchecked growth in personal credit levels have resulted in some members of the community taking on more debt than they can manage, including through unregulated mortgage lending practices and high-interest credit card lending. The current re-pricing of risk and rising interest rates are having a negative impact on heavily-gearred households. Secondly, a rising Australian dollar, high world energy demand and the drought have meant that price changes are diverging in different retail markets. Ironically, as the price of imported luxuries or discretionary items such as furnishings and electronics has fallen or remained steady in price, the price of essential goods and services such as food, housing, transport and utilises are rising sharply. As recent Australian Bureau of Statistics (ABS) living cost indexes have demonstrated,⁶³ since the beginning of 2006 there has been a marked divergence between the CPI and the cost of living, particularly for low income households that spend a larger proportion of their income on basic necessities.

Canberra has always had a smaller proportion of the population living in poverty than the rest of Australia. The aggregate numbers are still very high, representing over 24,000 residents in 2001.⁶⁴ However, this group continues to struggle in what is considered a high cost city, with recent trends indicating that financial difficulties in the ACT are likely to be worsening, including for some people on moderate incomes.

Financial Stress

Data from financial counselling agencies indicates that the demand for these services is increasing, particularly due to high levels of debt. Given the re-pricing of risk in international financial markets, these strains are expected to get worse, and the Reserve Bank continues to warn of upside risks to inflation in the medium term, and the continuing possibility of rising interest rates.⁶⁵ On the domestic front, skills and labour shortages and other capacity constraints are also increasing inflationary pressures, and the drought is limiting food production in an environment of rising world food prices.⁶⁶ Similarly, higher world energy prices and the drought

⁶³ Australian Bureau of Statistics (2007) *Analytical Living Cost Indexes for Selected Australian Household Types*. Cat No. 6463.0

⁶⁴ NATSEI, *Locating Poverty in the ACT*, 2002, Part of Addressing disadvantage in the ACT, ACT Government

⁶⁵ Reserve Bank of Australia, *Statement on Monetary Policy*, 13 August, 2007

⁶⁶ Australian Bureau of Agricultural and Resource Economics, *Australian Commodities*, September 2007

are feeding higher water and energy prices, and necessary responses to climate change will also feed higher utilities costs. In this environment, we can reasonably expect increasing instances of financial stress among low-to-moderate income and high debt households.

The ACT Government must play a role in ameliorating these effects. In particular, there should be a review of the regulatory standards imposed by the ACT on credit providers, including non-bank lenders. We understand that the Attorney-General has announced that additional legislation will be considered in this area, if the states and territories are unable to reach an agreed reform position.

Recommendation 7.01

That the ACT Government reviews its regulatory oversight of credit providers and non-bank lenders to ensure sufficient prudence in lending practices

While strengthening regulatory oversight of credit providers is an essential step in protecting consumers from unsustainable levels of debt, this will not prevent additional instances of financial stress from occurring. The increase in demand for financial advice and counselling services is likely to continue, and we understand that some providers have drawn upon capital reserves in order to meet the increased need. Given the utility of these financial services in providing assistance with debt management, avoiding bankruptcy and resolving conflicts with credit providers, the ACT should ensure that these services have the resources to meet the demand.

Recommendation 7.02

That the ACT Government ensures that financial advisory and counselling services have sufficient resources to meet growing demand

Further, other services are also seeing increased demand as a result of financial pressure, particularly providers of emergency relief and financial and material aid. ACTCOSS remains concerned at current Australian Government initiatives to place ever more stringent requirements on Emergency Relief providers, including proposals to more narrowly stipulate eligibility for provision of funds and increased data collection responsibilities for providers. ACTCOSS also notes that while the Australian Government is keen to minimise use of emergency relief funds, it appears less willing to engage in discussions about the inadequacy of income support that prompts use of emergency relief in the first place.

ACTCOSS notes that the ACT Government provided \$300,000 in Financial and Material Aid Grants in 2005-06. However, this grants program was apparently a "one-off" and has not been continued in the 2006-07 financial year. ACTCOSS believes that many of the initiatives that were funded under this program produced excellent outcomes and that it should be recurrently funded.

Recommendation 7.03

That the ACT Government reinstates the Financial and Material Aid Grants Program at 2005-06 funding levels

Problem Gambling

Another source of financial stress upon individuals and families is problem gambling. The ACT currently has the highest number of gaming machines per capita in Australia, and problem gambling self-help groups and counselling services continue to see the social damage caused by problem gambling.

ACTCOSS notes that as soon as the ACT officially reached the gaming machine cap of 5,200 machines, the ACT Government requested a review of the number of gaming machines. ACTCOSS believes the purpose of a gaming machine cap is to be binding, and any proposal to progressively raise the cap undermines this harm minimisation principle. Indeed, given the ubiquity of gaming machines in the community and the social harm they cause, ACTCOSS calls for a staged reduction in the number of gaming machines in the ACT. ACTCOSS has discussed this issue in more detail in its submission to the Gambling and Racing Commission's Inquiry.⁶⁷

Recommendation 7.04

That the ACT Government reduces the number of electronic gaming machines available for use in the ACT

Concessions

In May 2007, the Legislative Assembly passed a motion calling on the ACT Government to conduct a review of ACT Concessions and report back to the Assembly by December 2007. ACTCOSS welcomes this review, which we have asked to be conducted for many years. It was not until the Minister's speech in the Legislative Assembly on this issue that we were aware that the previous review, originally instigated by the former Liberal Government but conducted in 2002, had in fact been completed, and that the ACT Government had decided not to release the review due to the regressive nature of its recommendations.

There are a number of key changes that ACTCOSS urges the ACT Government to consider during the review. In particular, ACTCOSS advocates that the concessions regime exhibits both horizontal and vertical equity, so that people in analogous circumstances receive similar levels of support and that assistance is received by people with the least capacity to pay. In addition, the structure of concessions should insulate low-income households against price shocks for essential services, particularly in light of expected future price rises in water, energy, housing and health care.

⁶⁷ ACTCOSS, *Comment on the Review of the Maximum Number of Gaming Machines allowed in the ACT, 2007*

beneficial social activities. We are also aware of the need to ensure a sufficient revenue base to fund the provision of community and public services.

ACTCOSS expresses its continuing concern at the impacts of the utilities network tax. We understand that the ACT Government has committed to monitoring the impact of the tax on low-income households with a view to improving the concessions regime if appropriate. We advocate that this is a legitimate issue to be examined in the context of the concessions review.

ACTCOSS also draws the ACT Government's attention to the current process to determine eligibility for a tax debt waiver in circumstances of financial hardship. We understand that the current process for obtaining a tax waiver in these circumstances remains difficult and convoluted. ACTCOSS also understands that the Territory is currently undertaking a review of debt management procedures. We await the results with interest, and believe this is an appropriate opportunity to also clarify arrangements around receipt of debt waivers.

Recommendation 7.07

That the ACT Government ensure that changes in debt recovery and debt waiver process do not place low-income households in additional financial stress

ACTCOSS continues to hear concerns about the tax implications for carers who purchase or build properties with the intention of providing supportive accommodation to assist those in their care to live more independently in the future. In many cases these beneficial social activities are treated as commercial investments, and taxed accordingly.

ACTCOSS sees this treatment as detrimental to families already financially disadvantaged by their caring responsibilities, and calls on the ACT Government to determine a way of exempting property owned or purchased for genuinely compassionate purpose from commercial land taxes and other duties. ACTCOSS observes that the willingness of parents to undertake significant expenditure to secure the independence of their children also relieves pressure on government-funded community and health services.

Recommendation 7.08

That the ACT Government investigates a mechanism to exempt properties purchased for genuinely compassionate purposes from commercial taxation arrangements

Poverty Alleviation and Financial Stress issues discussed elsewhere

The issue of Interstate Patient Travel Assistance Scheme is discussed in the 'Health and Ageing' section.

ACTCOSS maintains a strong interest in utilities concessions. Currently, eligibility for the energy concession is reasonably well targeted being available to Pension Card holders and Health Care Card Holders. The Health Care card is available to all low-income earners regardless of their eligibility for support payments; however, there is a take-up problem with this group of low income people who fall outside the income support system. There are some groups who may not be currently eligible for the energy concession but should be considered for inclusion in its coverage, for example Commonwealth Seniors Card holders and Abstudy recipients. Further research is required in relation to these and other groups in need.

The water concession is very poorly targeted as it is paid only to Pension Card and Veterans Card holders, missing the large and highly impoverished group of single people and families on NewStart allowance and family tax benefits. The water and sewerage concession is paid only to water account holders (i.e. owner-occupiers) and is not paid to tenants (whether public or private). Currently, a significant proportion of private tenants actually pay the water bills for their households, but are excluded from the entitlement. Currently, public tenants do not pay water charges, however DHCS has indicated it intends to introduce water charges for these tenants. Finally, there is no sewerage concession even though the sewerage charge forms the major part of the water/sewerage bill for many low-income people.

ACTCOSS is participating in the current concessions review process, although our capacity to engage has been restrained by the unexpected change in the ACT Budget Submission process. However, we look forward to a full and frank discussion of the current concessions arrangements, and advocate that the process is completed in time to incorporate any improvements to the concessions regime in the forthcoming ACT Budget.

Recommendation 7.05

That the ACT Government ensures that improvements to ACT concessions resulting from the Concessions Review be incorporated into the ACT Budget 2008-09

Further, it has been reported to ACTCOSS that the extent and use of ACT concessions are not well understood by the community. Additional promotion of concession entitlements would improve their usage.

Recommendation 7.06

That the ACT Government resource additional awareness and promotion of concession entitlements.

Taxation

ACTCOSS has always advocated for a progressive tax regime that ensures that the burden of taxation falls upon those with the most capacity to pay. In addition, ACTCOSS believes that taxation policy is a legitimate policy instrument to encourage progressive social change and support

8. Transport, Planning and Sustainability

The last year has seen a number of announcements that impact on the liveability and sustainability of Canberra's urban environment. In the 2006-07 Budget, the ACT Government cut \$13million over 4 years from ACTION in "administrative savings". Soon after, ACTION reduced service levels and introduced Network 06, causing widespread dismay and anger from bus users. The ACT Government has announced additional services since then, and we understand that there is a continuing review of the current network, with a view to introduce a new network in the coming year.

Planning has also seen substantial changes announced. The ACT Government has passed new legislation to govern the administration of the ACT Planning System, and is currently in the process of introducing a new Territory Plan. In March of this year, the ACT Government announced its Affordable Housing Strategy and Action Plan, detailing a large number of initiatives, many of which foreshadowed new arrangements in the management of land release and planning approval.

Finally, the ACT Government released "Weathering the Change", its Climate Change Strategy and Action Plan. This details a number of initiatives intended to reduce the Territory's greenhouse gas emissions and adapt to a changing climate.

Public Transport

ACTCOSS observes that the adequacy of the ACTION bus network has received a great deal of public attention lately, including a wide-ranging inquiry by the Legislative Assembly's Standing Committee on Planning and Environment. The ACT Government's Climate Change Action Plan also includes a number of initiatives relating to the provision of public transport.

The ACT is under-serviced by public transport in comparison with other Australian cities. Public transport is disproportionately used by low-income and disadvantaged Canberrans, and is a basic community service that ensures that everyone has access to employment, educational facilities, health care, community services and social and recreational opportunities. The ability of marginalised Canberrans to fully participate in community life is often bounded by the extent of the bus service, particularly for people who cannot afford to, or are not physically able to, drive a car.

ACTCOSS welcomes and acknowledges the recognition that public transport has to play in reducing greenhouse gas emissions, and believes that public transport is most effective, efficient and convenient if supported and used by a large proportion of the community.

The need for good public transport is particularly applicable to Canberra, as relatively low urban densities would otherwise make it difficult to traverse without a car. However, Canberra is not equally serviced by

public transport, and areas with lower socio-economic status, often located towards the city's fringes, tend to have worse access to public transport services than the leafier inner suburbs. The public transport system also privileges commuters who work during normal business hours, and provides lower service levels for people who need to use public transport during the day, in the evening or on weekends.

ACTCOSS believes that expansion of the ACTION bus service will improve social equity outcomes and provide a fairer transport system for everyone.

Recommendation 8.01
That the ACT Government delivers a significant expansion of ACTION bus services in the development of the 2008 bus network

ACTCOSS has a number of concerns about the current transport system, including:

- The recent reduction in off-peak bus services, which disproportionately affects disadvantaged bus users, including young people, older people, low-income parents not in the labour force, job-seekers, and people with disabilities;
- The exclusion of concession card holders from ACT Government budget targets for public transport – surely the total bus patronage is a more relevant benchmark than full fare paying passengers only; and
- The use of "journey to work trips" as a benchmark in the Sustainable Transport Plan, excluding children, retirees, people not in the labour force and unemployed people, and people who travel during off-peak periods.

Attempts by the ACT Government to improve the level of accessible transport in the ACT should be recognised, in particular, the increase in the number of accessible ACTION buses and improvements to the accessible taxi scheme. However, we understand that the ACT Government has slowed its fleet replacement program over recent years, delaying the introduction of accessible buses able to be used by people with a disability. We observe that the provision of accessible bus routes is not uniform across the city, and some individuals and areas are disadvantaged in this regard.

Recommendation 8.02
That the ACT Government progresses the bus replacement program to ensure greater access for people with disabilities, and otherwise ensures that service changes improve social equity outcomes and human rights principles

ACTCOSS notes the recommendations of the Standing Committee on Planning and Environment's Inquiry into ACTION Buses and the Sustainable Transport Plan. Due to resource constraints, ACTCOSS was unable to provide a submission to the inquiry, but we note the contributions of a number of our fellow peak bodies and member

organisations. ACTCOSS generally supports the recommendations of the committee, particularly those recognising the requirements of disadvantaged social groups and the need to ensure social equity and human rights principles are explicit in the provision of public transport.

Planning

The ACT Government has announced major reforms to the planning and land development system in the ACT, including the new *Planning and Development Act 2007*, the announcement of a new draft Territory Plan and the announcement of a number of changes to the land development system through the Affordable Housing Action Plan. Generally, ACTCOSS welcomes these changes, particularly to the extent that they support improvements in housing affordability.

In particular, ACTCOSS welcomes the introduction of a clear legal framework for transferring leases to the Housing Commissioner for use in public housing, and the provision of clarity over the use of concessional leases for community facilities. ACTCOSS also welcomes the inclusion in the *Planning and Development Act 2007* of a new ability for the Territory Plan to make provision for affordable housing, but advocates that the promotion of housing affordability also be included as a function of the ACT Planning and Land Authority (ACTPLA).

During the past year, a number of announcements have been made about the provision of affordable housing, including the announcement that all new green-fields developments will have a 15% minimum component of affordable housing. The ACT Government has also announced a new compact blocks housing code, which allows development of very small blocks of land. ACTCOSS generally welcomes these initiatives, but raises the concern that if mismanaged they have the potential to create pockets of disadvantage if allowed to agglomerate together. The ACT has a history of creating neighbourhoods with mixed socio-economic status; for example, by "salt-and-pepper" public housing throughout the urban fabric. This approach needs to be taken with the new planning instruments.

Recommendation 8.03

That the ACT Government ensures the development of diverse socio-economic neighbourhoods through strict controls on the location of affordable housing and compact blocks

These initiatives, particularly the 15% affordable housing requirement, are examples of inclusionary zoning. ACTCOSS has long advocated that inclusionary zoning approaches be considered in ensuring housing affordability and improving market access for low and moderate income earners to home ownership and private rental properties. However, the inclusionary zoning approaches adopted so far are concentrated on green-fields development sites, which are often located more distantly from employment opportunities, educational and health facilities, public transport and community, government and commercial services.

ACTCOSS advocates that the government take its inclusionary zoning policies one step further and examine the impact of applying inclusionary zoning principles in urban redevelopment, particularly multi-unit developments. In contrast to the proposals adopted for multi-unit urban redevelopments are more likely to be located in areas that are located close to the range of services that low-income households are likely to require.

Recommendation 8.04

That the ACT Government investigates the adoption of inclusionary zoning requirements for multi-unit urban redevelopment.

Sustainability

ACTCOSS recognises that the effects of climate change disproportionately affect people living with disadvantage and on low-incomes. These groups generally have lower incomes, wealth and skills levels and are more profoundly affected by changes in prices and employment patterns.

ACTCOSS notes that the ACT Government has now released its Climate Change Strategy and Action Plan, and raises the concern that apart from a very broad and general submissions process a year ago, these very detailed decisions received little opportunity for debate or discussion among the community. There are some actions in the Action Plan that we applaud, but we consider that the Government could have provided a stronger response to climate change.

In particular, we welcome the proposal to invest \$20million over 10 years to pursue retrofitting for public housing properties. Public housing tenants are currently able to do little to alter their accommodation to reduce the costs of water and energy, and investment in energy and water efficiency will pay both environmental and social dividends. We also welcome the proposed climate change social impact analysis, to be conducted in conjunction with the Community Inclusion Board. However, we raise the concern that this is intended to assess the adequacy of the current concessions regime – a task we understood was already occurring through the concessions review.

We also welcome the announcement that a \$1million fund will be established for improving energy efficiency in community organisations, however, we have been given no further details. We are concerned to ensure that this is not seen as a replacement for the Renew Communities Infrastructure and Facilities Grants Program, which we have called to be re-instated. We also note that this program would be more useful if organisations could first access free advice to inform their funding applications.

Recommendation 8.05

That the ACT Government extend its Home Energy Audit Scheme to ACT community organisations to increase information on energy savings in the community sector.

ACTCOSS observes that the Climate Change Action Plan commits the ACT Government to introducing a renewable energy feed-in tariff. We understand that Mick Gentleman MLA has proposed a model for the feed-in tariff, although this has not been endorsed by the ACT Government. We have engaged in consultations with Mr. Gentleman raising our concerns about his original model for the tariff. ACTCOSS advocates that any feed-in tariff should be volumetric (*i.e.* charged in proportion to energy consumption), and should exempt eligible concession card holders from the tariff to remove much of the regressive social impacts of the proposal. ACTCOSS supports a renewable energy feed-in tariff, noting the effects of climate change on disadvantaged groups, with the qualification that these social equity measures are included.

Recommendation 8.06

That the ACT Government introduces a renewable energy feed-in tariff that is volumetric and exempts concession card holders

9. Youth, Children and Family Support

A number of funding initiatives introduced in the last Budget have been welcomed by community organisations as benefiting children, young people and families. Initiatives as disparate as the housing affordability initiatives, increased mental health spending, youth step up/step down facilities, additional funding for youth health services, additional funding for public dental health services, the Indigenous traineeship program, and the extension of the Secondary Bursary Scheme have all been welcomed.

Many of these areas continue to represent pressure points for children, young people and families, and ACTCOSS recommends that the Government continues to improve services for these groups.

ACTCOSS understands that the Children's Services Council has recently highlighted gaps in service provision for 8-11 year old children. It is suggested that the Government initiate a project to clarify the nature and extent of the services required, including a mapping exercise and consultation with stakeholders.

Counsellors and youth workers in schools

Elsewhere in this submission, we have highlighted that mental health services for young people remain insufficient. There are significant gaps – generally they are only able to access services if they are at serious immediate risk (e.g. if they are at risk of suicide).

More support services are needed to help young people deal with a range of issues before they develop into diagnosed mental health conditions. Greater support, in a variety of settings, for issues such as dealing with anxiety, developing emotional intelligence, and relaxation and stress management techniques would also benefit young people.

Greater support is also needed for young people in schools. There continues to be insufficient numbers of counsellors in schools. This is particularly short-sighted in our view: young people who are dealing with personal issues will be hindered in their capacity to do well at school if they cannot access appropriate support. In cases where there is a potential mental health issue, early intervention can of course prevent an escalation of any incipient condition. And school is the one community agency which is the first point of contact for most young people in difficulty.

But these pragmatic issues are not as important as those of duty of care and social justice: while young people are at school, those who are at risk, for whatever reason, need to be identified and appropriate support offered.

Further, these measures need to be supported with training and support for teachers in working with students who have mental health and behavioural problems. Similarly, youth workers employed within ACT schools need to be adequately resourced and supported to carry out their functions. This group is susceptible to being isolated and overwhelmed in their work, and it is important that they receive adequate professional support and development.

Recommendation 9.01

That schools be better resourced to meet the counselling and other personal support needs of their students

Young carers

Carer representatives have particularly highlighted the plights of young carers. These young people are particularly likely to fall through cracks of services and programs which might be able to assist them.

ACTCOSS notes that the Youth Coalition of the ACT has issued two reports, *Reading Between the Lines* and *More than Words*, which examined the experiences of children and young people who help care for family members affected by an illness, disability, mental health issues or drug or alcohol problems. These studies found that young Canberra carers were on average actively involved in caring for 6.4 hours a day for six years. Most young carers lived in families experiencing financial hardship. None of the 50 young carers interviewed received a Centrelink carer's allowance or carer's payment. (During ACTCOSS' consultations, it was suggested that the availability of these support payments should be better promoted among young carers and their families.)

The Youth Coalition indicated that about 11,500 children and young people in Canberra have significant care responsibilities for family members, often with little or no support. The abovementioned reports recommended, among other things:

- Improving the resources provided for those being cared for;
- Creating a fund to allow young carers to buy extra in-home and respite support; and
- Promoting caring as the responsibility of the whole community.

During our consultations other community organisations also suggested that this group of carers would benefit from case management support.

Recommendation 9.02

That the Government reviews the support available to young ACT carers, with a view to ensuring they and their families receive adequate support

Support for refugee children

There is a current lack of support services for refugee students in ACT primary and high schools. The level of English and a Second Language (ESL) support has decreased, and there are no designated workers who

specialise in issues affecting refugee children. The failure to deal with the 'difficult behaviour' of some refugee children actively and effectively. The reduction in the number of school counsellors is also a problem, and makes it more difficult for refugees to receive necessary support.

At present, in order to receive special teaching services, children must be assessed as either having a learning disability or a mental health problem. This does not take into account the particular situation of refugee children, their experiences of trauma, anxiety and cultural confusion. We call on the ACT Government to make this assistance available to all refugee children, without a specific 'diagnosis', in recognition of their particular situation.

Recent analysis shows that the level of ESL assistance is significantly less than it was 8 years ago. ESL assistance is allocated according to a Language Performance Rating, which is based on average English ability for age and year level. This assistance is available has now dropped to a very low level, and we understand the Department is currently in discussion about this issue. ACTCOSS is concerned by this alarming narrowing of the proportion of students eligible for assistance.

Recommendation 9.03

That the Government fund support workers to work with refugee children in schools

Recommendation 9.04

That the Government responds to the reduction in ESL assistance services

Indigenous Education

ACTCOSS is concerned about the current level of educational support available for Indigenous students in ACT schools. We note that although advances are being made to improve literacy and numeracy, the percentage of Indigenous students scoring in the lowest quintile in reading, writing and numeracy strands is still significant. Indigenous representatives have highlighted a number of areas for action that would improve the experience of Indigenous children in schools. They report that there have recently been instances of unhelpful or discriminatory comments by teachers about Aboriginal children, and racism continues to be evident among students in both the classroom and the playground. These circumstances point to the need for cultural awareness programs in schools, and cultural awareness training for teachers. One area of activity that would be particularly helpful would be to raise awareness of and

⁶⁹ Report to the Legislative Assembly of the Australian Capital Territory, *Performance in Indigenous Education*, Annual Report covering the period January-December 2006.

engagement around significant Indigenous events, for example NAIDOC week.

Such programs should be supported by teaching strategies that meet the different learning styles of Indigenous students. In addition, Indigenous community representatives report that the Commonwealth appears to be reducing its commitment, at least in Canberra, to the Indigenous Tutorial Assistance Scheme. They report there is a degree of unmet demand for tutorial support among Indigenous students, and it is suggested that the ACT Government consider meeting this shortfall.

Recommendation 9.06

That the ACT Government re-focus efforts to build school cultures that provide an inclusive and supportive environment for Indigenous students

Recommendation 9.07

That the Government reviews the adequacy of the tutorial assistance available for Indigenous students

Services for families

The community sector has reported the need for an additional family mediation service, as existing services cannot meet the demand. Many existing services tend to cater for families who are at a crisis point for various reasons.

It would be helpful to expand services that young people and families can access when problems first arise, to prevent escalation of conflict and irretrievable breakdown of relationships. Community services have commented that there are models elsewhere in Australia of services that do this. Such models are well resourced to support family members, employing both a youth worker and a counsellor. In some instances, the service also provides training to other workers in the sector – for example youth workers. This training could potentially support the youth workers employed in schools, as discussed above.

Childcare services

Community groups have expressed concern regarding the growing privatisation of childcare, which is increasingly becoming the dominant mode of childcare service delivery, especially in child care centres. In recent years, there has been a reduction in the number of community-based, not for profit child care centres in Canberra. Some of these have been bought out by or subsumed into national, commercial child care enterprises.

The causes of this are manifold. The larger, commercial enterprises are able to undercut the costs charged by smaller organisations because they are able to use economies of scale to reduce their costs. If they wish, they are also able to operate at a loss for an initial period of time in a new area, until they become well established. At the same time, the costs of

operating the centres have increased for all – for example the restructuring of pay scales under the relevant award in recent years has been a major factor.

As a general principle, it is highly desirable to maintain diversity of choice for parents looking for child care services. At the very least, such diversity will ensure that a monopoly situation does not arise in future, with the potential consequence of substantial increases in fees.

The non-profit child care sector is an under-valued asset in the ACT. In general, these providers are characterised by being more community focussed, allowing for greater parent influence or involvement in their activities and management, programs that are more tailored to the children's various stages of development, and a greater capacity to support children with higher needs.

Government financial support for the non-profit child care sector has not been commensurate with the increases in costs in recent years. Given that the demand for child care is likely to increase with the growth of the population, ACTCOSS calls on the Government to make a greater contribution to the costs of operating not for profit child care centres.

Recommendation 9.07

That the Government strengthen support for community childcare providers, sufficient to ensure that Canberra maintains a diversity of providers in the child care sector

Youth, children and family issues raised elsewhere

A number of other issues concerning young people, children, and families have been raised elsewhere in this submission, including:

- The need to provide specific support for children and young people in SAAP services – see 'Housing and Homelessness'
- The need to expand existing post-school options programs and services for young people with disabilities to improve employment readiness, and to support these young people to live independently – see 'Disability Services'
- The need to address the shortage of places in vacation care for children with disabilities – see 'Disability Services'
- The need to relieve the land tax burden on carers providing independent living options for the people in their care – see 'Poverty Alleviation and Financial Stress'

10. Women

A recent report prepared for the ACT Community Inclusion Board highlighted several aspects of disadvantage affecting women: the relative disadvantage experienced by single parent (mostly women) families in the ACT and the gender disparity in full-time earnings, with men in the ACT earning on average 13.7% more than women.⁶⁹ Despite these issues and the development of a Women's Plan, the last ACT budget provided few new initiatives specifically for women. Indeed, the 2007-8 Budget gender statement was in many ways identical to that produced the previous year causing ACTCOSS to question the accuracy and relevance of this analysis, and the seriousness of the Government's commitment to gender analysis.

We were, however, pleased to see funding for several new initiatives, including Return to Work grants of up to \$1,000 for women from CALD, Indigenous or low income backgrounds (\$883,000 over 4 years), additional ongoing funding for Arcadia House to provide a residential detoxification and withdrawal program for women with children, funding for female high school and college students to receive the HPV vaccination and funding for a scholarship for women working in law enforcement, care and protection and allied services. However, we are concerned to ensure that the Return to Work grants are seen as supplementary, not in place of, necessary social support services for this group of women. Such supports include child care, language classes and free access to education and training. Further, though we welcome additional funds for the residential detox program for women with children, we are concerned that this service cannot be provided on the salary on one worker alone.

Gender Auditing

A number of women consulted highlighted the need to ensure equal access for men and women to disability support services. Reports suggest that males with disabilities tend to be more assertive of their rights than women. As a result, there are concerns that a disproportionate amount of disability funding is directed to the needs of men. Government and community services need to be aware of these trends and endeavour to address any gender inequity where levels of unmet need are the same. More generally, ACTCOSS repeats its call for gender disaggregated budget and policy analysis in order to assess the relative impact of Government actions on men and women.

Recommendation 10.01

Provide gender disaggregated budget and policy analysis to assess the relative impact of Government initiatives on men and women

Women's issues raised elsewhere

A number of other Budget issues have been raised throughout this submission relating to women, including:

- The need to recognise the complex relationship between trauma, sexual assault and subsequent mental illness, and Alcohol and Other Drug services';
- The need to specifically address the needs of women who have experienced trauma – see 'Mental Health and Alcohol and Other Drugs';
- The importance of including a women's only design – see 'Mental Health and Alcohol and Other Drugs';
- The need to address any gender inequities in funding – see 'Disability'; and
- The need to expand treatment and support for women with AOD problems and their children – see 'Mental Health and Alcohol and Other Drugs';
- A call for the development and release of a women's policy which deals sensitively with researching, sexual assault and trauma – see 'Rights';
- The need for adequate funding for support services for women who have children while in prison – see 'Justice and Human Rights';
- Issues related to women's health and the sharing of female GPS – see 'Health';
- The need to resource services for women victims of sexual assault and domestic violence to implement the next phase of the restorative justice project – see 'Justice and Human Rights';
- The need to address the gap in service delivery using term therapeutic support for adult survivors of sexual assault – see 'Mental Health and Alcohol and Other Drugs';
- The rights, health and wellbeing of sex workers in the ACT – see 'Justice and Human Rights'.

⁶⁹ See the Social Policy and Implementation Branch, Chief Minister's Department, *A Social Overview of the ACT*, May 2007, at 9-13.

11. Indigenous Services

The last Budget contained approximately \$700,000 over 4 years in funding towards an Indigenous elected body and \$40,000 for Indigenous public service traineeships. Both of these initiatives were welcomed by the community sector, particularly the commitment to Indigenous sovereignty demonstrated through support for an elected representative body.

However, there were few other substantive initiatives in last year's budget directed towards alleviating Indigenous social disadvantage. In particular, there was little dedicated funding for Indigenous specific services, nor to making mainstream services more accessible to Indigenous potential service-users. In addition, the Budget included no measures to improve Indigenous educational outcomes, to address the high rate of Indigenous involvement in the criminal justice system or to address Indigenous health disadvantage.

Indigenous community workers

There are a number of Indigenous workforce issues which continue to confront the community sector. The sector currently faces enormous challenges recruiting and retaining Indigenous workers. The role of these workers is critical – both to ensure the cultural appropriateness of service delivery for Indigenous service users, but also to make the workplace a culturally safe space for other Indigenous workers. These workers form essential links between the sector and Indigenous communities, increasing the likelihood that members of the Indigenous community will access mainstream services. They also play a key role in the provision of Indigenous cultural training to workers across the community sector, raising awareness of supporting organisations to deliver culturally appropriate services.

Recommendation 11.01

Support the community sector to recruit and retain Indigenous workers, by providing secure funding for Indigenous training, support and networking

Indigenous services rolled elsewhere

Issues relating to the ACT Indigenous population are discussed in more detail in other sections of this submission, including:

- A call for the Government to implement the Winnunga recommendations on holistic health care in the new prison – see 'Justice and Human Rights';
- The need to and improve Indigenous mental health/ social and employment services – see 'Mental Health and Alcohol and Other Drugs';

- The need to invest in social support to Indigenous youth as a form of crime prevention – see 'Justice and Human Rights';
- Enhancing the capacity of the community sector to recruit people from diverse backgrounds – see 'Community Sector Viability';
- The importance of preserving the 'quiet room' in the new prison for Indigenous detainees – see 'Justice and Human Rights';
- The need to expand Indigenous crime prevention, diversion and rehabilitation programs – see 'Justice and Human Rights';
- The need for additional support for Indigenous children in ACT schools – see 'Children, Youth and Families';
- The need to increase the number of Indigenous police liaison officers in the ACT – see 'Justice and Human Rights'.

12. Multiculturalism, Migrants and Refugees

The Multicultural Strategy

In December 2006, the ACT Government released its *Multicultural Strategy*, which expresses a commitment to a number of core principles, including:

- The right of all individuals to maintain, practice, promote and express their culture, language and religion,
- The right to equitable access to government services and programs; and
- The right to participate in the social and economic life of the community.

In this Strategy, the ACT Government affirmed its undertaking to provide accredited interpreters when delivering services to people who do not speak English well or at all and to 'give consideration to translated information about key services and programs'.⁷⁰ The Strategy also notes that community consultations highlighted the lack of access to interpreters in hospitals.⁷¹ This emerged again in recent ACTCOSS consultations, indicating that the problem has not yet been addressed, and is discussed further below.

Canberra's multicultural population is characterised by a diversity of socio-economic circumstances.⁷² Though we cannot generalise about this population due to this diversity, we can identify some trends affecting particular migrant and refugee groups, some of which are more likely to be in the rental market,⁷³ have lower workforce participation rates⁷⁴, and experience higher levels of welfare dependency.⁷⁵ In addition, some visa restrictions limit the capacity of asylum seekers and Temporary Protection Visa (TPV) holders to enter the paid workforce and limit the amount of Government assistance they are entitled to receive.

The ACT Government has introduced a number of progressive policy initiatives that reflect its commitment to the rights and welfare of refugees. These have included access for refugees, asylum seekers and TPV holders to public school education, including access to the Introductory English Centres for children who have difficulty communicating in English, medical treatment at ACT public hospitals and medical facilities, concessions on a range of ACT Government services

⁷⁰ ACT Government, *Multicultural Strategy 2006-2009* at 5.

⁷¹ ACT Government, *Multicultural Strategy 2006-2009* at 9.

⁷² See the ACT Government, *Social and demographic profile of the multicultural Canberra* (2003).

⁷³ For example, a higher percentage of African, South and Central Asian migrants rent, compared with the proportion of renters in other social groups (at 78.5% and 76.4% respectively). The ACT Government, *Social and demographic profile of the multicultural Canberra* (2003) at 81 - 82.

⁷⁴ At 117.

⁷⁵ For example, more than half of the Middle Eastern population receive Centrelink payments. *Ibid* at 140.

including public transport, spectacles, electricity, and dental care, ambulance treatment and transport, the provision of interpreting assistance as appropriate for those seeking access to ACT Government programs and services and free English language classes at the Canberra Institute of Technology.⁷⁶

The Chief Minister has also made a number of media statements indicating the willingness of his Government to welcome more refugees to the ACT. In doing so, he has stated that:

The ACT Government and the community sector have good systems in place to help refugees settle into the community and ensure they have access to the kinds of immediate services they need if they are to build new, fruitful and productive lives.⁷⁷

While we fully support Stanhope's welcoming attitude to refugees and asylum seekers, we seek to ensure that more resources are provided to ensure that individuals and families are supported on arrival to the ACT. We have heard of instances of refugee families on the public housing waiting list for up to 18 months. We understand that although successful off-shore applicants who come to Canberra generally receive Commonwealth Government support, those who apply on-shore often receive no such support. At present, the needs of this group are sometimes being met by community organisations and volunteers, which may fund living allowances to refugees who are ineligible for long translation and interpreter fees and migration agent fees, among other things. However, we call on the ACT Government to address remaining gaps in social service provision to this vulnerable population group.

Free English language classes

We congratulate the Government on its provision of free English language classes at the CIT, along with childcare services. We understand that these classes are provided for TPV holders and permanent protection visa holders. However, asylum seekers or those on bridging visas are not eligible for either these, or any other, classes.

Recommendation 12.01

Review the eligibility criteria for free English language classes, with a view to including asylum seekers and those on bridging visas

Interpreter services

A number of issues were highlighted during consultations in relation to access to interpreters within community sector service provision and in the court system. In relation to the first issue, a number of community

⁷⁶ Jon Stanhope MLA, Submission to the National Inquiry into Children in Immigration Detention, accessed at: http://www.breoc.gov.au/Human_Rights/children_detention/submissions/act_00_vt.html.

⁷⁷ Jon Stanhope Media Release, *Sri Lankan Refugees would be Welcome Here*, 14 September 2007

4 increasing costs of interpreters, with the criteria for becoming increasingly tight. Organisations nonwealth Government expects that State files will provide for these costs in their contracts. The sector services from the ACT Government to acquire interpreter services which are essential for services to assess the needs of service-users provide appropriate support and assistance.

has become increasingly difficult to access interacting with hospitals, the general health services and community organisations. reports that the use of interpreting services in has all but ceased, with critically ill patients their symptoms to doctors in emergency medical situations. Very few schools are providing access to interpreters, with community organisations sometimes reporting difficulties in accessing these services, and are increasingly having to cover the costs of these services, despite receiving no funding for this purpose.

ys' services was also reported in relation to the and Interpreting Services required for court proceedings, although Legal Aid provides their expense in some cases, many individuals who are not eligible for Legal Aid are unable to pay for their own interpreter. Although some courts and tribunals meet interpreting costs, a significant gap. For example, in the Interpreters are expected to be paid for by the

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Inter services are available in all public institutions
 y organisations to access these services for service users

Cultural:

A number of cultural organisations have identified the need to enhance the of community sector service delivery. For example, providers have highlighted gaps around staff diversity and reported difficulties accessing interpreting services with the experience of other organisations. More broadly, it is established, who could provide translation and enhance HACC services to these service users. Organisations to provide services to this group should

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Policy coordination

The lack of coordination between departments and services in the implementation of policies affecting refugees was also raised during ACTCOSS consultations. Particular concerns were expressed about the implementation of the refugee and asylum seeker health policy. Support services suggested that inadequate information had been provided to health professionals, refugees and asylum seekers about how to claim entitlements and what identification was required. Similar difficulties were reported in accessing energy and transport concessions.

Recommendation 12.04

Ensure that accurate information is distributed to all Government personnel involved in the implementation of refugee and asylum seekers support programs, for example, health, transport, energy concessions

We also understand that the number of refugee settlement support workers in the ACT has decreased, such that it is almost impossible to get settlement support. These issues have led to calls for transitional refugee housing and expanded settlement services for migrants and refugees.

Recommendation 12.05

That the ACT Government provide resources to expand refugee settlement services

Multicultural issues raised elsewhere

A number of issues relating to multiculturalism, migrants and refugees have been raised in other sections of this submission, including:

- expanded trans-cultural mental health services – see 'Mental Health and Alcohol and Other Drugs';
- support for refugee children in schools – see 'Children, Youth and Families';
- the need to redress the reduction of ESL services – see 'Children, Youth and Families';
- improving the capacity of the community sector to recruit and retain CALD workers;
- free access to medical services for refugees and TPV holders – see 'Health';
- expanding support services to CALD sex workers in the ACT – see 'Justice and Human Rights'.

Organisations Consulted

Aboriginal Justice Centre
ACT Deafness Resource Centre
ACT Disability Aged and Care Advisory Service (ADACAS)
ACT Mental Health Consumer Network Inc
ACT Shelter
ACT Women and Prisons Group
Advance Personnel
AIDS Action Council
Alcohol and Drug Foundation of the ACT (ADFACT)
Belconnen Community Service
Canberra & Queanbeyan ADD Support Group
Canberra Fathers and Children Service Inc (CANFACS)
Canberra Multicultural Community Forum
Canberra Rape Crisis Centre
Care Financial Counselling Service
Carers ACT
Centacare
Communities@Work
Community Coalition on Corrections
Community Connections
Community Services Training Centre
Companion House Assisting Survivors of Torture and Trauma
Council of the Ageing
Families and Friends for Drug Law Reform (FFDLR)
Friends of Brain Injured Children (FBIC)
Havelock Housing Association
Health Care Consumers Association
Inanna Inc
Koombarri
L'Arche Genesaret
LEAD ACT
Lifeline Canberra
Local Area Coordination
Mental Health Community Coalition ACT (MHCC)
Mental Illness Education ACT
Migrant Resource Centre of Canberra and Queanbeyan
Multiple Sclerosis ACT (MS ACT)
National Disability Services ACT (NDS ACT)
Ngunnawal Aboriginal Corporation
Richmond Fellowship
Sexual Health and Family Planning Association ACT (SHFPACT)
Sharing Places
Softlaw Community Projects Ltd
Tas Housing Inc
Tenants Union ACT
Trade Unions ACT
Uniting Church Kippax
Woden Community Service
Women with Disabilities ACT (WWDACT)
Women's Centre for Health Matters
Women's Information Resources and Education on Drugs and Dependency
(WIREDD)
Youth Coalition of the ACT
YWCA of Canberra

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