



Triple Bottom Line (TBL) Assessment Summary

The Triple Bottom Line Assessment is required to be published in accordance with Part 4, section 23 (1)(b) of the Freedom of Information Act 2016

20/195/CAB – Justice and Community Safety (COVID-19) Legislation Amendment Bill 2020

Summary of impacts:

The impacts from the Bill are broad ranging but are substantively positive. Due to the public health risk caused by the COVID-19 emergency and the consequences of public health measures introduced, the amendments in this Bill go towards improving social and economic outcomes and minimising risks that arise during this time.

Level of impact	Positive	Negative	Neutral
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Social		
Level of impact	Impact	Summary
Neutral	Gender Equality	<p>The amendments to the Bill do not target or indirectly disproportionately impact people of a particular gender.</p> <p><u>Financial Management Act 1996</u></p> <p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (including additional support for domestic violence services for which women and children are the main users).</p>
	Health (Community and mental health)	<p><u>Corrections Management Act 2007</u></p> <p>Extending release on permit provisions support detainee health by allowing to leave detention when appropriate.</p> <p><u>Crimes (Sentence Administration) Act 2005</u></p> <p>Early release and other provisions support detainee health by removing them from a close environment.</p> <p><u>Evidence (Miscellaneous Provisions) Act 1991</u></p> <p>This amendment is anticipated to slightly reduce the COVID-19 risk to the community, if the alternative is to proceed with face-to-face evidence hearings during the COVID-19 pandemic.</p> <p><u>Financial Management Act 1996</u></p> <p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (health is an essential area).</p> <p><u>Residential Tenancies Act 1997 and Leases (Commercial and Retail) Act 2000</u></p>

		May support social distancing measures in response to COVID-19.
	Access to services	<u><i>Human Rights Commission Act 2005</i></u> Empowering the Commission to share information internally will promote informed decision-making, reduce duplication of effort, assist in providing more holistic service delivery and assist in identification of systemic trends that can be accounted for in reviews and recommendations. These will improve an individual's relationship with the service.
	Housing and Affordable housing	<u><i>Financial Management Act 1996</i></u> Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (housing is an essential area). <u><i>Residential Tenancies Act 1997 and Leases (Commercial and Retail) Act 2000</i></u> May help sustain housing and limit rent increases, making housing more affordable.
	Homelessness support	<u><i>Financial Management Act 1996</i></u> Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (rental assistance and rent rebates are a key focus of stimulus measures). <u><i>Residential Tenancies Act 1997 and Leases (Commercial and Retail) Act 2000</i></u> Helps prevent/ delay homelessness.
	Access to social inclusion/participation and community activities	<u><i>Financial Management Act 1996</i></u> Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (non-government services).
Neutral	Human rights	A human rights analysis will be undertaken in the Explanatory Statement to the Bill. <u><i>Evidence (Miscellaneous Provisions) Act 1991</i></u> This amendment advances section 22(2)(c) of the Human Rights Act 2004 by allowing some delay in criminal trials to be avoided. This amendment engages section 21(1) of the Human Rights Act 2004 to the extent that use of pre-recorded evidence carries some risk of unduly influencing a jury. The risk of bias can be managed through judicial instructions. <u><i>Financial Management Act 1996</i></u> Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (including Aboriginal and Torres Strait Islanders who have been identified as a high-risk group). <u><i>Human Rights Commission Act 2005</i></u> Allowing information to be shared internally within the Commission engages the right to privacy. This amendment is rationally connected to the legitimate objective of a

		functioning Human Rights Commission, and includes adequate safeguards on the use of that information.
	Aboriginal and Torres Strait Islander	<p><u><i>Financial Management Act 1996</i></u></p> <p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (including Aboriginal and Torres Strait Islanders who have been identified as a high-risk group).</p> <p><u><i>Human Rights Commission Act 2005</i></u></p> <p>Empowering the Commission to share information internally where necessary for its functions will promote the values of the Commission’s Cultural Safety Charter, which prioritises a comfortable, safe and welcoming place and provides safe services that demonstrate privacy, discretion, compassion and integrity. This will allow the Commission to assist Aboriginal and Torres Strait Islanders where they are seeking the Commission’s services in multiple domains, and allow for joined-up services in circumstances where communication or cultural barriers may impede identifying the consumer’s concerns.</p>
	Multicultural	<p><u><i>Financial Management Act 1996</i></u></p> <p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (the ACT Government will provide support for multicultural communities who may have restricted access to Commonwealth assistance).</p> <p><u><i>Human Rights Commission Act 2005</i></u></p> <p>Empowering the Commission to share information internally where necessary for its functions will promote the values of the Commission’s Cultural Safety Charter, which prioritises a comfortable, safe and welcoming place and provides safe services that demonstrate privacy, discretion, compassion and integrity. This will allow the Commission to assist people from different cultural and ethnic backgrounds where they are seeking the Commission’s services in multiple domains, and allow for joined-up services in circumstances where communication or cultural barriers may impede identifying the consumer’s concerns.</p>
	Impacts on different age groups	<p><u><i>Financial Management Act 1996</i></u></p> <p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (seniors have been identified as a high-risk group).</p> <p><u><i>Human Rights Commission Act 2005</i></u></p> <p>Empowering the Commission to share information internally will give Commission members and staff the scope to discuss their approach in matters involving children and young people and older people, particularly relevant given interaction between the Children and Young People Commissioner and Community Services Commissioner, who has jurisdiction for handling children and young people services complaints.</p>
	Disability	<u><i>Financial Management Act 1996</i></u>

		<p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (non-government organisations in the disability sector have been identified as a priority area for funding).</p> <p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (support for vulnerable people more broadly).</p> <p><u><i>Human Rights Commission Act 2005</i></u></p> <p>Empowering the Commission to share information internally will allow for consistent and tailored adjustments to processes and awareness of the need for such supports among Commission members and staff. It may also prompt notification to and responses by the Public Advocate in emergency circumstances.</p> <p><u><i>Residential Tenancies Act 1997 (RT Act) and Leases (Commercial and Retail) Act 2000 (LCR Act)</i></u></p> <p>Supports individuals made vulnerable through COVID-19 measures from facing eviction.</p>
Neutral	Justice and Crime	<p><u><i>Corrections Management Act 2007</i></u></p> <p>The provision will support the criminal justice system to operate effectively in a time of emergency.</p> <p><u><i>Crimes (Sentence Administration) Act 2005</i></u></p> <p>The provision will support the criminal justice system to operate effectively in a time of emergency.</p> <p><u><i>Evidence (Miscellaneous Provisions) Act 1991</i></u></p> <p>This amendment may have a minor positive impact on the functioning of the criminal justice system during the COVID-19 pandemic.</p> <p><u><i>Human Rights Commission Act 2005</i></u></p> <p>Empowering the Commission to share information internally will allow for efficient and joined-up service delivery to victims of crime, including informed decisions by other Commission members about whether a particular consumer is appropriate for referral to the Victim Support Scheme.</p> <p><u><i>Supreme Court Act 1933</i></u></p> <p>The provision will support the criminal justice system operate effectively in a time of emergency.</p>

Economic		
Level of impact	Impact	Summary
Neutral	ACT Government Budget	<p>A financial assessment is yet to be undertaken but considered minimal.</p> <p><u><i>Financial Management Act 1996</i></u></p> <p>Facilitates additional appropriation being provided through Appropriation Bill 2019-20 No 2 as part of the Treasurer's Advance but does not itself increase costs.</p>

		<p><u><i>Residential Tenancies Act 1997 and Leases (Commercial and Retail) Act 2000</i></u></p> <p>Where government is the lessor, the provisions may impact on rents received.</p>
	Productivity	<p><u><i>Financial Management Act 1996</i></u></p> <p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs.</p>
	Employment and labour force	<p><u><i>Financial Management Act 1996</i></u></p> <p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (businesses and economy are a key focus of stimulus measures).</p>
	Small business impact	<p><u><i>Financial Management Act 1996</i></u></p> <p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (businesses and economy are a key focus of stimulus measures).</p>
	Skills	<p><u><i>Financial Management Act 1996</i></u></p> <p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (vocational education has been identified as a priority measure).</p>
	Education	<p><u><i>Financial Management Act 1996</i></u></p> <p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (education has been identified as a priority measure).</p>
	Investment and Economic Growth	<p><u><i>Financial Management Act 1996</i></u></p> <p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (businesses and economy are a key focus of stimulus measures).</p>
	Cost of living	<p><u><i>Financial Management Act 1996</i></u></p> <p>Facilitates an efficient and responsive approach to addressing pandemic-related funding needs (support for vulnerable people more broadly).</p> <p><u><i>Residential Tenancies Act 1997 and Leases (Commercial and Retail) Act 2000</i></u></p> <p>May limit cost of living pressures by limiting rent increases.</p>

Environmental Nil Impact