



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022–2023

MINUTES OF PROCEEDINGS

No 77

THURSDAY, 23 MARCH 2023

- 1 The Assembly met at 10 am, pursuant to adjournment. The Acting Speaker (Mr Parton) took the Chair and made the following acknowledgement of country in the Ngunnawal language:

Dhawura nguna, dhawura Ngunnawal.

Yanggu ngalawiri dhunimanyin Ngunnawalwari dhawurawari.

Nginggada Dindi wanggiralidjinyin.

This is Ngunnawal country.

Today we are all meeting on Ngunnawal country.

We always pay respect to Elders, female and male.

The Acting Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 LEAVE OF ABSENCE TO MEMBER

Mr Braddock moved—That leave of absence be granted to Ms Clay for this sitting due to personal reasons.

Question—put and passed.

3 LEAVE OF ABSENCE TO MEMBER

Ms Lawder moved—That leave of absence be granted to Mr Cain for this sitting due to personal reasons.

Question—put and passed.

4 CANBERRA HEALTH SERVICES—BREACH OF PRIVACY—STATEMENT BY MINISTER

Ms Davidson (Minister for Mental Health), by leave, made a statement regarding the recent data security breach at the Canberra Health Services.

5 LEAVE OF ABSENCE TO MEMBER

Ms Lawder moved—That leave of absence be granted to Ms Lee (Leader of the Opposition) for this sitting due to personal reasons.

Question—put and passed.

6 INDEPENDENT REVIEW INTO THE WORKPLACE CULTURE WITHIN A.C.T. PUBLIC HEALTH SERVICES—BIANNUAL UPDATE—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Ms Stephen-Smith (Minister for Health) made a ministerial statement concerning the final biannual update on the implementation of the recommendations of the final report of the independent review into the workplace culture within ACT public Health Services, in response to the Assembly resolution of 13 May 2021, and presented the following papers:

ACT Public Health System—Workplace Culture—Third and Final Annual Review, dated January 2023.

Workplace Culture within ACT Public Health Services—Biannual update on the implementation of the recommendations of final report of the independent review—Ministerial statement, 23 March 2023.

Ms Stephen-Smith moved—That the Assembly take note of the ministerial statement.
Debate ensued.

Question—put and passed.

7 A.C.T. ABORIGINAL AND TORRES STRAIT ISLANDER AGREEMENT 2019-2028—DELIVERING EQUITABLE OUTCOMES FOR ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES—PHASE TWO FOCUS AREA ACTION PLAN—JULY 2022 TO DECEMBER 2024—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Ms Stephen-Smith (Minister for Aboriginal and Torres Strait Islander Affairs) made a ministerial statement concerning the *ACT Aboriginal and Torres Strait Islander Agreement 2019-2028* Phase Two Focus Area Action Plan and presented the following papers:

ACT Aboriginal and Torres Strait Islander Agreement 2019-2028—Delivering equitable outcomes for Aboriginal and Torres Strait Islander peoples—Phase 2 focus area action plan—July 2022 to December 2024—

Action Plan.

Ministerial statement, 23 March 2023.

Ms Stephen-Smith moved—That the Assembly take note of the ministerial statement.

Question—put and passed.

8 AN INVESTIGATION INTO WOOD HEATER POLICY IN THE A.C.T.—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Ms Vassarotti (Minister for the Environment) made a ministerial statement concerning the Commissioner for Sustainability and the Environment's investigation into wood heater policy in the ACT and presented the following papers:

An investigation into wood heater policy in the ACT—Ministerial statement, 23 March 2023.

Commissioner for Sustainability and the Environment Act, pursuant to section 22—Can Canberra 'Burn Right Tonight' or is there 'no safe level of air pollution'?—An investigation into wood heater policy in the ACT, dated January 2023.

Ms Vassarotti moved—That the Assembly take note of the ministerial statement.

Debate ensued.

Question—put and passed.

9 ESTIMATES 2023-2024—SELECT COMMITTEE—ESTABLISHMENT

Ms Lawder, pursuant to notice, moved—That

- (1) a Select Committee on Estimates 2023-2024 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2023-2024, the Appropriation (Office of the Legislative Assembly) Bill 2023-2024 and any revenue estimates proposed by the Government in the 2023-2024 Budget and prepare a report to the Assembly;
- (2) the Committee be composed of:
 - (a) one Member to be nominated by the Labor Party;
 - (b) one Member to be nominated by the Liberal Party; and
 - (c) one Member to be nominated by the Greens; and
 to be notified in writing to the Speaker within two hours of this motion passing;
- (3) a Liberal Party member shall be elected chair of the Committee by the Committee;
- (4) funds be provided by the Assembly to permit the engagement of external expertise to work with the Committee to facilitate the analysis of the Budget and the preparation of the report of the Committee;
- (5) the Committee shall be established from 1 May 2023;
- (6) the Committee is to report by Friday, 18 August 2023;
- (7) if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation; and
- (8) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

Mr Braddock moved the following amendment: In paragraph (5), omit "1 May 2023", substitute "15 May 2023".

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

- “(1) a Select Committee on Estimates 2023-2024 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2023-2024, the Appropriation (Office of the Legislative Assembly) Bill 2023-2024 and any revenue estimates proposed by the Government in the 2023-2024 Budget and prepare a report to the Assembly;
- (2) the Committee be composed of:
 - (a) one Member to be nominated by the Labor Party;
 - (b) one Member to be nominated by the Liberal Party; and
 - (c) one Member to be nominated by the Greens; and
 to be notified in writing to the Speaker within two hours of this motion passing;
- (3) a Liberal Party member shall be elected chair of the Committee by the Committee;
- (4) funds be provided by the Assembly to permit the engagement of external expertise to work with the Committee to facilitate the analysis of the Budget and the preparation of the report of the Committee;
- (5) the Committee shall be established from 15 May 2023;
- (6) the Committee is to report by Friday, 18 August 2023;
- (7) if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation; and
- (8) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.”—

be agreed to—put and passed.

10 EDUCATION AND COMMUNITY INCLUSION—STANDING COMMITTEE—PRINCIPAL WORKLOADS IN A.C.T. SCHOOLS—PROPOSED REFERENCE

Mr Hanson, pursuant to notice, moved—That

- (1) this Assembly notes that:
 - (a) the Australian Catholic University (ACU) published a report that shows:
 - (i) 75.6 percent of ACT principals faced threats of violence, the highest rate in Australia and 73.2 percent faced actual violence, the highest in Australia;
 - (ii) almost 60 percent of ACT principals are at risk of serious mental health concerns, the highest in Australia;
 - (iii) ACU investigator and former principal, Dr Paul Kidson, has stated “the ACT is significantly out of step with the rest of the nation and strong intervention was needed”; and

- (iv) Dr Kidson further stated, “in no other environment should we expect these things to be acceptable and we don’t and shouldn’t expect them to be acceptable within schools”;
- (b) a paper by the Australian Education Union reports that ACT public school principals carry a “crushing workload” at the expense of their health and do not have time to provide educational leadership. The report further states:
 - (i) almost all principals (94 percent) say the directorate lacks the resources to meet the necessary demands;
 - (ii) the gap between resources and outcomes is made up primarily by principals and teachers working excessive hours;
 - (iii) principals reported they “do not have the level of resourcing needed”; and
 - (iv) the Australian Education Union issued a public statement that said “The ACT Government must take real action to address principal workloads, or we risk losing the leaders of our profession.”;
- (2) this Assembly refers this to the Standing Committee on Education and Community Inclusion, to address the principal workloads in ACT schools, including but not limited to, real hours worked by principals, violence, and threats of violence in schools and prevention methods and the administrative responsibilities laid on principals that should be conducted by the directorate; and
- (3) the Committee report to the Assembly no later than 29 June 2023.

Debate ensued.

Paper: Ms Berry (Minister for Education and Youth Affairs) presented the following paper:

Community expectation of schools and the safety of school staff—Proposed agenda item for the next Education Ministers’ Meeting—Copy of letter to the Commonwealth Minister for Education from the ACT Minister for Education and Youth Affairs, dated 22 March 2023.

Debate continued.

Question—put.

The Assembly voted—

AYES, 7

Ms Castley
Mr Cocks
Mr Hanson
Mrs Kikkert
Ms Lawder
Mr Milligan
Mr Parton

NOES, 14

Mr Barr
Ms Berry
Mr Braddock
Ms Cheyne
Ms Davidson
Mr Davis
Mr Gentleman
Ms Orr
Dr Paterson
Mr Pettersson
Mr Rattenbury
Mr Steel
Ms Stephen-Smith
Ms Vassarotti

And so it was negatived.

11 PUBLIC ACCOUNTS—STANDING COMMITTEE—CONSIDERATION OF STATUTORY APPOINTMENTS—STATEMENT BY CHAIR—PAPER

Mrs Kikkert (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Public Accounts.

Paper: Mrs Kikkert, pursuant to Continuing Resolution 5A, presented the following paper: Public Accounts—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 July to 31 December 2022.

12 DISCRIMINATION AMENDMENT BILL 2022

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Question—That this Bill be agreed to in principle—put and passed.

Detail Stage

Clause 1 agreed to.

Clause 2—

Mr Hanson, on behalf of Ms Lee (Leader of the Opposition), was granted leave to move amendments to this bill which have not been considered by the Scrutiny Committee and were in Ms Lee's name.

Paper: Mr Hanson presented a supplementary explanatory statement to Ms Lee's amendments.

On the motion of Mr Hanson, Ms Lee's amendment No 1 (see [Schedule 1](#)) was made, after debate.

Clause 2, as amended, agreed to.

Clause 3 agreed to.

Proposed New Clause 3A

Mr Hanson, by leave, moved Ms Lee's amendment No 2 (see [Schedule 1](#)) which would insert a new clause 3A.

Debate continued.

Question—put.

The Assembly voted—

AYES, 7

Ms Castley
Mr Cocks
Mr Hanson
Mrs Kikkert
Ms Lawder
Mr Milligan
Mr Parton

NOES, 14

Mr Barr
Ms Berry
Mr Braddock
Ms Cheyne
Ms Davidson
Mr Davis
Mr Gentleman
Ms Orr
Dr Paterson
Mr Pettersson
Mr Rattenbury
Mr Steel
Ms Stephen-Smith
Ms Vassarotti

And so it was negatived.

Clauses 4 to 8, by leave, taken together and agreed to.

Clause 9—

Ms Cheyne (Minister for Human Rights) was granted leave to move amendment to this bill which have not been considered by the Scrutiny Committee.

Paper: Ms Cheyne presented a supplementary explanatory statement to the Government amendment.

On the motion of Ms Cheyne, her amendment No 1 (see [Schedule 2](#)) was made.

Clause 9, as amended, agreed to.

Clauses 10 to 29, by leave, taken together and agreed to.

Clause 30—

Mr Hanson, by leave, moved Lee’s amendment No 4 (see [Schedule 1](#)).

Debate continued.

Question—put.

The Assembly voted—

AYES, 7

Ms Castley
Mr Cocks
Mr Hanson
Mrs Kikkert
Ms Lawder
Mr Milligan
Mr Parton

NOES, 14

Mr Barr
Ms Berry
Mr Braddock
Ms Cheyne
Ms Davidson
Mr Davis
Mr Gentleman
Ms Orr
Dr Paterson
Mr Pettersson
Mr Rattenbury
Mr Steel
Ms Stephen-Smith
Ms Vassarotti

And so it was negatived.

Clause 30 agreed to.

Remainder of the bill, by leave, taken as a whole and agreed to.

Question—That this Bill, as amended, be agreed to—put and passed.

13 ESTIMATES 2023-2024—SELECT COMMITTEES—MEMBERSHIP

The Acting Speaker, pursuant to the resolution of the Assembly of today (see [entry 9](#)), informed the Assembly that he had been notified, in writing, of the nominations of Ms Clay, Mr Parton and Mr Pettersson to be members of the Select Committee on Estimates 2023-2024.

Mr Gentleman (Manager of Government Business) moved—That the Members so nominated be appointed as members of the Select Committee on Estimates 2023-2024.

Question—put and passed.

14 QUESTIONS

Questions without notice were asked.

15 PRESENTATION OF PAPERS

Mr Gentleman (Manager of Government Business) presented the following papers:

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Freedom of Information request—Decision not made in time—Community Services Directorate (FOI-CSD-22/20), dated 18 November 2022.

National Education and Care Services Freedom of Information Commissioner, Privacy Commissioner, Privacy Commissioners & Ombudsman—Annual Report 2021-22.

16 CARDIOLOGY SERVICES

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

- (1) notes the letter sent on 6 March to the Minister for Health from five private sector cardiologists, cataloguing their complaints about the dangerous deterioration in cardiology services at the Canberra Hospital, specifically that:
 - (a) referrals, which in the past could be done by writing to the Cardiology Department, must now be accepted by a specific staff specialist;
 - (b) the practice of Cardiology Department administrative staff advising which specialists had the shortest waiting lists has been discontinued;
 - (c) referrals need not be acknowledged by specific specialists and that no estimate of waiting time is given, even for urgent patients;
 - (d) inquiries or complaints of inaction on referrals must now be referred to the specialist concerned;
 - (e) as a result, referrals effectively “disappear” and there is no functional central waiting list system for patients requiring cardiology services;
 - (f) the Cardiology Department’s inability to action referrals in a timely manner delays transfer of patients from Calvary Hospital for urgent cardiac procedures, increasing their length of stay at Calvary Hospital;
 - (g) in the last 12 months, the waiting time for electrophysiological procedures has become critical, causing many patients to travel interstate for treatment;
 - (h) in the last 12 months, waiting times for outpatient cardiac investigations (stress testing, echocardiography and holter monitoring) have become markedly worse;
 - (i) accident and emergency staff at the Canberra Hospital routinely refer patients requiring specific cardiac tests, who present with chest pain / breathlessness / palpitations but are not admitted, back to their general practitioner (GP) or a private cardiologist, thus avoiding organising or paying for the test;

- (j) inpatient requests for these cardiac investigations at the Canberra Hospital are ignored; patients admitted with myocardial infarction who develop secondary heart failure are discharged without an echocardiogram (to evaluate the extent of the damage); patients are diagnosed and treated for heart failure without echocardiographic proof of diagnosis; patients admitted overnight at high risk of an acute coronary event are often discharged without a screening stress test;
 - (k) non-cardiac inpatients needing an echocardiogram for optimal management are now referred to a private cardiologist post-discharge, after their requested test was not performed during their admission;
 - (l) the Canberra Hospital previously had a Chest Pain Evaluation Unit which has now been closed;
 - (m) beds which were specifically allocated to cardiac patients who did not require acute coronary care in Ward 6A have been re-allocated to the Acute Care Medical Unit;
 - (n) a Transcatheter Aortic Valve Implantation (TAVI) service, to have aortic valve replacements performed via the groin rather than by open-heart surgery, was promised for the Canberra Hospital but has not commenced;
 - (o) a specialised valve disease assessment clinic was planned but has not progressed;
 - (p) a suitably qualified cardiologist was willing to relocate and contracted to establish this service but did not proceed;
 - (q) in the last 12 months, concerns have been raised by Advanced Trainee Supervisors about the quality of training provided to Advanced Physician Trainees in cardiology in the ACT;
 - (r) representatives of the Royal Australian College of Physicians visited the Canberra Hospital in late 2022 because of concerns about the welfare and education of local trainees;
 - (s) more than half of the cardiologists working in the Cardiology Department in January 2022 are no longer there, and a new arrival has resigned before being offered a permanent position; and
 - (t) during the same period, large numbers of allied health and nursing staff, many with specialised skill sets, have also left, including five of six cardiac scientists, catheterisation lab nurses, sonographers, and coronary care nurses;
- (2) further notes the cardiologists' view that:
- (a) these problems are largely the result of poor managerial decisions made by senior members of the ACT Health Directorate or Canberra Health Services, compounded by inadequate leadership within the hospital executive and the Cardiology Department;

- (b) in the last 12 months, the availability of cardiology services at the Canberra Hospital has deteriorated to standards far below national and international guidelines; and
 - (c) uninsured patients are suffering both poor health care with significant potential for avoidable adverse outcomes, plus considerable emotional distress, as a result of inability to obtain adequate hospital-based cardiac services;
- (3) calls on the ACT Government to make a statement to the Assembly outlining the Government's response to this crisis by 30 March 2023; and
- (4) calls on the ACT Government to table answers to the questions below by 30 March 2023:
 - (a) with reference to referrals to the Canberra Hospital from private sector cardiologists, could referrals in the past be done by writing to the Cardiology Department;
 - (b) must they now be accepted by a specific staff specialist; if so, when and why was this change made;
 - (c) could Cardiology Department administrative staff still advise which specialists had the shortest waiting lists prior to this practice being discontinued; if so, when and why was it discontinued;
 - (d) is it the case that referrals (i) are not acknowledged and (ii) need not be acknowledged, by specific specialists and that no estimate of waiting time is given, even for urgent patients;
 - (e) must inquiries or complaints of inaction on referrals now be referred to the specialist concerned;
 - (f) is it the case that as a result of the above, (i) staff specialists are overwhelmed, (ii) referrals effectively disappear and (iii) there is no functional central waiting list system for patients requiring cardiology services;
 - (g) for each specialty at the Canberra Hospital, (i) are referrals directed to and/or managed by administrative staff or individual staff specialists, (ii) are referrals acknowledged and (iii) is an estimate of waiting time given; if not, why not;
 - (h) have lengths of stays for cardiac inpatients at Calvary Hospital increased in the last 12 months; if so, (i) why and (ii) what has been the average length of stay, dissected by patient category, at the beginning and end of the most recent 12 month or near period;
 - (i) can the Minister provide a table showing (i) the number of patients and (ii) their average waiting time for electrophysiological procedures at the Canberra Hospital at various intervals over the last three years;
 - (j) can the Minister provide figures on the number of patients reimbursed for interstate electrophysiological treatment for each of the last three years;

- (k) can the Minister provide a table showing the number of patients and their average waiting time for outpatient cardiac investigations (stress testing, echocardiography and holter monitoring) at the Canberra Hospital at various intervals over the last three years;
- (l) do accident and emergency staff at the Canberra Hospital refer patients, presenting with chest pain / breathlessness / palpitations, who require specific cardiac tests but who are not admitted, either back to their GP or to a cardiologist in the private sector; if so, (i) is this hospital policy and (ii) what is the extent of this practice;
- (m) are requests for inpatient cardiac investigations (stress testing, echocardiography and holter monitoring) at the Canberra Hospital ever ignored; if so, (i) how often and (ii) why does this occur;
- (n) are patients admitted with myocardial infarction who develop secondary heart failure discharged without an echocardiogram; if so, (i) how often and (ii) why does this occur;
- (o) have patients been diagnosed and treated for heart failure without echocardiographic proof of diagnosis; if so, (i) how often and (ii) why does this occur;
- (p) have patients admitted overnight at high risk of an acute coronary event often been discharged without a screening stress test; if so, (i) how often and (ii) why does this occur;
- (q) are non-cardiac inpatients needing an echocardiogram for optimal management now referred to a private cardiologist post-discharge, after their requested test was not performed during their admission; if so, (i) how often and (ii) why does this occur;
- (r) did the Canberra Hospital previously have a Chest Pain Evaluation Unit; if so, (i) when was it established, (ii) how many and what type of beds did it have, (iii) what was the purpose of this unit and (iv) has this unit been closed; if so, why and when;
- (s) have beds which were specifically allocated to cardiac patients who did not require acute coronary care in Ward 6A been re-allocated to the Acute Care Medical Unit; if so, (i) why, (ii) when and (iii) what measures are in place to ensure cardiac patients receive the attention of nursing staff skilled in managing cardiac failure;
- (t) was a TAVI service to have aortic valve replacements performed via the groin rather than by open-heart surgery promised for the Canberra Hospital; if so, when and by whom;
- (u) has this service commenced; if not, why not;
- (v) was a specialised valve disease assessment clinic planned; if so, (i) what is its current status and (ii) why has it not proceeded;
- (w) was a suitably qualified cardiologist willing to relocate and contracted to establish this service; if so, did this proceed and if it didn't proceed, why not;

- (x) when is the Canberra Hospital due for accreditation for Advanced Physician Trainees in Cardiology;
- (y) did representatives of the Royal Australian College of Physicians visit the Canberra Hospital in late 2022 because of concerns about the welfare and education of local trainees; and
- (z) can the Minister provide details of the baseline staffing as at 1 January 2022 and the turnover since then in cardiologists and allied and nursing staff, with specialised skill sets, including cardiac scientists, sonographers, catheterisation lab nurses and coronary care nurses at the Canberra Hospital.

Paper: Ms Castley, by leave, presented the following paper:

Cardiology care in the ACT—Copy of letter from 5 cardiologists in the ACT to the ACT Minister of Health, dated 6 March 2023.

Debate continued.

Ms Stephen-Smith (Minister for Health), by leave, was granted an extension of time.

Debate continued.

Question—put.

The Assembly voted—

AYES, 7

Ms Castley
Mr Cocks
Mr Hanson
Mrs Kikkert
Ms Lawder
Mr Milligan
Mr Parton

NOES, 14

Mr Barr	Dr Paterson
Ms Berry	Mr Pettersson
Mr Braddock	Mr Rattenbury
Ms Cheyne	Mr Steel
Ms Davidson	Ms Stephen-Smith
Mr Davis	Ms Vassarotti
Mr Gentleman	
Ms Orr	

And so it was negatived.

17 RACIAL DISCRIMINATION ELIMINATION

Mr Braddock, pursuant to notice, moved—That this Assembly:

(1) notes:

- (a) Canberra is a rich, diverse, and proudly multicultural community. Harmony Week is a chance to celebrate this by recognising our diversity and bring together Canberrans from all different backgrounds;
- (b) the United Nations International Day for the Elimination of Racial Discrimination, on 21 March, encourages people everywhere to strengthen and consolidate their voices against racism, to mobilise against all forms and manifestations of racial discrimination and injustice, and to ensure a safe environment for those who speak up;

- (c) the Standing Committee on Education and Community Inclusion’s *Inquiry into Racial Vilification* (2022), and the Children and Young People Commissioner’s *It really stabs me: From resignation to resilience – children and young people’s views about and experiences of racism in the ACT* (2023), reveals the extent of racism in ACT public life;
 - (d) that multiculturalism and anti-racism are inextricably linked, and in order to promote multiculturalism we must be actively anti-racist; and
 - (e) anti-racism is defined as “policies, behaviours, and beliefs that are opposed to or intended to prevent racism”;
- (2) further notes:
- (a) *the Multiculturalism Act 2023* (the Act) was recently established to support the Territory’s continuous growth and improvement as an inclusive city, celebrating our multiculturalism and diversity. The Act is intended to “promote multiculturalism... [through] actions, policies, principles, programs and services,” and enshrines a new Ministerial Advisory Council for multiculturalism in law;
 - (b) that section 15 of the Act obligates directors-general of administrative units to “ensure that the administrative unit – exercises its functions in a way that promotes multiculturalism; and... develops, applies and reviews its policies, programs and services in a way that promotes multiculturalism”;
 - (c) Harmony Week is being celebrated during the week of 20 to 26 March to coincide with the United Nations International Day for the Elimination of Racial Discrimination; and
 - (d) as the ACT moves towards Welcoming Cities Advanced Standard it will need to demonstrate how it is “supporting initiatives that empower individuals to prevent, and respond effectively to, racism and discrimination”;
- (3) acknowledges the unique experiences of racism of Aboriginal and Torres Strait Islander peoples, their centuries of resilience and opposition to racism, and the historical legacy of racist policies on First Nations communities. Aboriginal and Torres Strait Islander peoples experience racism at double the rate of other communities and the nature of discrimination they face is often different to others who experience racism;
- (4) calls on all Members to denounce racism and undertake anti-racism training by the last sitting day of 2023; and
- (5) calls on the ACT Government to:
- (a) develop a localised anti-racism strategy which ensures:
 - (i) each directorate devises and implements anti-racism policies in consultation with community;
 - (ii) each directorate monitors, reports, and documents instances of racial harassment and/or discrimination;
 - (iii) each directorate reports on the state of implementation of these measures;

- (iv) ACT employees are provided with anti-racism training which meets the best practice standards with public facing staff to be the highest priority;
 - (v) instances of racial harassment and/or discrimination can be reported, investigated, and conciliated;
 - (vi) administrative units can be held accountable for their responses or lack thereof to instances of racial harassment and/or discrimination;
 - (vii) private organisations can be held accountable for instances of racial harassment and/or discrimination;
 - (viii) the Discrimination Commissioner receives adequate support to carry out compliance and enforcement of paragraphs (5)(a)(v)-(vii);
 - (ix) the Discrimination Commissioner's role continues to be promoted;
 - (x) the inclusion of a public education campaign focused on anti-racist messaging; and
 - (xi) support for academic research on anti-racism in the ACT;
- (b) actively promote the United Nations International Day for the Elimination of Racial Discrimination;
 - (c) include mention of the United Nations International Day for the Elimination of Racial Discrimination within any mention of Harmony Week; and
 - (d) report back to the Assembly by the end of June 2024.

Debate ensued.

Question—put and passed.

18 PROFESSIONAL ENGINEERS BILL 2022

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Paper: Ms Vassarotti (Minister for Sustainable Building and Construction) presented a revised explanatory statement to the Bill.

Question—That this Bill be agreed to in principle—put and passed.

Leave granted to dispense with the detail stage.

Question—That this Bill be agreed to—put and passed.

19 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the Assembly, at 5.05 pm, adjourned until Tuesday, 28 March 2023 at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Ms Burch*, Mr Cain*, Ms Clay*, Ms Lee*.

*on leave.

Tom Duncan
Clerk of the Legislative Assembly

SCHEDULE OF AMENDMENTS

Schedule 1

DISCRIMINATION AMENDMENT BILL 2022

Amendments circulated by the Leader of the Opposition

1

Clause 2

Page 2, line 4—

omit

6 months

substitute

12 months

2

Proposed new clause 3A

Page 2, line 11—

insert

3A

Objects of Act New section 4 (2)

insert

- (2) The following principles must be considered in giving effect to the objects of this Act:
- (a) the indivisibility and universality of human rights;
 - (b) that every person is free and equal in dignity and human rights.

3

Clause 9

Proposed new section 31

Page 7, line 3—

omit proposed new section 31, substitute

31

Clubs and voluntary bodies

Part 3 does not make it unlawful for a club or voluntary body, or the committee of management or a member of the committee of management of the club or body, to discriminate against a person in relation to—

- (a) the admission of the person as a member of the club or body; or
- (b) the provision of benefits, facilities or services to the person (whether or not the person is a member of the club or body).

4

Clause 30

Proposed new section 74 (4) to (6)

Page 16, line 12—

insert

- (4) However, this section does not apply to—
- (a) an administrative unit, territory authority or territory instrumentality until 12 months after the commencement day; or
 - (b) an individual with organisational management responsibility for an entity mentioned in paragraph (a) until 12 months after the commencement day; or
 - (c) any other person until 3 years after the commencement day.
- (5) This subsection, subsection (4) and subsection (6), definition of commencement day expire 3 years after the commencement day.
- (6) In this section:

commencement day means the day the *Discrimination Amendment Act 2022*, section 3 commences.

organisational management responsibility, in relation to an organisation or business, means responsibility for controlling or directing the organisation or business.

Schedule 2

DISCRIMINATION AMENDMENT BILL 2022

Amendment circulated by the Minister for Human Rights

1

Clause 9

Proposed new section 32 (2)

Page 9, line 1—

omit proposed new section 32 (2), substitute

- (2) Subsection (1) (d) to (f) does not apply to discrimination in relation to—
 - (a) employment of a person at an educational institution; or
 - (b) admission, treatment or continued enrolment of a person as a student at an educational institution.
 - (2A) Subsection (1) does not apply to a religious body whose sole or main purpose is a commercial purpose.
-