

2009

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

TABLING STATEMENT

Government Responses to:

- **Standing Committee on Climate Change, Environment and Water:** Report No 1 – Report on Annual and Financial Reports 2007-2008
- **Standing Committee on Education, Training and Youth Affairs:** Report No 1 – Report on Annual and Financial Reports 2007-2008
- **Standing Committee on Health, Community and Social Services:** Report No 1 – Report on Annual and Financial Reports 2007-2008
- **Standing Committee on Justice and Community Safety:** Report No 1 – Report on Annual and Financial Reports 2007-2008
- **Standing Committee on Planning, Public Works and Territory and Municipal Services:** Report No 1 – Report on Annual and Financial Reports 2007-2008
- **Standing Committee on Public Accounts:** Report No 2 – Report on Annual and Financial Reports 2007-2008

**Presented by
Mr Jon Stanhope MLA
Chief Minister**

15/10/2009

Mr Speaker, I am pleased to present the Government's Responses to the reports of all six Assembly Standing Committee reports on the 2007-2008 Annual and Financial Reports of ACT Government agencies.

In keeping with past practice, I am tabling the responses to all six Standing Committee reports together. This is because the Standing Committee reports generally cover more than one Minister and more than one portfolio and, in some cases, issues raised in the reports apply across departments and agencies.

Annual and financial reports are prepared by agencies in accordance with the *Annual Reports (Government Agencies) Act 2004*, the *Financial Management Act 1996* and the Chief Minister's Department *Annual Report Directions*. In this regard, the Government seeks to ensure that annual and financial reports are continually updated to reflect best practice and full accountability.

The Standing Committees made 73 recommendations. The Government has agreed in full, in principle or in part to 35 recommendations, has noted 30 recommendations and not agreed with eight recommendations.

Mr Speaker, I commend the Government's Responses to the Assembly.

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

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

REPORT ON ANNUAL AND FINANCIAL REPORTS 2007-2008

**Presented by
Mr Jon Stanhope MLA
Chief Minister**

Government Response

Standing Committee on Justice and Community Safety Report No 1 – Report on Annual and Financial Reports 2007-2008

Introduction

The Annual Reports of All ACT Government agencies are referred to the Standing Committees of the ACT Legislative Assembly for examination and report.

The Standing Committee on Justice and Community Safety reviewed annual reports for:

- ACT Electoral Commission;
- ACT Human Rights Commission;
- ACT Ombudsman;
- ACT Policing;
- Department of Justice and Community Safety;
- Director of Public Prosecutions;
- Independent Competition and Regulatory Commission;
- Legal Aid Commission (ACT);
- Public Advocate of the ACT;
- Public Trustee for the ACT; and
- Victims of Crime Support Program.

The Committee made eleven recommendations.

Response to Committee Recommendations

Recommendation 1

2.3 The Committee recommends that the Department of Justice and Community Safety improve the design, and print and binding quality of its future annual and financial reports.

Government Response

Noted.

Recommendation 2

2.13 The Committee recommends that around-the-clock and real-time monitoring of the CCTV network begin as soon as possible and as funding permits, in those areas where community safety is most at risk.

Government Response

Noted.

The ACT Government has allocated \$1.624 million over the next four years from 2009-10 for the monitoring of closed circuit television (CCTV) at Manuka, Kingston and Civic, which will increase safety for the people of Canberra.

The funding in the 2009-10 ACT Budget will allow monitoring of CCTV systems in real time during peak periods at the purpose-built CCTV Monitoring Centre.

Additional funding for monitoring the CCTV network will help create a safer environment for Canberrans, particularly those visiting the Territory's popular nightspots.

Recommendation 3

2.27 The Committee recommends that the Attorney General report to the Assembly by the end of 2009 on the value of outstanding fines owed to the Territory, and on what progress had been made with improving the rate of collection of fines.

Government Response

Agreed-in-part.

The value of outstanding Department of Justice and Community Safety (JACS) Territorial fines will be reported as usual in the Territorial Financial Report within the Department of Justice and Community Safety Annual Report 2008-09, Volume 2.

Progress made toward improving the rate of collection of fines owed to the Territory:

- Many of those who have outstanding court fines and traffic and parking fines have already had sanctions applied, such as having licences and registration suspended. New technology available to ACT Policing now makes it easier to identify those individuals who continue to drive once their licence has been suspended.
- The 2009-10 Budget provides \$1.4 million over four years for enhanced fine enforcement. This initiative is intended to increase the recovery of court imposed fines and introduce legislation to allow the satisfaction of fines by voluntary community service as an alternative to payment of the fine. Imposing a prison sentence for unpaid fines is undesirable as imprisonment creates a further cost to the community.

Recommendation 4

2.35 The Committee recommends that ACT Corrective Services and ACT Health provide a briefing to the Standing Committee on Justice and Community Safety on the detoxification facilities and services available in ACT correctional facilities.

Government Response

Agreed.

All prisoners are assessed by a nurse upon admission to the Alexander Maconochie Centre (AMC) to determine their immediate medical requirements, including any detoxification services that may be necessary. Depending on the results of the initial assessment (which includes the determination of the seriousness of any substance withdrawal), the detainee may be moved to the remand or sentenced area, the Crisis Support Unit or to hospital.

The following withdrawal symptoms can be treated with the use of medicated detoxification at AMC:

- opiate withdrawal;
- benzodiazepine withdrawal;
- alcohol withdrawal.

Recommendation 5

3.21 The Committee recommends that the activities of the Snowy Hydro SouthCare Helicopter, including the number of its missions, be reported more thoroughly in future departmental annual reports.

Government Response

Noted.

Full activities of the Snowy Hydro SouthCare Helicopter can also be obtained in the Snowy Hydro SouthCare Helicopter Fund Pty Ltd Annual Report.

Recommendation 6

4.7 The Committee recommends that the ACT Government investigate establishing a system of water charge rebates for households, where it can be demonstrated that a family or individual will be adversely affected by water pricing due to the number of people in the household, or a family member's disability or illness. This may be similar to the rebate for electricity and gas that currently exists under the Community Service Obligations.

Government Response

Noted.

The ACT Government provides a rebate on water supply charges for low income and disadvantaged concession card holders. This approach is consistent with other jurisdictions.

The ACT Government is currently reviewing concessional arrangements for low income households.

Recommendation 7

4.16 The Committee recommends that the Human Rights Commission provide an update to the Committee every three months on progress with the upgrading of its case-management system for health complaints, until the system is established and functioning effectively.

Government Response

Agreed.

The Human Rights Commission (HRC) will provide an update report to the Committee every three months.

The case management system covers all of the HRC's statutory functions—children and young people; people with a disability; older people; and human rights and discrimination—and not just health complaints.

Recommendation 8

4.19 The Committee recommends that the Attorney General engage in a thorough consultation about proposed amendments to the Discrimination Act 1991 (ACT),

including racial harassment and religious vilification, before bringing the legislation forward.

Government Response

Agreed-in-principle.

The Government will consider the appropriate timing for this to occur.

The former Human Rights Office published an Issues Paper in June 2006 entitled *Racial and Religious Vilification*, pursuant to a commitment in the Government's *Facing Up to Racism Strategic Plan 2004-08* about the need to strengthen our racial vilification provisions, at least to the level of Federal laws. It sought to ensure that ACT discrimination law was compliant with the *Human Rights Act 2004*, addressing issues such as freedom speech, as well as responding effectively to racial abuse and intolerance. The former Human Rights Office received 75 submissions on the Issues Paper, which is available at:

<http://www.hrc.act.gov.au/assets/docs/Review%20of%20racial%20vilification%20final.pdf>

The HRC also commissioned local research on attitudes toward racism, as part of a national study conducted by the University of Western Sydney. The research found Canberrans are amongst the most tolerant Australians, but parts of the community are still not embracing multiculturalism. The study is also on the HRC website.

Recommendation 9

4.25 The Committee recommends that the Public Advocate for the ACT offer to brief the Standing Committee on Health, Community and Social Services on the conclusions of the Public Advocate's analysis of service provision for people discharged from the psychiatric services unit.

Government Response

Agreed.

Publication of the report "Systemic Factors in the Readmission of Consumers to the Canberra Hospital Psychiatric Services Unit" is pending. The Public Advocate will forward a copy of this report to Committee members upon publication and will provide a brief to the Committee at their convenience.

Recommendation 10

4.28 The Committee recommends that the ACT Government, including the Public Advocate of the ACT and the Public Trustee for the ACT, investigate the feasibility of establishing a register of enduring powers of attorney in the ACT.

Government Response

Not agreed.

The ACT already has a register of Deeds established under the *Registration of Deeds Act 1957* (the Act), under which Powers of Attorney and Enduring Powers of Attorney (EPA) may be registered. The Act is administered by the Office of Regulatory Services. Registration is not compulsory unless the attorney seeks to deal with the principal's land under the *Land Titles Act 1925*. Registration merely satisfies a test of due execution and places the deed on the public record. The ACT does not propose to make registration of EPAs compulsory. A separate register of EPAs is therefore unnecessary.

It should be noted that the Committee's report suggests that "with the ageing population the need for such a register is increasing; a point made by the Public Trustee" (page 27). During the subject hearings, the ACT Public Trustee did not make such a point. On the contrary—the view of the Public Trustee is that the ACT already has a publicly accessible register of deeds, established under the *Registration of Deeds Act 1957*, under which the public may register and search enduring powers of attorney.

Recommendation 11

4.45 The Committee recommends that the Attorney General ask the Office of the Director of Public Prosecutions to develop a fee-for-service proposal for the delivery of training courses to the Australian Federal Police on prosecution procedures.

Government Response

Noted.

The Attorney General will raise this issue with the Director of Public Prosecutions.

