

- Non-essential businesses and undertakings have included a diverse range of enterprises including (but not limited to):
 - Nightclubs, casinos and other gaming venues,
 - Cinemas and movie theatres,
 - strip clubs, brothels and escort agencies,
 - museums, galleries, national institutions and historic sites,
 - hospitality and licensed venues,
 - gyms, health clubs, fitness centres, centres providing barre, spin facilities or yoga, as well as bootcamps and personal trainers,
 - community sporting activities and swimming pools
 - galleries, museums and national institutions and outdoor amusement/attractions
 - Performance venues
 - Personal services, such as nail salons, beauty therapy services and tattoo parlours
 - Places of worship and religious ceremonies
- Nightclubs are the only business which currently remain closed, in view of the high risk nature of the activity. However, nightclubs have been offered the ability to change the nature of their permit to allow them to operate as bars. Nightclubs can do this through an application to Access Canberra.
- The Direction also extends to:
 - gatherings in an outdoor spaces;
 - gatherings at non-residential premises, unless that place is excluded from the operation of the gathering restrictions (such as medical facilities, shopping centres, public transport facilities, and workplaces not listed as non-essential businesses).

Financial implications

- Through recent changes to the *Public Health Act 1997* (PH Act) made by the Public Health Amendment Act 2020 persons that suffer loss or damage as a result of anything in relation to a COVID 19 public health emergency declaration are not able to seek compensation under Part 7 of the PH Act. This legislative amendment negates what would have been a significant financial implication associated with extending the declared emergency.

Background

- The Chief Health Officer has issued public health directions consistent with other states and territories which aim to limit the spread of COVID 19 in our community.
- The public health response in the ACT has mirrored that recommended by the Australian Health Protection Principal Committee and agreed by National Cabinet.

Responsible Portfolios

- ACT Health Directorate / Chief Health Officer

Summary of Operations Plans

Summary

- Extensive work has occurred to develop a range of operational plans (as per EC Tracking table) to prevent, prepare for and respond to a COVID-19 outbreak across a variety of sectors.
- High-risk sectors have been a particular focus. These sectors report feeling supported and ready to respond to an outbreak.

Key issues

- The ACT has worked closely with numerous key sectors to develop sector-specific plans.

Financial implications

- Under the *National Partnership on COVID-19 Response*, the Commonwealth Government has committed to cover 50 per cent of eligible COVID-19 costs including additional costs incurred by state and territory health services as a result of the diagnosis and treatment of patients with COVID-19, those suspected of having the virus, or activities that prevent the spread of it.

Background

- The following plans have been developed to support preparedness and response to a COVID-19 outbreak.
 - o ACT Health Sector COVID-19 Pandemic Operational Response Framework – Captures and guides the initial and targeted response to COVID-19 by the ACT health sector (aligns with the Australian Health Sector Emergency Response Plan for COVID-19).
 - o COVID-19 High Risk Settings Outbreak Management Plan – Outlines the rapid assessment, coordination and public health response to an outbreak of COVID-19 in a high-risk setting (linked to OSP).
 - o COVID-19 Whole-of-Government Outbreak Support Plan – Outlines the whole-of-government emergency management arrangements available to the Health Emergency Control Centre to respond to outbreaks in high-risk settings (linked to OMP).
 - o COVID-19 Primary Health Care Support Framework - Supports the delivery of primary health care services during the pandemic and support the coordination of 'out-of-hospital' services for persons affected by COVID 19.
 - o COVID-19 Residential Aged Care Sector Implementation Plan - Outlines the roles and responsibilities of all key stakeholders in preparing and responding to the COVID-19 epidemic in the residential aged care sector.

- Custodial Settings COVID-19 Preparedness and Response Plan - Outlines the roles and responsibilities of all key stakeholders in preparing and responding to the COVID-19 pandemic in custodial settings.
- COVID-19 Outbreak Communications Plan – Provides high-level outline of the communications approach that will be used by the PICC in the event of a localised outbreak here in the ACT (key messages over first 24-48 hours of the outbreak).
- COVID19 Fatality Action Plan - Outlines the effective management of any increase in fatalities as a result of the pandemic utilising resources within the ACT, and to identify when additional resources will be required. It identifies current baseline and surge capacity across each of the specific domains currently involved in the management of deceased. It also identifies points at which additional capacity arrangements would need to be activated via external resources.
- COVID-19 Transport Support Plan – Identifies appropriate mechanisms and services to enable the safe transport of clients due to COVID-19 restrictions and to limit the possibility of increased demand on emergency transport services for non-emergency community transport requests as triaged by the HECC.
- Compliance and Enforcement Framework for the issue of infringement notices – Sets out the objectives and principles for regulatory activities (in particular, infringement notices) undertaken to ensure compliance with public health emergency directions issued under the *Public Health Act 1997* for the public health management of the COVID-19 pandemic.
- The following resources are in draft to support preparedness and response to a COVID-19 outbreak.
 - ACT COVID-19 Operational Plan for People with Disability; and
 - COVID-19 Outbreak Management in Community Settings- Standard Operating Procedure.

Responsible Portfolios

- ACT Health Directorate / Chief Health Officer

International Repatriation Flights and Hotel Quarantine

Summary

- This attachment outlines the current arrangement between the ACT and the Commonwealth Government for accepting international repatriation flights into Canberra and provides an overview of hotel quarantine arrangements in the ACT. Over 25,000 Australians overseas are seeking to return home to Australia.

Key issues

- The Commonwealth Government is seeking states and territories' support to increase the number of Australians who can return home. In September 2020, the Commonwealth Government increased the cap on international arrivals from 4,000 to 6,000 people per week and determined that National Cabinet will be the prime forum for review of cap numbers.
- The ACT has indicated to the Commonwealth that we could accept a regular international flight of no more than 150 people no more often than every 16 to 18 days where there are 300 or fewer people in quarantine. The ACT has advised the Commonwealth that it expects to be positioned to receive international flights around the end of October-early November.
- The Prime Minister wrote to the Chief Minister on 12 October 2020 requesting that the ACT accept three Australian Government facilitated flights for vulnerable Australians up to the end of the year. The Head of Service provided a holding response to the Secretary of the Department of Prime Minister and Cabinet indicating that the ACT was in caretaker and that the letter will be considered after the 2020 ACT election. A briefing and draft response will be provided for your consideration.
- Under current arrangements in which all international arrivals, unless exempt, must complete mandatory hotel quarantine, the ACT's ability to accept international flights depends on our overall quarantine capacity, including health and wellbeing support and compliance resourcing.
- Two key impediments to the repatriation of overseas Australians to the ACT include domestic travellers requiring quarantine (especially from Victoria) and the notable burden placed on the ACT to accommodate exempt passengers such as diplomats and government officials in home quarantine. Additionally, parliamentarians required to travel from Victoria for sittings have primarily quarantined in the ACT, increasing the numbers of people in quarantine.
- The Australian Health Protection Principals Committee (AHPPC) is considering whether international arrivals from countries such as New Zealand may be able to be exempt from mandatory quarantine. Recommendations from the AHPPC could inform the number of passengers on incoming international flights that the ACT is able to accept. We will brief you further on the AHPPC's recommendations when they are provided.
- On 7 September 2020 the Government agreed the Deco Hotel and Pacific Suites would be the preferred hotels for hotel quarantine in the ACT. Negotiation of contractual terms will recommence with the properties, including any arrangements for fixed fees, cancellation, damage and other liability costs.

- Adjunct Professor Jane Halton has conducted a national review of hotel quarantine arrangements, including of arrangements in the ACT, on behalf of National Cabinet. The key interim findings of the Halton Review have been incorporated into the ACT's revised arrangements for mandatory hotel quarantine. We will brief you further on the findings of the review.
- The Canberra Airport has experienced significant decline in passenger numbers due to the travel restrictions put in place to manage the spread of COVID-19. Greater certainty of regularised flights into the ACT is supported by the Canberra Airport who may make representations to the government in this regard.
- Your commitment to invest \$3 million over four years in tourism marketing partnerships, to attract more direct domestic flights to Canberra including with Canberra Airport, may complement anticipated flow on effects of regularised repatriation flights.
- In October the Chief Minister wrote to the Prime Minister (following consultation with the leaders of the Opposition and the Greens) confirming the ACT government's in principle agreement to participate in quarantine free travel from New Zealand. Travel to Australia has commenced, with NSW accepting its first flight on 16 October.
- We will provide an early briefing on the commencement of flights to the ACT. To allow this to occur, a Standing Exemption has been signed by the Chief Health Officer allowing travellers from New Zealand to enter the ACT without undergoing quarantine. Operational arrangements for the arrival of flights are being developed.

Options for consideration

- You may wish to consider the ACT's commitment to accept regular international flights on an ongoing basis (and dependant on quarantine capacity), including in light of any AHPPC advice about countries whose passengers could be exempt from mandatory hotel quarantine on arrival in Australia.

Decision points/timeframes

- International passenger caps are regularly discussed by National Cabinet.

Financial implications

- Most jurisdictions, including the ACT, have moved or are moving to a "user pay" quarantine arrangement. This has substantially reduced government costs but has also imposed additional barriers to Australians returning, especially noting the airline costs of return flights.
- The ACT quarantine fees are:
 - o Adult who is not part of family group - \$3,000.
 - o Family group \$3,000 for the first adult, \$1,000 for each additional adult and \$500 for each child aged 3 years or older.
- The ACT is on track to implement its charging system for any future international flights.

Background

Hotel Quarantine arrangements

- Since March 2020, all travellers arriving in Australia from overseas are required to complete a 14-day quarantine period in a hotel (or other designated accommodation), unless exempt.
- Mandatory quarantine is managed and enforced by state and territory public health legislation.
- To date, guests have stayed in a small number of hotels assessed by ACT Health as appropriate for mandatory quarantine purposes. The Deco Hotel or the Pacific Suites (which would provide surge capacity should Deco Hotel be filled) meet the ACT Health Directorate's minimum standards for hotel quarantine and provide the benefit of being able to contain all quarantined international passengers in a single location, reducing the burden on ACT Policing resources.
- The ACT has resources and plans in place to receive 150 overseas arrival for quarantine every 16-18 days, on approval by Cabinet.
- Mandatory quarantine for international arrivals is likely to remain a key pillar of government efforts to suppress COVID-19 into the future.

International repatriation flights

- To date, the ACT has received two significant government facilitated international repatriation flights at the request of the Commonwealth Government, repatriating a total of 504 Australian citizens and residents. The ACT currently has no regular scheduled international services.

Responsible Portfolios and Functions

- CMTEDD / Policy and Cabinet Branch/Economic and Regional Policy Branch
- ACT Health Directorate / Chief Health Officer

Quarantine and Contact Tracing functions

Summary

- Contact tracing is the process of identifying individuals who have been in close contact with a confirmed case of COVID-19.
- Close contacts are put into quarantine and monitored for symptoms of COVID-19 for 14 days from the date they were exposed.
- The ACT has a team of around 70 fully trained contact tracers.
- The ACT Government recently launched the 'Check in CBR' app, a contactless, secure and convenient way for customers to sign into a Canberra venue.
- Our expert contact tracers take detailed information from our cases so we can understand where they have been and for how long, and therefore what kind of risk they pose.

Key issues

- All close contacts of a COVID-19 case are contacted by phone and advised they need to quarantine for 14 days after their last contact with the case.
- Information is collected from the close contact about current symptoms of COVID-19, their quarantine arrangements, any mental health and wellbeing issues, and any support they might need during their quarantine period.
- People in quarantine are contacted every day of their 14-day quarantine period to monitor for symptoms of COVID-19 and any mental health or other issues.
- Testing of close contacts in quarantine is recommended on day 10-12. Contacts are allowed to leave quarantine for the purposes of getting a COVID-19 test and are advised on how to minimise contact with other people when getting tested.
- There is currently a pool of approximately 70 trained contact tracers who are, in the absence of cases and contact tracing, supporting quarantine processes to maintain skills and gain experience. An additional 40 casual contracts are being offered, which will bring the total pool of contact tracers to around 110 by end of October.
- Further advertising of these roles will occur as required, to further increase the pool of contact tracers. As has been done previously, casual contact tracing staff will be identified from medical/health/nursing students from local universities if further surge is required.
- Additional surge capacity for contact tracing is planned to be delivered to interested individuals from across the ACT Government.
- Initial and refresher training is provided by ACT Health for all contact tracing staff.
- The initial one-day training program has been established with the assistance of ANU and the Commonwealth Department of Health.

- A shortened refresher training program will be offered to ensure that contact tracers can maintain their skills and ensure they are prepared to respond when required.
- Approximately 20 staff from the Commonwealth Department of Health have attended ACT Health contact tracing and can be utilised as surge capacity if required.
- ACT Health are in the process of developing an MOU to facilitate this arrangement with both the Commonwealth and other jurisdictions. Systems have been developed so that contact tracing assistance can be provided by other jurisdictions to the ACT remotely.
- While most close contacts are identified through a comprehensive interview of the case by expert case investigators, several other data sources are available to support this process of contact identification. These include the Check in Cbr App, the Clinical Health Emergency Coordination Centre (CHECC) digital health screening tool and the Federal Government's COVIDSafe App.
- The ACT Government recently launched the 'Check in CBR' app, a contactless, secure and convenient way for customers to sign into a Canberra venue.
- The app enables people to self-check-in to venues and have this data stored securely with ACT Health in the event contact tracing is needed due to a confirmed case of COVID-19 in the community.

Financial implications

- The Check In CBR App is free of charge for both venues and their customers, and enables small businesses and venues to easily comply with these Directions in a safe, easy and secure way. Businesses and venues opting in to use Check In CBR will be provided with a free App Starter Kit so the app can be used in their venues, and to incorporate the app's usage into their COVID Safe Plans.

Background

- A close contact is defined in the national guidelines for the public health management of COVID-19 cases as anyone who has had 15 minutes of face-to-face contact or has been in the same enclosed space with a case for two hours.

Responsible Portfolios

- ACT Health Directorate / Chief Health Officer

Exemptions Program (including COVID Safe Event Protocol)

Summary

- The ACT's Public Health Directions restrict the movement of people to reduce the risk of importation and transmission of the virus.
- The Chief Health Officer may, in writing and subject to conditions, exempt a person from the Directions on compassionate or other grounds that the Chief Health Officer considers reasonable or appropriate.

Key issues

Exemptions to the Public Health Interstate Travellers and Returned Travellers Emergency Directions 2020

- Applications for entry to the ACT from Victoria via exemption to the public health (interstate travellers) direction is managed by the ACT Health Directorate Exemptions team.
- Applicants may apply as returning ACT or non-ACT residents. Non-ACT residents must indicate the reason for their application for entry, as per the below list:
 - Providing Essential services in the ACT (a number of sub-categories then appear)
 - Compassionate grounds
 - Needing to receive or attend a service in the ACT
 - Entering for child access or critical care arrangements
 - Required to attend court or legal proceeding
 - Moving to the ACT
 - Other urgent or compassionate reason (this may include transit reasons)
- Each request is reviewed case by case by Exemptions officers.
- Processing of the entry of Parliamentarians and their staff/family members is managed separately through an approach worked through with and agreed to by Australia's Chief Medical Officer.
- The Returned Travellers Direction requires persons returning to the ACT from overseas to quarantine at a designated premise for the mandatory period.
- As the ACT currently receives very few international flights, applications for exemptions mainly come from ACT residents arriving to a separate port of entry who are seeking to spend their mandatory quarantine period in the ACT.
- The Returned Travellers Direction also allows for persons entering Australia on a diplomatic (995) visa to quarantine at their own home or preferred address. The ACT is notified of these requests by DFAT and details are added to the quarantine database for follow-up and compliance monitoring.

COVID Safe Event Protocol: A Safe Return to Events in the ACT (the Protocol)

- The Protocol helps organisers plan events and provides guidance for those seeking to have an event of more than 100 people in how to seek the necessary exemption from the public health gathering emergency direction.
- All events at public venues—public or private—are encouraged to seek an exemption if more than 100 people are expected.
- The protocol provides information to event organisers on how to organise a COVID Safe event including the development of a COVID Safe Event Plan. It also outlines the types of events that cannot take place in the ACT at this time while COVID-19 restrictions are in place.
- Event organisers can apply for an exemption to hold a medium-sized event up to 500 people or a larger event of 500 to 5,000 people providing they have lodged an application with the ACT Government which includes a COVID Safe Event Plan and any necessary supporting documentation.
- Events which involve gatherings of up to 100 people are currently permitted and do not need to seek exemptions, unless they do not comply with the Public Health Directions.

Options for consideration

- The emergency directions issued are in place while they are required to mitigate COVID-19 related risks, and may be repealed when they are no longer deemed necessary or the threat has been alleviated.

Decision points/timeframes

- The public health emergency directions in the ACT are underpinned by the public health emergency declaration currently in place.
- Throughout the emergency, Public health emergency directions have been issued to address risks to the community.
- The interstate travellers emergency direction has been in place since 8 July 2020.
- The returned travellers emergency direction has been in place since 19 March 2020.

Financial implications

- The Public Health Interstate Travellers and Returned Travellers Emergency Directions 2020 declared in response to the COVID-19 pandemic and declaration of a public health emergency pursuant to section 119 of the Public Health Act 1997, have had significant financial implications for the Territory, including hotel quarantine arrangements and management of quarantine compliance.
- The ACT has moved to a “user pay” quarantine arrangement for international travellers in line with the National Cabinet agreement.

Background

- All Australian jurisdictions have introduced a range of public health control measures restricting movement and association to reduce the transmission of COVID-19. These measures have been successful in slowing and reversing the growth of COVID-19 cases in the ACT and across other jurisdictions.

Responsible Portfolios

- ACT Health Directorate / Chief Health Officer

Joint work with Commonwealth on aged care and disability

Summary

Aged Care

- A joint COVID-19 Residential Aged Care Preparedness and Response Centre with the Australian Government has been established in the ACT, with Commonwealth representatives integrated into all governance structures for COVID-19 planning and preparedness for aged care in the ACT and a joint response protocol between the ACT and Commonwealth is currently being developed.
- Extensive work has been undertaken to prepare for a case and/or outbreak in a Residential Aged Care (RAC) facility, with further work being progressed by the joint Centre and key ACT stakeholders.

Disability

- Extensive work has been undertaken or is planned to ensure a coordinated approach across service systems and governments, and to prepare the disability sector to prevent or manage a COVID-19 case in a supported independent living site.
- The *COVID-19 – An ACT Operational Plan for People with Disability* outlines the ACT's response to the Australian Government's *Management and Operational Plan for People with Disability* and responsibilities for implementation.

Key issues

Aged Care

- On 14 August 2020, National Cabinet considered a paper on Aged Care Preparedness, which included a proposal to establish joint Aged Care Response Centres (JACC) in each jurisdiction to bring together Commonwealth and state/territory government agencies and enable a unified response to COVID-19 outbreaks.
- While it is the Commonwealth's overall responsibility to ensure ACT RAC facilities are fully supported in preparedness and prevention against a COVID-19 outbreak, ACT Health has undertaken significant forward planning to strengthen preparedness for prevention and response arrangements for COVID-19 outbreaks in RAC facilities.
- Should an outbreak occur, the JACC will be activated upon request from the Chief Health Officer (CHO) to support the ACT response to COVID-19 in the aged care sector. Our early establishment of a joint COVID-19 Residential Aged Care Preparedness and Response Centre will provide a strong foundation for the JACC.

Disability

- Registered disability providers in the ACT are regulated by the Commonwealth National Disability Insurance Agency (NDIA) Quality and Safeguards Commission (the Commission).
- The ACT government is working with the Commonwealth, NDIA, NDIS Quality and Safeguards Commission and the sector on planning and preparedness. One bilateral meeting has taken place and a second meeting will take place on 16 October 2020 with a

view to confirming the role of the NDIA and NDIS in supporting people with disability and the sector to prepare for the pandemic.

- Issues being explored include the capacity of the Commission to support/audit disability providers, accessing improved data on the number and nature of services providers in the ACT, and the number and profile of recipients, and working with providers to undertake infection prevention control training (in partnership with VET, Skills Canberra and CSD). Further work is also required on identification of a surge workforce and triggers for activation if there is community transmission, and the development of an operational protocol that clearly identifies roles and includes trigger points to stand up an emergency response team.

Financial implications

- Under the *National Partnership on COVID-19 Response*, the Commonwealth Government has committed to cover 50 per cent of eligible COVID-19 costs including additional costs incurred by state and territory health services as a result of the diagnosis and treatment of patients with COVID-19, those suspected of having the virus, or activities that prevent the spread of it.

Background

Aged Care

- On 14 August 2020, National Cabinet considered a paper on Aged Care Preparedness, which included a proposal to establish JACCs in each jurisdiction to bring together Commonwealth and state/territory government agencies and enable a unified response to COVID-19 outbreaks. It is expected that all jurisdictions will have the arrangements in place for these 'centres' by 16 October 2020.
- Extensive work has been conducted to prepare the ACT for an outbreak in a RAC facility. This includes:
 - o Discussions with the Commonwealth regarding learnings from interstate outbreaks and to clearly identify Commonwealth and jurisdictional responsibilities regarding RAC facility outbreaks;
 - o Development of a COVID-19 preparedness and response plan (and associated implementation Plan) for the RAC facility sector;
 - o Development of a joint protocol for managing a COVID-19 Outbreak in a RAC facility;
 - o Personal Protective Equipment training conducted for RAC facility staff;
 - o A structured audit tool developed to enable Site visits to RAC facilities to assess outbreak preparedness;
 - o Webinars to prepare RAC facility staff to prevent/manage an outbreak; and
 - o Cabinet approved the Whole of Government COVID-19 High Risk Settings Outbreak Management Framework on 7 September 2020.

Disability Sector

- The ACT COVID-19 Disability Prevention, Preparedness and Response Action Plan (the Plan) has been developed in recognition that some people with disability will be more vulnerable during the pandemic.
- People with disability in the ACT, as with other jurisdictions, are a highly diverse population. The focus of the Plan is for individuals who require intensive support from services to participate in daily life and the disability providers who deliver these supports.
- The Office for Disability has consulted on the Plan across the disability sector. Consultations with the sector indicate that the number of plans is confusing. Key considerations for the sector include the provision of a surge workforce, workforce mobility and clear communication pathways.
- Significant work has occurred to help the Disability Sector plan for a COVID-19 outbreak. Under the COVID19 ACT Disability Strategy a range of core initiatives have been explicitly funded to support people with disability, their families and their supporters to come through this crisis as well as possible. These initiatives include funding for additional advocates, PPE for people with disability and their supporters, and training for disability support staff in infection control and use of PPE.

Responsible Portfolios and Functions

- ACT Health Directorate / Chief Health Officer
- Community Services Directorate

Roadmap to Recovery for Health System

Summary

- ACT Health Directorate has commissioned Deloitte to undertake a body of work to develop a territory-wide roadmap for health system recovery post COVID-19. The ACT's key health services will be engaged to inform this work that builds on work already completed by Canberra Health Services (CHS) and Deloitte.

Key issues

- The roadmap will draw on the existing CHS Recovery Plan and Roadmap, focussing on strategies that have already been identified as requiring a territory-wide approach.
- These strategies will be tested with Calvary Public Hospital Bruce and key stakeholders to identify key implementation risks and issues.
- The work will involve a rapid review and completion of a report and roadmap for evidence based territory-wide recovery initiatives post COVID-19.
- It is intended that the roadmap will align with ACT Health Directorate's Territory-wide Health Service Plan and support its strategic direction.
- The Minister for Health will receive an early briefing on the opportunities arising from this work.

Options for consideration

- This work provides an opportunity to drive territory wide system improvement by drawing on key insights from the work already completed by Deloitte in other jurisdictions and with CHS, learning what service changes have worked well during COVID-19 and will deliver sustainable improvement into the future.
- It will guide opportunities to accelerate territory wide recovery and improvement, identifying initiatives that are most critical to deliver system wide improvement against each strategic theme.

Decision points/timeframes

- The work is scheduled to conclude in November 2020. The deliverables include a detailed document summarising the health system improvement opportunities for the ACT and the analysis that underpins it, as well as a roadmap for delivery.

Financial implications

- This work is being funded within the ACT Health Directorate budget.

Responsible Portfolios

- ACT Health Directorate

Health NGO service delivery and stimulus during COVID-19

Summary

- As part of the ACT Government Community Support Stimulus Package, 46 Community Health Support Agreements, totalling \$1.4 million, were executed by ACT Health Directorate (ACTHD) with non-government organisation (NGO) service providers by 21 July 2020.
- An additional \$0.6 million was allocated:
 - o for health and hygiene measures (\$0.1 million)
 - o for grief and loss counselling and support (\$0.1 million)
 - o for alcohol and other drug services in response to increased demand (\$0.2 million)
 - o to support individuals and families to access telehealth services (\$0.2 million).
- The ACT Government also announced the COVID-19 Mental Health Support Package totalling \$4.086 million. This included \$2.571 million funding for NGO initiatives.
- A COVID-19 Youth Support Package was announced on 12 August 2020 which included \$275,000 for targeted mental health support for young people and builds on the Mental Health Support Package.

Key issues

- The allocation of funding for health NGOs followed extensive engagement with the NGOs in relation to support required, and consideration by the NGO Leadership Group about criteria for prioritising stimulus investment.
- ACTHD worked with the NGO Leadership Group to consider the impacts of the pandemic on organisations and on vulnerable people in the community.
- The health sector stimulus package announced on 6 May 2020 included \$1.4 million funding for a total of 46 NGOs, ranging from alcohol and drug services to palliative care. The agreements were executed by 21 July 2020.
- A further \$600,000 was allocated to the following projects:
 - o \$200,000 to provide flexible funding to support alcohol and other drug services;
 - o \$200,000 to Carers ACT to work with the Health Care Consumers' Association, ACT Health Directorate, Canberra Health Services, and relevant NGOs to support individuals and families to access telehealth services;
 - o \$100,000 to the Health and Hygiene coordination project led by Community Services Directorate; and
 - o \$100,000 for grief and loss counselling support.
- Funding has supported NGOs to continue to deliver vital services to the community during the COVID-19 public health emergency. This has included funding to support

adjustments to models of service delivery (e.g. move to online service provision), meet increased demand and transition staff to work from home arrangements.

- In addition to financial assistance during the COVID-19 public health emergency, ACTHD has undertaken ongoing, regular communication with all Health-funded NGOs. Feedback from NGOs about access to training and information resources about infection control, business continuity planning and access to Personal Protective Equipment has been directed to appropriate areas within the health system, and communication to NGOs on progress distributed through the contract management team.
- ACTHD also committed to funding NGO initiatives totalling \$2.571 million as part of the Mental Health Support Package in response to COVID-19. This included additional funding for mental health NGO service delivery, to increase capacity of existing services and enable new and innovative services (refer to Tables 1 and 2 for an overview of this funding).

Table 1: COVID-19 Mental Health Support Package Funding allocated to NGO service delivery (already executed)

Amount	Organisation
\$300,000	Detention Exit Community Outreach (DECO): additional investment
\$250,000	Lifeline Canberra: additional support to meet call-in demand (includes \$100,000 announced on 20 March)
\$55,000	Menslink: increased counselling for boys and young men
\$500,000	Mental Health Foundation (MHF): additional accommodation for people exiting acute inpatient units
\$80,000	MIEACT: increased community mental health education and awareness
\$100,000	OzHelp: additional support for people who have lost or may lose employment and livelihood
\$45,000	Perinatal Wellbeing Centre: addressing increased demand for post and antenatal depression support
\$200,000	The Way Back Support Service: additional investment for people who have attempted suicide or are experiencing suicidal crisis
\$1,530,000	TOTAL

Table 2: COVID-19 Mental Health Support Package Funding for new and innovative services in the NGO sector, which are in the process of being implemented

Amount allocated	Program
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\$450,000	Funding for Mental Health and Wellbeing Innovation Grants Program (supporting selected organisations, local communities, and individuals to develop innovative and creative projects that address the mental health and wellbeing impacts of COVID-19). Successful grants recipients have been announced and Deeds of Grant are in the process of being developed. An amount of \$44,019 funding remains to support further initiatives in the mental health sector as required
\$341,843	Canberra Safe Haven Cafés: supporting Social Connection
\$250,000	Commissioning an Aboriginal and Torres Strait Islander targeted mental health program
\$1,041,843	TOTAL

- ACTHD administered an additional \$275,000 for targeted mental health support for young people, as part of the Youth Support Package, to further build on the Mental Health Support Package. Table 3 below shows an overview of this funding.

Table 3: COVID-19 Youth Support Package Funding for NGO service delivery

Amount	Organisation
\$125,000	CatholicCare: to support unmet need resulting in waitlists for services, and in response to the profound effects of the COVID-19 pandemic on vulnerable youth populations. To support the organisation to assist in addressing the identified service gap for early intervention mental health support for middle years youth; improve access to existing services; and help to meet the needs of this complex client group
\$75,000	Lifeline Canberra: to meet the continued increased demand for call-in crisis counselling support
\$75,000	Menslink: to meet increasing demand due to COVID-19 environment; and to continue to explore options for similar service offerings for girls and young women
\$275,000	TOTAL

Decision points/timeframes

- The majority of funding agreements are in place for 6 months, expiring November 2020. It is unclear, at this stage, whether further support for NGO service delivery in response to COVID-19 will be required.
- The mental health impacts of COVID-19 will remain for some time after the pandemic has ended. It is therefore anticipated that additional support for mental health NGO service delivery will be required beyond the initial funded period.

Financial implications

- A total of \$2 million was allocated as part of the COVID-19 Stimulus Package to support the delivery of vital health and mental health services to the community and additional projects by ACTHD funded NGOs.

- An additional total of \$2.846 million was allocated to mental health NGO service delivery under the COVID-19 Mental Health Support Package (\$2.571 million) and the COVID-19 Youth Support Package (\$275,000).

Background

- On 20 March 2020, the ACT Government announced a \$7 million Community Support Stimulus Package to meet increased service demand for emergency relief.
- The rapidly developing COVID-19 pandemic presented a significant challenge to the continuity of service delivery by NGOs. In response some of these organisations adapted to online and modified service delivery from late March 2020. During this time organisations were not required to seek formal approval to vary their service delivery models.
- Community service partners and providers were assured of the Government's commitment to supporting them through the challenges of COVID-19. NGOs funded by ACTHD were advised that ACTHD would defer routine reporting requirements for all providers in order to reduce the administrative burden on organisations during the pandemic.
- On 6 May 2020, the ACT Government announced \$2 million as part of the Community Support Package funding to support NGO service delivery, including \$1.4 million to support the continued delivery by ACTHD NGOs of vital health services to the community and \$0.6 million for additional projects to support the community.
- The ACT Government also announced as part of the Community Support Package, the COVID-19 Mental Health Support Package, and this included funding for NGO initiatives totalling \$2.571 million.
- The COVID-19 Youth Support Package that was announced on 12 August 2020 included an additional \$275,000 for targeted mental health support for young people was announced as part of the Youth Support Package, to further build on the Mental Health Support Package.

Responsible Portfolios

- ACT Health Directorate

National Partnership on COVID-19 Response arrangement including Private Hospital Viability Payments

Summary

- On 13 March 2020 the Commonwealth and all state and territory governments signed the National Partnership on COVID-19 Response (NPCR), to provide Commonwealth financial assistance for the additional costs incurred by health services in responding to COVID-19.

Key issues

- The NPCR provides Commonwealth funding for costs incurred by state and territory health services in the diagnosis, treatment and management of COVID-19. The Commonwealth contribution will be uncapped and separate to the National Health Reform Agreement (NHRA). The NPCR was effective from 21 January 2020 and will operate for the period of the activation of the Australian Health Sector Emergency Response Plan for Novel Coronavirus 2019 (COVID-19 plan) as declared by the Australian Health Protection Principal Committee (AHPPC), and then for sufficient additional time to allow for the final reconciliation of any payments made under this Agreement.
- The NPCR commits the Commonwealth to contribute at different rates for categories of eligible COVID-19 activities. For example, 50% for Hospital Services Payments for COVID-19 and suspected COVID-19 testing and treatment and 100% private hospital Financial Viability Payments (FVP).

Private Hospitals Financial Viability Payment

- The NPCR incorporated a Commonwealth minimum FVP for private hospitals in the context of the National Cabinet decisions early in the pandemic to restrict non-essential surgery. In exchange, private hospitals would make their resources available for the COVID-19 pandemic response. The NPCR committed to reviewing the FVP arrangement by 30 September 2020. The Commonwealth has agreed to extend the FVP until 31 March 2021.
- At 30 September 2020, the ACT had five Heads of Agreement (HoA) in place covering five private hospitals.
- On 30 September 2020 The Hon Greg Hunt MP wrote to the states and territories advising that the Australian Government will maintain the current financial viability guarantee arrangements for those private hospitals critical to COVID-19 response planning until 31 March 2021. ACT Health Directorate is, at the time of writing, consequently planning to approach the four private hospitals identified in Clinical Health Emergency Coordination Centre (CHECC) planning as having the capacity to support the COVID response (should additional hospital capacity be required) to propose forming agreements for the extended FVP period to maintain the ability to access these facilities for the ACT COVID-19 response.

Financial implications

- All payments under the NPCR are paid monthly in advance based on estimates from the states/territories and are subject to quarterly reconciliation by the Commonwealth. Financial risk arises from two main aspects:
 - o public health payments: eligibility of certain expenses. As the NPCR was (understandably) hastily prepared, guidelines from the Commonwealth on NPCR implementation were issued after its execution and hence there will be some expenses claimed that will prove to be ineligible.
 - o hospital services payments: rate of remuneration. The ACT has to apply to the Commonwealth to have COVID-19 activity plus elective surgery catch up remunerated above the National Efficient Price (NEP) as the Territory expects to incur a cost above NEP.
- To date the funds claimed by the ACT (figures inclusive of Commonwealth’s share):

	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Total
Hospital Services Payments (HSP)	\$5,000	\$530,500	\$5,577,000	\$2,313,000	\$1,452,500	\$1,166,794	\$4,446,355	\$6,447,840	\$21,938,989
State Public Health Payments (SPHP)	\$185,000	\$5,864,000	\$13,026,000	\$16,780,121	\$8,445,000	\$9,293,000	\$7,038,429	\$6,459,000	\$67,090,550
Private Hospital Financial Viability Payment (FVP)	-	-	-	\$19,528,327	-\$4,948,750	\$0	-\$3,864,196	-	\$10,715,381
Total Claimed Expenditure	\$190,000	\$6,394,500	\$18,603,000	\$38,621,448	\$4,948,750	\$10,459,794	\$7,620,588	\$12,906,840	\$99,744,920
Commonwealth Payments (50% of HSP, 50% of SPHP & 100% of FVP)	\$95,000	\$3,197,250	\$9,301,500	\$29,074,887	-	\$5,229,897	\$1,878,196	\$6,453,420	\$55,230,150

Background

- To expedite the FVP at the time, a HoA was first offered to entities to establish the requirements to be eligible for the minimum FVP. More detailed Comprehensive Agreements and Secondment Agreements were then developed to enter into with those private hospitals that are more likely to be engaged in supply of services, equipment and/or secondment of staff in COVID-19 related activities. Comprehensive Agreements and Secondment Agreements have not at this stage been executed due to the changing position of the Commonwealth on the arrangement. Comprehensive Agreements will replace the HoA.

Responsible Portfolio

- ACT Health Directorate

Elective Procedures Recovery Strategy

Summary

- On 1 July 2020, the ACT Government announced a funding boost of \$22.082 million, including Commonwealth and Territory, to enable additional elective surgery (and endoscopies) to occur in 2020-21.
- Increasing activity is essential to ensure current and future patients have access to timely and appropriate healthcare while we work to recover from the challenges presented by COVID-19.

Background

- National Cabinet, acting on the advice of the Australian Health Protection Principal Committee, determined that on 25 March 2020, all non-urgent elective surgery would be temporarily suspended due to the COVID-19 pandemic. In line with this direction, the ACT suspended all non-essential elective surgery from 25 March 2020 for both public and private hospitals in the ACT.
- National Cabinet moved to ease the restrictions on elective surgery in late April 2020. The ACT issued a guidance note to public and private hospitals that elective surgery could be resumed in a careful and staged approach from 27 April 2020.
- In line with the National Cabinet announcement on 15 May 2020, restrictions on elective surgery were lifted. The ACT further increased elective surgery, and by 15 June 2020 normal surgical activity had resumed.
- As a consequence of the deferral of elective surgery there has been an unavoidable increase in the number of public patients waiting longer than clinically recommended for their surgery.
- The funding boost of \$22.082 million will provide up to 2,000 additional elective surgeries (and up to 600 endoscopies) above the number already approved and funded for 2020-21. The elective surgery recovery program will allow for the delivery of more than 16,000 elective surgeries in 2020-21. The elective surgery program will be delivered in addition to an anticipated 11,500 emergency surgeries.
- The Territory has already seen a positive impact on the reduction of the elective surgery long-wait list for elective surgery since July 2020. As of 21 September 2020, 627 long-wait patients have undergone surgery as part of the elective surgery recovery program.

Responsible Portfolios

- Canberra Health Services / ACT Health Directorate

Testing Clinics

Summary

- ACT Health Directorate, with PICC, is working to maintain and increase COVID-19 testing rates appropriately in the ACT community.

Key issues

- It has been identified that symptomatic people may not attend for testing due to poor understanding, dismissal of symptoms, fear of the process/public identification, loss of income or inconvenience.

Options for consideration

- Regular communications encouraging Canberrans to continue to get tested for COVID-19 when they have symptoms that are typical of COVID-19. The PICC is currently rolling out a testing communications plan, and testing messaging will continue to feature in our COVID-19 prevention campaign.
- Our focus is to keep our testing communications relevant, and able to be amended to respond to the changing environment and any particular needs in communities e.g. if a particular community has a fear of testing or where circulating “myths” needed to be dispelled. Messaging will be regularly refreshed to keep it engaging as well.

Decision points/timeframes (if applicable)

- People are prioritised for testing if they:
 - have characteristic clinical symptoms as well as an epidemiological link
 - have characteristic clinical symptoms of COVID-19 but have no epidemiological link.
 - have less common symptoms of COVID-19 but have no epidemiological link.
 - are asymptomatic but have a high risk of exposure to COVID-19 (including during outbreaks in high-risk settings, returned travellers in hotel quarantine, and close contacts of confirmed cases) or who are part of a specific public health investigation into the infection source of a confirmed case (i.e. ‘upstream contacts’).
- The turnaround time for test results via ACT Pathology is generally less than 24 hours. However, individual results can be fast-tracked if an urgent result is required.

Financial implications

- Under the *National Partnership on COVID-19 Response*, the Commonwealth Government has committed to cover 50 per cent of eligible COVID-19 costs including additional costs incurred by state and territory health services as a result of the

diagnosis and treatment of patients with COVID-19, those suspected of having the virus, or activities that prevent the spread of it.

Background

- The key objectives in relation to COVID-19 testing are to:
 - o Ensure that the ACT community remains highly motivated to get tested when they have symptoms associated with COVID-19;
 - o Facilitate access to COVID-19 testing;
 - o Test to match rates of acute respiratory infection in the community;
 - o Identify and address barriers to COVID-19 testing;
 - o Facilitate widespread testing in high risk populations and outbreak scenarios; and
 - o Rapidly scale up testing in the context of escalating community transmission.

- Eight government testing locations are available in the ACT:
 1. The Weston Creek Walk-in Centre open 7:30 am–10:00 pm daily, including public holidays.
 2. Garran Oval Clinic – from 9:30am to 5pm seven days a week
 3. West Belconnen Child and Family Centre – from 9:30am to 5pm Monday to Friday
 4. Kambah Drive Through– from 9:30am to 5pm seven days per week, weather permitting
 5. EPIC Drive Through – from 9:30am to 5pm seven days per week.
 6. The Winnunga Nimmityjah Respiratory Clinic (for First Nations people and existing clients of Winnunga) – managed by Commonwealth Department of Health
 7. Your GP@Crace (by appointment) – managed by Commonwealth Department of Health
 8. Lakeview Medical Practice Tuggeranong (by appointment) – managed by Commonwealth Department of Health

- In addition, Capital Pathology have three COVID-19 collection centres and Lavery Pathology have one COVID-19 collection centres. Individuals can attend these centres for testing with a GP referral.

Responsible Portfolios

- ACT Health Directorate / Chief Health Officer

Overview of Key Legislation

Public Health Act 1997

The *Public Health Act* (the PHA) outlines the standards, rules, and powers used to preserve, protect and promote the public's health. The PHA establishes the statutory position of the ACT Chief Health Officer (CHO). The Section 119 of the PHA also authorises the Minister for Health to declare a public health emergency.

The Minister's functions/powers under Part 7 of the PHA in relation to Public Health Emergencies is discussed at [Attachment A](#).

The PHA contains a scheme for the licensing or registration of public health risk activities or procedures. It is through this mechanism that such things as skin penetration procedures (including tattooing), swimming pools and cooling towers are regulated. The key power/function of the Minister in this respect is the power to declare such an activity or procedure, and to determine whether it is licensable, registrable or non-licensable.

The PHA contains several Parts and Sections which establish the licensing, accreditation or registration systems. The crafting of these provisions assigns the various functions (such as the granting of licences) to the Minister, however in practice almost all of these functions have been delegated to the Executive of the Health Protection Service (as the regulatory area).

Also, under the PHA the Minister has the power to determine fees and declare Codes of Practice. This includes the power to declare a hoarding code of practice. There are also provisions requiring the Minister to table in the Assembly copies of certain reports, such as the Chief Health Officer report produced every two years, or after-action reports on such things as a public health emergency or a public health investigation.

Similarly, there are a number of provisions within the PHA relating to the inspection and enforcement activities for such regulated activities, some of which assign functions/powers to the Minister. These include decisions on return of things seized or the forfeiture of things seized. Such provisions are rarely utilised.

Other significant functions/powers of the Minister under the PHA and the Public Health Regulation include:

- The power to appoint a Chief Health Officer (which also includes the power to suspend or revoke the appointment in certain circumstances).
- The Minister can, in writing, assign additional functions to the Chief Health Officer.
- The Minister can determine notifiable conditions. Changes to notifiable conditions are uncommon, but this year a change was made due to the need to add COVID-19.
- The power to make a declaration for section 125 of the Planning and Development Act that affects the assessment track of a development proposal if the Minister considers that the proposal would have a significant effect on public health.

There are also several functions and powers assigned to the Minister under the Public Health Regulation. This includes the power to approve disclosure of cancer registry information to a person. There are also rarely (if ever) used Ministerial powers under the Regulation. These include the power to prohibit the advertising or supply of a drug, article or apparatus that the Minister believes is injurious to life or health or useless for purpose advertised. Similarly, the Minister can prohibit the supply of disinfectants, germicides, antiseptics, preservatives, or a patent or proprietary medicine that the Chief Health Officer has certified to be harmful.

Mental Health Act 2015 (falls within the responsibilities of the Mental Health portfolio)

The Minister for Mental Health has a number of responsibilities under the Act, including:

- Make and end appointments: Chief Psychiatrist, Care Coordinator, Mental Health Officer (In practice this function is delegated to the Chief Psychiatrist) and Official Visitors.
- Establish a Mental Health Advisory Council and appoint members to the Council. The functions of the Council are to advise the Minister about:
 - emerging or urgent mental health issues, and
 - mental health service reform, and
 - mental health policy, and
 - mental health legislative changes, and
 - anything else in relation to mental health requested by the Minister (chapter 14).
- Make guidelines about the operation of information sharing protocols for the sharing of information between information sharing entities such as ACT Government Directorates and agencies and inter jurisdictional agencies.
- Issue a license to an eligible person to operate a private psychiatric facility. A license is issued for up to 3 years and may be renewed, on written application to the Minister, if the applicant continues to meet the requirements of the Act. The Minister may also transfer, amend or cancel a license issued to operate a private psychiatric facility on various grounds.
- Enter into agreements with the Minister of another state about any matter relating to the operation of interstate applications of mental health laws.
- Approve facilities as a mental health facility or a community care facility.
- Determine fees and approve forms for the Act.

Food Act 2001

The *Food Act 2001* (the Act) regulates the sale of food for human consumption. Under the Act the Minister has a number of powers, including:

- Making of emergency orders: The Minister may make an emergency order relating to the sale or handling of food to prevent or mitigate a serious danger to public health. An example would be the power to direct a food business to recall potentially unsafe food.

- Compensation for a prohibition order: A prohibition order is a regulatory tool that requires an entity regulated under the Act to undertake a certain activity. An example is preventing a food business from selling food or requiring a food business to handle food in a specific way. If a person suffers loss or expense because of the making of the order; and the person considers that there were insufficient grounds for the making of the order, they may apply to the Minister for compensation. The Minister must decide if they are to be compensated.
- Regulated Events: The Minister may declare that an event is a regulated event. An example of a regulated event is the National Multicultural Festival. By declaring an event to be regulated, the Minister makes each business selling or handling food regulated under the Act, even businesses that would otherwise not be regulated, such as a community group.
- Exemption from regulation: The Minister may exempt people, food businesses, premises, foods or activities from the requirements to either display nutritional information for food or have a food safety supervisor.
- Codes of Practice: The Minister may approve codes of practice setting out minimum standards or guidelines for the Act.
- Determination of fees: The Minister may determine fees for the Act. An example is that the Minister determines the yearly registration fee for a registered food business.

Gene Technology Act 2003

The science, industrial processes, and regulation of genetic modification of organisms is collectively known as Gene Technology.

The Minister for Health has a range of functions under legislation related Gene Technology as part of a national scheme for the regulation of Gene Technology. The ACT has two Acts, the *Gene Technology Act 2003*, and the *Gene Technology (GM Crop Moratorium) Act 2004*.

The objective of the *Gene Technology Act 2003* is to protect the health and safety of people, and to protect the environment, by identifying risks posed by or as a result of gene technology, and by managing those risks through regulating certain dealings with genetically modified organisms (GMOs).

Sub-section 136, requires that the Gene Technology Regulator prepare and give the Minister a report on the operations of the Regulator under this Act during that year.

The reports provide a detailed description of the Office of the Gene Technology Regulator's activities during each financial year.

Under section 136A of the Act, the Minister for Health is required to present a copy of the report to the Legislative Assembly within six sitting days after the Minister receives the report.

Gene Technology (GM Crop Moratorium) Act 2004

Section 7 of the Act allows the Minister, in writing to make an order (a moratorium order) prohibiting the cultivation in the ACT of a stated GM food plant. A moratorium order is a disallowable instrument. There are currently three moratorium orders present in the ACT which prohibit the growth of GM canola that is resistant to certain herbicides.

In addition, Section 8 of the Act allows the Minister, in writing to exempt a person, area or anything else from the operation of a moratorium order. An exemption is a disallowable instrument. Section 12 of the Act provides directions for the Minister if the Minister has a certificate given under section 33 in relation to a plant (the tested plant) and the Minister believes on reasonable grounds that the tested plant—is a GM food plant to which a moratorium order applies; and was not cultivated under an exemption.

Medicines, Poisons and Therapeutic Goods Act 2008

The [Medicines, Poisons and Therapeutic Goods Act 2008](#) (MPTG Act) and the [Medicines, Poisons and Therapeutic Goods Regulation](#) (MPTG Regulation) establish local controls on the sale, supply, administration, use and prescribing of scheduled medicines in the ACT. Under the MPTG Act and the MPTG Regulation the Minister has the following powers:

- **Monitored Medicines:** ACT Health operates a real time prescription monitoring system called Drugs and Poisons Information System (DAPIS). DAPIS is used by the HPS to collect and record information about controlled medicine approvals issued by the HPS and monitored medicines prescriptions dispensed in pharmacies. Monitored medicines are controlled medicines and any other medicine declared to be monitored by the Minister.
- The ACT is working with the Commonwealth and other jurisdictions to implement a national Real Time Prescription Monitoring (RTPM) system by June 2021, consistent with ACT Government and Council of Australian Governments Health Council commitments. In 2020 the ACT Government committed to declare some schedule 4 (prescription only) medicines as monitored medicines in response to ACT Coronial recommendations and commence the monitoring of the declared medicines when the national RTPM system is implemented. The ACT Government also committed to evaluate whether to mandate use of RTPM by health practitioners after the national system is implemented in the ACT.
- **Medicines Advisory Committee:** The Minister may appoint members of the Medicines Advisory Committee. The Minister may also end the appointment of a member.
- **Exemption from the MPTG Act:** The Minister may exempt a person, place or specific thing from being regulated under the MPTG Act.
- **Determining fees:** The Minister may determine fees under the MPTG Act. An example would be setting the registration fees for a Community Pharmacy.
- **Opioid Dependency Treatment:** The Minister may approve guidelines for the treatment of opioid dependency.
- **Kava:** The Minister may declare that kava is exempt from the MPTG Act at public events for traditional use if the kava is raw, dried whole, powdered or mixed in water

for consumption. Under the MPTG Act kava is regulated as a schedule 4 (prescription only) medicine, effectively prohibiting its use for traditional purposes unless at an exempt event.

- However, since 2016, the Australian and New Zealand Food Standards Code establishes kava as a food if it is an aqueous beverage or dried or raw kava root. Due to this change, kava used for traditional purposes is regulated under the *Food Act 2001* (where it meets the requirements of the Food Standards Code) and is exempt from the MPTG Act. This means the Ministerial power to permit the consumption of kava at public events under the MPTG Act is no longer required.

Radiation Protection Act 2006

Section 47 provides that the Minister may make a written emergency order if the Minister reasonably believes that the order is necessary to prevent or minimise a risk arising from a radiation incident.

Section 49 provides that if a person applies for compensation under s48 (due to the impacts of the actions of the Director-general acting under s47 emergency order) the Minister may make certain decisions about the person's entitlement to compensation.

Section 68 provides that the Minister may appoint members to the Radiation Council via disallowable instrument (and may end appointments in accordance with s71).

Section 114 provides that the Minister may exempt (via disallowable instrument) a person, radiation source or a dealing with a radiation source from this Act if satisfied that this will not pose a significant risk to the health or safety of people or damage to property or the environment.

The Minister has standard administrative powers (e.g. power to determine fees, codes of practice, standards, approved forms, etc for the Act).

Smoke-Free Public Places Act 2003

Section 9O provides that the Chief Minister and Minister may jointly declare via disallowable instrument that a public place or event is smoke-free. Such a declaration must be preceded by public consultation. The ACTHD supports the Minister by undertaking required consultation, policy work and drafting of instruments.

Section 9P provides that the Minister may determine (via notifiable instrument) requirements in relation to the display of 'no smoking' signs at a declared smoke-free public place or event. The ACTHD supports the Minister by developing instruments and undertaking implementation work with other relevant directorates (e.g. Transport Canberra and City Services).

Tobacco and Other Smoking Products Act 1927

Section 18A provides that the Minister may declare (via notifiable instrument) that a food, a toy, or related packaging is a declared smoking product under certain circumstances (e.g. if it resembles a smoking product or appears to promote smoking).

Section 21 provides that the Minister may declare (via notifiable instrument) that a product is a prohibited smoking product if the product is fruity or confectionary-like and appeals to children.

A person commits an offence if they sell or import a declared smoking product or sell a prohibited smoking product.

Access Canberra undertakes operational work with respect to tobacco products; the ACTHD supports the Minister by undertaking policy work when products are identified for which a declaration may be needed.

Section 42C provides that the Minister may approve a program of compliance testing if satisfied that this is necessary to deter the sale of tobacco products to children in the area where the program will operate.

Section 70 provides that the Minister must determine fees (via disallowable instrument) for a wholesale tobacco merchant's licence and retail tobacconist's licence, and may determine other fees for the Act.

Transplantation and Anatomy Act 1978

Under section 5 of the Act, the Minister may appoint a person as a designated officer for a hospital run by the Territory. The base requirement for a valid appointment is that it is in writing (Instrument of Appointment) and signed by the appointer as per section 206 of the *Legislation Act 2001*.

The role of the designated officer requires the appointed person to provide the final written authority for the removal of tissue from the body of a deceased person for the purpose of organ and/or tissue donation for transplantation. The designated officer is impartial and does not advocate for or against organ or tissue donation and also not involved in the potential donor's current admission care.

The ACT Chief Health Officer has been delegated through notifiable instrument to act for the ACT Minister for Health under the ACT *Transplantation and Anatomy Act 1978* for the purpose of organ and tissue donation which includes the power to appoint persons, under section 5(1) to be a designated officer for a hospital conducted by the Territory.

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Commonwealth State Relations

Summary

- To support more productive relationships between state, territory and the Commonwealth Government, the Prime Minister announced on 29 May 2020 that the Council of Australian Governments (COAG) would cease and a new National Federation Reform Council (NFRC) will be formed, with National Cabinet at the centre of the NFRC.

Key issues/Current status

- In the new structure, National Cabinet will be supported by six National Cabinet Reform Committees: Rural and Regional Australia; Skills; Energy; Infrastructure and Transport; Population and Migration; and Health (see [Attachment A](#)).
- COAG Health Council will be replaced by the Health National Cabinet Reform Committee.
- A review being led by Mr Peter Conran AM, is considering the former COAG Councils and Ministerial Forums, with a view to rationalise and reset the work of the new National Cabinet Reform Committees.
- The Conran Report is expected to be considered by National Cabinet shortly.
- The terms of reference for the National Cabinet Reform Committees will also be considered by National Cabinet shortly. The terms of reference will shape the future work plan for the Health National Cabinet Reform Committee.
- On 29 May 2020 National Cabinet also agreed that the Council on Federal Financial Relations (CFFR) comprised of Treasurers from all jurisdictions, would be responsible for all Commonwealth-State funding agreements (previously Health Ministers would agree on funding agreements, and significant agreements would then progress to COAG).
- Future funding agreements with the Commonwealth, will sit under the recently signed, National Partnership for Streamlined Agreements.

Decision points/timeframes

- Formal meetings of COAG Health Council have been put on hold pending advice of the new national committee structure and the associated priorities to be delivered.
- Health ministers have been informally meeting fortnightly by teleconference to discuss COVID-19 related matters.

Financial implications

- The ACT Health Directorate currently has 20 funding agreements with the Commonwealth. These are summarised at [Attachment B](#).
- Each agreement has a different expiry date, with expiry dates ranging between 30 June 2021 to 30 June 2025.

Background

- The former COAG Health Council, comprising Health Ministers from all states, territories and the Commonwealth was supported by the Australian Health Ministers' Advisory Council (AHMAC) comprised of Directors-General from all jurisdictions.
- The future of AHMAC is concurrently being reviewed to examine which statutory and regulatory functions will need to transition to the new National Cabinet Health Reform Committee.

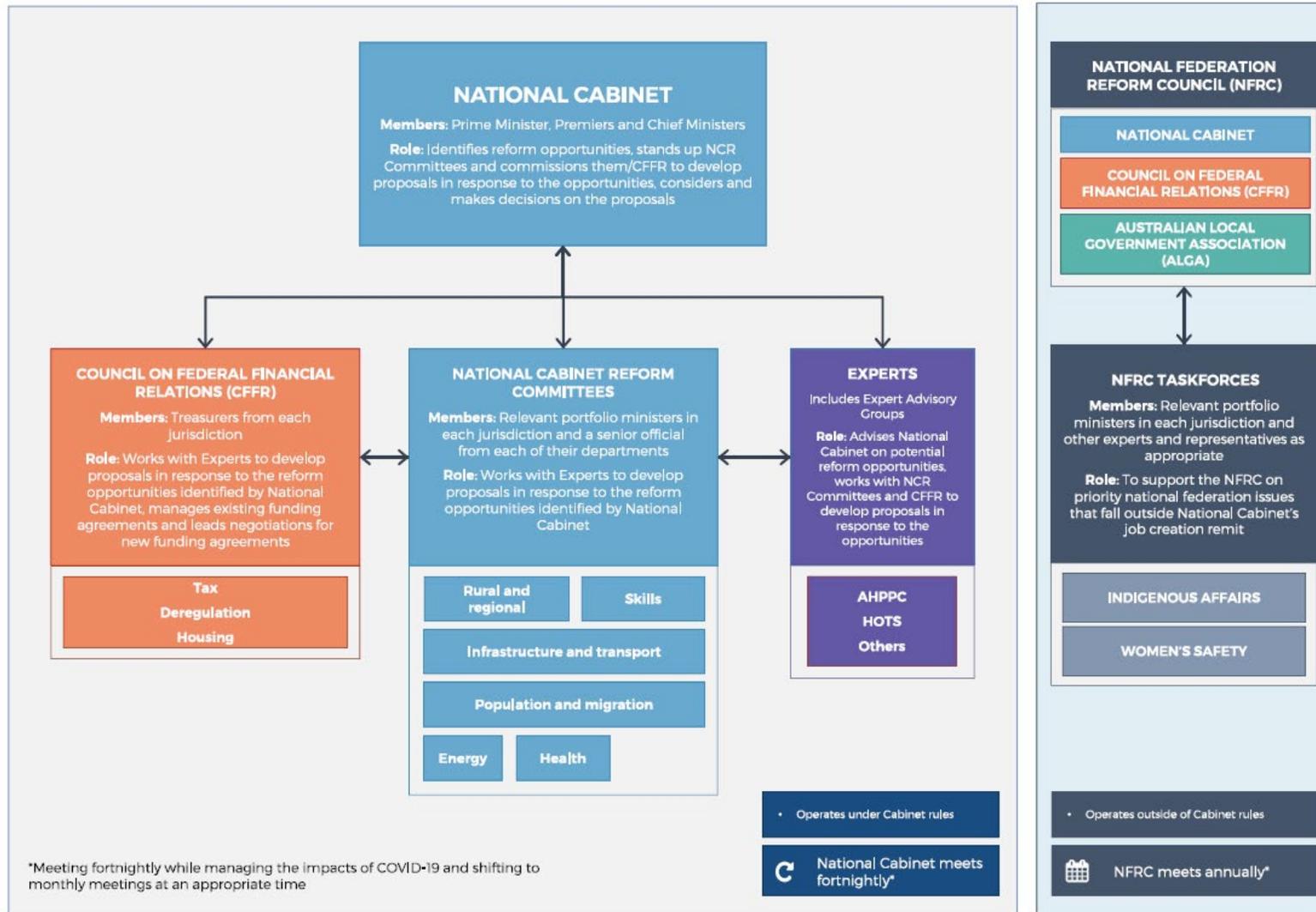
Responsible Portfolio

- ACT Health Directorate

Attachments

- A: National Cabinet and National Federation Reform Council Governance.
- B: Summary of ACT Health Directorate funding agreements with the Commonwealth.

NATIONAL CABINET AND NATIONAL FEDERATION REFORM COUNCIL GOVERNANCE



\$ million	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	Expiry	Notes
National Health Reform Agreement (NHRA) 2017-20 and new NHRA 2020-25	406.678	420.000	441.300	463.900	492.300	522.400	30/06/2025	
Public Health	6.759	7.567	7.976	8.494	8.400	tbc	30/06/2025	
PA on Additional Assistance for Public Hospitals (ACT top-up\$ for NHRA) 2017-20 extended to June 2025. Under this agreement, the Territory would receive additional Commonwealth funding if growth in NHRA funding is lower than growth in CPI and population in 2018-19. As this is unlikely to be the case, the 2019-20 ACT Budget has not included the 2019-20 Commonwealth Budget estimates for this agreement.	-	-	-	-	-	-	30/06/2025	Based on activity, after reconciliation of activity in prior financial year
Total NHRA	413.437	424.211	451.702	481.062	511.685	0.000		
National Partnership (NP) on COVID-19 Response	-	1.683	Activity based					CW Payments Feb-Sept 2020 have been \$55.2 million
National Partnership Agreements / Project Agreements (\$m)	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	Expiry	Notes
National Partnership Agreement on Essential Vaccines	0.522	0.547	0.551	0.559	0.565	-	30/06/2023	Based on volume of vaccines purchased
PA on Vaccine Preventable Diseases Surveillance Program	0.037	0.038	0.044	0.045	0.045	0.046	30/06/2020	Agreement 2020-21 to 2023-24 currently pending execution
OzFoodNet(Schedule C of the Specified Projects National Partnership) (National Partnership Agreement on Specified Projects - Schedule C)	0.145	0.147	0.150	0.152	0.155	0.157	30/06/2020	Agreement 2020-21 to 2023-24 currently pending execution
Project Agreement for the Expansion of the BreastScreen Australia Program (70-74 yr olds) - 2017-2021	0.245	0.248	0.252	-	-	-	30/06/2021	
National Bowel Cancer Screening Program - participant follow-up function (National Partnership Agreement on Specified Projects - Schedule D)	0.176	0.191	0.195	0.195	-	-	30/06/2022	
NPA on Public Dental Services for Adults	0.966	0.966	0.966	-	-	-	30/06/2021	
PA for encouraging more clinical trials in Australia	0.153	0.153	0.153	-	-	-	30/06/2021	
Specialist Dementia Care Program	-	0.185	0.260	0.264	0.268	-	30/06/2023	
PA for Comprehensive Palliative Care in Aged Care	-	0.167	0.176	0.185	0.194	0.203	30/06/2024	
PA for Lymphoedema Compression Garment Scheme	-	0.034	0.034	0.034	0.034	0.034	30/06/2024	
NPA on Electronic Recording and Reporting of Controlled Drugs (ERRCD) - now known as Real Time Prescription Monitoring (RTPM)							30/06/2022	The ACT will not receive Commonwealth funding under this agreement. Instead, the Commonwealth will directly fund the integration of the Territory and Commonwealth systems.
Total National Partnership Agreements / Project Agreements	2.244	2.676	2.781	1.434	1.261	0.440		
Commonwealth Own Purpose Expense (COPEs) (\$m)	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	Expiry	Notes
Aged Care Assessment Program	1.486	1.507	1.530	1.550	-	-	30/06/2022	
Commonwealth Home Support Program (CHSP)	0.933	0.933	0.980	0.990	-	-	30/06/2022	
Transition Care	3.403	3.250					Ongoing	Per diem payment based on occupancy
Total COPEs	5.822	5.690						
Project Agreement for the Community Health and Hospitals Program Australian Capital Territory's Initiatives 2018-19								
Youth Mental Health and Suicide Prevention	0.784							Signed 7 June 2019 - \$0.784 m
Project Agreement for the Community Health & Hospitals Program Australian Capital Territory Initiatives								
Youth Mental Health and Suicide Prevention		2.250	1.460	1.480	-	-	30/06/2022	Signed 10 June 2020 - \$22.99 m
Alcohol & Other Residential Rehab Expansion & Modernisation	-	-	-	-	2.300	2.000	30/06/2024	
Community based residential eating disorder treatment centre	-	-	-	5.000	6.500	2.000	30/06/2024	
Once Only Projects								
Heads of Agreement for new NHRA (signed 27 April 2018) - Sign on Bonus \$8.0 m								
PA on Expansion of Clare Holland House	4.000	-	-	-	-	-	30/06/2022	Once only payment, ends on project completion
Medical Research Futures Fund	4.000	-	-	-	-	-	-	Payment to University of Canberra (Not through ACTHD)
Schedule Health - Community Health and Hospitals Program - ACT, National Partnership for Streamlined Agreements								
Expansion of the Intensive Care Unit at The Canberra Hospital	-	-	13.500	-	-	-	30/06/2021	Signed 27 August 2020 - \$29.0 m
Canberra mental health initiatives	-	-	10.000	-	-	-	or until	
Winnunga Nimmyjah - Facility Upgrade	-	-	4.500	-	-	-	project	
Hospital discharge liaison pilot program	-	-	1.000	-	-	-	completion	
Pending - once only payment								
ACT Population share of \$50 m Health Innovation Fund	-	-	0.800	-	-	-	-	Project Agreement is expected later this year.

ACT-NSW Cross Border Arrangement Negotiations

Summary

- The ACT Health Directorate (ACTHD) is currently in negotiations with the NSW Ministry of Health (MOH) to finalise a new 2020-25 ACT-NSW Cross Border Health agreement (2020 Cross-Border Agreement). This agreement focuses on the development of a regional partnership to improve health services and health outcomes.

Key issues/Current status

- Following the expiry of the 2015-16 cross border health funding agreement, ACT and NSW have been unable to negotiate new funding parameters, despite multiple negotiation attempts.
- In 2019, the NSW Minister for Health and Medical Research and the ACT Minister for Health requested that a senior-officials working Group (SOWG) be established to develop the new 2020 Cross-Border Agreement. The 2020 Cross-Border Agreement is expected to enhance the strategic and collaborative partnership between the ACTHD and the MOH and redefine funding arrangements between the two jurisdictions.
- This directive was also consistent with the current ACT-NSW Memorandum of Understanding (MoU) for Regional Collaboration which commits the ACTHD and MOH to negotiating and agreeing a new Cross Border Agreement.
- Through ongoing negotiations, ACT and MOH officials have drafted the 2020 Cross-Border Agreement that focuses the development of a regional health partnership to improve health services and health outcomes and includes new cross border health service funding parameters. The new draft agreement is structured around four shared priority goals and includes specific actions to be completed over a one to five-year implementation schedule. The priority focus areas include:
 - Coordinated Governance Arrangements;
 - Enhanced Data and Information Sharing;
 - Joint Regional Planning and Redesign; and
 - Regional Health Purchasing.
- ACTHD and MOH officials have sought to define the principles, priorities and partnership arrangements that will support an integrated, patient-centred health care system for the greater Canberra region. As such, the draft 2020 Cross-Border Agreement seeks to detail specific reforms and system improvements that will help to deliver a borderless health care system between the ACT and Southern NSW Local Health District (SNSWLHD) into the future.
- The draft 2020 Cross-Border Agreement will also acknowledge there are several highly specialised services, such as paediatrics specialties and extensive burn services, which

cannot be delivered in the ACT, due to population size, and will be delivered and purchased through NSW.

Options for consideration

- With general consensus for all actions listed under the priority focus schedules and uncapped payments for non-elective activity, the elements remaining for negotiation are the funding parameters that will apply for the term of the 2020 Cross-Border Agreement. The current ACT and NSW position for each item remaining for negotiation is as follows:

Price

- It is MOH preference for the National Efficient Price (NEP) to be used as the basis for funding in the agreement, while the ACT proposes that the service price be set at a negotiated average cost per National Weighted Activity Units (NWAU).
- The ACT position is that neither jurisdiction should incur a financial penalty for providing services to each other's residents and this would occur if the NEP is used.

Cap on elective activity

- A two percent cap on activity growth (across all activity) has applied to every ACT/NSW Cross Border Agreement since 2012. The application of an activity cap has historically been applied by NSW to encourage greater efficiencies in ACT health service delivery and the flow reversal of NSW patients seeking care in the ACT.
- Both jurisdictions support a cap with fair and reasonable growth. The ACT is proposing that in years one and two the ACT and NSW undertake research regarding cross border service usage patterns. This research would be used to develop initiatives to support NSW residents, where possible to receive care close to home. The research, subsequent initiatives and projected reverse flow impacts would inform the development a reasonable and evidence informed activity cap for elective services in year three or four.

Regional Purchasing

- Under this arrangement the NSW Government would commission the ACT Health system and SNSWLHD, to deliver an agreed volume of elective surgery. The ACT will need to implement Activity Based Funding (ABF) to effectively engage in a regional purchasing model with NSW. ABF is approximately 3-5 years from implementation.

Capital contributions

- The IHPA national pricing model, which underpins current ACT-NSW funding arrangements, excludes consideration of depreciation and capital costs in the determination of the NEP. As such, the NHRA allows jurisdictions to determine arrangements for these costs on a bilateral basis.
- The ACT position is that this agreement should contain an annual contribution to the ACT's capital depreciation while NSW's preference is that it will consider possible future jointly funded capital projects.

Decision points/timeframes

- The next SOWG meeting is scheduled for 2 November 2020. The focus of this meeting is planned to be the negotiation of the outstanding funding parameters.
- You will be briefed prior to the meeting to ensure the position is consistent with the Government expectations.
- Once the parameters are defined and the draft agreement is finalised, it will be submitted for Ministerial and Government endorsement. Subject to Government endorsement, the final 2020 Cross-Border Agreement is expected to be signed in January 2021.

Financial implications

- The ACT-NSW Cross Border agreement is proposed to define the funding parameters for approximately \$120 million worth of NSW and ACT activity per annum. Whilst the new uncapped funding for all non-elective activity has been a positive financial outcome for the ACT and will reduce some of the NSW funding deficit; there are still issues with the following funding parameters:
 - NSW paying for all activity at the NEP, which is lower than the ACT state price; and
 - the introduction of an activity cap without evidence informed initiatives to reverse NSW activity and support NSW residents, where possible, to receive care close to home.

Background

- NSW patients account for approximately 24 per cent of activity in the ACT'S public hospital system (as measured in NWAU - latest reconciled figures for 2018-19). This is a significant proportion of ACT hospital activity and is consistent with the Territory's role as the principal referral hospital network for the Southern NSW region.
- The ACT-NSW dynamic can be classified as one of mutual dependence. The southern NSW region is reliant upon the Canberra Hospital as the principal tertiary referral centre for the region. Each year, NSW patients account for approximately two thirds of ACT acute unplanned admissions; a third of elective admissions and a third of the elective surgery waitlist. However, the high influx of NSW patients each year significantly impacts upon the demand for hospital services and the ability of the ACT public health system to deliver timely, accessible, and high-quality patient-centred services.
- The ACT is also reliant upon NSW patient flows to ensure the viability of its specialist services and high acuity tertiary services, including neurosurgery, cardiology, and cancer services. These specialties are highly dependent on NSW patients to generate the scale necessary to operate efficiently, attract the specialist workforce required, and operate in accordance with clinical governance frameworks.
- NSW cross border payments are a significant revenue source for the ACT LHN.

Responsible Portfolio

- ACT Health Directorate

Current Planning Processes

Summary

- ACTHD and CHS are working on many projects that have the potential to reform and redesign the health system building on comprehensive planning work and the learnings from service changes delivered during the COVID-19 pandemic.

Recovery and Reform Agenda (CHS service delivery)

- During the COVID-19 pandemic, CHS made changes to service delivery models and operations as part of planning the response to COVID-19. This included switching to new models of service delivery such as telehealth and virtual teams.
- Deloitte was engaged by CHS to undertake a review of changes in activity and service delivery and consulted with key senior executives, clinicians, and consumer representatives.
- Deloitte developed a Recovery and Reform Roadmap which leverages the positive changes made across the organisation through the COVID-19 planning and considers any innovative service models that have occurred nationally and internationally.
- Recovery and Reform is being supported by a program management team at CHS that drive the program of reform work, including monitoring and reporting.
- In developing and overseeing the implementation of the Recovery and Reform Roadmap, the CHS Reform Team will review and provide recommendations for programs and innovations that deliver initiatives under the quadruple aim framework of improving the patient experience, providing better health outcomes, improving the staff experience and improving efficiency.
- To provide accountability for the successful delivery of the reform program, a CHS Reform Taskforce will be established. The Taskforce will have the dual role of being both a decision-making committee in regard to the reform program, and will also serve as an advisory committee, reporting to the Minister for Health and the Minister for Mental Health on recovery and reform implementation progress.

Territory-Wide Service Planning

- ACT Health Directorate (ACTHD) is working on a Territory-wide Health Service Plan. The Territory-wide Health Service Plan is proposed to identify priorities for development and redesign of public health services across the ACT over the next 5 to 10 years.
- A number of other service planning processes that cascade from and align with the Territory-wide Health Service Plan are being developed concurrently. These are the Mental Health Service Plan, Child and Adolescent Clinical Services Plan and Canberra Health Services (CHS) Clinical Services Plan.
- In alignment with the Territory-wide Health Service Plan, ACTHD is also progressing a range of significant health infrastructure projects, including the Northside Hospital Options Analysis and the Canberra Hospital Campus Master Plan (the Master Plan). A diagram of how these various planning activities fit together is at Attachment A.

- A clinical services plan is proposed to be developed for CHS and public health services in the north of Canberra, cascading from and aligned with the Territory-wide Health Service Plan.
- ACTHD will brief you on the early drafts on these plans and seek advice to ensure they align with your priorities and expectations.

Key issues/Current status

- The Territory-wide Health Service Plan will be based on a comprehensive assessment of health service needs across the care continuum on a geographic basis and for priority population groups. It will consider the range of public health services provided by CHS, Calvary Public Hospital Bruce (CPHB), other organisations in the community as well as public hospital services that ACT residents access interstate.
- Emerging themes from planning to date are:

Transitions of Care

- Improving transitions between hospital and community including non-government organisations (NGOs), NDIS and aged care services, between paediatric and adult services, between specialist and primary care, between ACT and NSW, between different services for patients with complex comorbidities, care closer to home through maximising use of community health facilities and ongoing Hospital in the Home (HITH) expansion, care navigation and care coordination.

Our role as a local, Territory and regional service provider

- Defining our commitments to provision of services to surrounding NSW communities and ensuring these arrangements are safe and sustainable, strengthening clinical networks for Territory-wide and regional services, increasing capacity of northside hospital services to meet the growing needs of their catchment and increased capability for selected services, reversing flows to NSW in key general medical and surgical services, improving access to services locally through increased capacity and capability in specialist medical, surgical and paediatric services and strengthening interstate shared care arrangements, establishing research, education and training priorities to build for the future, defining our role in justice health.

Strengthening Core Services

- Building Genetic and Genomic Medicine into a core clinical service, increasing capacity for pharmacy services in hospital and community, improving access to services provided by the allied health workforce in hospital and the community, increasing capability of clinical support services at University of Canberra Hospital (UCH), redevelopment of pathology infrastructure and technology, workforce substitution models for services currently provided by medical specialists that could be covered by allied health.

Addressing key areas of service demand and reform

- Implementing health services reforms from First 1000 days strategy, managing capacity for surgical and Intensive Care Unit (ICU) services prior to Canberra Hospital Expansion commissioning, managing capacity for medical services as an interim measure and accommodating future growth for medical, surgical, emergency department (ED) and other services through increased self-sufficiency of hospital services northside.
- Following completion of the Territory-wide Health Service Plan, a program of work will be established for development of clinical service plans for specific services and population groups where further detail is required to inform development or redesign of services.

CHS Clinical Services Plan

- The CHS Clinical Services Plan will be aligned with the Territory wide Health Service Plan to ensure that CHS specific priorities are reflective of an integrated approach to service development and reform across the Territory. The draft Clinical Services Plan provides an overview of the context and journey to date, population burden of disease, historical activity analysis, key service directions, priorities and strategies.
- CHS will conduct consultation on the draft Clinical Services Plan with CHS team members, consumers and service partners once the ninth assembly commences. It is intended that these consultations will be undertaken as a joint consultation round for the CHS Clinical Services Plan and the Territory-wide Health Service Plan.
- Once the final CHS Clinical Services Plan is endorsed by government, content particularly the service priorities, may inform future budget processes.

Mental Health Services Plan

- A Mental Health Services Plan is currently under development and will establish the medium to long term directions for public mental health services in the ACT. Emerging priorities identified through consultation and data analysis have been used to advise Government to inform decision making in response to current service demand issues, for example about investment in surge Mental Health bed capacity at Calvary Public Hospital Bruce (CPHB) as an interim demand management strategy.
- The Mental Health Services Plan will assist in identifying how priorities for mental health service development in the Territory-wide Health Service Plan and the ACT Regional Mental Health and Suicide Prevention Plan could be implemented for publicly funded or provided services.
- You will be briefed on an early draft of the plan to ensure it reflects your priorities.
- Consultation sessions have been undertaken with stakeholders from CHS, CPHB, mental health NGOs funded by the ACTHD and consumer and carer peak groups. Progress was on hold from March 2020 due to a focus on COVID-19 activities. Further consultation activities are planned for the end of the year.

Decision points/timeframes

- Subject to Government direction, it is expected that the Territory-wide Health Service Plan will be finalised for consideration and approval in early 2021.
- Consultation and engagement on the Canberra Hospital Master Plan is planned will commence with clinicians toward the end of 2020, and the community in January – February 2021.
- A final Infrastructure Master Plan recommendation will be made to Government for decision in April 2021 (assuming no COVID-19 surge).
- The Mental Health Services Plan and Child and Adolescent Clinical Services Plan are expected to be completed by early 2021.
- It is envisaged that CHS Recovery and Reform Agenda is a three-year program.

Financial implications

- There are no financial implications related directly to the plans currently being completed, however it is anticipated that the Territory-wide Health Service Plan will form the basis for a series of investment recommendations related to addressing increased demand for services as well as new initiatives to improve access and enhance service delivery to support implementation of the Territory-wide Health Service Plan.
- The development of the Infrastructure Master Plan is being delivered within ACTHD's existing budget.
- Once Master Plan options have been finalised an implementation plan and funding profile will be produced.

Background

Territory-wide Health Service Plan

- Between November 2019 and March 2020, approximately 80 consultation sessions were undertaken with stakeholders from CHS, CPHB, NGOs funded by ACTHD and aged care providers in the ACT.
- Whilst further consultation and engagement with consumers and carers, the community and health service providers during the March - June 2020 period was put on hold due to COVID-19 response activities, a revised work program has now been developed for further engagement activities in late 2020. Planning for further engagement activities will be progressed in consultation with the Health Care Consumers' Association and the NGO Leadership Group.
- The Territory-wide Health Service Plan is scheduled to be completed by late 2020 for Government consideration with a view to releasing in early 2021.

CHS Clinical Services Plan

- In August 2020, CHS contracted Deloitte to develop a draft Clinical Services Plan. This activity builds on initial work undertaken by the previous consultant, JohnStaff contracted by ACTHD in early 2020 and work undertaken to date on the TWHSP.
- The Clinical Services Plan aligns with our vision of creating exceptional health care and will complement our CHS Strategic Plan 2020-2023 and COVID-19 Recovery and Reform agenda.
- Once finalised and endorsed, there will be a public facing CHS Clinical Services Plan supported by a background technical document.
- The draft Clinical Services Plan provides an overview of the context and journey to date, population burden of disease, historical activity analysis, key service directions, priorities and strategies.
- The Clinical Services Plan is being developed concurrently to inform development of a Master Plan for Canberra Hospital campus.

Infrastructure Master Plan

- The Master Plan is intended to serve as a comprehensive planning framework and help guide future campus infrastructure investment decisions.
- The Master Plan will consider all the current investment underway on the campus and will provide an analysis of how the campus will function over the next 20 years.

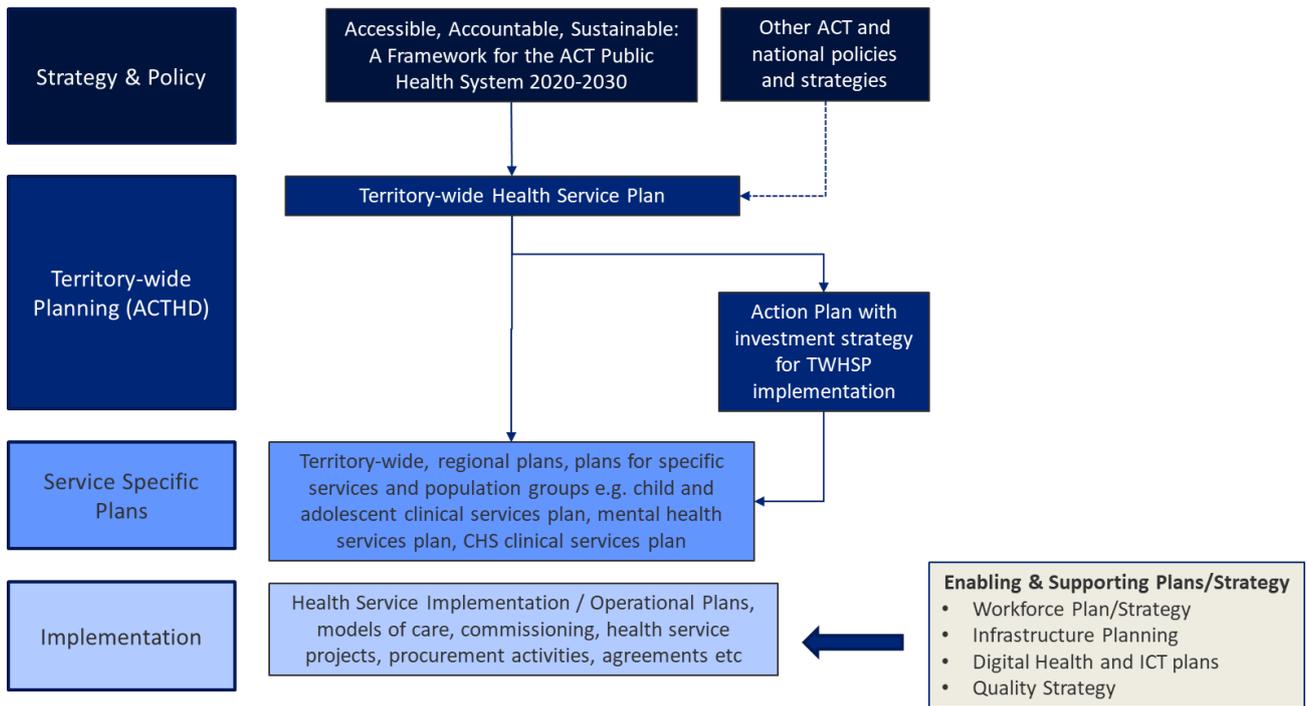
Mental Health Services Plan and infrastructure planning

- The Mental Health Services Plan will include:
 - Mapping of CHS, CPHB and community based mental health services including patient journey, business processes, patient flow and workforce;
 - Analysis of service activity and demand to understand needs and service pressures related to particular patient cohorts and groups (e.g. youth, adult, elderly, vulnerable groups);
 - Recommended areas for medium to longer term investment in mental health services across the ACT, consistent with the Territory-wide Health Service Plan; and
 - Strategies and actions to improve the integration and alignment of NGO funded services and public mental health services provided by CHS and CPHB including joint care planning, coordinated access to rehabilitation and recovery programs and alignment of admission criteria and processes for subacute and supported accommodation services with needs identified by mental health inpatient units and community teams.
- Immediate and critical mental health demands are identified in a business case prepared for the 2020-21 budget process. The key components of the business case include:

- 10 additional inpatient acute adult beds at the Canberra Hospital through an interim solution on ward 12B (Building 3);
 - feasibility studies on a permanent solution for increasing mental health acute inpatient bed base by 12 beds;
 - feasibility and initial planning towards establishment of a 12 bed clinically led subacute mental health service; and
 - recurrent funding for a Territory wide flow coordinator and investment in intensive case management/care coordination capacity by employing 5FTE clinicians, with a particular focus on the cohort of patients who are frequently presenting to Canberra Hospital and CPHB emergency departments.
- Immediate and critical mental health demands are being addressed at the operational level through:
 - Utilisation of 5 beds in Calvary Public Hospital older person's mental health unit as adult acute surge capacity beds; and
 - Trial of 5 mental health rehabilitation beds at UCH as adult subacute beds.
 - The Canberra Hospital Expansion Project due for completion in 2024, will include an additional 4 short stay mental health beds, taking the total to 10.
 - The redevelopment of the Centenary Hospital for Women and Children, due for completion in March 2021, will include 6 adolescent mental health beds and day services.

Responsible Portfolios

- ACT Health Directorate and Canberra Health Services



Elective Surgery Wait Times

Summary

- Elective surgery performance is measured by the percentage of patients admitted for surgery within clinically recommended timeframes (admitted for surgery on time) and the number of patients waiting longer than clinical recommended timeframes for their procedure (overdue).
- At the end of 2019-20 the percentage of patients admitted for surgery on time were:
 - Category 1 – 97 per cent (target was 100 per cent);
 - Category 2 – 64 per cent (target was 80 per cent); and
 - Category 3 – 76 per cent (target was 93 per cent).

The number of overdue patients ready for care at the end of 2019-20 was 1,317, compared to the annual target of 430.

- The delivery of elective surgery was significantly interrupted by the suspension of non-essential elective surgeries from 25 March 2020 to 15 May 2020 due to the COVID-19 pandemic response. The volume of elective surgeries delivered for category 2 and 3 patients decreased significantly compared to 2018-19. This contributed to an increase in wait times for these patients.
- The April to June 2020 Quarterly Performance Report shows the percentage of category 2 patients admitted on time reduced by 13 percentage points in the fourth quarter from the previous quarter, and the median wait times for category 2 patients increased by 34 per cent.
- The full impact of suspension of non-essential elective surgeries on Category 2 and 3 patients will become clearer in the coming months.

Key issues/Current status

- The ACT was on track to deliver a record 14,250 elective surgeries for public patients in 2019-20 prior to the COVID-19 restrictions coming into effect.
- The percentage of patients admitted on time for each urgency category and the number of people overdue for surgery were below target before the onset of the COVID-19 pandemic and have remained so since.
- Timeliness for category 1 patients has been maintained throughout the pandemic but have declined for category 2 patients. It is likely the percentage of category 3 patients admitted on time will decline in coming months. This is because the elective surgery timeliness is only recorded at the time the patient receive their surgery.

- A \$30 million injection into the public health system was announced during the ninth assembly to reboot services impacted by the COVID-19 shutdown and respond to the COVID-19 pandemic. A key focus of the recovery element is a plan to tackle the surgery backlog, which aims to provide up to 2,000 extra elective surgeries and 600 extra endoscopies this financial year. Further information on the Reboot project is provided in COVID-19 section of this brief.
- Attracting and retaining surgical and anaesthetic workforce remains a challenge in the ACT health system. A strategy is being developed and managed to ensure clinical workforce is available for the elective surgery recovery initiative. Further consideration is needed to develop a long term workforce solution.
- Calvary Public Hospital Bruce (CPHB) contributes to the delivery of the number of elective surgeries performed each year as agreed through the Calvary Performance Agreement. The Calvary Performance Agreement also outlines key performance indicators which support the Territory-wide accountability indicators. The latest update to the Calvary Performance Agreement outlining the elective surgery Key Performance Indicators (KPIs) and funding for CPHB in 2020-21 is currently under negotiation.
- Your commitment to delivering a record 70,000 elective surgeries over the coming four years will need to take into consideration these challenges but will also impact waiting times for Canberrans requiring emergency surgery.
- Elective surgery wait times remain an area of key focus for improvement. Performance is monitored through Quarterly Performance Reports published on the ACT Health website and biannual elective surgery reports from the Minister for Health to the Human Services and Social Inclusion Subcommittee of Cabinet.

Decision points/timeframes

- The strategic and accountability indicators, including the targeted volume of elective surgeries to be delivered are currently being reviewed and will need to be decided for the 2020-21 and 2021-22 budgets.
- A business case will be prepared seeking funding to support the growth in demand for elective surgery services through the 2021-22 Budget process.

Financial implications

- Funding for elective surgery is included in the base funding for CPHB and Canberra Health Services (CHS), including for the delivery of public elective surgeries through private providers. Base funding adjustments relating to changes in elective surgery targets are agreed through the annual budget cycle. Base funding is provided from the ACT Local Hospital Network accounts managed by ACT Health Directorate (ACTHD) to CPHB and CHS through fortnightly drawdowns.
- The ACT Government has committed more than \$90 million in additional funding since the 2016-17 Budget to provide high quality care and access to surgical services in the ACT. This excludes the recently committed \$30 million. Recent investments include:
 - the commissioning of two new theatres at CPHB – both of which are now open.

- expanded urology services and staffing, to meet the growing demand for urology surgery in the ACT.
- You will be briefed further on theatre utilisation and ambulatory urology services.
- In addition, the Canberra Hospital Expansion will provide state-of-the-art operating theatres and critical care facilities to meet the demand for surgical services in the ACT.

Background

- The provision of publicly funded elective surgery in the ACT is split across several providers:
 - Public hospitals:
 - Canberra Hospital (managed by CHS) (delivered around 5,800 elective surgeries in 2019-20)
 - CPHB (delivered around 5,600 surgeries in 2019-20)
 - Private hospitals delivering public elective surgeries (delivered around 1,400 elective surgeries 2019-20):
 - Elective Joint Replacement Program (EJRP)
 - Calvary John James Hospital
 - Elective Surgery Wait List Reduction Panel (also known as Panel of Private Providers (PPP))
 - Calvary Bruce Private Hospital
 - Canberra Microsurgery
 - Canberra Private Hospital
 - Calvary John James Hospital
 - Barton Private Hospital
 - National Capital Private Hospital
- Patients are placed on a waiting list and assigned by their treating clinician to a clinical priority urgency category, depending on the seriousness of their condition:
 - Category 1 = Urgent; admission within 30 days is desirable for a condition that has the potential to deteriorate quickly to the point that it may become an emergency.
 - Category 2 = Semi-urgent; admission within 90 days is desirable for a condition causing some pain, dysfunction or disability which is not likely to deteriorate quickly or become an emergency.
 - Category 3 = Non-urgent; admission within 365 days is desirable for a condition causing minimal or no pain, dysfunction or disability which is not likely to deteriorate quickly, and which does not have the potential to become an emergency.

- Table 1 shows the strategic and accountability indicators relating to elective surgery and annual results.

Table 1: Elective surgery strategic and accountability indicators

Strategic Objective	Strategic Indicator	2019-20 Target	2018-19 Target	2019-20 Result	2018-19 Result	2017-18 Result
Reducing the Waiting List for Elective Surgery	The number of patients waiting longer than clinically recommended timeframes for elective surgery	430	430	1,317	635	399
Performing more Elective Surgery	Number of elective surgeries performed	14,250	14,000	12,870	14,015	13,340
Output Class	Accountability Indicator	2019-20 Target	2018-19 Target	2019-20 Result	2018-19 Result	2017-18 Result
Improved Hospital Services	Percentage of Category 1 patients admitted for elective surgery within clinically recommended timeframes	100%	100%	97%	96%	91%
	Percentage of Category 2 admitted for elective surgery within clinically recommended timeframes	80%	78%	64%	75%	78%
	Percentage of Category 3 patients admitted for elective surgery within clinically recommended timeframes	93%	91%	76%	78%	91%

Responsible Portfolios

- ACTHD is responsible for the elective surgery strategic and accountability indicators outlined in Table 1. ACTHD is also responsible for the negotiation and monitoring of elective surgery services delivered by CPHB.
- CHS is responsible for elective surgery services delivered by Canberra Hospital. Publicly funded elective surgeries are managed through a central waiting list which is administered by the Territory Wide Surgical Services (TWSS) team at CHS. TWSS assigns patients on the waitlist to the various providers including Calvary.
- ACTHD has been responsible for the service delivery contracts with the EJRP and PPP. Once the contracts are signed, TWSS maintains the operational management of the contracts, including negotiating the price and delivery of all work orders.
- Monitoring of elective surgery delivery and performance is overseen by the Territory Wide Surgical Management Committee. The chairing of this committee is rotated between ACTHD and CHS.

- CHS is responsible for the delivery of 'Operation Reboot', including the elective surgery component. ACTHD supports the delivery of this project by managing the funding arrangements and negotiating the delivery of services through CPHB.

Emergency Department Wait Times

Summary

- Territory-wide emergency department performance is measured under Strategic Objective 3: *Improving Timeliness of Emergency Department Treatment*.
- This indicator, also known as the ‘four-hour rule’, measures the proportion of emergency department presentations whose total time in the emergency department is four hours or less.
- In 2019-20, the target for Strategic Objective 3 was 90 per cent and the actual result was 58 per cent.
- Emergency department timeliness performance is also measured by the proportion of patients who are seen on time, which has remained below national standards for several years for triage Categories 3 and 4, and overall.
- Emergency department performance improved in the second half of 2019-20, noting the number of presentations to emergency departments decreased in 2019-20 compared to the previous year due to the COVID-19 pandemic.
- The ACT Government has made several recent capital and resourcing investments to improve emergency department performance, outlined under the ‘Financial Implications’ section below.

Key issues

- From 2006-07 to 2018-19, the proportion of patients across all triage categories seen on time in ACT emergency departments remained between 50 to 60 per cent.
 - Timeliness for patients in triage Categories 1, 2 and 5 often met or exceeded national standards.
 - Timeliness for patients in triage Categories 3 and 4 was significantly below national standards. Patients in triage Categories 3 and 4 account for most presentations so poor timeliness results for these patients has resulted in persistent low performance overall.
- Several factors contribute to emergency department timeliness performance, including:
 - growth in emergency department presentations;
 - increased hospital admissions; and
 - an increase in the complexity of patients who present to ACT emergency departments.
- These factors can impact the timeliness for lower urgency triage Categories the most, particularly triage Categories 3 and 4.

- From 2009-10 to 2018-19 the number of presentations to the Territory's emergency departments increased by around an average of 4 per cent every year, with growth in some years reaching as high as 6 per cent.
- During 2019-20, there were 141,021 presentations across ACT emergency departments. This is a reduction in presentations by around 6 per cent from the previous year. Although there was an overall reduction in presentations in 2019-20, there were significant increases in the number of the most urgent triage Category 1 and 2 presentations. In 2019-20, triage Category 1 presentations increased by 25 per cent and triage Category 2 patients increased by 6 per cent.
- Growth in the most urgent presentations can result in longer wait times for less urgent presentations, including triage Categories 3 and 4 which account for most emergency department presentations.
- The April to June 2020 Quarterly Performance Report shows emergency department performance improved in the last quarter of 2019-20, which coincided with a reduction in presentations in that quarter due to the COVID-19 pandemic. Notable improvements in that quarter were the proportion of triage Category 3 patients seen on time which increased from 31 per cent in the previous quarter to 57 per cent. Triage Category 4 patients also improved significantly, increasing from 48 per cent to 77 per cent. It should be noted that whilst presentations decreased, more complex screening processes were implemented for COVID-19.

Financial implications

- Recent investments to improve access to emergency department services in the ACT include:
 - the 2019-20 ACT Budget allocated \$47 million over four years to the Canberra Hospital providing for 12 beds to meet demand for acute inpatient services, building on the additional 68 beds funded in the 2018-19 ACT Budget;
 - the 2019-20 ACT Budget provided funding for an additional two Senior Staff specialists for the Canberra Hospital's emergency department, building on funding in the 2018-19 ACT Budget to add 14 frontline staff;
 - \$6.7 million to redevelop and expand the emergency department at Calvary Public Hospital Bruce (CPHB), with eight new short stay beds delivered in late 2019, and 14 treatment spaces delivered in early 2020;
 - \$22 million over four years from 2019-20 to add more staff to the emergency department at CPHB to support the emergency department expansion;
 - refurbishment of the Dickson Community Health Care Centre as the ACT's fifth Walk-in Centre, which opened in August 2020, providing patients an alternative to presenting at an emergency department;

- establishment of the Police, Ambulance and Clinician Emergency Response (PACER) service, providing an integrated service model bringing together police, paramedics and mental health clinicians to support the assessment and treatment of people experiencing acute mental health episodes, in the community; and
- \$720,000 to expand the Access Mental Health and Home Assessment and Acute Response Team (HAART) which provides intensive mental health support for people in their homes to help avoid an acute admission or emergency department presentation.

Background

- Emergency department services in the ACT are provided by Canberra Health Services (CHS), at the Canberra Hospital, and CPHB.
- Patients presenting to emergency departments are triaged based on their clinical urgency into one of five urgency categories:
 - Category one (seen immediately);
 - Category two (emergency – seen within 10 minutes);
 - Category three (urgent – seen within 30 minutes);
 - Category four (semi urgent – seen within 60 minutes); and
 - Category five (non-urgent – seen within 120 minutes).
- The scale is used to establish the maximum waiting time for medical assessment and treatment of patients.

Responsible Portfolios

- The ACT Health Directorate (ACTHD) is responsible for Strategic Objective 3: *Improving Timeliness of Emergency Department Treatment*. ACTHD is also responsible for monitoring the delivery and performance of emergency department services delivered by CPHB, managed through the Calvary Performance Agreement.
- CHS is responsible for the delivery and performance of emergency department services delivered by the Canberra Hospital.

Paediatrics

Summary

- The Paediatric Department within Canberra Health Services (CHS) is not a tertiary paediatric service and relies upon the Sydney Children's Hospital Network (SCHN) to provide a range of subspecialist paediatric services.
- COVID-19 has affected the ability of visiting medical specialists to travel from Sydney. In addition, recent retirements and resignation of senior paediatric staff at CHS have impacted on wait times.
- The Paediatric Department continues to experience growth in demand for specialist outpatient services. A paediatric clinical services plan is currently under development as part of the CHS clinical services planning process.

Key issues/Current status

- Recruitment of the Clinical Director Paediatrics was paused early in 2020 due to the COVID-19 response. The Division of Women, Youth and Children are currently in the process of recruiting to this role permanently.
- The Division of Women, Youth and Children have recently appointed a Staff Specialist in General Paediatrics.
- Subspecialist services provided by SCHN include visiting Paediatric Cardiology services, visiting Paediatric Ophthalmology services and visiting Paediatric Neurology services.
- The Division of Women, Youth and Children is currently in discussion with Sydney Children's Hospital Network to establish a Memorandum of Understanding regarding all sub-specialty services required through the SCHN, with Neurology being the first subspeciality for consideration.

Background

- The population of the ACT and immediate surrounds is too small to provide the number of patients required to safely establish some sub-speciality services within the ACT.
- In disciplines where the ACT sees patient volumes that are too small, it is safer for patients to be referred to specialist centres interstate where specialists have the necessary skills and experience to treat these patients safely.
- Canberra Health Services continues to work on improving paediatric services in the ACT to ensure better health outcomes for children. A clinical services plan is being developed to provide direction to future development of clinical services for children and adolescents in the ACT.
- The plan will assist in identifying opportunities to safely and sustainably develop local services to provide care closer to home and to improve arrangements for support services and care coordination for children who will need to travel interstate for treatment.

Responsible Portfolio and Function

- Canberra Health Services, Division of Women Youth and Children.

Underpayment of Junior Medical Officers (JMOs)

Summary

- There is an issue with the overtime payments that have been made to Junior Medical Officers (JMO). This issue was raised initially by a JMO through a report she provided to Canberra Health Services (CHS) and now a firm of solicitors representing 63 JMO's has written with a set of claims.

Key issues/Current status

- Initially concerns were raised by a Junior Medical Officer who canvassed a range of remuneration issues, with her colleagues, and based on the issues identified concluded that there may be systemic issues with the way the JMO staff are being paid.
- A report was provided to CHS containing several recommendations and CHS is currently evaluating those recommendations and will provide a response to the JMO concerned.
- The nature of the concerns that have been raised about the payroll system relate to a lack of consistency on how pay entitlements are processed by Shared Services Payroll, concern that there is not enough information on payslips to enable JMOs to understand if they have been paid correctly and how the JMO views that the situation can be rectified.
- CHS has acknowledged that these issues may be impacting some JMO's.
- The current payroll system is being phased out and its replacement (Whole of Government HRIMS) is being implemented following extensive consultation across Directorates to ensure issues are addressed, such as interfaces with other systems and the ability to produce simple, easy to read payslips.
- Further representation was expected to be received from the AMA who represent the interests of the JMOs with details of those who believe they have been impacted. Instead a letter was received from Hall-Payne Lawyers who are now representing 63 JMO staff who believe they have been paid incorrectly.
- The matter is currently being evaluated and CHS has sought the assistance of the ACT Government Solicitors office to help in responding to the matters raised and provide advice to CHS.
- This matter cannot be finalised until an audit is conducted to determine exactly what the issues are, the extent of any overpayments and/or underpayments and how the matters may be settled to all the party's satisfaction.

Decision points/timeframes

- Payroll and CHS have acknowledged there may be issues and are now working through the details together. Meetings are scheduled with Payroll, CHS People and Culture (P&C) and the Medical Officer Support Credentialing Employment and Training Unit (MOSCETU) to work on the most effective way to undertake a sample of cases initially to determine the extent of the issues and decide if a settlement offer should be made or if a full audit of JMO payments should be undertaken.

Financial implications

- The full extent of the financial implication cannot be made at this stage until an audit of representative samples of individual JMOs is undertaken and this can then be extrapolated across the number of JMOs involved.

Background

- A JMO has raised an issue that they believe mistakes may have been made in respect to the appropriate rate of pay while on overtime whilst working on public holidays through the provision of a report canvassing the pay outcomes of their colleagues. Payroll, P&C and MOSCETU are currently evaluating how a representative sample can be undertaken to determine the full extent of the issue. If a full audit were to be undertaken of all JMO payments this would be a time intensive and resource intensive exercise as the JMOs are paid off manual timesheets. It is not easy to shorten the amount of time that such an audit would require as it would need to be undertaken by staff who have a Payroll background and understand the nature of these payments and can read and interpret the timesheets accurately.

Responsible Portfolio and Function

- Canberra Health Services, People and Culture / and Shared Services

Digital Health Record

Summary

- The Digital Health Record is a single record to capture all clinical interactions between a person and ACT public health services.

Key issues/Current status

- On 3 July 2020 ACT Health signed a 10-year contract with the vendor Epic for the purchase of the digital health record system as well as support and maintenance of the system at a cost of \$114 million.
- Recruitment is currently underway to fill the team of approximately 120 staff who will be responsible for the configuration, testing and implementation of the Digital Health Record.
- The Digital Health Record is governed by a Program Board comprising the Director-General (DG) ACT Health, Chief Executive Officer (CEO), Canberra Health Services and ACT Regional CEO, Calvary Public Hospital Bruce, as well as other key clinical and consumer advisors including the Health Care Consumer' Association.
- Engagement of a firm to undertake a privacy impact assessment is currently underway. This will ensure risks associated with the management of the personal health information and any other sensitive information are appropriately managed.
- Procurement of several systems to support the Digital Health Record is underway. These include a hosting provider, blood bank provider, device integration provider and analyser integration provider.

Decision points/timeframes

- Configuration of the Digital Health Record will begin in early 2021 and will be operational in September 2022 across ACT public health services.

Financial implications

- The 2018-19 budget committed \$151 million (\$106 million capital and \$45 million recurrent) over eight years.
- \$7 million of funding was diverted to fund the notifiable diseases system, to ensure that the Territory can appropriately respond to COVID-19. An additional business case will likely be developed to enable the recovery of this funding to enable the team to fully deliver the Digital Health Record.

Background

- The Digital Health Record is a key priority in achieving the vision outlined in the *2019-29 ACT Digital Health Strategy*. You will be further briefed on the Strategy and seek advice to ensure it aligns with your priorities and expectations.
- The ACT's Digital Health Record will be purpose built to securely manage information in one place, ensuring that patient information stored in the system is safe and protected.

- The Digital Health Record will complement the national My Health Record, however, is a more detailed record than the My Health Record, which only holds a summary of key health information. The Digital Health Record will contain the detail of a patient's care, including which bed they are in, which theatre they are booked into, detailed observations and the time the patient's treatments and medications are required and administered.
- Clinical and administrative staff across ACT public health services as well as consumer organisations will be closely involved in the configuration and implementation of the Digital Health Record.

Responsible Portfolio

- ACT Health Directorate

Calvary 2020-21 Performance Agreement Negotiations

Summary

- The relationship between the ACT Government (the Territory) and Calvary Health Care ACT Ltd (Calvary), for the public hospital services delivered through Calvary Public Hospital Bruce (CPHB), is governed by the legal contract known as the Calvary Network Agreement (CNA), which came into effect in February 2012. ACT Health Directorate (ACTHD) manages the Calvary contract and relationship on behalf of the Territory.
- The Territory is required by the CNA to develop annual Performance Agreements (PA) with Calvary, for the public hospital services delivered through CPHB.
- The CNA does not cover the services delivered from Clare Holland House (CHH) Hospice. However, funding for these services is provided to Calvary under the annual Performance Agreement.
- ACTHD and Calvary recently reached agreement at officials' level for the 2020-21 PA and will now progress the agreement to execution by the parties. The activity targets in performance agreement are contingent on ACT Government support of a business case for growth funding in the 2020-21 Budget. The agreement provides for renegotiation of the activity targets should additional funding not be able to be supported by Government.

Key issues/Current status

- The CNA requires ACTHD and Calvary to enter into PA negotiations no less than three months prior to the commencement of each Financial Year. Negotiations for the 2020-21 PA commenced in April 2020 and the Calvary General Manager notified agreement by email on 13 October 2020.
- The main elements of the protracted negotiation have related primarily to activity targets associated with the funding available. Given the 2020-21 Budget has been postponed, consideration of a growth funding business case put forward by Calvary has been delayed.
- ACTHD has worked with Calvary to address these matters in the PA, with the intention of updating the PA to reflect any relevant Budget decisions made as part of the 2020-21 Budget appropriation.
- The Minister for Health is not a signatory on the PA, however ACTHD seeks decisions from the Minister (where required) given the financial implications for the total ACT Local Hospital Network (LHN).

Options for consideration

- The Calvary growth funding business case referred to above will outline options and/or implications associated with 2020-21 funding and activity, for consideration in the 2020-21 Budget.

Decision points/timeframes

- Calvary's growth funding business case will be progressed for consideration as part of the 2020-21 Budget process.

Financial implications

- The growth funding business case will detail the financial implications. The current funding model under the CNA commits the Territory to funding CPHB for an amount at no less than the maximum funding provided in the preceding year. This constrains the Territory regarding the location of services within the system, for example, if any of the elective surgery program at CPHB were to be relocated to other service providers.
- Calvary's 2019-20 PA included provision for \$227.4 million in recurrent funding, and an additional \$6.7 million in capital funding.

Background

- Calvary is a subsidiary entity of the Little Company of Mary Health Care (LCMHC), engaged by the Territory, through ACTHD, to deliver public hospital and health services through the Calvary-owned CPHB facility.
- The CNA is an ongoing agreement, continuing in force for as long as the crown lease remains in place or it is terminated by one of the parties.
- The CNA establishes Calvary as a service provider of the ACT LHN for the services provided through CPHB. Accordingly, the CNA also requires annual PAs be made between ACTHD and Calvary to set the service levels and performance information required through CPHB and agree to the associated funding.
- Calvary's funding for public health services at both CPHB and CHH is sourced from the ACT LHN.
- In 2018, the ACT Government and Calvary agreed that the then 6 year old contract should be reviewed and updated to be more contemporary. Work to review the CNA has been delayed due to competing priorities including the pandemic and has recommenced recently. Governance arrangements between ACTHD and Calvary continue to be improved and strengthened, with finance and performance reporting being the current focus. Copy of the CNA and a separate, more detailed, briefing can be provided at a later date.
- Distinct from CPHB, CHH is owned by the Territory, however also operated by Calvary with ACT Government funding. While the CNA explicitly refers only to the Public Hospital at the Bruce campus and so excludes occupancy and operation of CHH, funding for the services provided at CHH are also included in the annual Calvary PA.

Responsible Portfolio

- ACT Health Directorate

Ngunnawal Bush Healing Farm including Healing Framework

Summary

- The issues covered in this brief identify a number of areas raised over the last 12 months.

- The management and governance arrangements associated with the Ngunnawal Bush Healing Farm (NBHF) are in the early stages of establishment.
- The Directorate is working closely with community and representative groups to ensure expectations are aligned and issues are identified and resolved early.

Key issues/Current status

NBHF Program Delivery

- The NBHF provides a place of healing for Aboriginal and Torres Strait Islander peoples using a therapeutic community approach, traditional healing concepts, cultural programs and life skills training.
- NBHF program delivery was disrupted between December 2019 and July 2020 as a result of the Orroral Valley bushfires, heavy rainfall and COVID-19.
- The seventh NBHF program commenced on 10 August 2020 and was implemented over ten weeks to 15 October 2020. Nine individuals are participated in the program, which included active engagement with Ngunnawal and local community Elders. The program is the first to be delivered by the new NBHF team, whose recruitment was finalised in March 2020.
- A panel of seven providers has been established to deliver NBHF programs. The majority of panel providers are local Aboriginal and Torres Strait Islander enterprises, selected in line with the ACT Government's Aboriginal and Torres Strait Islander Procurement Policy. The panel is in place until June 2022.
- There has been a high rate of non-attendance for some NBHF clients during the current program and, at times, challenges with 'on the ground' staffing capacity. Both issues are being addressed, with some options to mitigate client absenteeism discussed recently with the NBHFAB. Client absenteeism will be further reviewed (causes and treatments) in the program evaluation. Work is in-train to establish a labour hire pool to provide essential back-up staffing when needed.

NBHF Review

- In October 2018, ACT Health Directorate (ACTHD) contracted a review of the service operations at NBHF including several elements, one of which is a review of governance arrangements.
- The review of governance arrangements is completed, with the final report received on 29 July 2019 with 12 recommendations.
- On 4 September 2020 the NBHFAB was provided with a status update against the recommendations with:
 - o Six recommendations progressing;
 - o Three on hold; and
 - o Three completed.

- The second element of the review is the review of programs. This element of the review has been paused pending the completion of a cultural Healing Framework.

Development of a NBHF Healing Framework

- The Healing Foundation was engaged to co-design a Healing Framework (Framework) to identify healing priorities of Ngunnawal Elders and the broader ACT Aboriginal and Torres Strait Islander community, and:
 - o balance therapeutic support with strengthening cultural identity and connection;
 - o embed principles to guide the practice of NBHF; and
 - o partner agencies in supporting healing for clients in line with the Living Web Framework.
- The Healing Framework will shape NBHF policies and inform the nature and design of NBHF program curriculum.
- The draft Framework was due for completion on 31 July 2020, however due to closure of the farm, owing to bushfires, heavy rainfall and COVID-19, the NBHFAB agreed to extend the delivery date in order to complete broader community consultation, upon the conclusion of Caretaker Conventions in early November.
- There are two key pieces of consultation, one held with NBHF operational staff 2 October 2020, and the second, still in the planning stages, to held with NBHFAB members, the United Ngunnawal Elders Council (UNEC) and the broader community through knowledge circles.
- The final product will be provided to the ACTHD at end of November and will be considered by the NBHFAB on 11 December 2020.

The Ngunnawal Bush Healing Farm Advisory Board (NBHFAB)

- The purpose of the NBHFAB is to provide guidance to ACTHD on matters related to NBHF programs, culture, operational procedures and the development and review of policies.
- Current representation on the NBHFAB includes UNEC, ACT Aboriginal and Torres Strait Islander Elected Body (ATSIEB) and ACTHD Senior Executives.
- Due to COVID-19 and social restrictions, the first 2020 meeting was held virtually on 10 July 2020 with a further three NBHFAB meetings completed, with meetings planned on the 23 October 2020 and 11 December 2020.
- An Expression of Interest (EOI) process to expand the membership of the NBHFAB opened on 22 January 2020 and closed on 28 February 2020. Due to the impacts of the 2019-20 bushfires, the Advisory Board agreed to extend the EOI until 3 April 2020.
- Further delays from COVID-19 and social restrictions impacted progress with the NBHFAB unable to process the EOI applications.

- The NBHFAB agreed, at their meeting of 24 September 2020, on the method to select additional board members from the EOI. Completion to expand the expertise of NBHFAB is expected late November 2020, or early December 2020.

Future NBHF Service Offerings

- Options to expand future NBHF service offerings are being considered, in line with the work to date on the Healing Framework and the existing Model of Care which has not yet been fully implemented. These include a move to a residential model of care. Options development and analysis will consider the final Healing Framework and development of detailed costings to support future Government consideration and budget measures. A site Masterplan is being undertaken to explore how the site might be developed to support expanded programs and activity.
- Consideration of how the NBHF Residential Model of Care would align to the proposed Aboriginal and Torres Strait Islander alcohol and other drug (AOD) residential rehabilitation facility, will be a key component of the options analysis.
- As part of the 2019/2020 ACT Budget, ACTHD provided to Winnunga Nimmityjah Aboriginal Health and Community Services \$300,000 to develop a culturally appropriate Model of Care for the rehabilitation facility.
- NBHF vision is as a healing rather than clinical facility. Current land use zoning precludes the NBHF from operating as an AOD residential rehabilitation facility.

Communication and Stakeholder Relations

- Due to historic differences of opinion over the intent and function of the NBHF some relationships with the Aboriginal and Torres Strait Islander community and potential referrers require strengthening.
- NBHF staff, the NBHFAB and ACTHD are working to re-establish and expand local networks and foster relationships with interested service providers and stakeholders across the ACT and surrounding regions. This includes through monthly NBHF communiques, distributed through local Aboriginal and Torres Strait Islander networks and uploaded to the ACT Health website.

Decision points/timeframes

- Endorsement of the expanded NBHFAB is expected late November 2020, or early December 2020 by the Minister.

Financial implications

- The NBHF is supported by \$1.694m operational funding in 2020-21 to provide culturally based, non-residential and non-clinical drug and alcohol rehabilitation programs. The operational funding supports property and land management as well as program operations expenses. Options to refine and expand future NBHF service offerings, including a move to a residential model of care, will have future budget implications.

Background

- On 4 September 2017, the NBHF was officially opened. This was a significant milestone for both the ACT Government and the local Aboriginal and Torres Strait Islander communities, in particular the founding members and representatives of UNEC, who came together with other Ngunnawal families in 2002 with the vision of establishing the NBHF.
- As a place of cultural healing, the NBHF represents a unique service for the ACT and for Aboriginal and Torres Strait Islander peoples seeking to make ongoing and meaningful changes in their lives.

Responsible Portfolio

- ACT Health Directorate

Scoping Study / Northside Hospital

Summary

- Planning is under way in the ACT Health Directorate (ACTHD) for a new hospital building in Canberra's north.
- Due to the increasing demand for health services in the ACT, and the building condition of the existing Calvary Public Hospital Bruce (CPHB), a new hospital will be needed in the coming decade.
- Due to the long lead times to plan, design and construct a new hospital (up to 10 years), the policy and planning work for a new northside hospital needs to be progressed as expeditiously as possible to ensure there are adequate public health facilities in the ACT.
- ACTHD has begun planning work for the new hospital, with further detailed planning to inform a business case in the coming two years.
- Advice will be sought from Government as to the prioritisation of this work.

Key issues/Current status

- Public general hospital services in northern Canberra are provided at CPHB, which is managed by the Little Company of Mary (LCM).
- The hospital is of an age where refurbishment of buildings is not cost-effective nor likely to provide a fit-for-purpose, modern health facility (further detail is below).
- In addition, the ACT – like other jurisdictions in Australia and around the world – is facing significant increases in demand for health services.
- ACTHD has begun planning for a new hospital in Canberra's north: an initial options analysis (conducted by a consultant, AECOM, and completed in September 2020) found that a new hospital will take up to 10 years to plan, design and build.
- Further, current service planning shows that by 2026-27 the ACT's public hospital system will require additional capacity. Modelling by ACTHD indicates that based on current service trends and adjusting for population growth and ageing, Canberra's public hospital system will need an estimated additional 45 adult acute inpatient beds by 2027, over and above what is already currently provided or planned at Canberra Hospital (including the Canberra Hospital Expansion) and CPHB. By 2031-32 this is estimated to increase to estimated additional 160 adult acute inpatient beds and 25 Emergency Department treatment bays. By 2036-37, current demand indicates a requirement for an estimated additional 275 adult acute inpatient bed and approximately 55 ED treatment bays.
- Therefore, it is imperative that work on a new northside hospital continues. Failure to plan now for the additional capacity required at 2026-27 and beyond will likely result in significant pressures on the public hospital system.

- Though ACTHD has begun planning work, there is still considerable work to be considered due to the significant scale of the new facility. This work includes: the location of a new hospital (on the Calvary campus, or elsewhere in Canberra's north); the clinical scope; funding options; and how to manage the impact on the existing Calvary Network Agreement (CNA) with the LCM.
- There will be a clinical services plan developed for public health services in the north of Canberra (as there is for Canberra Health Services), cascading from and aligned with the Territory-wide Health Service Plan. The clinical services plan will support and inform the scope for the new facility. Demand projections undertaken for the Territory-wide Health Service Plan have informed the options analysis to date.
- The planning work will also need to examine how to manage the impact of a new northside hospital on the existing agreement (the Calvary Network Agreement, CNA) with Calvary Health Care ACT Ltd (Calvary) for services through CPHB. In particular, the existing relationship with Calvary will require detailed legal and contractual examination, and potentially sensitive negotiations. Calvary and LCM are aware that ACTHD is examining a new northside hospital.

Options for consideration

- ACTHD will need to undertake further work before it can present options to yourself and to Cabinet around issues including location and scope of the new hospital, and the impact on the Calvary Network Agreement.
- ACTHD expects that this initial planning work around location, scope and impact on the Calvary Network Agreement will take at least 18 months. ACTHD will brief you as this work progresses.

Decision points/timeframes

- Funding will be required in the 2021-22 Budget in order to ensure the planning work for a new hospital can start as soon as possible. This would allow the planning work to occur in 2021-22 and 2022-23, with the writing of a business case to start in 2022-23 once the initial planning work is complete. At this stage, ACTHD anticipates a business case could be ready for Cabinet's consideration as part of the 2023-24 Budget.

Financial implications

- The detailed work to examine clinical, infrastructure, contractual issues will require funding in the 2021-22 Budget.
- AECOM's analysis found that the condition of existing buildings at CPHB is such that further investment will be needed in the 2020-2021 and 2021-22 Budgets for repairs and upgrades in order to keep the facility safely operating. Work is under way to prepare a business case for the 2020-2021 Budget to fund further repairs and upgrades.

Background

- As the first stage of planning work for the new hospital, in March 2020 ACTHD commissioned AECOM to conduct an options analysis for the construction of a new northside hospital, which included a condition assessment of the existing CPHB infrastructure. This analysis found that:
 - Funding is needed to keep the Calvary facility safely operating until a new hospital is operational. ACTHD is proposing to bring forward a business case for the 2020-2021 budget for further funding for repairs and upgrades.
 - The condition and age of CPHB means that a refurbishment of the existing hospital is unlikely to be cost effective – hence a new facility would be needed.
 - A new hospital would take up to 10 years to plan, design and construct.
 - Further work will be required to identify the preferred location, including examining greenfield locations and the CPHB campus itself.

Responsible Portfolios

- ACT Health Directorate

Canberra Hospital Expansion

Summary

- The new emergency, surgical and critical care facility was a 2016 election commitment. The below provides a snapshot of the background and current status of the project.

Key issues/Current status

- The Canberra Hospital Expansion (CHE) Project (formerly SPIRE) will deliver a new state-of-the-art emergency, surgical and critical care facility at the Canberra Hospital campus, and provide high quality, person-centric care in an environment that incorporates the latest advances in technology and Models of Care to improve healthcare outcomes and operational service efficiency.
- On 11 August 2020, Chief Minister Barr and Minister Stephen-Smith announced that the ACT Government would partner with experienced global contractor Multiplex for the Early Contractor Involvement (ECI) Phase of Canberra’s new emergency, surgical and critical healthcare building.

Project Delivery

- MPC has structured the CHE Project into two main streams of activity:

the CHE Main Works – the planning, early design, procurement, design development and delivery of the new emergency, surgical and critical healthcare facility, including the process of clinical commissioning that will follow completion of construction:

- Main Works scheduled to commence from mid-2021 to 2024.
- The forecast completion of the new Acute Clinical Services Building (ACSB) by mid-2024, with operational commissioning occurring thereafter; and

the CHE Enabling Works –the planning, design, procurement and delivery of multiple smaller projects necessary to facilitate the decant from and demolition of Buildings 5 and 24. Projects in this stream include:

- New Building 28;
- Demolition of Building 8 and construction of new Building 8 (ANU, surgical skills training, Synergy, Infrastructure and Health Support Services etc);
- Construction of Building 3 (Children at Risk health Unit)
- Construction of new Building 4 (Library, ANU teaching & Training);
- Diversion of services along Hospital road; and
- Construction of temporary car park at the former CIT Woden site.

Standing Committee on Planning and Urban Renewal Enquiry

- Following local community concerns about the CHE Project, the Ninth Legislative Assembly’s Standing Committee on Planning and Urban Renewal agreed to undertake an inquiry into the planning of SPIRE and the Canberra Hospital campus and its immediate surrounds.
- The Inquiry made 26 recommendations due for response and tabling in December 2020 in the new ACT Legislative Assembly. The recommendations do not adversely affect the delivery of the CHE Project, with the majority of recommendations already progressing for implementation.

Ongoing Challenges

- Progression of the design development, including consultation with the community and consumers through the ECI Phase, in a manner that maintains the delivery of the project within the appropriated project budget.
- Judiciously managing the ECI Phase to ensure the Territory receives ‘no surprises’ in the draft offer for the design and construction of the main works.
- Public submissions to the Development Applications for the Main Works and associated Early Works generates appeals and a potential challenge to the development through the ACT Civil and Administrative Tribunal (ACAT).

Decision points/timeframes

- The CHE Project is progressing to program and is projected for construction completion in 2024, ahead of operational commissioning.
- Upcoming key events are outlined below:

TOPIC AND TIMING	DETAILS
Connectivity and Construction Skills Centre, end October 2020	In partnership with the ACT Government, Multiplex is opening a “Connectivity Centre” in Phillip which will act as a shopfront for the Canberra Hospital Expansion and a place for upskilling local workforce for work on the project. There are current plans to host a media launch for its opening.
Awareness and general engagement campaign November 2020	Ongoing communications and engagement activities to ensure high-level project awareness and improve community sentiment. This will include face-to-face discussions and pop-up engagement events (subject to COVID-19 restrictions), as well as electronic newsletters and opportunities to comment on the project via the YourSay platform.

<p>Pre Development Application (DA) Consultation for main works</p> <p>December 2020 - January 2021</p>	<p>Six-week pre-DA consultation (based on ACTPLA requirements) on detailed designs for the new emergency, surgical and critical healthcare building.</p>
<p>Development Application public comment period commences</p> <p>March 2021</p>	<p>Submission of the main works DA, followed by the statutory public notification period.</p>

Responsible Portfolios

- Major Projects Canberra, Duncan Edghill, Chief Projects Officer

Chronic Disease Management Policy and Programs including Audit Report

Summary

- The ACT Health Directorate (ACTHD) and Canberra Health Services (CHS), through the Chronic Conditions Working Group (Working Group), are developing a coordinated and strategic approach to improve health care for people with chronic conditions. This approach will align to the *National Strategic Framework for Chronic Conditions (2017)*, respond to the recent ACT Auditor-General's Report, 'Management of care for people living with serious and continuing illness' (the Auditor-General's Report) and include an integrated model of care for people with chronic conditions.

Key issues/Current status

- The Working Group has emphasised the need to co-design and pilot a sustainable model of care that works to address the barriers experienced by GPs in the treatment of people with chronic illness in the ACT community.
- ACTHD will examine options to address the risk factors and health determinants that contribute to the development of chronic conditions, and to improve primary care access, particularly for vulnerable people, who experience a greater burden of disease associated with chronic conditions.
- The Auditor-General's Report was provided to the ACT Government in September 2020. A Government response to the Auditor-General's Report is being prepared and is anticipated for Cabinet consideration in December 2020, to address the five recommendations of the Report.
- Codesain has been commissioned by CHS to inform the integration of clinical services delivered by CHS, including between primary and acute care. Codesain will identify and engage with stakeholders, map current initiatives and undertake a needs assessment, and identify and design models to improve access to integrated care.
- \$1.335 million funding is available under Stage 2 of the 2019-20 budget initiative '*Delivering better care for Canberrans with complex needs through general practice*' (the Delivering Better Care Initiative).

Options for consideration

- The Working Group will identify projects for Ministerial approval.
- Projects to be funded under the initiative could focus on developing a sustainable model of integrated care in the primary care setting, ideally reducing the need for ongoing government funding.

Decision points/timeframes

- Following Cabinet consideration, the ACT Government response to the Auditor-General's Report will be tabled in late 2020 or early 2021.

- Codesain’s work has recently commenced and is anticipated to take two to three months to complete, pending stakeholder consultation timeframes. The work will inform broader system reform and the future of integrated care service provision in the ACT, with a focus on chronic conditions.
- ACTHD’s procurement project to review services provided by non-government organisations is underway. This project includes services in the chronic and primary care sub sector. The procurement process will align with ACTHD’s key strategic objectives, including from the Strategic Plan 2020-25, and the Preventive Health Plan, as well as priorities from the National Strategic Framework for Chronic Conditions. Stakeholder consultation will occur in 2021 and the procurement and subsequent contracting process will be finalised by June 2022.

Financial implications

- The \$2.5 million initiative ‘*Delivering better care for Canberrans with complex needs through general practice*’ was announced in the 2019-20 ACT Budget. Three services were funded under Stage 1 of the program.
- \$1.335 million remains available in 2020-21 and 2021-22 for Stage 2 projects.

Background

- The National Strategic Framework for Chronic Conditions (2017) (the Framework) is the overarching policy for the prevention and management of chronic conditions in Australia. It emphasises a focus on prevention, providing efficient, effective and appropriate care to optimise quality of life to improve long term outcomes and support health system financial sustainability, and targeting priority population groups.¹
- The Framework moves away from a disease specific approach, to recognise shared determinants of health, co-morbidities, and the importance of integrated care across a range of chronic conditions.²
- ACTHD is working with CHS to draft a replacement for the ACT Chronic Conditions Strategy 2013-18, which will align with the National Strategic Framework for Chronic Conditions. The new strategy will seek to be informed by evidence and will ensure that people with chronic conditions:
 - are provided with information about staying healthy;
 - receive appropriate screening and early detection;
 - receive appropriate and integrated care;
 - are aware of relevant support options and how to access them; and

¹ COAG Health Council (2017), *National Strategic Framework for Chronic Conditions*, AHMAC, Australian Government, Canberra.

² COAG Health Council (2017), *National Strategic Framework for Chronic Conditions*, AHMAC, Australian Government, Canberra, pp 6-12.

- are involved in service planning, implementation, and evaluation.

Responsible Portfolios

- ACT Health Directorate

Report on Inquiry into Maternity Services in the ACT

Summary

- The ACT Government Response to the Report on the Inquiry into Maternity Services in the ACT was tabled in the Legislative Assembly in August 2020. This response acknowledges further work is required by the ACT Government to improve public maternity services and meet the needs of families in the ACT.

Key issues/Current status

- The ACT Health Directorate (ACTHD) and Canberra Health Services (CHS) have commenced planning for implementation of the Inquiry recommendations.
- The Government Response to the Report on the Inquiry into Maternity Services in the ACT, stated the need to undertake initial scoping work to determine the parameters for implementation of relevant recommendations. Additional resourcing will be required by both ACTHD and Canberra Health Services (CHS) to undertake the initial scoping work.
- It is anticipated this scoping work will incorporate recommendations and key priorities from national strategies related to maternity care to ensure a strategic focus for the ACT public maternity service into the future.

Options for consideration

- The report and the ACT Government response is at <https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/standing-committees-current-assembly/standing-committee-on-health,-ageing-and-community-services/Inquiry-into-the-Maternity-Services-in-the-ACT>

Decision points/timeframes

- The ACTHD has committed to report on Recommendation 2 of the Inquiry to the Legislative Assembly in the first quarter of 2021. Recommendation 2 requires the ACT Government to report on the implementation of the National Strategy for Maternity Services, *‘Women-centred care: Strategic directions for Australian maternity services’*.

Financial implications

- The ACT Government response did not commit the Government to further expenditure at this time.
- Additional resourcing will be required by both ACTHD and CHS to undertake the initial scoping work and to review the recommendations concurrently with the Government’s related election commitments
- This scoping work will highlight any financial implications for the ACT Government in implementing these changes.

Background

- In September 2018, the Chair of the Standing Committee on Health, Ageing and Community Services (the Committee) announced an Inquiry into Maternity Services in the ACT (the Inquiry).
- The Inquiry was called in response to concerns that were raised relating to patient safety, management of staff and patients, as well as staffing issues within public maternity services in the ACT. Members of the community were given the opportunity to provide submissions on their experiences relating to public maternity services in the ACT.
- The Committee released the Report on the Inquiry in June 2020, which made 74 recommendations across the themes of strategic focus and frameworks, safety, respect, choice, and access.
- In the ACT Government Response to the Report on the Inquiry into Maternity Services in the ACT, 65 recommendations were agreed to or agreed in principle and nine were noted.

Responsible Portfolios

- ACT Health Directorate and Canberra Health Services

Culture Review

Summary

- The ACT Government committed to invest in culture reform across the ACT public health system, following an independent review undertaken in October 2018 outlined a range of findings and recommendations. The following information provides background to the ACT public health system approach to leading culture reform.

Key issues/Current status

- The key issues at this time is a review of the status of the 20 recommendations as outlined in [Final Report: Independent Review into Workplace Culture within ACT Public Health Services](#) (Final Report) and that was agreed to by the ACT Government in May 2019.
- There has been significant progress made on the recommendations within each service. There has also been progress made from a system-wide perspective.
- Given the considerable progress made, it is now timely to review the status of system-wide reform and initiatives currently underway or planned. This will ensure an agreed understanding of the purpose of the initiatives, enable discussion on prioritisation and budget allocation, who will have responsibility for implementation, implementation process and the role of the Culture Review Implementation Branch in facilitating this work.
- Review and discussion of the system-wide initiatives are currently being discussed at the Culture Review Implementation Steering Group through meetings being undertaken from October to December 2020.

Decision points

- There are two key decision points that are significant to supporting system-wide culture reform. These are:

Continued development and progression of the purpose and role of the Culture Review Oversight Group to support system-wide culture reform (December 2020 - February 2021)

- As an outcome from the Inaugural Independent Review finalised in May 2020, a facilitated workshop was undertaken with the Oversight Group members in September 2020. The purpose being to review and clarify the understanding of the purpose of the Oversight Group.
- Feedback from members was positive and supported evolving the Oversight Group meetings to be facilitated by an independent facilitator, and a focus on encouraging greater discussion on topics supporting culture reform across the ACT public health system.
- There was agreement by members that a further facilitated session occurs to progress initial discussions.

Second Independent Review (March through April 2021)

- This action is in keeping with recommending 19 from the 'Final Report' which outlines: 'that the Cultural Review Oversight Group', auspice for the next three years an annual, independent and external review of the extent of implementation of the recommendations of the Review and consequent impact on cultural changes within the ACT Public Health System'.
- In keeping with the Inaugural independent Review, the timing of this would occur in March through April 2021. This will require consideration of who will undertake the assessment, completion of procurement and sufficient time for planning of logistics, including arrangement of interviews and a report. The pre-planning phase will commence in November 2020 to ensure this occurs within the agreed project plan.

Financial implications

- The then ACT Government committed a total of \$12 million over three years to support culture reform across the ACT public health system as outlined in the 20 recommendations from the 'Final Report'.
- The Culture Review Implementation Steering Group has discussed and endorsed the budget approach for the program that supports the ACT Health Directorate, Canberra Health Services and Calvary Public Hospital Bruce in the implementation of initiatives to progress culture reform.

Background

- On 10 September 2018, the former Minister for Health and Wellbeing, Ms Meegan Fitzharris announced the 'Independent Review into the Workplace Culture within ACT Public Health Services' in response to significant negative reporting about poor workplace culture across the three arms of the ACT public health system over an extended time period. The Minister appointed an independent panel to undertake the review.

Responsible Portfolio

- ACT Health Directorate

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MENTAL HEALTH OVERVIEW

The ACT public health system aims to provide the ACT community and the surrounding region access to the right health care where and when it's needed, with safety and quality as driving forces.

Mental Health Portfolio

The ACT Health Directorate (ACTHD) is the steward of the ACT health system and the primary source of policy advice to Government regarding the whole mental health system, including Territory-wide mental health service and infrastructure planning, mental health policy, Commonwealth and State Government Relations, relationships with private and Non-Government Organisations, and technology services including information management and security. ACTHD works closely with non-government agencies to support the provision of dedicated mental health services to the community.

ACTHD and Canberra Health Services (CHS) work in partnership and with consumers, private providers and other stakeholders, to ensure the best outcomes for patients and to deliver advice to Government.

The Office for Mental Health and Wellbeing was established in 2018 to oversee the coordination and integration of mental health services in the ACT. The Office sits within ACTHD and is led by the Coordinator-General for Mental Health and Wellbeing.

Public hospital mental health services for the ACT and the surrounding region are provided through CHS at the Canberra Hospital and the University of Canberra Hospital (UCH) and through Calvary Health Care ACT Ltd at the Calvary Public Hospital Bruce (CPHB). CHS provides medical workforce coverage for the mental health services at Calvary Public Hospital Bruce.

CHS also deliver mental health services in the community through the Adult Community Mental Health Teams, Child and Adolescent Mental Health Services Community Teams, and the Older Persons Mental Health Community Team.

Strong partnerships between ACTHD, CHS, the community and private health organisations are essential to ensuring effective service integration and delivering better outcomes for all health consumers.

Mental health services in the ACT - summary

Mental health services in the ACT are funded by ACTHD and delivered by CHS and CPHB. ACTHD also funds Capital Health Network (as the Primary Health Network) to commission some services on behalf of the Territory and the Commonwealth Government also funds the Capital Health Network to deliver priority programs. The Commonwealth Government funds some programs and services including digital health and the Medicare Benefits Scheme.

Current public mental health services in the ACT are:

- inpatient units based at Canberra Hospital and CPHB;
- outpatient services at Canberra Hospital;
- inpatient and outpatient rehabilitation services at UCH;

- a range of community mental health teams;
- central intake through the mental health access team; and
- community based step up step down, supported accommodation and rehabilitation and recovery services provided through non-government organisations.

Primary and secondary preventive mental health programs are being led by ACTHD including input from the Office of Mental Health and Wellbeing and the Mental Health policy unit. In addition, there are numerous other providers in the ACT offering promotion and prevention programs and activities.

Hospital acute services for young people and adults provided by CHS include short stay, low and high acuity inpatient beds and mental health liaison. Adult and older persons' mental health inpatient beds and mental health liaison are provided at CPHB. Mental health rehabilitation and day programs are delivered at UCH.

Other bed-based services include subacute beds in step up step down facilities, and forensic and secure extended care beds. Supported accommodation is linked with community based clinical services. A range of general and specialised community treatment services are provided by CHS in community locations, and other support services are provided by Non-Government Organisations (NGOs) in a range of locations.

Primary care is mostly delivered in general practice and private practices.

Further information on the ACT mental health system and services is at [Attachment A](#).

Health system challenges

Similar to other health systems around Australia and the world, the ACT's public healthcare system faces various challenges now and into the future. These include rising demand for mental healthcare as a result of population growth, coupled with greater complexity of conditions and greater patient expectations resulting from technological advances. Added to this complexity are the challenges presented by the COVID-19 pandemic – including the mental health impacts of the pandemic, particularly on young people.

COVID-19 is having significant impact on young people in Canberra. More than half of the young Canberrans that participated in a recent ACT Government survey described their mental health as either 'fair' or 'poor'.

COVID-19 Impact on Mental Health and Wellbeing

The COVID-19 pandemic has had a significant impact on mental health in the ACT. The restrictions on gatherings and movement, as well as the economic impact of the pandemic have created challenges for people in Canberra and wider Australia. Those mental health challenges are likely to last longer than the pandemic.

Monitoring of the ongoing mental health impacts will continue and further whole-of-government responses to meet the demand are expected to be required including across community resilience building, early intervention, and acute mental health services. Research from previous pandemics and natural disasters, current research, and demand for supports all identify that a wider proportion of people are expected to require mental health support and in greater numbers than before the pandemic.

The ACT Government contributed to the development of the National Mental Health Pandemic Response Plan (NMHPRP) which was undertaken by the National Mental Health Commission. This plan provides for collective national action as well by state and territory governments. The Community Recovery Roadmap includes ACT Government actions addressing NMHPRP priorities.

At the time of writing, the Commonwealth Government is expected to release the Productivity Commission's inquiry into Mental Health very soon and the inquiry is likely to emphasise the wider economic impact that poor mental health has for society. A further briefing will be provided to you outlining the findings of the inquiry.

A Plan for Mental Health Services

ACTHD is developing a Mental Health Services Plan. Consultation sessions have been undertaken with Government funded stakeholders. Further consultation activities are planned for the end of 2020. A brief containing an early draft of the Plan will be provided to you to ensure it aligns with your priorities and expectations. It is expected the Plan will be complete in early 2021.

Capacity Under Development

There are currently many projects underway to increase capacity in the mental health system. These include:

- An Electro Convulsive Therapy (ECT) suite in the Adult Acute Mental Health Unit (AMHU) at CHS is under construction and expected to be operational in mid-2021.
- Canberra Hospital Expansion, due for completion in 2024, will include an additional 4 short stay mental health beds, taking the total to 10.
- The redevelopment of the Centenary Hospital for Women and Children, due for completion in March 2021, will include 8 adolescent mental health beds and adolescent day services
- Redevelopment of the Brian Hennessey House site will see 10 beds refurbished by the end of 2020.

You will be briefed separately on work underway to increase capacity in the mental health system and the interim solutions currently in place to provide additional capacity.

DELIVERING ON YOUR PRIORITIES

Government commitments delivered through the ACT health system have a material impact on the everyday lives of Canberrans as patients, parents, carers and families.

Identifying, understanding and responding to the diverse needs of the Canberra community is an ingrained tenet of the health system in the ACT, and commitments that build on this work will be able to be implemented with the benefit of these synergies.

We know COVID-19 is having significant impact on young people in Canberra. More than half of the young Canberrans who participated in a recent ACT Government survey described their mental health as either 'fair' or 'poor'.

The commitment to increasing total mental health funding to support the mental health of Canberra's young people during COVID-19 acknowledges the toll the pandemic and the associated economic downturn and social isolation has had on Canberra's young people.

Empowering young people in the management of their own mental health and wellbeing through easy to access digital platforms will ensure young people can engage with their mental health through a relevant platform, complementing face to face clinical support.

Acknowledging the difficulties in needing to move more social interaction online, while at the same time helping young people cope with the pressures of social media use and the associated anxiety and isolation, a strategy will be developed to better support young people and their families in social media use.

In recognising that young people are often experiencing mental health issues alongside drug or alcohol abuse or other co-occurrences, greater supports will also be provided to young people who have experienced trauma, neglect or abuse as well as disability or drug or alcohol abuse.

It is about building resilience in young Canberrans and giving them more tools in their toolkit and more support to get through this challenging time.

A continuation of the PACER and AMOS Programs will provide more care in the community and help prevent acute mental health cases in the Emergency Department or the hospital – providing care to people when and where they need it.

MINISTERIAL FUNCTIONS

Legislative Responsibilities

Under the current [Administrative Arrangements 2020 \(No 2\)](#), the Minister for Mental Health is responsible for the Territory enactments of the following legislation.

- *Mental Health Act 2015* (except pt 7.2, chapters 10 and 11 and sections 267, 268 and 269)
- *Mental Health (Secure Facilities) Act 2016*

Overview of Key Legislation

Mental Health Act 2015

The Minister for Mental Health has a number of responsibilities under the Act, including:

- Make and end appointments: Chief Psychiatrist, Care Coordinator, Mental Health Officer (In practice this function is delegated to the Chief Psychiatrist) and Official Visitors.
- Establish a Mental Health Advisory Council and appoint members to the Council. The functions of the Council are to advise the Minister about:
 - emerging or urgent mental health issues;
 - mental health service reform;
 - mental health policy;
 - mental health legislative changes; and
 - anything else in relation to mental health requested by the Minister (chapter 14).
- Make guidelines about the operation of information sharing protocols for the sharing of information between information sharing entities such as ACT Government Directorates and agencies and inter jurisdictional agencies.

- Issue a license to an eligible person to operate a private psychiatric facility. A license is issued for up to 3 years and may be renewed, on written application to the Minister, if the applicant continues to meet the requirements of the Act. The Minister may also transfer, amend or cancel a license issued to operate a private psychiatric facility on various grounds.
- Enter into agreements with the Minister of another state about any matter relating to the operation of interstate applications of mental health laws.
- Approve facilities as a mental health facility or a community care facility.
- Determine fees and approve forms for the Act.

Upcoming Government Business

The following government business is currently in development:

Proposed Date	Title
December 2020	<p>Government Response to the Standing Committee on Education, Employment and Youth Affairs – Report 9 – Youth Mental Health in the ACT</p> <ul style="list-style-type: none"> • The Standing Committee on Education, Employment and Youth Affairs tabled Report No. 9 in the Legislative Assembly on 13 August 2020. The report makes 66 Recommendations. • The government response to recommendations 19 and 48 were tabled on 27 August 2020. The response to the other recommendations will be led by ACTHD with input across government. • The government response along with the Assembly Business Paper and Ministerial Statement will be scheduled for Cabinet in December 2020.
2021	<p>Review of the Mental Health (Secure Facilities) Act 2016</p> <ul style="list-style-type: none"> • Section 79 of the Act requires the Minister for Mental Health to review the operation of the Act as soon as practicable after the end of its 3rd year of operation and present a report of the review to the Assembly within 3 months after the review is started. • The review is anticipated to commence in November 2020 with a report to be tabled in the Assembly in early 2021.

Ministerial Councils and Consultative Bodies

ACT Mental Health Advisory Council

The ACT Mental Health Advisory Council is established under the *Mental Health Act 2015*. The Council provides considered advice to the Minister for Mental Health.

The Council has seven members appointed for a period of up to three years. Current members are:

- Ms Sue-Ann Polden (Chair);

- Ms Judy Bentley;
- Ms Matilda Emberson;
- Mr David Lovegrove;
- Ms Samia Goudie;
- Associate Professor Jeffery Looi;
- Dr Nadeem Siddiqui.

The Council meets approximately bimonthly and each meeting has a specific topic for consideration. The remaining meetings for 2020 are scheduled for 2 November and 3 December 2020.

Culture Review Oversight Group

The Culture Review Oversight Group provides the highest level of governance and oversees the implementation of the recommendations outlined in the [*Final Report: Independent Review into Workplace Culture within ACT Public Health Services*](#).

The membership of the Oversight Group includes:

- Minister for Health as Chair
- Minister for Mental Health as Deputy Chair
- Director-General of the ACT Health Directorate
- Chief Executive Officer of Canberra Health Services
- Regional Chief Executive of Calvary ACT
- Branch Secretary of the ANMF ACT
- President of the AMA ACT
- Regional Secretary of the CPSU
- President of ASMOF ACT
- President of the VMOA ACT
- Dean of the College of Health and Medicine at ANU
- Executive Dean of the Faculty of Health at the University of Canberra

The inaugural Culture Review Oversight Group meeting was held on 28 March 2019. Meetings were initially held on a quarterly basis, with frequency increased to bi-monthly from September 2019.

KEY ISSUES AND CONSIDERATIONS

Mental Health NGO service delivery/stimulus during COVID-19

Summary

- The ACT Government announced the COVID-19 Mental Health Support Package totalling \$4.086 million. This included \$2.571 million funding for NGO initiatives.
- A COVID-19 Youth Support Package was announced on 12 August 2020 which included \$275,000 for targeted mental health support for young people and builds on the Mental Health Support Package.

Key issues

- The allocation of funding for health NGOs followed extensive engagement with the NGOs in relation to support required.

- Funding has supported NGOs to continue to deliver vital mental health services to the community during the COVID-19 public health emergency. This has included funding to increase capacity of existing services and enable new and innovative services.

Table 1: COVID-19 Mental Health Support Package Funding allocated to NGO service delivery (already executed)

Amount	Organisation
\$300,000	Detention Exit Community Outreach (DECO): additional investment
\$250,000	Lifeline Canberra: additional support to meet call-in demand (includes \$100,000 announced on 20 March)
\$55,000	Menslink: increased counselling for boys and young men
\$500,000	Mental Health Foundation (MHF): additional accommodation for people exiting acute inpatient units
\$80,000	MIEACT: increased community mental health education and awareness
\$100,000	OzHelp: additional support for people who have lost or may lose employment and livelihood
\$45,000	Perinatal Wellbeing Centre: addressing increased demand for post and antenatal depression support
\$200,000	The Way Back Support Service: additional investment for people who have attempted suicide or are experiencing suicidal crisis
\$1,530,000	TOTAL

Table 2: COVID-19 Mental Health Support Package Funding for new and innovative services in the NGO sector, which are in the process of being implemented

Amount allocated	Program
\$450,000	Funding for Mental Health and Wellbeing Innovation Grants Program (supporting selected organisations, local communities, and individuals to develop innovative and creative projects that address the mental health and wellbeing impacts of COVID-19). Successful grants recipients have been announced and Deeds of Grant are in the process of being developed. An amount of \$44,019 funding remains to support further initiatives in the mental health sector as required
\$341,843	Canberra Safe Haven Cafés: supporting Social Connection
\$250,000	Commissioning an Aboriginal and Torres Strait Islander targeted mental health program
\$1,041,843	TOTAL

- ACTHD administered an additional \$275,000 for targeted mental health support for young people, as part of the Youth Support Package, to further build on the Mental Health Support Package. Table 3 below shows an overview of this funding.

Table 3: COVID-19 Youth Support Package Funding for NGO service delivery

Amount	Organisation
\$125,000	CatholicCare: to support unmet need resulting in waitlists for services, and in response to the profound effects of the COVID-19 pandemic on vulnerable youth populations. To support the organisation to assist in addressing the identified service gap for early intervention mental health support for middle years youth; improve access to existing services; and help to meet the needs of this complex client group
\$75,000	Lifeline Canberra: to meet the continued increased demand for call-in crisis counselling support
\$75,000	Menslink: to meet increasing demand due to COVID-19 environment; and to continue to explore options for similar service offerings for girls and young women
\$275,000	TOTAL

Decision points/timeframes

- The mental health impacts of COVID-19 will remain for some time after the pandemic has ended. It is therefore anticipated that additional support for mental health NGO service delivery will be required beyond the initial funded period.

Financial implications

- A total of \$2.846 million was allocated to mental health NGO service delivery under the COVID-19 Mental Health Support Package (\$2.571 million) and the COVID-19 Youth Support Package (\$275,000).
- The grants were cash managed from within the ACT Health Directorate budget in 2019-20.

Background

- On 6 May 2020, as part of the Community Support Package, ACT Government announced the COVID-19 Mental Health Support Package, and this included funding for NGO initiatives totalling \$2.571 million.
- The COVID-19 Youth Support Package that was announced on 12 August 2020 included an additional \$275,000 for targeted mental health support for young people was announced as part of the Youth Support Package, to further build on the Mental Health Support Package.

Responsible Portfolios

- ACT Health Directorate

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS	ACTION REQUIRED
<p>Final Report of the Productivity Commission’s Inquiry into Mental Health</p> <p>The Commonwealth Government is expected to release the report in December 2020 (25 sitting days since receipt of report on 30 June 2020).</p>	<p>The Productivity Commission provided their final report from their Inquiry into Mental Health to the Commonwealth Government on 30 June 2020. The release of the report will occur when the Commonwealth Government tables it in each House of the Parliament within 25 sitting days of receipt.</p> <p>The report is likely to make a range of recommendations for mental health services across the country, as well as placing a strong focus on the social and economic determinants of health outcomes. While it will depend on the content of these recommendations, and whether the Federal Government accepts them, the findings of this report could have significant impacts on mental health services locally and nationally.</p> <p>The publication of the report is likely to drive significant media interest. This is particularly so, given the amount of commentary that there has been on the mental health implications of COVID-19 for the community. ACTHD will review and brief the incoming Minister on the report when published.</p>	<p>ACTHD will review and brief you on the report when published.</p>
<p>Safe Haven Cafes</p> <p>The project is currently in the model design phase for the cafes, this process is expected to be completed in November 2020 with implementation of one cafe anticipated in early 2021.</p>	<p>EDs are often the ‘front door’ to the health system, playing a unique role in the provision of high quality acute medical care to everyone in the community. The ACT Government has been investing in a range of strategies to address the growing demands on ED and to improve the treatment and recovery outcomes of people presenting to the ED with mental health issues. One investment has been the commitment to deliver a pilot program of two Safe Haven Cafés (Cafes) in the ACT.</p>	<p>You may wish to announce the opening of a Safe Haven Café in the ACT.</p>

	<p>A Safe Haven Café is a non-clinical, safe space that people can go to if they are experiencing personal difficulties, mental health concerns, loneliness or simply seeking social connection and support. It offers an alternative for people who might otherwise present to the emergency department and mental health crisis services when no other options are available.</p>	
<p>Mental Health Services Plan</p> <p>Expected to be completed by early 2021.</p>	<p>A Mental Health Services Plan is currently under development and will establish the medium to long term directions for public mental health services in the ACT.</p> <p>The Mental Health Services Plan will identify how priorities for mental health service development in the Territory-wide Health Service Plan and the ACT Regional Mental Health and Suicide Prevention Plan will be implemented for publicly funded or provided services.</p>	<p>ACTHD will provide you an early draft of the Plan for your consideration.</p>

KEY STAKEHOLDERS

Organisation	Contact	Email
Aboriginal & Torres Strait Islander Elected Body	Katrina Fanning, Chair	atsieb@act.gov.au Ph: 6205 2551
ACACIA, ACT Consumer and Carer Mental Health Research Unit at ANU	Dr Michelle Banfield, Principal Investigator	acacia@anu.edu.au  Ph: 6125 6547
ACT Council of Social Service Inc	Dr Emma Campbell, CEO	ceo@actcoss.org.au Ph: 6202 7200
ACT Disability, Aged and Carer Advocacy Service (ADACAS)	Michael Bleasdale, CEO	manager@adacas.org.au adacas@adacas.org.au Ph: 6242 5060
ACT Human Rights Commission	Dr Helen Watchirs, President	human.rights@act.gov.au helen.watchirs@act.gov.au

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ACT Mental Health Consumer Network	Dalane Drexler, Executive Officer	executive@actmhc.org.au Ph: 6230 5790
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Australian Medical Association (ACT)	Dr Antonio Di Dio President	reception@ama-act.com.au Ph: 6270 5410
Australian Red Cross Lifeblood	Jennifer Williams, Chief Executive	Donateblood.com.au Ph: 03 9863 1600
Calvary Health Care	Martin Bowles, National CEO	 cc to  Ph: 02 9258 1700 (head office)
Canberra Environment Centre	Ryan Lungu, Executive Director	info@canberraenvironment.org Ph: 6248 0885
Capital Health Network	Megan Cahill, CEO	reception@chnact.org.au Ph: 6287 8099
Carers ACT	Lisa Kelly, CEO	 Ph: 6296 9900
Council on the Ageing	Jenny Mobbs, CEO	exec@cotaact.org.au Ph: 6282 3777
Foundation for Alcohol Research & Education	Caterina Georgi, CEO	info@fare.org.au Ph: 6122 8600

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Health Care Consumers' Association (ACT)	Darlene Cox, Executive Director	[REDACTED] Ph: 6230 7800
Heart Foundation	Kathy Chapman, General Manager NSW & ACT	contactus@heartfoundation.org.au Ph: 6282 5744
Local Hospital Network Council	Dr Ian Pryor, Chair	LHNCouncil@act.gov.au
Meridian (formerly AIDS Action Council of the ACT)	Philippa Moss, CEO	Contact@meridianact.org.au Ph: 6257 2855
Ted Noffs Foundation	Matt Noffs, CEO	team@noffs.org.au Ph: 6123 2400 or 9305 6600
Pharmaceutical Society Australia	Renaë Beardmore, ACT President, National Vice President	[REDACTED] Ph: 6283 4777
Pharmacy Guild	Margaret Beerworth, Branch Director	[REDACTED] Ph: 6270 8900
Public Health Association of Australia ACT Branch	Devin Bowles, President	ceo@atoda.org.au phaa@phaa.net.au (National Office) Ph: 6285 2373
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Southern NSW Local Health District	Margaret Bennett, Chief Executive	SNSWLHD-OfficeOfTheCE@health.nsw.gov.au Ph: 6150 7329
United Ngunnawal Elders Council (UNEC)	ACT Office for Aboriginal and Torres Strait Islander Affairs (CSD)	oatsia@act.gov.au Ph: 6207 9784
Winnunga Nimmityjah Aboriginal Health Service	Julie Tongs OAM, CEO	[REDACTED]

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Wirrpanda Foundation	Lisa Cunningham, CEO	www.wf.org.au Ph: 08 92426700
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Women's Centre for Health Matters	Marcia Williams, CEO	ceo@wchm.org.au Ph: 6290 2166
Work Safe ACT	Jacqueline Agius, Work Health and Safety Commissioner	worksafe@act.gov.au Jacqueline.agius@act.gov.au Ph: 6207 3000 or 6207 0360

Tertiary Institutions

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University of Canberra	Paddy Nixon, Vice Chancellor and President	ovc@canberra.edu.au Ph: 6201 5000

Unions

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Australian Nursing & Midwifery Federation ACT	Matthew Daniel, Branch Secretary	anmfact@anmfact.org.au Ph: 6282 9455

Australian Workers Union	Daniel Walton, National and NSW Branch Secretary	info@awunsw.com.au Ph: 1300 763 223
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Community and Public Sector Union	Madeline Northam, Regional Secretary	[REDACTED] Ph: 1300 137 636
Construction, Forestry, Mining, and Energy Union	Jason O'Mara, ACT Secretary	actqueries@cfmeunat.org Ph: 6267 1599
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Professionals Australia	Dale Beasley, ACT Director	info@professionalsaustralia.org.au [REDACTED]
Unions ACT	Matthew Harrison, Secretary	unionsact@unionsact.org.au [REDACTED] Ph: 6225 8116
United Services Union	Graeme Kelly OAM, General Secretary	united@usu.org.au Ph: 9265 8211
United Voice	Lyndal Ryan, ACT Branch Secretary	act@unitedworkers.org.au

Culture Review Oversight Group

Organisation	Contact	Email
Australian Medical Association (ACT)	Dr Antonio Di Dio President	reception@ama-act.com.au PO Box 560 CURTIN ACT 2605 Ph: 6270 5410

<p>Australian Nursing & Midwifery Federation ACT</p>	<p>Matthew Daniel Branch Secretary</p>	<p>anmfact@anmfact.org.au 2/53 Dundas Court PHILLIP ACT 2606 Ph: 6282 9455</p>
<p>Australian Salaried Medical Officers Federation (ACT Branch)</p>	<p>Marika De Vecchis, Executive Officer</p>	<p>[REDACTED] Locked Mail Bag No 13 GLEBE NSW 2037 Ph: 9212 6900</p>
<p>College of Health and Medicine</p>	<p>Professor Russell Gruen, Dean</p>	<p>[REDACTED] Australian National University CANBERRA ACT 2600 Ph: 6125 5111</p>
<p>Community and Public Sector Union (ACT)</p>	<p>Beth Vincent-Pietsch, Deputy Secretary</p>	<p>[REDACTED] 1/40 Brisbane Avenue BARTON ACT 2600 Ph: 6220 9660</p>
<p>Faculty of Health University of Canberra</p>	<p>Professor Michelle Lincoln, Executive Dean</p>	<p>[REDACTED] 11 Kirinari St Bruce ACT 2617 Ph: 6201 5111</p>
<p>Health Care Consumers' Association (ACT)</p>	<p>Darlene Cox, Executive Director</p>	<p>[REDACTED] 100 Maitland Street HACKETT ACT 2602 Ph: 6230 7800</p>
<p>Visiting Medical Officers Association (ACT)</p>	<p>Dr Peter Hughes, President</p>	<p>[REDACTED] 5 Ryan Street CURTIN ACT 2605 Ph: 6161 3137</p>

Colleges

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FINANCIAL CONSIDERATIONS

Appropriation for the Territory's mental health services

Funding for mental health services is not formally separated from other health funding through the ACT Local Hospital Network, CHS or ACTHD. The below figures are based on actual expenditure for 2019-20 (including overheads) and indexed by 2% in the absence of a 2020-21 Budget.

Appropriation	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled Recurrent Payments	206.4	210.5	214.7	219.0
Capital Injection	14.5	0.1	-	-
Territorial	-	-	-	-

Controlled Recurrent Payments – the estimate for 2020-21 above comprises of mental health services at Canberra Health Services of \$173 million, ACT Health Directorate (including funding for the non-government sector) of \$20 million and Calvary Public Hospital of \$13 million.

Capital Injection – capital funding relates to the 2018-19 *More mental health accommodation* new initiative to commission a Southside Community Step-Up Step-Down facility and the Dhulwa Transitional Unit and *Commonwealth Community Health and Hospitals* funding which will be used to fund expansion works at Canberra Hospital ward 12B.

Territorial – nil.

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

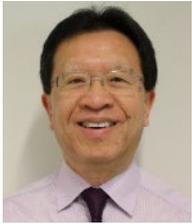
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Calvary Public Hospital Bruce / Clare Holland House

Barbara Reid	Regional Chief Executive Officer - ACT			
Roslyn Everingham	A/g General Manager			

OVERVIEW OF THE ACT MENTAL HEALTH SYSTEM

Community treatment services	Community support services	Hospital bed based services	Non hospital bed based services	Private	Other
<p>Headspace</p> <p>Winnunga mental health program</p> <p>CHN counselling and psychology programs including Aboriginal and Torres Strait Islander program</p> <p>Companion House counselling for refugees and asylum seekers</p> <p>Access Mental Health</p> <p>Home Assessment and Acute Response Team (HAART)</p> <p>Adult Community Mental Health Services (ACMHS)</p> <p>Child and Adolescent Mental Health Service (CAMHS)</p> <p>Mobile intensive treatment teams</p> <p>Assertive community outreach teams</p> <p>Early psychosis team</p> <p>Adult day service (UCH)</p> <p>Therapies team</p> <p>Comorbidity, neuropsychology, comorbidity clinicians</p> <p>Mental Health service for people with Intellectual disability</p> <p>Older persons Mental Health community team</p> <p>Forensic Mental Health services</p> <p>Eating disorders program</p> <p>Specialist adolescent and youth outreach teams</p> <p>Dialectical behaviour therapy program</p> <p>The Cottage day program</p> <p>Police, Ambulance, Clinician Emergency Response (PACER)</p>	<p>Several community mental health support services are funded by ACTHD to deliver recovery oriented and consumer focused services.</p> <p>A range of specialist services including suicide postvention and perinatal Mental Health are also delivered in the community through non-government organisations. Examples of these include</p> <p>Detention Exit Community Outreach (DECO)</p> <p>Psychosocial support programs jointly commissioned between ACTHD and the CHN</p> <p>Children of parents with a mental illness support program</p>	<p><u>CHS</u></p> <p>Adult high and low dependency - 40 beds</p> <p>Mental Health Short Stay Unit (MHSSU) - 6 beds</p> <p>Paediatric/adolescent - 2 beds</p> <p>Consultation liaison service – adult and child and adolescent</p> <p><u>CPHB -usual*</u></p> <p>Adult low dependency- 21beds</p> <p>Older Persons’ Mental Health Unit (OPMHU) - 15 beds</p> <p>Consultation liaison service</p> <p><u>UCH</u></p> <p>Rehabilitation – 20 beds</p> <p><i>*currently there is an agreement that CPHB provides 5 adult acute surge beds which decreases OPMHU beds to 14.</i></p>	<p><u>Dhulwa</u></p> <p>25 forensic beds</p> <p><u>BHH</u></p> <p>5 extended care beds</p> <p><u>SUSD</u></p> <p>Youth, young adult and adult residential 16 beds</p> <p>transitional outreach support</p> <p><u>Supported accommodation</u></p> <p>NGO and ACT Health funded range of residential accommodation</p>	<p>Calvary Private hospital – Hyson Green</p> <p>Privately practice GPs, psychologists, psychiatrists, other allied health professionals</p>	<p>National Disability Insurance Scheme (NDIS)</p>

Care in our community

Adult Community Mental Health Teams

There are five adult community mental health teams that are located throughout Canberra in the major town centres of Belconnen, City, Gungahlin, Woden and Tuggeranong. These multidisciplinary teams include doctors, nurses and other health care professionals. They provide services for people experiencing mental health issues, including mental health assessment, mental health treatment, clinical management, crisis management, family support, referral pathways.

Child and Adolescent Mental Health Services Community Teams

The Child and Adolescent Mental Health Services (CAMHS) Community Teams provide assessment and treatment for children and young people who are experiencing moderate to severe mental health difficulties. This service is available for children under 18 years of age.

CAMHS does not provide services to children and young people whose primary presentation is disruptive behaviour disorders, such as Autism Spectrum Disorder, Attention Deficit Disorder or Attention Deficit Hyperactivity Disorder.

Older Persons Mental Health Community Team

The Older Persons Mental Health Community Team (OPMHCT) provides mental health assessment and care to people over the age of 65 years, with mental illness and issues of ageing e.g. dementia. A multidisciplinary team provides care and support to people with complex co-morbidities of mental and physical health conditions. The team also provides support to carers and family members.

The OPMHCT also has an Intensive Treatment Service which provides intensive care to people who have recently been discharged from hospital or who are living in the community but require extra clinical support.

Step Up Step Down Program

The Step Up Step Down (SUSD) programs provides psychosocial support programs for people with a mental illness. Support may be provided in a residential setting where the person stays at the facility, or in their home or community.

The program aims to stop people from relapsing and help people with recover from an acute episode of mental illness. People 'step up' from the community into a highly supportive environment. They then 'step down' from the hospital setting to have an easier, supported transition back to their home.

Brian Hennessy Rehabilitation Centre - Extended Care Unit

The 5 bed Extended Care Unit is located within the Brian Hennessy Rehabilitation Centre on the grounds of Calvary Hospital, Bruce. The unit provides medium term, residential care for people with complex and long lasting mental health issues. Treatment and care is provided in a safe but homely environment with access to occupational, vocational and recreational facilities. The unit helps patients to transition from more secure mental health settings into the community.

Care in our hospitals

Canberra Hospital – Mental Health Short Stay Unit

The Mental Health Short Stay Unit (MHSSU) contains six beds and is located adjacent to the Emergency Department (ED) at the Canberra Hospital. It provides a safe environment for people experiencing a mental health crisis. Admissions are for a maximum of 48 hours and may be voluntary or involuntary.

Canberra Hospital – Adult Mental Health Unit

The Adult Acute Mental Health Unit (AMHU) provides a safe and supportive environment for people receiving care for acute mental illness or disorder. The unit provides short term individualised care which supports people to safely return back to the community. Located at the Canberra Hospital, the purpose built facility has capacity for 40 high and low dependency beds and offers a range of amenities including individual rooms, a gymnasium and spiritual room.

Dhulwa Secure Mental Health Unit

Dhulwa is a secure forensic mental health unit located adjacent to a nature reserve in Symonston. The unit has a 25 bed capacity and provides 24 hour care for patients in a secure, structured and safe environment. The facility includes both acute and rehabilitation mental health programs.

People are generally admitted to the unit from the criminal justice system under the *Mental Health Act 2015*. A small group of people may be admitted from other mental health services under the *Mental Health Act 2015*.

Calvary Public Hospital Bruce – Ward 2N

Acacia Ward is a 21 bed adult mental health unit in Calvary Public Hospital Bruce. The ward provides low dependency acute and sub-acute care. Patients are generally admitted to Acacia Ward after presenting at the ED at Calvary or Canberra Hospital.

Calvary Public Hospital Bruce – Older Persons Mental Health Inpatient Unit

The Older Persons Mental Health Inpatient Unit has 15 funded beds with an additional 5 bed capacity and provides care and treatment to older people experiencing mental illness. Patients admitted to the unit are generally aged 65 and over, who are experiencing psychiatric, emotional or behavioural disturbance. The additional capacity is currently being used as adult acute surge capacity to alleviate current capacity challenges faced at the Canberra Hospital Emergency Department.

University of Canberra Hospital – Adult Mental Health Rehabilitation Unit

The 20 bed Adult Mental Health Rehabilitation Unit (AMHRU) is a specialist mental health rehabilitation unit located at the University of Canberra Hospital. The unit provides care and support for people with a primary diagnosis of mental illness who require a longer hospital stay between 3 and 12 months to complete a rehabilitation program. The unit provides individual and group therapy and support designed to enhance your quality of life and improve your capacity to live in the community.

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PORTFOLIO OVERVIEW

As Attorney General you are the First Law Officer of the Crown in the ACT. As such, you are the Chief Legal Advisor to the Cabinet and the ACT Government. You also have general responsibility for ACT laws and the ACT legal system and for ensuring that the Territory takes a consistent view in relation to key legal issues and that a whole of government approach is taken to legal advice. You are supported in these responsibilities by the Justice and Community Safety Directorate (JACS).

The Government has committed to making Canberra a progressive and inclusive community with a strong economy. Strong laws and institutions that are values based, that protect the vulnerable and which reflect restorative approaches are central to this.

You have indicated that your immediate institutional priority is to create an Aboriginal and Torres Strait Islander Young People's Commissioner. We will work with you and with the Minister for Justice to help you to deliver this commitment by developing and consulting on a model for the role, informed by the outcomes of the Protection of Rights Services Review which will report to you later this year. We will work closely with the Aboriginal and Torres Strait Islander community, whose input and views will be critical.

You have also indicated that commissioning a review of the over-representation of Aboriginal and Torres Strait Islander People in the justice system is a priority.

We will work with you and the Minister for Justice to scope this review in consultation with the Aboriginal and Torres Strait Islander community and establish terms of reference. We will draw on our strong relationships across Government and establish a governance structure that ensures strong early buy in from other Directorates. We anticipate that making a difference will require sustained whole of government attention, effort and service adaptation not only for justice institutions but also in the areas of education, community service and more broadly.

We will also work to help you consolidate and build on important work commenced during the Ninth Assembly. This includes embedding restorative practice in the ACT's justice institutions and ensuring our clubs are well placed to support and build community.

The Attorney-General has policy and legislative responsibility for the following matters:

- Administration of justice and civil and criminal law;
- Electoral policy;
- Policy relating to incorporation of associations;
- Policy relating to liquor;
- Policy relating to security;
- Policy relating to the registration of land titles and tenancies; and
- Racing and gaming policy.

The Attorney-General has responsibility for maintaining these key justice system institutions:

- ACT Courts and Tribunal
 - ACT Supreme Court;
 - ACT Magistrates Court; and

- ACT Civil and Administrative Tribunal (ACAT)
- Office of the Director of Public Prosecutions.

The Attorney-General is also responsible for delivering legal services to Government and the community through:

- ACT Government Solicitor;
- Parliamentary Counsel's Office;
- Legal Aid ACT and funding arrangements with community legal centres; and
- Public Trustee and Guardian.

The ACT justice system spans frontline policing and emergency services, the legal framework for a just and safe community, the formal criminal justice process, corrective services and services to assist people who are, or at risk of, having contact with the criminal justice system.

Each element is supported by infrastructure and equipment, policy development, legal services and programs. There is a close relationship between the Attorney-General, Police and Emergency Services and Corrections portfolios given their responsibility for different components of the justice system.

The directorate is committed to providing cohesive and coordinated advice across each portfolio to deliver the Government's priorities.

Legislation administered by the Attorney-General is set out under 'Ministerial Functions' below.

COVID-19 response

COVID-19 Legislative Measures

In the first half of 2020, the ACT Legislative Assembly passed three omnibus Amendment Acts in response to the COVID-19 pandemic: *COVID-19 Emergency Response Act 2020*, *COVID-19 Emergency Response Legislation Amendment Act 2020* and *COVID-19 Emergency Response Legislation Amendment Act 2020 (No 2)*. These Acts give effect to non-health related decisions of National Cabinet and implement measures to ensure the ACT Government continues to meet the needs of the community in the context of the COVID-19 pandemic.

All COVID-19 legislative measures are enacted temporarily. Generally, the expiry of amendments aligns with either the Public Health (Emergency) Declaration 2020 (No 1) (and its further extensions), and end when the public health emergency ends, or 12 months after the commencement of the COVID-19 Emergency Response Act 2020, on 8 April 2021.

Certain amendments include transitional mechanisms to ensure the COVID-19 measure can continue to operate effectively during a specified transition period.

If necessary, COVID-19 measures may be amended so that they continue to apply for a further period. This has been the subject of consideration by JACS during the Caretaker period and the you and the Chief Minister will be briefed on options for future reform.

COVID-19 Emergency Arrangements

Emergency arrangements have been activated since March 2020 to ensure a whole of government response to COVID-19 in the ACT. The arrangements reflect the ACT Emergency Framework as outlined under the ACT Emergency Plan and ACT Health Emergency Plan. They were modelled on the existing robust emergency management infrastructure, and adapted for COVID-19, rather than reinventing or duplicating existing structures or governance.

Recognising the complex and dynamic nature of COVID-19, the arrangements utilise the collective capabilities across the service, including ACT Police and Emergency Services Australia.

Roles in compliance

Health Protection Services, through the Chief Health Officer (CHO), are the lead agency when it comes to the ACT's overall compliance response to COVID-19 and public health directions.

Access Canberra and ACT Policing are key regulatory compliance partners, with each agency assigned responsibility for supporting regulatory compliance across areas of business, industry and community. Areas of responsibility relate to the existing powers, authorising frameworks and responsibilities of the agencies (ie. Access Canberra primarily support compliance for COVID-19 across regulated business and industries).

The three agencies work in a coordinated way to support compliance with the Public Health Direction, underpinned by the COVID-19 Compliance and Enforcement Framework, which was endorsed by the CHO.

Agencies apply an *engage, educate and enforce* approach to the compliance activity, working closely with business and industry so they understand their compliance requirements through the Direction.

The COVID-19 Compliance and Enforcement Working Group (Compliance Working Group), chaired by ACT Health Directorate, provides ongoing oversight and coordination of COVID-19 compliance activities; membership includes ACT Policing.

DELIVERING ON YOUR PRIORITIES

The Directorate's initial advice on implementing your specific election commitments, both of which are in the important area of Aboriginal and Torres Strait Islander policy, is provided below.

More detail will be provided to you in separate briefings.

Establish Aboriginal and Torres Strait Islander Children and Young People's Commissioner

This commitment consolidates the ACT Government's previous agreement in-principle to the *Our Booris, Our Way* recommendation that an Aboriginal and Torres Strait Islander Children's Commissioner be established.

Work could commence in late 2020 or early 2021 on developing and consulting on a model for the Aboriginal and Torres Strait Islander Children's Commissioner, informed by the findings of the Protection of Rights Services Review which is due to be finalised in November 2020. That review is

likely to inform thinking as whether the new Commissioner role should be located in the ACT Human Rights Commission.

Considered engagement with the Aboriginal and Torres Strait islander community will be critical and legislative change will be required. However, we anticipate that the new Commissioner could be in place within two years.

Commission a review of Aboriginal and Torres Strait Islander over-representation in the justice system

Aboriginal and Torres Strait Islander people are over-represented across the ACT justice system.

Although over-representation is a persistent and growing problem across Australia with incarceration rates increasing by 51 per cent between 2012 and 2018, the degree of urgency in the ACT is more acute with a 135 per cent increase over the same period. Moreover, diversion rates are low.

We estimate that, to achieve parity with existing Non-Indigenous incarceration rates by 2060, the Aboriginal and Torres Strait Islander incarceration rate would need to be decreased by 24.4 per cent by 2031 and 83.0 per cent by 2060.

The Directorate will work with you any other relevant Ministers, in consultation Aboriginal and Torres Strait islander representative and community organisations, to scope the review, establish terms of reference and a statement of requirements to support the review. Review scope and the preferred approach to engagement with community will be important issues that will impact likely cost and timing (indicatively, the review could take one-two years). We would also engage Education, Health and Community Services directorates, noting that a whole-of-government solution to identifying and addressing the issues is likely to be required.

Consolidate and Build

We note that important work building on and consolidating initiatives under way in the ninth assembly remains to be done. These include:

- Embedding restorative approaches in justice and other systems, so as to enhance the healing and wellbeing of Canberrans, including young people, the Aboriginal and Torres Strait Islander community, and those with particular vulnerabilities;
- Enhancing support measures for young people at risk of entering the criminal justice system and consider the appropriateness of raising the age of criminal responsibility; and
- Helping clubs secure their future over the long term, support their communities, and protect their patrons, through collaborative planning and by supporting diversification and gambling harm reduction measures.

These matters are further addressed in the 'Key Issues and Consideration' section of this briefing.

These initiatives are helping to realise the Government's vision of Canberra as a progressive, inclusive and connected city and we look forward to working closely with you to develop a supporting work program that reflects your priorities.

MINISTERIAL FUNCTIONS

Legislative Responsibilities

The Attorney-General has portfolio responsibility for the following legislation:

- *ACT Civil and Administrative Tribunal Act 2008*
- *Act of Settlement 1700 12 & 13 Will 3 c 2*
- *Administration and Probate Act 1929*
- *Administrative Decisions (Judicial Review) Act 1989*
- *Age of Majority Act 1974*
- *Anglican Church of Australia Constitution Act 1961*
- *Anglican Church of Australia Constitutions Act*
- *Anglican Church of Australia Trust Property Act 1917*
- *Anglican Church of Australia Trust Property Act 1928*
- *Associations Incorporation Act 1991*
- *Australian-American Educational Foundation Act 1966*
- *Australian Capital Territory (Legislative Assembly) Act 2014*
- *Australian Crime Commission (ACT) Act 2003*
- *Bail Act 1992*
- *Bill of Rights 1688 1 Will & Mary sess 2 c 2*
- *Casino Control Act 2006*
- *Casino (Electronic Gaming) Act 2017*
- *Civil Law (Property) Act 2006*
- *Civil Law (Sale of Residential Property) Act 2003*
- *Civil Law (Wrongs) Act 2002*
- *Commercial Arbitration Act 2017*
- *Common Boundaries Act 1981*
- *Confiscation of Criminal Assets Act 2003*
- *Coroners Act 1997*
- *Court Procedures Act 2004*
- *Crimes Act 1900*
- *Crimes (Assumed Identities) Act 2009*
- *Crimes (Controlled Operations) Act 2008*
- *Crimes (Forensic Procedures) Act 2000*
- *Crimes (Protection of Witness Identity) Act 2011*

- *Crimes (Sentence Administration) Act 2005, part 8.1*
- *Crimes (Sentencing) Act 2005*
- *Crimes (Surveillance Devices) Act 2010*
- *Criminal and Civil Justice 1351 25 Edw 3 St 5 c 4*
- *Criminal Code 2002*
- *Director of Public Prosecutions Act 1990*
- *Due Process of Law Act 1354 28 Edw 3 c 3*
- *Due Process of Law Act 1368 42 Edw 3 c 3*
- *Electoral Act 1992*
- *Electronic Transactions Act 2001*
- *Enforcement of Public Interests Act 1973*
- *Evidence Act 2011*
- *Evidence (Miscellaneous Provisions) Act 1991*
- *Family Provision Act 1969*
- *Family Violence Act 2016*
- *Forfeiture Act 1991*
- *Free Access to Courts 1400 2 Hen 4 c 1*
- *Freedom of Information Act 2016*
- *Gambling and Racing Control Act 1999*
- *Gaming Machine Act 2004*
- *Guardianship and Management of Property Act 1991*
- *Information Privacy Act 2014*
- *Interactive Gambling Act 1998*
- *Judicial Commissions Act 1994*
- *Juries Act 1967 – This Act relates to juries.*
- *Jurisdiction of Courts (Cross-vesting) Act 1993*
- *Justices of the Peace Act 1989*
- *Land Titles Act 1925*
- *Land Titles (Unit Titles) Act 1970*
- *Law Officers Act 2011*
- *Leases (Commercial and Retail) Act 2001*
- *Legal Aid Act 1977*
- *Legal Profession Act 2006*

- *Legislation Act 2001, except chapter 5*
- *Limitation Act 1985*
- *Liquor Act 2010*
- *Listening Devices Act 1992*
- *Lotteries Act 1964*
- *Magistrates Court Act 1930*
- *Magna Carta (1297) 25 Edw 1 c 29*
- *Major Events Act 2014*
- *Married Persons Property Act 1986*
- *Medical Treatment (Health Directions) Act 2006*
- *Mental Health Act 2015, pt 7.2, chapters 10 and 11 and sections 267, 268 and 269*
- *Mercantile Law Act 1962*
- *Notaries Public Act 1984*
- *Nudity Act 1976*
- *Oaths and Affirmations Act 1984*
- *Partnership Act 1963*
- *Perpetuities and Accumulations Act 1985*
- *Personal Violence Act 2016*
- *Petition of Right 1627 3 Chas 1 c 1*
- *Pool Betting Act 1964*
- *Powers of Attorney Act 2006*
- *Presbyterian Church (Proposals for Union with other Churches) Act 1972*
- *Presbyterian Church Trust Property Act 1971*
- *Proportional Representation (Hare-Clark) Entrenchment Act 1994*
- *Protection of Public Participation Act 2008*
- *Public Trustee and Guardian Act 1985*
- *Race and Sports Bookmaking Act 2001*
- *Racing Act 1999*
- *Referendum (Machinery Provisions) Act 1994*
- *Residential Tenancies Act 1997*
- *Roman Catholic Church Property Trust Act 1937*
- *Salvation Army Property Trust Act 1934*
- *Security Industry Act 2003*

- *Supreme Court Act 1933*
- *Terrorism (Extraordinary Temporary Powers) Act 2006*
- *Testamentary Guardianship Act 1984*
- *Totalisator Act 2014*
- *Trustee Act 1925*
- *Trustee Companies Act 1947*
- *Uniting Church in Australia Act 1977*
- *Unit Titles (Management) Act 2011*
- *Unlawful Gambling Act 2009*
- *Utilities Act 2000, parts 11 and 12*
- *Wills Act 1968*
- *Witness Protection Act 1996*

Statutory appointments

As Attorney-General, you are responsible for making and recommending to Cabinet a range of statutory appointments. The directorate will provide you with early advice on upcoming appointments.

Body	Position	Appointed by	Next appointment
ACT Civil and Administrative Tribunal	President	Executive	2 January 2024
	Presidential Members	Executive	2 January 2021
	Senior Members	Attorney-General	31 December 2020
	Ordinary Members	Attorney-General	31 December 2022
Director of Public Prosecutions	Director	Executive	31 December 2025
Diversification and Sustainability Support Fund Advisory Group	Member	Attorney-General	6 October 2021
Judicial Council	Members	Attorney-General	31 December 2020
Legal Aid Commission Board	President	Attorney-General	29 January 2025
	Members	Attorney-General	25 March 2022
Legal Aid Review Committees	Members	Attorney-General	22 January 2022
Liquor Advisory Board	Members	Attorney-General	15 October 2021
Magistrates Court	Magistrates	Executive	5 May 2025
	Special Magistrates	Executive	31 December 2020
	Registrar	Attorney-General	28 February 2021
Professional Standards Council	Council members	Attorney-General	31 December 2020
Public Interest Monitor Panel	Members	Attorney-General	13 September 2022
Public Trustee and Guardian Investment Board	Members	Attorney-General	2 March 2021

Sentence Administration Board	Chair and Members	Attorney-General	13 May 2023
Solicitor-General	Solicitor-General	Executive	30 August 2025
Supreme Court	Resident Judges	Executive	8 December 2022
	Associate Judge	Executive	14 June 2046
	Acting Judges	Executive	
	Registrar	Attorney-General	11 November 2024
ACTCT	Principal Registrar and CEO	Executive	1 March 2021

Ministerial Councils

Following agreement to reform the federal relations framework and replace the Council of Australian Governments with a National Cabinet, various Ministerial Councils are being reviewed and may be replaced or renamed in the near future.

The following tables reflect the most recent inter-governmental arrangements and you will be briefed on any changes as they occur:

Ministerial Council	Directorate level meeting	Role of body	Member	Frequency	Action area
Council of Attorneys-General (CAG)		<p>CAG assists the Council of Australian Governments (COAG) by developing a national and Trans-Tasman focus on maintaining and promoting best practice in law reform. The CAG consists of Attorneys-General from the Australian Government, all states and territories, and the New Zealand Minister for Justice.</p> <p>The CAG's responsibilities cover the broad theme of law reform to improve justice outcomes in relation to civil justice reforms and responses, legal profession regulation and evidence law, national security legal frameworks, intergovernmental reforms and implementation of</p>	Attorneys-General, Justice Ministers, Police Ministers, Emergency Management Ministers	Two times per year	LPP - JACS

		cross-jurisdictional oversight and integrity measures.			
Legislative and Governance Forum on Consumer Affairs (CAF)		CAF's objective is to improve consumer well-being through consumer empowerment and protection, fostering effective competition and enabling the confident participation of consumers in markets in which both consumers and suppliers trade fairly.	Commonwealth, State, Territory and New Zealand Ministers responsible for fair trading and consumer protection laws.	Two times per year	Access Canberra - Chief Minister, Treasury and Economic Development Directorate
Ministerial Drug and Alcohol Forum		The Forum oversees the work on Australia's national drug policy framework. This framework includes strategies for alcohol, tobacco, ice, and strengthening the alcohol and other drug (AOD) workforce.	Commonwealth, State and Territory Health Ministers and Attorneys-General	Up to three times per year.	LPP - JACS
Redress Ministers Board	Redress Scheme Committee (DG) Interjurisdictional Committee (LPP Exec and action officer)	Established under IGA to oversee implementation of National Redress Scheme	Attorney-General	Two times per year	LPP - JACS

Consultative Bodies

Consultative committee	Membership
Liquor Advisory Board	
The Liquor Advisory Board is established under the <i>Liquor Act 2010</i> to provide advice to the Minister about matters associated with the operation and effectiveness of the Act and measures that support the harm minimisation and community safety principles of the Act.	The Board comprises: <ul style="list-style-type: none"> • Director-General of JACS (Chair); • Commissioner of Fair Trading; and • Victims of Crime Commissioner and the following members appointed by the Minister: <ul style="list-style-type: none"> • one Australian Federal Police representative;

	<ul style="list-style-type: none"> • one member appointed to represent the community; • one member appointed to represent Aboriginal and Torres Strait Islander people; • one member to represent small businesses; • one member to represent Clubs ACT; • one member to represent the Australian Hotels Association (ACT Branch) representative; • one member to represent young people; • one member to represent off licensees; and • one member with knowledge or expertise in the area of health and the effects of alcohol.
<p>Professional Standards Council</p>	
<p>The Professional Standards Council is established under section 4.38 of schedule 4 of the <i>Civil Law (Wrongs) Act 2002</i>.</p>	<p>The ACT Professional Standards Council (the ACT Council) consists of 11 people appointed by the Attorney-General who have the experience, skills and qualifications to enable them to make a contribution to the work of the Council.</p> <p>All States and Territories need to agree to appoint the same 11 members to their Councils</p>
<p>Sexual Assault Reform Program Reference Group (SARP Reference Group)</p>	
<p>The SARP Reference Group is established to:</p> <ol style="list-style-type: none"> a) improve processes and support for victims of sexual offences as they progress through the criminal justice system; b) reduce attrition in sexual offence matters in the criminal justice system; and c) improve coordination and collaboration among agencies involved in the criminal justice system. 	<p>The SARP Reference Group consists of representatives from 23 organisations The SARP Reference Group consists of representatives who have decision making skills on behalf of their agencies, including:</p> <ul style="list-style-type: none"> • Aboriginal Justice Centre, Chief Executive Officer; • ACT Bar Association, Chief Executive Officer; • ACT Courts, Courts Administrator; • ACT Law Society, Representative; • ACT Policing, Representative; • Canberra Rape Crisis Centre, Executive Officer; • Canberra Sexual Health Centre, Representative from Clinical Forensics; • Child at Risk Health Unit, Child Medical Officer; • Director of Public Prosecutions, Prosecutor; • Domestic Violence Crisis Services, Co-ordinator; • Legal Aid ACT, Deputy CEO; • Legislation Policy Branch, Deputy Executive Director; • Legislation Policy Branch, Secretariat; • Office for Women, Manager; • The Victims of Crime Commissioner; • Victim Support ACT, Team Leader; and • Women’s Legal Centre.

KEY ISSUES AND CONSIDERATIONS

Human rights

The ACT is one of only three human rights jurisdictions in Australia – along with Victoria and Queensland.

The *Human Rights Act 2004* (ACT) (HRA) provides statutory protection for a broad range of human rights. The HRA recognises that most human rights are not ‘absolute’.¹ That is, most human rights may be subject to reasonable limits in law that can be demonstrably justified in a free and democratic society.

The HRA requires that each Government bill presented to the Legislative Assembly must be accompanied by a written statement (a compatibility statement) about the bill, which must state whether, in the Attorney-General’s opinion, the bill is consistent with human rights.²

This compatibility statement is now included as part of the explanatory statement to the bill, which identifies any human rights that are engaged, and provides justification for any reasonable limits on human rights, as provided in section 28 of the HRA. For bills identified as ‘significant bills’ a more detailed human rights analysis is required to be included in the explanatory statement.

The Human Rights Unit within the Legislation, Policy and Programs Division of JACS will assess the bill and the explanatory statement for human rights compatibility prior to these documents going to Cabinet and will issue a Memorandum of Compatibility advising you as Attorney-General and Cabinet whether, in their opinion, the bill is compatible with the HRA.

Prior to presentation of the Bill in the Legislative Assembly, this will be provided with the final Explanatory Statement, which includes the compatibility statement, and the Human Rights Unit will confirm the advice that the statement is ready for signature.

Therapeutic approaches

Therapeutic approaches have recently been introduced in the ACT’s courts. These approaches seek to tackle the underlying ‘cause’ of offending or other dysfunctionality.

The Drug and Alcohol Court (DAC) commenced operations on 3 December 2019. The DAC offers an alternative approach to rehabilitating offenders whose crime is related to drug or alcohol dependency. The aim is to improve people’s health and wellbeing, reintegrate them into the community and reduce criminal offending. Ongoing funding will be necessary to support the DAC.

¹ An ‘absolute’ human right is one that cannot be limited under any circumstances. Under international law, absolute rights include the freedom from torture and other cruel, inhuman or degrading treatment or punishment, freedom of slavery, freedom from imprisonment for inability to fulfil a contractual obligation, the prohibition on retrospective criminal laws, and the right to recognition as a person before the law.

² *Human Rights Act 2004* (ACT) s 37.

The DAC is also supported by a multidisciplinary team including Canberra Health Services, ACT Corrective Services, the Director of Public Prosecutions, Legal Aid ACT, ACT Policing, non-government service providers and indigenous guidance partners.

A Therapeutic Care Court in the Childrens Court is in development. The aim of a Therapeutic Care Court or problem-solving court is to address issues through a coordinated service provision response led by the Court. The approach is collaborative between the Court, service providers, the parents and Child and Youth Protection Services.

The model differs from the current court model in a number of significant ways. The Court currently has no role in engaging with parents to address the factors that bring children into care. The Court is responsible for case managing the proceedings which are often only resolved by a contested hearing before the Childrens Court Magistrate.

It is currently expected that the Therapeutic Care Court will commence in early 2021.

ACAT Trust Fund

The *ACT Civil and Administrative Tribunal Trust Fund* (ACAT Trust) is established under section 115B of the *ACT Civil and Administrative Tribunal Act 2008* (ACAT Act) and a Directorate Trust Account under part 7 of the *Financial Management Act 1996*. The ACAT Trust consolidated a series of trusts used for different functions such as industry based regulatory schemes. The trust is the primary source of funding for the ACT itself.

The ACAT Act and ACAT Regulation permit amounts in the ACAT Trust account to be for a certain purpose depending on the authorising law under which it was paid into the trust. The table below highlights the percentage of total ACAT money spent from the ACAT Trust per year from 2011-12 to 2018-19, pursuant to the purposes permitted under the authorising laws.

The largest percentage of money being spent from the ACAT trust are being used for a prescribed purpose under the ACAT Act and the Residential Tenancies Act:

Authorising Laws	2018-19	2017-18	2016-17	2015-16	2014-15
	\$'000	\$'000	\$'000	\$'000	\$'000
Residential Tenancies Act 1997	\$2,320,555 (21%)	\$3,222,006 (29%)	\$1,982,668 (21%)	\$2,089,234 (22%)	\$2,033,217 (23%)
Agent Act 2003	\$914,155 (8%)	\$892,614 (8%)	\$875,273 (9%)	\$861,489 (9%)	\$842,718 (10%)

We will brief you separately on the implications of the current 'low interest' environment for the sustainability of the fund.

Access to justice

The ACT's legal assistance sector provides access to justice by providing legal services tailored to groups within the community most likely to experience legal problems and are least able to resolve them. These groups include persons experiencing financial disadvantage, Aboriginal and Torres

Strait Islander peoples, persons with a disability or mental illness, young people, older people, and single parents.

The ACT is party to two funding agreements with the Commonwealth which will provide funding to the ACT’s legal assistance sector – The National Legal Assistance Partnership (NLAP) and the Project Agreement for COVID-19 Legal Assistance Funding (the Project Agreement).

The NLAP 2020-2025 commenced operation on 1 July 2020 and replaced the National Partnership Agreement for Legal Assistance Services 2015-2020 which expired on 30 June 2020. The NLAP is the primary funding mechanism for the provision of Commonwealth funding to the legal assistance sector, including Legal Aid Commissions, Community Legal Centres (CLCs), and Aboriginal and Torres Strait Islander Legal Services (ATSILS). Its purpose is to support integrated, efficient, effective and appropriate legal assistance services focussed on improving outcomes and keeping the justice system accessible to vulnerable people facing disadvantage, within available resources.

The NLAP will deliver \$42.772 million in Commonwealth funding to the ACT between 2020-21 and 2024-25 towards legal assistance services provided by Legal Aid ACT, community legal centres, and the Aboriginal Legal Service (NSW/ACT). In the ACT, the funded agencies under the NLAP are Legal Aid ACT (Legal Aid Commissions funding stream), Canberra Community Law (CLC funding stream), Women’s Legal Centre (CLC and Domestic Violence Unit stream), and the Aboriginal Legal Service NSW/ACT (ALS) (ATSILS funding stream).

JACS will administer this funding to the legal assistance sector through program funding deeds with legal assistance providers with \$1.814 million of the \$42.772 million going to JACS over five years to support the ACT administer the NLAP.

The Project Agreement provides stimulus funding from the Commonwealth Government to the ACT’s legal assistance sector to support it to respond to the impacts of COVID-19 between 2019-20 and 2020-21. The ACT’s total funding allocation under the Project Agreement is \$1.391 million. This is distributed through two funding streams – ‘ICT funding’ and ‘frontline service delivery funding’ and the final payment is due to be made in the 2020 calendar year.

ICT funding was provided to support the Legal Aid Commission and the ACT’s community legal centres (CLCs) to transition to virtual service delivery. No ICT funding for Aboriginal and Torres Strait Islander Legal Services (ATSILS) was provided through the Project Agreement, because the Commonwealth separately negotiated this funding with individual service providers.

The ACT’s allocations per funding stream are as follows:

Sector	ICT funding (2019-20)
Legal Aid ACT	\$270,439
Community Legal Centres	\$176,799
Total	\$447,238

Frontline Services Funding	2019-20	2020-21	Total
ACT allocation	\$347,889	\$596,398	\$944,287

The Project Agreement requires that a minimum of 40 per cent of the frontline services funding be allocated to responding to domestic and family violence. It also requires that funding be distributed across all sub-sectors of the legal assistance sector. The following allocations have been made, by funding stream:

Provider	ICT	Frontline Services	ACT Government Supplement
ALS	Nil	\$142,000	Nil
CCL	\$75,575	\$114,000	\$114,000
CARE	\$30,909	\$150,000	\$70,000
EDO	\$10,000	Nil	Nil
Legal Aid ACT	\$270,439	\$314,087	Nil
WLC	\$60,315	\$224,200	Nil
Total	\$447,238	\$944,287	\$184,000

These allocations were made by following consideration of submissions from the sector about legal need identified resulting from COVID-19 and the funding needs of each agency to address these needs.

National Security

The Attorney-General is responsible for maintaining the ACT’s security and counter-terrorism related policies and legislation.

The ACT is a party to the Inter-Governmental Agreement (IGA) on Australia’s National Counter-Terrorism Arrangements. The IGA implements constitutional references to support a national counter terrorism response. The IGA provides for consultation between the Commonwealth and State and Territory Governments on amendments to federal terrorism offences and on the proscription of terrorist organisations.

While the ACT is not required to formally refer power to the Commonwealth the ACT is still consulted on matters arising in relation to national counter-terrorism issues. Amendments to federal legislation or the IGA are agreed to by First Ministers. Advice to the Chief Minister is prepared by JACS for approval by the Attorney-General before proceeding to the Chief Minister.

The ACT has primary responsibility for the operational response to a terrorist incident in our jurisdiction. The Attorney-General is responsible for the *Terrorism (Extraordinary Temporary Powers) Act 2006* (the TETP Act). The TETP Act allows the court to make a preventative detention order if it is satisfied that a terrorist act is happening or will happen sometime within the next 14 days, and that the order will substantially assist in preventing the terrorist act or reducing its impact or both. The Act is in operation until 19 November 2021 and was reviewed in 2019. A report is due to be provided to the Legislative Assembly before 19 November 2020. A COVID-19 pandemic provision has been included to allow for the report to be provided to the Legislative Assembly no later than 19 May 2021.

The Attorney-General is also responsible for appointing members to the Public Interest Monitor (PIM) Panel. PIMs serve an important role under the TETP Act with responsibilities relating to proposals for police to monitor contact between a detained person and their lawyer.

Further information about national and local security is provided at [Attachment A](#).

Tackling crime in the ACT

As Attorney General, you will work closely with the Minister for Police and Emergency Services in tackling crime in the ACT.

Policing Model and Crime Trends

The 2019-20 ACT Budget provided \$33.9 million to support ACT Policing to transition to a new policing model that will take a system-wide approach to crime prevention, disruption and response. The funding provides for over 60 additional staff over the four years and better tools and technology to enable police officers to be more mobile and agile in serving the community.

Long term trends indicate that, overall, offences numbers in the ACT decreased by 13.9 per cent when comparing the 2019-20 financial year with the 2010-11 financial year.

Key statistics for 2019-20 in interested include:

- 31,656 offences were reported to ACT Policing, a decrease of 8.2 per cent (or 2,814 offences) when compared to the previous financial year;
- 3,477 offences were recorded against the person, a decrease of 10.5 per cent (or 409 offences), when compared to the previous financial year;
- There was a 2.3 increase (or 28 offences) in motor vehicle theft, when compared to the previous financial year;
- The number of armed robbery offences decreased by 1.0 per cent (or one offence) when compared to the previous financial year. Robbery (other) offences increased by 14.3 per cent (or 15 offences) when compared to the previous financial year; and
- Theft (excluding motor vehicles) decreased by 7.1 per cent (or 623 offences), when compared to the previous financial year.

The number of Outlaw Motorcycle Gang (OMCG) members in the ACT has also decreased in recent times - from approximately 70 in 2018-19 to approximately 30-40 in 2019-20 as a result of members being deported, imprisoned or fleeing interstate.

ACT Policing's Taskforce Nemesis focuses on proactively disrupting criminal gang members to deter and detect criminal activity. In the 2018-19 Budget, \$1.6 million over four years was provided to Taskforce Nemesis. In addition, the 2019-20 Budget provided \$2.8 million over four years to the ACT Director of Public Prosecutions to assist with efforts to combat serious and organised crime including to strip criminals of their criminal profits.

The following recent legislative reforms assist to target, disrupt, and prosecute organised criminal gang members:

- The *Confiscation of Criminal Assets (Unexplained Wealth) Amendment Act 2020* introduced an ACT-specific unexplained wealth scheme;

- The *Crimes (Disrupting Criminal Gangs) Legislation Amendment Act 2019* introduced measures to address risks to community safety posed by organised crime;
- The *Crimes (Fortification Removal) Amendment Act 2017*, introduced provisions for the CPO to apply for an order that an occupier remove fortifications from their premises; and provisions that prohibit the establishment of fortifications on certain premises; and
- The *Crimes (Police Powers and Firearms Offence) Amendment Act 2017* introduced statutory crime scene powers to allow police to preserve evidence in a timely manner at crime scenes while taking the least restrictive approach to limiting a person's right to privacy; and a new offence of 'drive by shooting'.

Confiscated Assets Trust Fund

The Confiscated Assets Trust Fund (CAT Fund) is established under section 130 of the *Confiscation of Criminal Assets Act 2003*. Section 134 allows the Attorney-General to approve the use of funds acquired through the confiscation of the proceeds of crime and property used to facilitate the commission of an offence.

Under the Act, you may approve the use of amounts from the CAT Fund to support projects related to the enforcement of Territory laws, criminal justice activities, crime prevention, assistance to victims of crime, the prevention of drug abuse and rehabilitation of drug users.

The Attorney-General must decide the amount of distributable surplus funds available at least once per financial year. As at 30 June 2020, there was \$1,673,273.01 in the CAT Fund but \$1,653m has been approved for use in the 2020-21 financial year.

While it is not possible to provide a definitive estimate of how the CAT Fund will grow throughout a financial year, during 2019-20, \$1,457m was forfeited to the Territory from the seizure of cash, motor vehicles and real estate properties, primarily from drug-related offending. As of 6 October 2020, \$1.395m in additional funds had been paid into the CAT Fund this financial year.

Safeguarding families and young people

As Attorney-General, you will work closely with the Minister for the Prevention of Domestic and Family Violence on especially matters relating to family violence, information sharing and youth justice.

National Domestic Violence Order Scheme

At the national level, COAG has agreed to establish the National Domestic Violence Order Scheme, to enable family and domestic violence orders issued in any Australian jurisdiction to be automatically recognised and enforceable across Australia. A key element of the COAG decision was the development of a comprehensive national information sharing system that police and courts would be able to use to enforce orders. The Commonwealth is working on the feasibility and costs of an IT system is ongoing.

Improved information-sharing

On 29 November 2019, CAG endorsed the *National Strategic Framework for Information Sharing Between the Family Law and Family Violence and Child Protection Systems* (the National Framework). The National Framework is an in-principle agreement that the following services should be able to share family violence and child welfare information:

- family law courts;
- state and territory courts (which deal with family violence orders and family violence offences);
- police; and
- child protection services.

A cross-jurisdictional working group is considering how the National Framework can be operationalised.

Separately, JACS is working with the Office of the Coordinator-General for Family Safety (OCGFS) to develop an enhanced legal framework for family violence information-sharing in the ACT.

Minimum age of criminal responsibility

The minimum age of criminal responsibility (MACR) in the ACT, and across all Australian jurisdictions, is 10 years of age. However, a child aged under 14 years cannot be held criminally responsible unless the prosecution can prove they knew what they were doing was wrong (the *doli incapax* presumption).

On 20 August 2020, the ACT Legislative Assembly passed a motion calling on the Government to:

- support raising the MACR to 14 years of age, taking into account medical and other relevant evidence, and with consideration given to exemptions for serious offences;
- ensure that reform in this complex area engages with and enhances support services identified through a gap analysis, noting that keeping young people safe and diverting them from the justice system is a whole-of-government and whole-of-community responsibility; and
- continue to progress policy work and consider programs and resources that may be required in order for the tenth Assembly to consider legislation raising the age.

JACS is working with CSD, other Directorates and justice agencies to consider how a higher MACR could be implemented in the ACT. In August 2020, the Attorney-General approved the use of \$500,000 from the Confiscated Assets Trust Fund to assist in this work, including \$120,000 to support a gap analysis review by an external consultant.

The MACR is also being considered at the national level through CAG.

Child Abuse Royal Commission

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) Criminal Justice Report (the Report) makes 85 recommendations which provide a pathway for improving the way the criminal justice system addresses child sexual abuse, and responds to victims. The recommendations are intended to promote a community in which:

- the criminal justice system operates in the interests of seeking justice for society, including the complainant and the accused;
- criminal justice responses are available for victims and survivors; and
- victims and survivors are supported in seeking criminal justice responses.

JACS leads the ACT Government's implementation of the Criminal Justice Report legislative recommendations. As of August 2020, 61 (or 72 per cent) of the 85 recommendations were fully implemented.

Twenty-four of the Criminal Justice Report's recommendations remain incomplete and subject to further work.

Redress

The National Redress Scheme for Institutional Child Sexual Abuse (the Redress Scheme) commenced 1 July 2018 and runs for 10 years. It is established under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) and administered by the Commonwealth through the Department of Social Services (DSS).

The Redress Scheme was established in response to the Royal Commission into Institutional Responses to Child Sexual Abuse, providing survivors of institutional child sexual abuse access to counselling, a direct personal response from the responsible institution and a monetary payment of up to \$150,000. The ACT is a party to the Intergovernmental Agreement on the National Redress

Scheme and the ACT minister with responsibility for redress (to date the Attorney-General) is a member of the Redress Ministers Board, which includes ministers of all states and territories, and the Commonwealth minister as chair. Any changes to the Redress Scheme must be agreed by the Board.

JACS leads the ACT Government's implementation of the Redress Scheme. In 2019-20, the ACT Government received 20 requests for information (RFI) from DSS, in response to applications to the Scheme. The ACT Government provided responses to all 20 RFIs. In 2019-20, five offers of redress were made by the Scheme Operator in response to applications relating to ACT Government institutions and nine were made arising from abuse for which pre self-government institutions were responsible.

In August 2020, JACS submitted a report on behalf of the ACT Government to the legislated second anniversary review of the Redress Scheme to share the ACT Government's experience with the Redress Scheme and to identify issues for the review's consideration. The review is due to report in early 2021.

In the 2018-19 ACT Budget, \$13.9 million was allocated for the first four years of the Redress Scheme. It is estimated that it will cost approximately \$30 million over the life of the ten-year Scheme.

Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (the DRC) was established by the Commonwealth in April 2019 in response to community concern.

The DRC's Terms of Reference are broad. It is conducting public hearings, community forums and research to investigate the experiences of people with disability across a wide range of settings and contexts. These include places of detention and secure facilities. The DRC is scheduled to release an interim report in October 2020 and a full report in April 2022. The full report is expected to contain recommendations for change. The Disability Justice Strategy is already supporting change in the

justice system for people with disability and there will be an opportunity to incorporate relevant DRC recommendations into the Second Action Plan.

JACS is monitoring the DRC's justice work, while CMTEDD is coordinating the broader work across government. It is expected the DRC will impact on justice agencies through a planned inspection of closed institutions in 2021 and a foreshadowed requirement (through a Notice to Produce) to provide data in relation to people with disability who have been found unfit to plead and/or not guilty because of mental impairment.

Aboriginal and Torres Strait Islander people

The Justice Action Plan (JAP) was agreed to under the ACT Aboriginal and Torres Strait Islander Agreement 2019 – 2028. It articulates actions and measures relating to some key justice issues affecting Aboriginal and Torres Strait Islander people in the ACT to ensure that Aboriginal and Torres Strait Islander peoples, their families and communities thrive in a safe environment and have equitable access to justice and culturally safe restorative justice, prevention and diversion programs.

Priority outcomes under the new National Agreement on Closing the Gap are consistent with those of the ACT Aboriginal and Torres Strait Islander Agreement 2019-2028. However, a new justice-specific target has been included as 1 of 16 socio-economic targets in the National Agreement:

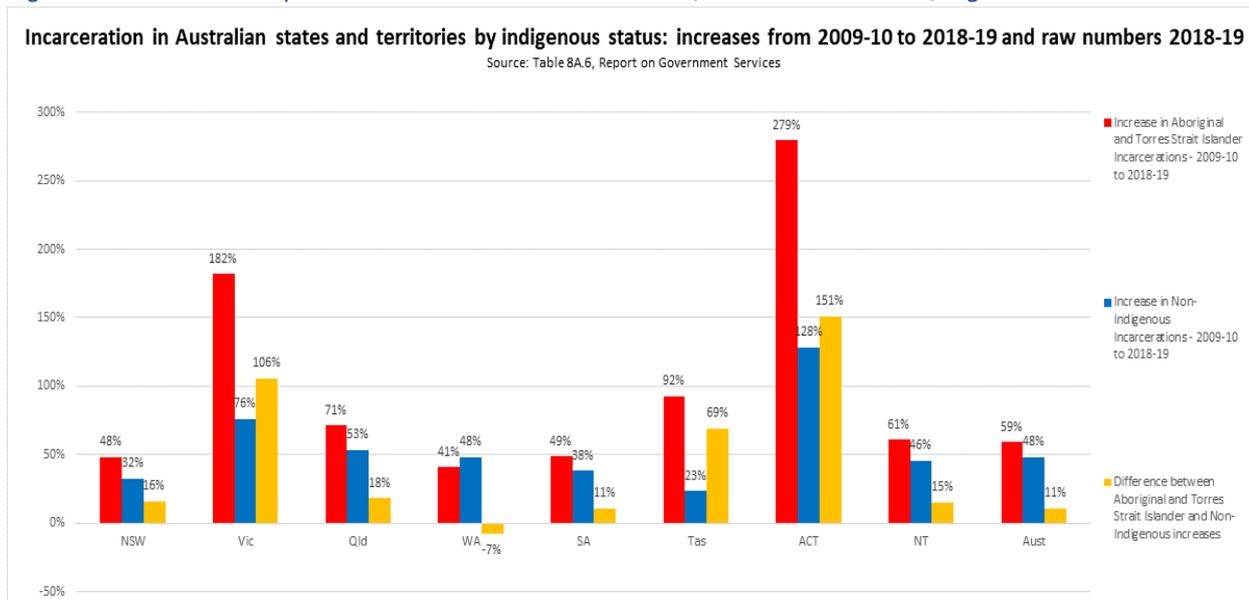
Target 10 – 'Reduce the rate of Aboriginal and Torres Strait Islander adults held in incarceration by at least 15 per cent by 2031'

The Outcomes Framework for the ACT Agreement, currently under development by the Office of Aboriginal and Torres Strait Islander Affairs (OATSIA) and the ACT Agreement Inter-Directorate Committee (IDC), will incorporate and closely align with National Agreement targets, including targets currently under consideration by the Joint Council on Closing the Gap for the 4 Priority Reform areas.

Aboriginal and Torres Strait Islander people are over-represented across the ACT justice system. Although over-representation is a persistent and growing problem across Australia with incarceration rates increasing by 51 per cent between 2012 and 2018, the degree of urgency in the ACT is more acute with a 135 per cent increase over the same period.

Over the past decade the ACT has seen the highest increases in Indigenous incarceration of any jurisdiction in Australia. As shown in Figure 1, the increase of 279 per cent in the ACT is five times higher than the national increase of 59 per cent.

Figure 1 – Based on ‘Report on Government Services 2020, Corrective Services, Figure 8A.6’



Aboriginal and Torres Strait Islander people make up approximately 1.9 per cent of the ACT population, but on average make up approximately 23 per cent of the detainee population at the AMC. Re-imprisonment rates are higher than 90 per cent for Aboriginal and Torres Strait Islander detainees at the AMC, compared to 75 per cent for non-Indigenous detainees.

JACS oversees a number of programs (with a combined total contract value of around \$4 million) that support Aboriginal and Torres Strait Islander people.

Importantly, the Aboriginal Legal Service is contracted to provide culturally appropriate Duty Lawyer Services for Aboriginal and Torres Strait Islander people in the Magistrates Court and Children’s Country of the ACT jurisdiction. Other initiatives include:

- *The Ngurrambai Bail Support Program Trail (NBSP)* - designed to reduce the number of Aboriginal and Torres Strait Islander people on remand, and the time spent on remand. NBSP is delivered by the Aboriginal Legal Service.
- *Yarrabi Bamirr* - a program designed to support Aboriginal and Torres Strait Islander families to delay or prevent contact with the justice system. Three organisations deliver the program – Winnunga, Yeddung Mura, Tjillari Justice.
- *Front Up* - which is a Community Justice Program for people who have an outstanding warrant(s), or have breached bail or a community-based sentence to assist them to present to Court and negotiate on their behalf to have the matter resolved, where possible, without a period of custody. Front Up is currently provided by the Aboriginal Legal Service.
- *Yarning Circles for Justice* - a series of 26-week programs that use co-designed activities with both a cultural and therapeutic lens to support ex-detainees in a supportive group setting to stay in the community and rebuild their lives - rather than return to prison. Yarning Circles for Justice is currently provided by Yeddung Mura.
- Aboriginal Throughcare Support is a client-centred program designed to enable Aboriginal and Torres Strait Islander clients to succeed on their journey from prison to living

sustainably back in the community. Aboriginal Throughcare Support is currently provided by Yeddung Mura.

- The Galambany Court provides culturally appropriate sentencing options through the inclusion of Aboriginal and Torres Strait Islander Elders in the Court; and opportunity to work collaboratively with the ACT criminal justice system to address issues of over representation and offending behaviour. Galambany Circle Sentencing Court Support is currently provided by Tjillari Justice.
- *The On Country Program* – a 10 week culturally relevant sentencing option available to both the Magistrates and Galambany courts as an alternative to a custodial sentence for Aboriginal men.
- The Mulleun Mura Aboriginal and Torres Strait Islander Women’s Access to Justice Program (‘A2J Program’) assists vulnerable and disadvantaged Aboriginal and Torres Strait Islander women in need of law and justice services in the ACT and surrounding region. It is delivered by the Women’s Legal Centre ACT & Region.

Community Contributions Scheme

The community contribution scheme ensures that a portion of revenue from gaming machines is funnelled back into the ACT community for a community purpose. The scheme is established by Part 12 of the *Gaming Machine Act 2004*. Part 9 of the Gaming Machine Regulation 2004 outlines what can and cannot be claimed as a community purpose contribution and how these claims must be worked out.

Under the scheme, clubs must each apply a certain percentage of their net gaming machine revenues (NGMR) to community purposes. Currently, this percentage differs according to the club’s circumstances but is, generally, 8 per cent. Out of this 0.4 per cent must go to the Chief Minister’s Charitable Fund and minimum monetary contribution rules also apply.

A community purpose under the scheme is:

- supporting a charitable cause;
- providing recreation opportunities;
- providing education opportunities;
- improving social inclusion, equality or cultural diversity;
- benefitting or increasing participation in community sport;
- preventing or mitigating harm caused by drug or alcohol misuse or dependence;
- benefitting or increasing participation in women’s sport conducted in the ACT, or with participants mainly based in the ACT;
- providing relief or assistance to people living in Australia following a natural disaster;
- providing relief or assistance to the community in relation to a COVID-19 emergency; or
- a purpose prescribed by regulation.

Hotels are required to contribute a set percentage of their NGMR to each of the:

- Gambling Harm Minimisation Fund (0.4 per cent); and
- Chief Minister’s Charitable Fund (0.4 per cent)

All clubs in the ACT that receive gaming machine revenue are required to publicly report on the community purpose contributions they have made each year. They are also required to engage with

the community around its needs and to report on that engagement. Annual reports are to be published on the clubs' websites.

Levies and taxes: Gaming Machine Tax Liability

Gaming machine tax is payable on Gross Gaming Machine revenue (GGMR) in relating to the operation of gaming machines for each tax period, whether or not the operation is lawful. For clubs the rate at which tax is payable is worked out for each month within the tax period as follows:

Revenue	Tax rate
Up to \$25,000	NIL
\$25,000.01 to \$49,999.99	17 per cent
\$50,000 to \$624,999.99	21 per cent
\$625,000 and above	23 per cent

For a licensee that is not a club the tax rate is 25.9 per cent, and in any other case the rate is 100 per cent.

Gaming machine tax was waived for gaming activity in March 2020 for clubs that pay tax monthly (larger clubs and club groups).

Gaming machine tax was waived for gaming activity in the first quarter of 2020 for clubs eligible to pay tax quarterly (small or medium clubs and club groups).

The Gaming Machine Act provides a 50 per cent gaming machine tax rebate for small and medium clubs and club groups to support these clubs as they diversify their revenue sources away from gaming machines and facilitate new services and support for the Canberra community.

The rebate commenced on 1 July 2017 and is continuing until 2022.

A club or club group is considered small or medium where its annual gross gaming machine revenue (GGMR) is not more than \$4 million, or where it receives some amount of rebate under phased reduction provisions.

Levies and taxes: Diversification and Sustainability Support Fund

The Diversification and Sustainability Support Fund (DSSF) was established on 1 July 2019. The DSSF is jointly funded by industry and Government to help clubs pursue a future away from gaming machines and support club staff to develop new skills.

The DSSF receives contributions from clubs according to the number of authorisations held. These contributions are matched by Government for the first three years of the Fund's operation, commencing 2019-20.

The requirement for clubs to contribute to the DSSF was waived under the COVID-19 Economic Survival Package for tax periods beginning after 23 March 2020 and ending before 8 April 2021. Clubs do not need to make payments to this fund again until the April 2021 tax period.

Despite club contributions being suspended, the ACT Government is providing a previously budgeted amount of \$1.08 million to the DSSF in 2020-21 as a COVID-19 support measure for the industry.

The DSSF Advisory Board is responsible for assessing applications for funding and making recommendations to you about payments out of the Fund. You have as to whether or not to approve the payments recommended by the DSSF Advisory Board.

With supplementary Government funding of \$1.5 million, emergency relief funding of approximately \$3.3 million was delivered from the DSSF in early 2020 to keep club staff employed or provide other income support to club staff, as part of its COVID-19 support measures.

Gambling Harm Prevention and Mitigation Fund Levy

Separate from the community contributions scheme, clubs are required to pay 0.75 per cent of the GGMR for each authorised premises for each tax period, to the Gambling Harm Prevention and Mitigation Fund (GHPMF) under the Gambling Harm Prevention and Mitigation Fund levy (GHPMF levy). In 2017, the GHPMF levy was increased from 0.6 per cent of gross gaming machine revenue to 0.75 per cent.

Previously called the ‘Problem Gambling Assistance Fund levy’ or PGAF levy, the GHPMF levy is different to contributions made to the GHPMF and to the Chief Minister’s Charitable Fund as part of a club’s minimum community contribution.

Support during COVID-19

On 12 June 2020, the *Gaming Machine (Emergency Community Purpose Contribution-Club Employees) Declaration 2020* (the club employees’ declaration) came into effect. The club employees’ declaration enables clubs to claim wages, salary and payments made to club staff as a community purpose contribution. To be claimable, the amount paid to staff must be equal to or more than the minimum wage (including any relevant allowances) in the *Registered and Licensed Clubs Award 2010*. This measure is available until the declaration expires on 23 March 2021.

Clubs are required to set out in their annual report the percentage of their net gaming machine revenue that has been contributed for ‘providing relief or assistance to the community in relation to a COVID-19 emergency’, in line with the reporting requirements for the other community purposes set out in section 166 (1) of the Gaming Machine Act.

On 27 August 2020, the *Gaming Machine (Emergency Community Purpose Contribution – Local Live Performance Industry) Declaration 2020* (the LLPI declaration) came into effect. A licensee that is a club can claim as community purpose contributions, any monetary or in-kind contributions made to, or for the benefit of, a member of the local live performance industry. The contribution must be for the purpose of providing music or other live entertainment (other than sport) for club members and patrons. It is available until the declaration expires on 31 August 2021.

Diversification

In the last Assembly the Government took steps to reduce the number of gaming machine authorisations in the ACT and to assist to clubs diversify - thereby reducing their reliance on gaming machine revenue.

Reducing Authorisations to 4,000

On 23 August 2018, the Government announced the Pathway to reduce the number of gaming machine authorisations in the ACT to 4,000 by 2020. At that time, the number of authorisations held by clubs and hotels was 4,946. This pathway was guided by the recommendations of the Club Industry Diversification Support Analysis by Mr Neville Stevens AO.

Under the Pathway, financial and non-financial incentives were available to clubs that voluntarily surrendered gaming machine authorisations to diversify their business models/interests.

Clubs were eligible for a total of \$14,390,500 in incentives - comprising \$648,000 in cash incentives and \$13,742,500 in offset incentives for land related payments, fees and charges.

Five small or medium clubs/club groups elected to receive cash payments under their Voluntary Surrender Agreement with the Territory. Cash payments totalling \$648,000 have been made to eligible licensees.

Thirteen clubs/club groups are eligible for offset incentives under the Pathway. Four clubs have accessed offset incentives to date. The incentives have been applied towards deconcessionalisation payout amounts, lease variation charges and development application fees. The total amount of offset incentives accessed to date is \$875,985.

Eligible clubs have seven years, until April 2026, to use their Total Offset Amount entitlement towards land-related payments, fees and charges.

The number of authorisations in the ACT has reduced to 3,888 as a result of club industry participation in the voluntary surrender of authorisations and uptake of Government incentives including:

- voluntary surrender of authorisations under a Voluntary Surrender Agreement (by 14 February 2019) – 911 authorisations;
- first stage of compulsory surrender (1 April 2019) – nine authorisations; and
- forfeitures through trading activity between licensees – 29 authorisations

A second compulsory surrender stage was not required in April 2020, as the number of authorisations had reduced to below 4,000.

COVID-19 Economic Survival Package – Surrender Incentive

In June 2020, the Government offered cash payments of \$15,000 as part of its COVID-19 Economic Survival Package (ESP) to gaming machine licensees (clubs and hotels) in exchange for each surrendered gaming machine authorisation, with funds to be used to support staff employment.

Under the ESP to date, 109 authorisations have been surrendered in return for \$1.635 million in incentive payments.

In August 2020 the Surrender Incentive was extended until applications have been received for the surrender of a total of \$3.75m in incentive payments (i.e. surrender of a further 141 authorisations), or until 4 December 2020, whichever occurs first. The incentive payment can be used towards staff employment, diversification activities and initiatives, and energy and water efficiency measures.

Other Diversification Support measures

Other measures taken include:

- \$10,000 community club grants to small and medium clubs for the purpose of diversification towards alternative income streams;
- access to a reduced interest rate where clubs defer their Lease Variation Charge, providing further support for redevelopment and diversification activities;
- introducing a small and medium clubs liaison function, located in Access Canberra, to work with and support clubs by providing a single point of regulatory or administrative issues, including assistance to support diversification activities;
- allowing quarterly rather than monthly lodgement of gaming machine tax returns and payments to reduce small and medium clubs' administrative burden and assist with cashflows; and
- the Diversification and Sustainability Support Fund and Gaming Tax Rebate are also considered diversification support measures.

The planning system

Some clubs have expressed concerns about the ACT Government's planning and development system, noting that they had encountered monetary and regulatory hurdles to diversification through the land development process. Clubs have previously identified that fees and charges for deconcessionalisation, lease variation and lodging development applications are considered to present barriers to diversification that the planning system is burdensome and subject to long delays.

Gaming Regulation and Harm Minimisation

The ACT has adopted a public health approach to reducing gambling harm, which looks beyond 'problem' gambling by individual gamblers and takes a broad perspective about responsibility and areas for action. This is outlined further in the Strategy for Gambling Harm Prevention in the ACT: *A Public Health Approach 2019-2024*:

https://www.gamblingandracing.act.gov.au/_data/assets/pdf_file/0009/1436580/Strategy-for-gambling-harm-prevention.pdf

Work has also been done on strengthening the Gambling and Racing Control (Code of Practice) Regulation 2002 through proposed changes to:

- improve the definition of gambling harm;
- provide greater clarity about the signs of gambling harm for club staff, and their requirement to record and respond to this;
- require club staff to undertake better training more often, in recognition of the crucial role they play in identifying signs of harmful gambling;
- require club board members to be trained to foster a culture where gambling harm reduction and consumer protection is the priority;
- enhance the operation of self-exclusion; and

- require a Gambling Contact Officer to be on-site at every club whenever the gaming machines are turned on to provide an immediate point of contact for club patrons that are impacted by gambling harm.

The Government undertook extensive consultation with industry and the community on the Code of Practice (with representatives of workers, clubs and the community including those with lived experiences of gambling).

In October 2019, the Government released an exposure draft of the proposed reforms to the Code of Practice for public consultation. Further work on this was interrupted by the COVID-19 public health emergency.

Gaming machine bet limits

The ACT’s gaming machines currently have a \$10 maximum stake amount (‘bet limit’). Any gaming machines that are introduced in future in a redeveloped casino will be subject to \$2 bet limits and a mandatory pre-commitment system. Bet limits for gaming machines (outside of casinos) in NSW are set at \$10, while Victoria prescribes a bet limit of \$5.

Racing - Memorandum of Understanding

The Memorandum of Understanding (MoU) between the Government and the Canberra Racing Club (CRC) and Canberra Harness Racing Club (CHRC) covers a five-year period from July 2017 to 30 June 2022. The MoU agrees a partnership to establish a standard performance framework for the ongoing viability, integrity, governance, accountability and efficiency of the industry. The MoU covers a range of issues, including the basis and timing of Government funding for the racing clubs, the parties’ administrative responsibilities and performance reporting obligations.

The CRC has proposed that the MoU be renewed for a term of 10 years.

Racing Industry Funding

Funding under the MoU is calculated on the basis of the model of budget funding proposed in the Independent Competition and Regulatory Commission (ICRC) *Investigation into the ACT Racing Industry Final Report* (Report 2 of 2011, April 2011). In accordance with the Government response to that report, indexation is set at CPI minus 0.5 per cent rather than the CPI minus 1 per cent adjustment recommended by the ICRC. Budget funding for the racing clubs is as follows:

Budget Funding				
2017-18	2018-19	2019-20	2020-21	2021-22
\$'000	\$'000	\$'000	\$'000	\$'000
7,358	7,487	7,637	7,789	7,945

Under the terms of the MoU, the CHRC receives 14.28 per cent of the annual funding and the CRC receives 85.72 per cent, i.e. approximately \$6.5 million to the CRC and \$1.1 million to the CHRC per annum until 2021-2022. Payments of budget appropriation funding are made six-monthly in advance in July and January, on receipt of written request for payment.

The CRC requested increased Government funding for the ACT racing industry in their September 2019 funding submission. The CRC has raised the impact that increased prize money in country NSW races is having on its ability to attract quality fields.

Key Performance Indicators (KPI) Framework

The MoU contemplates work to establish a standard performance framework for the racing clubs, including key performance indicators (KPIs). The MoU specifies a number of KPIs for inclusion in the framework, including compliance with statutory obligations, maintenance of integrity services, optimum quality service provision, coverage of local and interstate race meetings through TAB agencies and optimisation of external income streams. JACS will progress work to establish the standard performance framework.

Joint Racing Industry and Government Committee

The MoU includes a commitment for the establishment of a Joint Racing Industry and Government Committee, with a focus on the development and sustainability of racing in the ACT.

The Committee has met on five occasions since February 2018 and has discussed a range of issues including ACT Racehorse Trainers Workers Compensation, the introduction of Point of Consumption Tax, Industry Funding Arrangements, and potential land development opportunities at Thoroughbred Park.

JACS will continue to engage with the industry through the Joint Racing Industry and Government Committee.

Point of Consumption Tax (i.e. Betting Operations Tax)

The *Betting Operations Tax Act 2018* took effect from 1 January 2019 and introduced the Betting Operations Tax, a self-assessed point of consumption tax (POC tax). All wagering operators with relevant revenues above a tax-free threshold of \$150,000 per annum are liable to pay the tax, at a rate of 15 per cent of net wagering revenue (player loss) for bets placed in the ACT. The monetary value of non-cash components of the bet is included when calculating the tax payable (i.e. bonus and free bets, etc). ACT racing clubs don't currently receive funding from POC tax revenue.

NSW currently returns 20 per cent of its POC tax revenue to the NSW racing industry.

NSW has introduced a POC tax on wagering operators with relevant revenues above a tax-free threshold of \$1 million per annum, at a rate of 10 per cent of net wagering revenue for bets placed by NSW residents. The NSW Government has stated that it will ensure that the NSW racing industry is not negatively impacted by the POC tax. Pursuant to that intent, the industry now receives additional funding equal to 2 per cent of all wagering operators' taxable net wagering revenue in NSW (i.e. 20 per cent of POC tax revenue).

This is similar to the Victorian Government model, which charges an 8 per cent POC tax on net wagering revenue above a \$1 million tax-free threshold and provides funding equal to 1.5 per cent of taxable net wagering revenue to the VIC racing industry (i.e. 18.75 per cent of POC tax revenue). In NSW, the additional funding is shared across all three of its racing codes – thoroughbreds, harness and greyhounds.

The ACT racing industry has made public statements that without a share of the POC tax provided as additional funding, the ACT racing industry's ability to compete with other racing clubs in the region may be compromised.

Thoroughbred Park Precinct Master Plan

The CRC's Thoroughbred Park Precinct Master Plan proposes the consolidation of its facilities for the racing club and the release of underutilised land in the Thoroughbred Park precinct for residential development. CRC has estimated that the development could support 3,200 dwellings, delivering \$1 billion in gross value-added economic activity and 2,039 jobs to the Canberra economy. CRC is developing a business case in relation to the Masterplan.

Greyhound racing

Greyhound racing ceased in the ACT on 30 April 2018. The Government provided a \$1 million Transition Support Package for workers affected by the industry closure. Owning, breeding, and training greyhounds remains permissible in the ACT in accordance with the provisions of the *Animal Welfare (Keeping and Breeding of Racing Greyhounds in the ACT) Mandatory Code of Practice 2018*.

Animal welfare

The MoU expressly acknowledges the racing clubs' animal welfare obligations under the *Rules of Thoroughbred and Harness Racing*. The MoU includes an additional undertaking by the racing clubs to participate in a horse retraining and rehoming scheme.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
Appointment of Principal Registrar and CEO of ACT Courts and Tribunal (Principal Registrar)	The current Principal Registrar, Mr Philip Kellow, will retire in February 2021. JACS is undertaking a recruitment process for the appointment of a new ongoing Principal Registrar, to commence by 1 March 2021. It is anticipated that a recommended appointee will be determined for Cabinet consideration around mid-January 2021.
Appointment of Magistrate	A recruitment process will need to commence to replace Magistrate Boss, who has been appointed to a Commonwealth position for 12 months (pending permanent appointment).
Reappointment of ACAT member	ACAT member, Peta Spender's current appointment expires on 2 February 2021. President Neate has indicated he will write to the Attorney-General in new term of government recommending Ms Spender's reappointment.
Reappointment of Judicial Council member	Judicial Council member, Jennifer Hodges' current appointment expires in December 2020. JACS proposes to seek short-term reappointment (a tentative Nov 2020 Cabinet date has been set) in the interim with plans to conduct a merit selection process in the new term of government.
Legal Aid Review Committee Panels (LARCPs) Appointments	The Minister must make appointments to the Legal Aid Review Committee Panels (Private Legal Practitioners' Panel, Australian Legal Practitioners' Panel and Non-Legal Practitioners' Panel) prior to January 2021 to support the proper operation of the Legal Aid Review Committees
Tabling of the Professional Standards Council Annual Report 2019-20 in the Legislative Assembly	The Minister must present a copy of the annual report to the Legislative Assembly within 6 sitting days after the day that the Minister receives it. JACS received the soft copy of the annual report from the Professional Standards Authority (PSA) on 10 September 2020. During the caretaker period, a TRIM pack will be progressed so that the annual report can be provided to the Minister after the election. JACS Cabinet & Assembly has advised that the annual report will be scheduled for tabling once the new Government is formed. There is nothing controversial in the annual report and it will not need any response or statement.
Residential tenancies COVID-19 post moratorium transition period	Decision will be required as to whether to extend the residential tenancies COVID-19 post moratorium transition period beyond its current end date of 31 January 2021. <ul style="list-style-type: none"> • The transitional period and related support measures have been implemented via disallowable instrument – the <i>Residential Tenancies (COVID-19 Emergency) Declaration 2020 (No 3)</i>; • The transition period can be extended for a period of up to 3 months by notifiable instrument; and • Many tenant advocate stakeholders recommended a longer transition period.
Commercial tenancies COVID-19 arrangements	The commercial tenancies arrangements responding to COVID-19 under the <i>Leases (Commercial and Retail) COVID-19 Emergency Response Declaration 2020 (No 2)</i> are also currently due to end on 31 January 2021 at the latest. These arrangements are being led by Policy and Cabinet, under your

	direction. Further consideration of these arrangements may be required ahead of the current expiry.
Tabling Office of the Australian Information Commissioner Annual Report for ACT	The OAIC annual report for 2019/20 was provided to the Attorney on 30 July 2020 and needs to be tabled within 15 sitting days of that date. Accordingly, this will need to occur within the first 12 sitting days of the new term.

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
General	
ACT Law Society	<p>Elizabeth Carroll, (President) Simone Carton, (CEO)</p> <p>Phone: (general contact) 02 6274 0300 Email: mail@actlawsociety.asn.au.</p> <p>The ACT Law Society is a key stakeholder for policy and law reform proposals affecting criminal and civil law in the ACT. The Law Society has a number of committees dedicated to working on particular policy areas, such as the criminal law committee and elder and succession law committee.</p> <p>Contact within first fortnight, if possible.</p>
ACT Bar Association	<p>Andrew Muller, (President) Email: [REDACTED]</p> <p>Joanne Dean-Ritchie, (CEO) Ph: 6257 1437/[REDACTED] Email: ceo@actbar.com.au</p> <p>The ACT Bar association is also a key stakeholder for policy and law reform issues. The Bar Association comments regularly on bills and law reform proposals.</p> <p>Contact within first fortnight, if possible.</p>
Solicitor-General	<p>Peter Garrisson AM SC Phone: [REDACTED]</p> <p>Mr Garrisson is the Solicitor-General for the ACT and is also the Chief Solicitor responsible for the management and legal practice of the ACT Government Solicitor's Office. The ACT Government Solicitor provides legal services, including advice and representation to the ACT, its government agencies, ministers and office holders.</p> <p>Contact within first fortnight, if possible.</p>

Housing and tenancy	
Real Estate Institute of the ACT (REIACT)	REIACT is the peak professional body for real estate agents in the ACT. They are a key stakeholder for housing and tenancy reform. Contact within first month if possible.
Electoral	
Electoral Commission	<p>Damian Cantwell (ACT Electoral Commissioner) Phone: [REDACTED] Email: Damian.Cantwell@act.gov.au</p> <p>Rohan Spence (Deputy Electoral Commissioner) phone: [REDACTED] Email: Rohan.Spence@act.gov.au</p> <p>The ACT Electoral Commission is an independent statutory authority with responsibility for the conduct of elections and referendums for the ACT Legislative Assembly. They are a key stakeholder in relation to electoral reform proposals including those commencing on 1 July 2021.</p> <p>Contact within first month, if possible.</p>
Access to Justice	
Heads of jurisdiction	<p>Chief Justice Helen Murrell Phone: [REDACTED] Email: ChiefJustice.Murrell@courts.act.gov.au</p> <p>Chief Magistrate Lorraine Walker Phone: ([REDACTED]) Email: ChiefMagistrate.Walker@courts.act.gov.au</p> <p>ACAT President Graeme Neate Phone: [REDACTED] Email: Graeme.Neate@act.gov.au</p> <p>Heads of judiciary for the ACT Magistrates Court, ACT Supreme Court and ACAT.</p> <p>Contact within first fortnight, if possible.</p>
Legal Aid ACT (CEO and President)	<p>John Boersig Chief Executive Officer Phone: [REDACTED] Email: [REDACTED]</p> <p>Phone: Karen Fryar, President Email: [REDACTED]</p>

	<p>Legal Aid ACT is a key stakeholder in the ACT providing legal assistance to people with their legal problems, especially people who are socially or economically disadvantaged. Specifically, Legal Aid ACT has a helpline for general legal information and advice that is open to all members of the community, runs the Tenancy Advice Service and the Older Persons ACT Legal Service in the ACT, as well as many other services including a Health Justice Partnership.</p> <p>Legal Aid ACT also provides legal assistance services as funded through the National Legal Partnership 2020-2025 (NLAP). Contact within the first fortnight if possible.</p>
<p>Women’s Legal Centre - CEO</p>	<p>Elena Rosenman (Chief Executive Officer)</p> <p>Phone: 02 6257 4377 Email: [REDACTED]</p> <p>The Women’s Legal Centre (WLC) is a key stakeholder in which provides specialist advice in relation to family law, care and protection, employment and discrimination issues. The Centre’s Aboriginal Women’s Program provides culturally safe support to Aboriginal and Torres Strait Islander women. The Women’s Legal Centre also provides a Health Justice Partnership at Calvary Hospital and the Gungahlin Child and Family Centre.</p> <p>WLC also provides legal assistance services funded by the Commonwealth, as required under the National Legal Partnership 2020-2025 (NLAP).</p>
<p>Canberra Community Law</p>	<p>Genevieve Bolton (Executive Director/ Principal Solicitor)</p> <p>Phone: (02) 62187900 Email: [REDACTED]</p> <p>Canberra Community Law (CCL) is a legal assistance sector stakeholder which provides legal services to people on low incomes for over 30 years. Canberra Community Law has substantial legal practice experience and expertise in its areas of speciality, which include public housing, community housing, social security and disability.</p> <p>CCL also provides legal assistance services funded by the Commonwealth, as required under the National Legal Partnership 2020-2025 (NLAP). Contact within the first month if possible.</p>
<p>Aboriginal Legal Service NSW/ACT – CEO</p>	<p>Karly Warner (Chief Executive Officer)</p> <p>Phone: 02 9213 4100 Email: [REDACTED]</p> <p>The Aboriginal Legal Service NSW/ACT (ALS) is a legal assistance sector stakeholder in the ACT. ALS undertakes legal work in criminal law, children’s care and protection law and family law.</p>

	<p>ALS also provides legal assistance services funded by the Commonwealth, as required under the National Legal Partnership 2020-2025 (NLAP). Contact within the first month if possible.</p>
CARE Incorporated	<p>Carmel Franklin (CEO) Email: [REDACTED] Phone: 6257 1788</p>
Environmental Defenders Office	<p>David Morris (Chief Executive Officer) Email: [REDACTED] Phone: 02 9262 6989 or [REDACTED]</p>
Sentence Administration Board	<p>Laura Beacroft (Chair) Email: Laura.Beacroft@act.gov.au phone: [REDACTED]</p>
Human Rights	
ACT Human Rights Commission	<p>Dr Helen Watchirs OAM, President and Human Rights Commissioner Email: Helen.Watchirs@hrc.act.gov.au Ph: 6205 2222</p> <p>Heidi Yates, Victims of Crime Commissioner Email: Heidi.Yates@hrc.act.gov.au Ph 6205 2222</p> <p>Karen Toohey, Discrimination, Health Services, Disability and Community Services Commissioner Email: Karen.Toohey@hrc.act.gov.au Ph 6205 2222</p> <p>Jodie Griffiths-Cook, Public Advocate and Children & Young People Commissioner Email: Jodie.Griffiths-Cook@hrc.act.gov.au Ph 6205 2222</p> <p>The ACT Human Rights Commission is a key stakeholder for a range of law reform and policy initiatives.</p> <p>The HRC comments on human rights compatibility of legislation and policy proposals.</p> <p>Individual Commissioners also provide input on particular policy issues within their portfolios (e.g. health services, disability services, discrimination, children and young people and victims of crime.) Contact within first month if possible.</p>

GAMING	
ClubsACT	Mr Gwyn Rees (Chief Executive) Email: [REDACTED] phone: 6273 4694
Canberra Community Clubs	Mr Athol Chalmers (Chair) Email: [REDACTED] phone: [REDACTED]
Canberra Labor Club Group	Arthur Roufogalis, Chief Executive Officer Email: [REDACTED] Not represented by either of the clubs' industry peak bodies
RACING	
Canberra Racing Club	Andrew Clark CA, Chief Executive Officer Phone: 6204 0000 Mobile: [REDACTED]
Canberra Harness Club	Genny Weston, Harness Racing ACT Email: www.capitaltrots.com.au Phone: 6241 3911 Mobile: [REDACTED]

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses^{1, 2}	147.664	145.049	148.545	150.133
Controlled – capital injection⁴	9.870	3.818	3.833	4.094
Territorial – expenses	23.382	20.780	20.902	21.117
Territorial – capital injection	-	-	-	-

Notes

1. The expenses relating to ACT Government Solicitor and ACT Parliamentary Counsel's Office cover services provided across all ministerial portfolios.

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	PHONE	MOBILE	EMAIL	FACEPLACE
Director-General				
Richard Glenn			Richard.Glenn@act.gov.au	
Deputy Directors-General				
Jennifer McNeill, Justice			Jennifer.McNeill@act.gov.au	
Karen Doran, Community Safety			Karen.Doran@act.gov.au	
Chief Operating Officer				
Moira Crowhurst			Moira.Crowhurst@act.gov.au	
ACT Government Solicitor				
Peter Garrison ACT Government Solicitor - Solicitor- General for the ACT			Peter.Garrison@act.gov.au	
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Karen Greenland Executive Branch Manager			Karen.Greenland@act.gov.au	
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Kathryn Johnson Executive Branch Manager			KathrynI.Johnson@act.gov.au	

Courts and Tribunal				
Amanda Nuttall Acting Principal Registrar			Amanda.Nuttal@courts.act.gov.au	
Parliamentary Counsel's Office				
Mary Toohey Parliamentary Counsel			Mary.Toohy@act.gov.au	

ATTACHMENT A

NATIONAL AND LOCAL SECURITY

NATIONAL SECURITY

Terrorism

Australia's general terrorism threat level remains at **PROBABLE**. Credible intelligence, assessed to represent a plausible scenario, indicates an intention and capability to conduct a terrorist attack in Australia.

The terrorism threat level is likely to persist at this unacceptably high level for the next 12 months. While COVID-19 has caused social and economic challenges around the world and in Australia, it has not greatly changed the threat of terrorism.

The principal source of the terrorist threat in Australia remains Sunni Islamist extremism. While other forms of extremism are currently less likely to manifest in violence, an extreme right-wing attack in Australia is plausible.

Crowded places remain the target of choice for violent extremists.

The Australia-New Zealand Counter Terrorism Committee (ANZCTC) is an intergovernmental committee charged with maintaining Australia's counter-terrorism plan, coordination nation-wide counter-terrorism capability and provide expert strategic and policy advice to heads of government and relevant ministers. ANZCTC meets four times a year and the Deputy Director-General Community Safety, JACS and the Chief Police Officer attend as the ACT members. The Attorney-General and Minister for Police and Emergency Services are briefed on the agenda items and outcomes of ANZCTC meetings.

Current priorities for the ANZCTC include finalising a refresh to Australia's counter-terrorism plan and reforming laws and national arrangements for the management of high-risk terrorist offenders.

Violent Extremism

Violent extremism is the beliefs and actions of people who support or use violence to achieve ideological, religious, or political goals. This includes terrorism and other forms of politically motivated and communal violence.

The threat from the extreme right wing in Australia has increased in recent years. Australian individuals, largely consisting of white men, are being drawn to and adopting extreme right-wing ideologies.

While there is no current information to suggest current attack planning, including in relation to COVID-19, and extreme right-wing attack in Australia is plausible in the next 12 months.

The ANZCTC's Countering Violent Extremism Sub-Committee (CVESC) progresses nationally coordinated policies to counter violent extremism. This includes the voluntary Living Safe Together Intervention Program that supports people at risk of radicalisation. The Executive Branch Manager of JACS Security and Emergency Management Branch (SEMB) and a representative of ACT Policing are members of CVESC.

To coordinate countering violent extremism activities in the ACT, JACS maintains the whole of government countering violent extremism committee steering committee (CVE-SC). CVE-SC is chaired by the Deputy Director-General Community Safety and generally meets three times a year. CVE-SC reports to the Security and Emergency Management Senior Officials Group (SEMSOG).

Schedule 2.2(a)(ii)

Countering Foreign Interference

Foreign interference activities go beyond routine diplomatic influence practiced by governments. Interference may be coercive, covert, deceptive and clandestine in nature and can cause harm to the ACT's interests.

Foreign interference differs from foreign influence. Foreign influence refers to actions undertaken by a foreign actor that attempt to influence discussions on matters of importance. When conducted in an open and transparent way, foreign influence contributes positively to public debate and is a welcome part of international engagement.

Foreign actors are pursuing opportunities to interfere with decision makers, intellectual property, and IT systems in Australia. The ACT is not immune from this interference.

The ACT is closely engaged with the Australian Government and other states and territories to partner on efforts that protect our systems of government, democracy, critical infrastructure, education, and media.

JACS SEMB is currently developing a framework to strengthen the connection between the ACT's CFI activities. This includes awareness raising, contact reporting, travel briefings and ICT device security.

Fixated Threats

A fixated individual is a person that possesses an unhealthy obsession or perceived grievance with another person. In many cases, a fixated individual may possess undiagnosed or untreated mental health issues.

At the October 2017 meeting of the former Council of Australian Governments (COAG), First Ministers agreed to a nationally consistent approach to the management of fixated threats.

In the ACT Budget 2019-20, the government appropriated \$1.08 million over three years to establish and trial a fixated threat capability for the ACT in line with the COAG agreement. This capacity has been established.

The trial will see specially trained officers from ACT Policing, and mental health professionals from Canberra Health Services co-located and working closely together to assess and manage fixated individuals in the ACT.

A focus for the ACT's fixated threat capability will be to assess and divert fixated persons into care and lower the risk they pose to the community.

Ministers will receive further advice on the outcomes of the trial, including the need for ongoing funding to support the ACT capability in accordance with the COAG agreement.

Cyber Crime

Malicious cyber activity against Australia's national and economic interests is increasing in frequency, scale, and sophistication. Over the past 12 months the Australian Cyber Crime Centre has observed real-world impacts of cyber incidents and has responded to 2,266 cyber security incidents and received 59,806 cybercrime reports at an average of 164 cybercrime reports per day, or one report every 10 minutes. Australian Government or state and territory government entities were targeted in 35.4 per cent of the incidents the ACSC responded to in the year to 30 June 2020.

Phishing remain the most common methods used by cyber actors to harvest personal information or user credentials to gain access to networks, or to distribute malicious content.

The malicious cyber activity is occurring against all levels of government, industry, political organisation, education, health, essential services providers, and operators of critical infrastructure.

Shared Services ICT works closely with the ICT system owners in directorates to minimise the risk of a successful cyber attack against the ACT Government. However, the prevalence of ICT systems and the ever change nature of threats means that the risk of a successful cyber-crime cannot be eliminated. The Chief Information Security Officer (CISO) within Shared Services ICT is the ACT's representative on the National Cyber Security Committee. The CISO is supported by the Chief Digital Officer and JACS SEMB in relation to cyber operations and policy.

In 2018, COAG agree to the national Cyber Incident Management Arrangements (CIMA) to provide for nationally coordinated responses to cyber incidents. Within the CIMA are national cyber security levels from level 5 (normal) to level 4 (national cyber crisis). The current level is level 4 (lean forward).

The ACT supported the development of Australia's Cyber Security Strategy 2020 that was launched in August 2020.

Critical Infrastructure and Systems of National Significance Reforms

The *Security of Critical Infrastructure Act 2018* (SOCI Act) requires owners and operators of identified infrastructure relating to electricity, gas, water, and ports to provide certain information to the Australian Government.

In 2020, the Australian Government announced that further reforms are proposed to the SOCI Act to increase the coverage of the Act across a range of other critical infrastructure sectors. This includes health and education.

The ACT has lodged a submission in response to a consultation paper issued by the Australian Government about the reforms. The Australian Government received approximately 190 submission which are currently under consideration.

Separately, the ACT maintains a critical infrastructure register and a critical infrastructure committee comprised of critical infrastructure owners across the ACT Government, utilities, and communications to ensure a coordinated approach to the management of CI in the ACT.

ACT SECURITY ARRANGMENTS

Local Security Threat Environment

While the national terrorism threat level remains at **PROBABLE**, there is no specific or credible threat to the ACT.

ACT Policing and JACS SEMB works closely with the Australian Government to monitor and respond to a dynamic and evolving security threat environment.

Security Classified Information Management

The Australian Government regularly issues security classified information that is either PROTECTED, SECRET or TOP SECRET. The distribution, handling and storage of this information is subject to strict national security requirements. The ACT Government's ICT system is not rated to receive security classified information.

Schedule 1 1.13, Schedule 1 1.14

Specific security classified material is made available to Ministers for review.

Safer Public Places

ACT Policing, the Emergency Services Agency and JACS SEMB support ACT Government event organiser to deliver safe community events.

A key tool used by the government and ACT Policing to strengthen the safety of ACT public places is the Public Safety CCTV Network (Network).

The Network is an inter-connection of CCTV systems across ACT public venues and spaces including Canberra City, Manuka and Kingston shopping precincts, GIO Stadium, Manuka Oval, Exhibition Park in Canberra, the Jolimont Centre and Haig Park, Haig Park and the Greenway CBD.

The CCTV Network provides live and recorded CCTV footage to the government and the ACT Policing to support public safety monitoring, event management, criminal investigations, and prosecutions in court. The CCTV network is monitored by ACT Policing on Thursday, Friday and Saturday nights between 6:00pm and 6:00am.

In early 2020, the government approved the *Strategic Closed Circuit Television (CCTV) Plan 2020-2022* (Plan) which identifies four priority areas including:

- a. Enhancing Safety, Security and Lowering Crime;

- b. Capability and Connectedness;
- c. Governance and Transparency; and
- d. Innovation.

In accordance with the Plan, JACS SEMB is progress an expansion of the CCTV Network into Glebe Park, and, the proposed installation of 30 public safety CCTV cameras over the CBRfree Wi-Fi network over the coming years. A new CCTV Policy is also under development and will be presented to the Attorney-General in due course.

ACT Protective Security Policy Framework

The ACT Government Protective Security Policy Framework (PSPF) is a whole of government policy document maintained by JACS SEMB and agreed to by the government.

The PSPF provides a mandatory framework for directorates and agencies to implement protective security measures to protect people, information, and assets. Protective security covers security governance, information, cyber security and personnel and physical security.

To keep pace with the current evolving security environments, a full review of the PSPF is underway and is expected to be presented to the government through the Attorney-General for consideration by early 2021.

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PORTFOLIO OVERVIEW

As the Minister for Police and Emergency Services you are responsible for the safety and security of residents and visitors to the Territory.

The Justice and Community Services (JACS) Directorate will work with you to meet the Government's commitment to deliver a safe community, with well-resourced frontline services, including building the workforce, infrastructure and equipment required to deliver emergency and policing services to keep Canberrans safe, whether from organised crime, natural disaster or health emergency.

The ACT justice system spans frontline policing and emergency services, the legal framework for a just and safe community, the formal criminal justice process, corrective services and services to assist people who are, or at risk of, having contact with the criminal justice system.

Each element is supported by infrastructure and equipment, policy development, legal services and programs. There is a close relationship between the Attorney-General, Police and Emergency Services and Corrections portfolios given their responsibility for different components of the justice system. The JACS Directorate is committed to providing cohesive and coordinated advice across each portfolio to deliver the Government's priorities.

In particular, the JACS Directorate will support you in working closely with the Attorney General to deliver on the Government's commitment to combat organized crime.

ACT Emergency Services Agency

The ACT Emergency Services Agency (ESA) serves the Government and the ACT community through its responsibility for protecting life, property and the environment. It has the primary responsibility for delivery of emergency management arrangements for the ACT under the *Emergencies Act 2004*.

The ESA adopts the framework for contemporary emergency management:

- **Prevention and Mitigation:** Emergency prevention and mitigation measures are aimed to decrease or eliminate impacts on the ACT community and environment;
- **Preparedness:** Emergency preparedness measures ensure that in the event of emergency, communities, resources, and services can manage the impact;
- **Response:** Response strategies and services are in place to control, and reduce consequences of emergencies; and
- **Recovery:** Recovery strategies are aimed to return the ACT community and ESA to a state of preparedness after an emergency situation.

These elements guide balanced, effective and efficient emergency management and reinforce the continued need for partnerships and shared responsibility between the community and the ACT Government. The ESA comprises four operational agencies:

- ACT Ambulance Service (ACTAS);
- ACT Fire and Rescue (ACTF&R);
- ACT Rural Fire Services (ACTRFS); and
- ACT State Emergency Services (ACTSES).

ACT Policing

ACT Policing is a business unit of the Australian Federal Police (AFP) and was created for the purpose of providing policing services to the ACT under the auspices of a Policing Arrangement between the Commonwealth and ACT Governments.

The service delivery is established under an annually negotiated Purchase Agreement. The major outcome of the Purchase Agreement for police services requires that 'ACT Policing will promote and support a whole of government approach to addressing crime in the ACT community while remaining responsive to changing commitments and adaptive to the needs of the community and the ACT Government'.

The 2017-2021 Purchase Agreement (the agreement) was signed on 10 July 2017 and provides for the following outcomes:

- strengthening ACT's response to domestic and family violence in appropriate and culturally sensitive ways; and supporting the efforts of the Coordinator-General for Family Safety;
- working proactively and innovatively with Government to reduce and prevent alcohol-fuelled violence including enforcing liquor laws, maintaining a presence in night entertainment precincts and responding to alcohol related violent incidents;
- continuing the commitment to early intervention and diversion strategies including restorative justice with a focus on vulnerable groups, in particular young people and Aboriginal and Torres Strait Islander people;
- improving road safety through particular emphasis on vulnerable road users and combating anti-social and dangerous behaviours including speeding, driving while impaired or distracted; and
- continue to focus on preventing, disrupting and responding to the evolving threat of violent extremism and terrorism with a particular focus on crowded places.

Security and Emergency Management Branch

You will also be supported by the Security and Emergency Management Branch (SEMB) within the JACS Directorate, which provides whole-of-government coordination on issues relating to security and emergency management across the ACT; including:

- whole-of-government coordination of the ACT's counter-terrorism and countering violent extremism arrangements;
- creating a security culture across ACT Government through protective security policy and education;
- whole-of-government coordination of critical infrastructure protection;
- coordinating strategic policy advice on emergency management; and
- extending and maintaining the ACT Government's Public Safety Closed Circuit Television (CCTV) systems to improve community safety while ensuring the individual rights of ACT citizens are respected.

SEMB also provides secretariat and policy support to whole-of-government security and emergency management committees including the Security and Emergency Management Committee of Cabinet (SEMC), and the Security and Emergency Management Senior Officials Group (SEMSOG).

COVID-19 response

Emergency arrangements have been activated since March 2020 to ensure a whole of government response to COVID-19 in the ACT. The arrangements reflect the ACT Emergency Framework as outlined under the ACT Emergency Plan and ACT Health Emergency Plan. They were modelled on the existing robust emergency management infrastructure, and adapted for COVID-19, rather than reinventing or duplicating existing structures or governance.

Recognising the complex and dynamic nature of COVID-19, the arrangements utilise the collective capabilities across the service, including ACT Police and Emergency Services Australia.

Roles in compliance

Health Protection Services, through the Chief Health Officer (CHO), are the lead agency when it comes to the ACT's overall compliance response to COVID-19 and public health directions.

Access Canberra and ACT Policing are key regulatory compliance partners, with each agency assigned responsibility for supporting regulatory compliance across areas of business, industry and community. Areas of responsibility relate to the existing powers, authorising frameworks and responsibilities of the agencies (ie. Access Canberra primarily support compliance for COVID-19 across regulated business and industries).

The three agencies work in a coordinated way to support compliance with the Public Health Direction, underpinned by the COVID-19 Compliance and Enforcement Framework, which was endorsed by the CHO.

Agencies apply an 'engage, educate and enforce' approach to the compliance activity, working closely with business and industry so they understand their compliance requirements through the Direction.

The COVID-19 Compliance and Enforcement Working Group (Compliance Working Group), chaired by ACT Health Directorate, provides ongoing oversight and coordination of COVID-19 compliance activities; membership includes ACT Policing.

DELIVERING ON YOUR PRIORITIES

In the Police and Emergency Services portfolio, as part of the JACS responsibilities across the justice and community safety systems, we will support the delivery of your Government's priorities by building on and consolidating initiatives already under way to build the workforce, infrastructure and legal frameworks required to deliver community focused emergency and policing services.

In Emergency Services

We will work with you to ensure the effective implementation of the recommendations from the various reviews of the Bushfire Season 2019-20, including the ESA operational review, the Review of Whole of Government Coordination and Response and the ACT Legislative Assembly Committee Inquiry.

We will prioritise progressing the workforce reform agenda across the four service areas of the ESA and the continued evolution towards the one ESA model, through the:

- implementation of the Fire and Rescue EBA;
- finalisation of the ComCentre reform initiative;
- embedding of the Blueprint for change reforms for ACTAS; and
- strengthening of the role and contribution of volunteers.

We will support a strategic approach to managing investments in infrastructure and equipment through the continued implementation of:

- the Station Upgrade and Replacement Program; and
- the Vehicle Replacement Program.

We will deliver against significant capital projects such as the ACT Ambulance Service Fire & Rescue Station in the City (Acton) and the future Molonglo Station.

In Policing

We will work collaboratively with you and ACT Police to support ACT Policing's implementation of the new Police Services Model, and leverage its complementarity to your Government's policy on justice reinvestment and reducing recidivism.

We will focus on developing a strategic approach to investment in accommodation to support ACT Policing through the finalisation of the Strategic Accommodation Framework. We will work in a cross-directorate approach to ensure progress on the feasibility studies for the identified priority properties of:

- the Traffic Operations Centre;
- the Gungahlin Station; and
- Winchester Headquarters.

We will work with you on your commitment to tackle criminal gangs and enable ACT Police with the resources needed to deliver this.

We will work with you and your Ministerial colleagues to further review the protections for Police and other Frontline Workers.

Further details are outlined in the Key Issues Section and associated Attachments.

We look forward to working closely with you to develop a work program that reflects your priorities to ensure that delivery will align with your expectations.

MINISTERIAL FUNCTIONS

Key legislation

The Minister for Police and Emergency Services is responsible for the following legislation:

- *Crimes (Child Sex Offenders) Act 2005*
- *Emergencies Act 2004*, except schedule 1
- *Firearms Act 1996*
- *Prohibited Weapons Act 1996*

Statutory and non-statutory appointments

Ministerial appointments that you have direct responsibility for as Minister for Police and Emergency Services are as follows:

Security and Emergency Management Senior Officials Group (SEMSOG)

SEMSOG provides coordination and review of specific security and emergency management matters for consideration by SEMC.

Section 142 (1) of the *Emergencies Act 2004* outlines the members of SEMSOG. Under Section 142(2) of the Act, the Minister for Police and Emergency Services may appoint other members of SEMSOG.

ACT Bushfire Council

The ACT Bushfire Council is established under Section 129 of the *Emergencies Act 2004* and has the function of advising the Minister for Police and Emergency Services about matters relating to bushfires.

The Council consists of a part time Chairperson, part time Deputy Chairperson and at least three, and not more than 10, other part time members. Under section 129 (1) and (2) of the *Emergencies Act 2004* the Minister must appoint members of the Bushfire Council who have particular skills, interests and experience.

Current members Dr Sarah Ryan (Chair), Ms Natarsha Carney (Dep Chair), Mr Bhiemie Eckford-Williamson, Mr Jeremy Watson, Ms Kylie Coe, Ms Cathy Parsons, Mr Mick George, Mr Steve Angus, Mr Tony Bartlett, Dr Marion Leiba, Mr David Snell and Mr Nick Lhuede are appointed until 30 September 2021.

Firearms Advisory Committee

The Firearms Advisory Committee (FAC) was established in 1998 and provides advice to government on practical and operational issues arising from the implementation of the *Firearms Act 1996*. Currently there are eight members on the FAC. Mr Damien Pearce (Chair), Mrs Kelly Brown, Mr Piers Cambridge, Mr Robert Courtney, Mr Stephen Fettell, Mr Steven Pavolvich, Mr John Starr and Mr David Voss are appointed on the FAC until 2 December 2021.

Ex-officio appointments - ACT Policing

The Chief Police Officer, Deputy Chief Police Officer Crime and Officer in Charge of Crime Reduction are members of the following Boards/Committees in an ex-officio capacity:

Board	Appointee	Expiry date
Liquor Advisory Board	Deputy Chief Police Officer (Response)	15 October 2021
Victims Advisory Board	Deputy Chief Police Officer (Capability and Community Safety)	30 June 2023
Domestic Violence Prevention Council	Deputy Chief Police Officer (Capability and Community Safety)	15 August 2021

Ministerial Councils and Consultative Bodies

Following agreement to reform the federal relations framework and replace of the Council of Australian Governments with a National Cabinet, various Ministerial Councils are currently being reviewed and may be replaced or renamed in the near future.

The following table reflects the most recent inter-governmental arrangements and you will be briefed on any changes as they occur:

Ministerial Council	Purpose	Member	Frequency	Action area	Next meeting date
Minister for Police and Emergency Services (MCPEM)	MCPEM focusses on the broad themes of law enforcement reform and emergency management and increased collaboration across these themes.	Ministers for Police and Emergency Management from the Commonwealth, each State and Territory, New Zealand, and the President of the Australian Local Government Association.	Two times a year	Security and Emergency Management Branch (SEMB) - JACS	TBD
Ministerial Emergency Management Intersessional Meeting	Chaired by the Minister for Agriculture, Drought and Emergency Management. The next agenda items to be discussed include hazard reduction, national emergency management recovery priorities and the <i>Royal Commission into</i>	Ministers for Police and Emergency Management from the Commonwealth, each State and Territory	1 – 2 times per year	Security and Emergency Management Branch (SEMB) - JACS	6 November 2020

	<i>National Natural Disaster Arrangements.</i>				
Joint MCPPEM and Council of Attorneys-General (CAG) meetings	MCPPEM convenes a joint meeting with the Council of Attorneys-General to consider issues of relevance to both councils.	As above together with Attorneys-General from the Australian Government, all states and territories, and the New Zealand Minister for Justice.	At least annually		

KEY ISSUES AND CONSIDERATIONS

Various Reviews of the Bushfire Season 2019-20

A number of reviews and inquiries have been conducted into the 2019-20 bushfire season:

- Royal Commission into National Natural Disaster Arrangements;
- ACT Legislative Assembly Committee Inquiry into 2019-20 Bushfire Season;
- Review on Whole of ACT Government Coordination and Response; and
- ESA Operational Review.

Further details on the review and inquiries and future actions are outlined at [Attachment A](#).

Preparedness for the 2020-21 Bushfire Season

Due to above average rainfalls over winter and predicted wetter than average conditions through Spring, the ACT’s 2020-21 Bushfire Season will officially begin on 1 November 2020, a month later than usual.

The ESA is working hard to ensure it is prepared for the upcoming bushfire season, including considerations around COVID-19.

Further details are outlined at [Attachment B](#).

Workforce Reform and Strategic Issues

A range of workforce planning and strategic workforce reform initiatives are progressing across the four service steams of the ESA. Detailed information on the following matters is provided at [Attachment C](#):

- Fire and Rescue EBA Implementation;
- Executive/Commissioner Recruitment;
- Rural Fire Service;
- ACTAS Strategic Priorities; and
- ComCentre Reform.

Fire and Rescue Alleged underpayment

In December 2018, lawyers acting on behalf of the United Firefighters Union (UFU) wrote to ACT Fire & Rescue (ACTF&R) making claims that a number of officers were not paid appropriately where there was less than a 9 hour break between attendances.

Over the period since, various attempts have been made to resolve the matter, including through the Fair Work Commission (FWC).

Most recently, attempts were made to resolve the issue through discussion however the UFU lodged the claim with the Federal Court on 13 August 2020.

Consent orders have now been agreed and include that on or before 30 November 2020 the parties attend a mediation before Mr Julius Roe, retired Commissioner of the Fair Work Commission and should the matter remain unresolved after, the matter be listed for a further case management hearing on 16 December 2020.

ESA Accommodation and Infrastructure

The ESA has delivered state-of-the-art facilities to its personnel through its Station Upgrade and Replacement Program. The strategic location and design of these facilities allow for faster response times which has a direct impact on community safety. Work has commenced on due diligence and preliminary design for a new combined ACT Ambulance Service and ACT Fire & Rescue stations in Acton.

The ESA replaces operational and support vehicles as part of its ongoing Vehicle Replacement Program.

Policing Agreement Negotiations

The arrangements for the AFP to provide policing services to the ACT are governed by the ongoing Policing Arrangement between the Commonwealth and ACT governments and the four year Purchase Agreement 2017-2021 (the Agreement) between the AFP and the ACT Government, which is due to expire on 30 June 2021.

Negotiations for the new Agreement are managed by JACS and were due to commence in July 2020. The CPO and DG JACS agreed to delay the negotiations for the new Agreement to provide sufficient time for a comprehensive process to take place in the context of the continued focus on the COVID-19 response. This will result in the need to seek agreement from the parties to extend the terms of the current Agreement for six or twelve months before commencing a new Agreement.

Police Services Model and Community Policing

The 2019-20 ACT Budget provided \$33.9 million to support ACT Policing to transition to a new policing model that will take a system-wide approach to crime prevention, disruption and response.

The funding provides for over 60 additional staff over the four years and better tools and technology to enable police officers to be more mobile and agile in serving the community.

The new PSM supports ACT Policing to transform into an intelligence-led, mobility driven and evidence-based workforce, using a systematic approach to prevent crime. ACT Policing will also be able to target resources where they are most effective, conduct focused crime prevention activities and focus on addressing the root causes of crime.

Under the PSM ACT Policing will collaborate with other agencies to share information and identify intervention opportunities. The first of three new teams of ACT Policing members focussed on crime disruption, prevention and problem solving started in August 2020. The team is focussed on

addressing issues that cause repeat calls for service with a view to intervene early and identify solutions in collaboration with other agencies, with the goal of diverting people from the criminal justice system.

ACT Policing Strategic Accommodation Framework

ACT Policing's Strategic Accommodation Framework (SAF) brings together the work undertaken on the Master Accommodation Plan (MAP) project and the future vision for ACT Policing as reflected in the Police Services Model (PSM).

The SAF will provide for the analysis and consideration of ACT Policing infrastructure requirements, over the next 20 years, under a principle based, strategic framework. A long-term Master Accommodation Plan will ensure ACT Policing facilities are fit for purpose, in the right locations, support mobility and enable a dynamic and effective response to the needs of the ACT community.

Three accommodation priorities have been identified as needing to be addressed as soon as practicable are:

1. Traffic Operations Centre;
2. Gungahlin Police Station; and
3. Winchester Police Centre.

PFAS

PFAS stands for per-and poly-fluoroalkyl substances and are manufactured chemicals used in products that resist heat, oil, stains, and water. PFAS was a commonly used substance in firefighting foam in NSW and the ACT. This foam is understood to have been used for training purposes at ACT Fire and Rescue (ACTFR) sites.

On 2 December 2019, the EPA issued an order to investigate PFAS soil and water contamination at the former ACTFR West Belconnen fire station site, previously called the Charnwood fire station. The investigation was to determine the offsite environmental impacts of the adjacent sites. In January 2020, JACS engaged specialist consultants to undertake site investigations at the ACTFR West Belconnen fire station site and eight current ESA sites for the presence of PFAS in soil and ground water.

Findings from the PFAS investigation/s has confirmed the presence of PFAS at all the nine sites.

The concentration levels identified at these sites vary, however, exceed the recommended threshold in the National Environmental Management Plan (NEMP) for ecological and/or human levels. The final investigation reports for all sites have been provided to the Environmental Protection Authority for review. The Directorate will be advised by the EPA if further investigations will be required of the remaining eight sites.

The directorate, in consultation with the ACT Government PFAS Working group, has developed, and implemented an Interim Management Plan (IMP) for the contaminated Charnwood area. IMP's for the remaining eight sites will be required to be formulated and implemented if the EPA advises that additional testing is required.

Further information on this issue is at [Attachment D](#).

Tackling Crime in Canberra

Key crime statistics for 2019-2020

31,656 offences were reported to ACT Policing, a decrease of 8.2 per cent (or 2,814 offences) when compared to the previous financial year.

3,477 offences were recorded against the person, a decrease of 10.5 per cent (or 409 offences), when compared to the previous financial year.

There was a 2.3 percent increase (or 28 offences) in motor vehicle theft, when compared to the previous financial year.

The number of armed robbery offences decreased by 1.0 per cent (or 1 offence) when compared to the previous financial year. Robbery (other) offences increased by 14.3 percent (or 15 offences) when compared to the previous financial year.

Theft (excluding motor vehicles) decreased by 7.1% (or 623 offences), when compared to the previous financial year.

Long term trends indicate that overall offences have decreased by 13.9 per cent when comparing the 2019-20 financial year with the 2010-11 financial year.

A large number of incidents that ACT Policing attend do not result in a criminal offence being identified, yet the time it takes to resolve an incident now takes longer due to the increasingly complex underpinning social issues which police deal with.

Serious and organised crime

The number of OMCG members in the ACT has decreased from approximately 70 in 2018-19 to 30-40 in 2019-20 as a result of members being deported, imprisoned or fleeing interstate.

ACT Policing's Taskforce Nemesis focuses on proactively disrupting criminal gang members to deter and detect criminal activity. In the 2018-19 Budget, \$1.6 million over four years was provided to Taskforce Nemesis.

The 2019-20 Budget provided \$2.8 million over four years to the ACT Director of Public Prosecutions to assist with efforts to combat serious and organised crime including to strip criminals of their criminal profits.

The following recent legislative reforms assist to target, disrupt, and prosecute organised criminal gang members:

- The *Confiscation of Criminal Assets (Unexplained Wealth) Amendment Act 2020* introduced an ACT-specific unexplained wealth scheme;
- The *Crimes (Disrupting Criminal Gangs) Legislation Amendment Act 2019* introduced measures to address risks to community safety posed by organised crime;

- The *Crimes (Fortification Removal) Amendment Act 2017*, introduced provisions for the CPO to apply for an order that an occupier remove fortifications from their premises; and provisions that prohibit the establishment of fortifications on certain premises; and
- The *Crimes (Police Powers and Firearms Offence) Amendment Act 2017* introduced statutory crime scene powers to allow police to preserve evidence in a timely manner at crime scenes while taking the least restrictive approach to limiting a person's right to privacy; and a new offence of 'drive by shooting'.

Aboriginal and Torres Strait Islander people in the ACT Justice system

Incarceration

Aboriginal and Torres Strait Islander people are **over-represented** across the ACT justice system.

- Aboriginal and Torres Strait Islander people make up approximately 1.9% of the ACT population, and on average make up approximately 23% of the detainee population at the Alexander Maconochie Centre (the AMC);
- Re-imprisonment rates are higher than 90% for Aboriginal and Torres Strait Islander detainees at the AMC, compared to 75% for non-Indigenous detainees;
- There are increasing 10-year trends in Aboriginal and Torres Strait Islander apprehensions, charges and arrests, as well as the proportion of apprehensions, charges and arrests that are Aboriginal and Torres Strait Islander. Non-Indigenous apprehensions and charges are stable; and
- Diversion rates for Aboriginal and Torres Strait Islander people are low and corresponding 10-year trends are decreasing. Charges are less likely to be cleared by formal diversion or caution than charges against non-Indigenous people.

Closing the gap and related commitments

Priority outcomes under the new National Agreement on Closing the Gap are consistent with those of the ACT Aboriginal and Torres Strait Islander Agreement 2019-2028.

Priority Reform areas are identified that will focus on measuring the change governments are making in the way they work with Aboriginal and Torres Strait Islander peoples.

The Outcomes Framework for the ACT Agreement, currently under development by the Office of Aboriginal and Torres Strait Islander Affairs (OATSIA) and the ACT Agreement Inter-Directorate Committee (IDC), will incorporate and closely align with National Agreement targets, including targets currently under consideration by the Joint Council on Closing the Gap for the Priority Reform areas.

National and Local Security

Maintaining the security of the ACT and protecting Canberrans from harm remains a core responsibility of the ACT Government. The security threat environment is current elevated and evolving, with the ACT managing a wide range of threats including terrorism, violent extremism, cyber and foreign interference.

You and the Attorney-General have specific portfolio responsibilities for security. Both Ministers receive strategic policy advice and support from JACS and ACT Policing. Further information is at [Attachment E](#).

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
<p>Royal Commission into National Natural Disaster Arrangements</p> <p>Ministerial consideration of Govt response to the Royal Commission report due prior to February 2021.</p>	<p>The Royal Commission into National Natural Disaster Arrangements was established in February 2020 in response to the extreme bushfire season of 2019-20. The Commission has examined coordination, preparedness for, response to and recovery from disasters as well as improving resilience and adapting to changing climatic conditions and mitigating the impact of natural disasters. The inquiry has also considered the legal framework for Commonwealth involvement in responding to national emergencies.</p> <p>The Commission received approximately 1,600 written submissions and has served ACT Government Directorates and Agencies with several Notices to Give Information and Notices to Produce. Public hearings have also been conducted. The Royal Commission is due to report on 28 October 2020.</p> <p>An ACT Government Response to the recommendations of the Royal Commission may require Ministerial consideration and approval prior to February 2021.</p>
<p>ACT Legislative Assembly Review of ACT emergency services responses to the 2019-20 bushfire season</p> <p>Ministerial consideration of Govt response due prior to 29 January 2021.</p>	<p>The Justice and Community Safety Standing Committee conducted a review of ACT emergency services responses to the 2019-20 bushfire season. The Standing Committee received 1 written submissions and public hearings were conducted.</p> <p>The report was released on 29 September 2020 and made 26 recommendations. The ACT Government Response to the recommendations of the report need to be tabled in the Assembly by 29 January 2021.</p>
<p>ACT Legislative Assembly Inquiry in the form of an evaluation of current ACT Policing arrangements</p>	<p>The Justice and Community Safety Standing Committee conducted a Inquiry in the form of an evaluation of current ACT Policing arrangements. The Standing Committee received 12 written submissions and public hearings were conducted.</p> <p>The report was released on 29 September 2020 and made 38 recommendations. The ACT Government Response to the</p>

<p>Ministerial consideration of Govt response due prior to 29 January 2021.</p>	<p>recommendations of the report need to be tabled in the Assembly by 29 January 2021.</p>
<p>Review of ESA Strategic and Accountability Indicators</p> <p>January/February 2021.</p>	<p>The ESA is undertaking a comprehensive review of all of its Strategic and Accountability indicators.</p> <p>Any changes to an indicator must be reviewed and approved by the DDG, Treasury and the Minister before being accepted. Once accepted and approved, these changes are noted in the Budget Estimates, which are presented to the Legislative Assembly for their information, comments and questions.</p> <p>It is anticipated that Ministerial approval of any changes to indicators will be sought in January/February 2021.</p>

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
<p>ACT Bushfire Council</p>	<p>Dr Sarah Ryan - Chair</p> <p>Email: [REDACTED]</p> <p>Mobile: [REDACTED]</p>
<p>ESA Volunteers Group (inc. the Volunteer Brigades Association, ACTSES Volunteers Association, Community Fire Unit Consultative Group, Mapping and Planning Support)</p>	<p>Volunteer Brigades Association Ms Allison Ballard - President</p> <p>Email: [REDACTED]</p> <p>Mobile: [REDACTED]</p> <p>ACT State Emergency Service Volunteers Association Ms Doreen McEncroe - President</p> <p>Email: [REDACTED]</p> <p>Mobile: [REDACTED]</p> <p>Community Fire Unit Consultative Group Mr Glenn Brewer - Commander, ACT Fire & Rescue</p> <p>Email: glenn.brewer@act.gov.au</p> <p>Phone: (02) [REDACTED]</p>

	<p>Mapping and Planning Support (MAPS) Ms Giovanna Lorenzin and Ms Marg Coonan-Jones - MAPS Executive</p> <p>Email: [REDACTED] and [REDACTED]</p> <p>Mobile: [REDACTED] (Giovanna) and [REDACTED] (Marg)</p>
Transport Workers Union	<p>Mr Ben Sweaney - TWU Official</p> <p>Email: [REDACTED]</p> <p>Mobile: [REDACTED]</p>
United Firefighters Union	<p>Mr Greg McConville - Secretary, ACT Branch</p> <p>Email: secretary@ufuact.asn.au</p> <p>Mobile: [REDACTED]</p>

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses^{1, 2}	174.761	177.363	175.640	183.906
Controlled – capital injection³	15.183	34.266	10.488	3.641
Territorial – expenses⁴	181.510	180.069	185.712	185.254
Territorial – capital injection	5.500	6.271	0.531	0.313

Notes

1. Controlled expenses include depreciation and corporate overheads.
2. Controlled capital injection in 2020-21 total includes \$4.896m Enterprise Agreement backpay for ACT Fire and Rescue which is not a capital project.
3. Territorial expenses include depreciation.

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ACT POLICING				
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Michael Chew	Deputy Chief Police Officer - Response		[REDACTED]	
Elizabeth McDonald	Deputy Chief Police Officer (Capability and Community Safety)		[REDACTED]	

ATTACHMENT A

VARIOUS REVIEWS OF THE BUSHFIRE SEASON 2019-20

Royal Commission into National Natural Disaster Arrangements

The Royal Commission (Commission) into National Natural Disaster Arrangements was established on 20 February 2020 in response to the extreme bushfire season of 2019-20.

The Commission has examined coordination, preparedness for, response to and recovery from disasters as well as improving resilience and adapting to changing climatic conditions and mitigating the impact of natural disasters. The inquiry has also considered the legal framework for Commonwealth involvement in responding to national emergencies.

The Commission received approximately 1,600 written submissions and has served ACT Government Directorates and Agencies with several Notices to Give Information and Notices to Produce. Public hearings have also been conducted.

The ESA and EPSDD also facilitated a tour of the Orroral Valley Fire Ground for the Commission. This occurred on 23 April 2020.

The Royal Commission is due to report on 28 October 2020, and an ACT Government response may be required.

ACT Legislative Assembly Committee Inquiry into 2019-20 Bushfire Season

The Justice and Community Safety Standing Committee has conducted a review of ACT emergency services responses to the 2019-20 bushfire season. The Standing Committee received 15 written submissions and public hearings have been conducted.

The Standing Committee finalised published its report on 29 September 2020. The report contains 26 recommendations which are currently being considered by JACS/ESA. A Government Response to the Standing Committee report will be required in the first few months of Government.

Review on Whole of ACT Government Coordination and Response

The ESA Deputy Commissioner, Mr Ray Johnson, was tasked with leading the review of the whole of government response to the 2019-20 bushfire season. The review considered the ACT's coordination, response and recovery.

The Report on Whole of ACT Government Coordination and Response during the 2019-20 Bushfire Season concludes that the overall view of stakeholders was that the legislative framework was sound, and that the *Emergencies Act 2004* (the Act) fulfilled its functions during the 2019-20 bushfire season. The report did, however, recommend amendments to the Act to clarify roles, and provide greater support to the Emergency Controller. These amendments were passed in the ACT Legislative Assembly during the August 2020 sitting period.

In total, the report contains 35 recommendations for the consideration of an incoming Government and ACT Government Directorates and Agencies.

ESA Operational Review

An external consultant was engaged to conduct an operational review to analyse the effectiveness of the ESA's preparation, planning, response and recovery.

To assist the review, approximately 38 After-Action Review (AAR) workshops were conducted with volunteers and staff. The external consultant analysed the feedback as part of the evaluation process and used this information to compile a final report, providing recommendations on areas of improvement. There are 31 recommendations themed into the following categories:

- Capability;
- Collective Training and Exercise;
- Preparedness;
- Personnel;
- Planning; and
- Incident Management.

While some recommendations can be addressed immediately, others require long-term planning and consultation with stakeholders or may be impacted by the outcomes of other reviews referred to in this brief.

ATTACHMENT B

PREPAREDNESS FOR THE 2020-21 BUSHFIRE SEASON

ESA Annual Preparedness Activity

Officers from ESA have undertaken to coordinate the various operational and strategic work streams that are critical to ensure the ACT's bushfire and storm preparedness, in line with the ACT Strategic Bushfire Management Plan (version 4). Key impact deliverables include mitigation activities, enhanced capabilities, community preparedness, and collaboration.

An Incident Management Exercise (IMX) was conducted in early September 2020, to validate the ESA incident management capability. The 2020 IMX was held over three days and centred around major ESA hazards, including bushfire, an urban fire, severe storm and extreme heat event.

Special Considerations for COVID-19 Restrictions

The ESA has undertaken specific planning activity to account for known and unknown COVID-19 restrictions impacting on ESA operations during the bushfire and storm season.

ESA business continuity planning has identified a five-tier strategy to ensure that operations can be conducted safely with COVID-19 restrictions.

ESA Operational Services and key Enabling Business Areas are developing Concepts of Operations for specific hazard management to ensure that any operations to resolve an emergency incident are undertaken with this strategy as guidance. These Concepts of Operations will identify contingency plans to allow for reduced staffing, prioritisation of resources, transmission control measures and continuity of supply lines and critical systems.

Discussions have been held between the ACT Rural Fire Service (ACTRFS) and NSW RFS representing NSW Local Government Areas to conceptualise the circumstances in which the ACT may request or provide assistance during an emergency incident.

A range of measures are being implemented within ESA Headquarters to reduce the likelihood of COVID-19 transmission in the event of a confirmed COVID-19 case. Measures include a possible increased screening regimen, division of critical service areas into relevant 'teams' and reduced personal contact between or across teams, and the enhanced use of technology where possible to assist with incident management and coordination.

ATTACHMENT C

WORKFORCE REFORM AND STRATEGIC ISSUES

Fire and Rescue EBA Implementation

As part of the ACT Emergency Services Agency's (ESA) recruiting and retention continuum, and the agreed settlement with the United Firefighters Union during EBA negotiations, the ESA has agreed to enter into a rolling recruitment process over the next five years. The proposed level of recruitment will enable ACT Fire & Rescue (ACTF&R) to reduce the level of overtime currently being undertaken and to meet mandated staffing levels.

Whilst the ACTF&R workforce strategy focusses directly on ACTF&R, there are significant benefits to the whole of ESA. The ESA is looking to create synergies between recruitment, mental health and wellbeing, and training across the entirety of the ESA as part of the 'one agency' approach.

Fire and Rescue Alleged underpayment

In December 2018, lawyers acting on behalf of the United Firefighters Union (UFU) wrote to ACT Fire & Rescue (ACTF&R) making claims that a number of officers were not paid appropriately where there was less than a 9 hour break (8 hours plus 30 minutes travel each way) between attendances.

The UFU indicated that if payments were not made as per their claim they would proceed to the Federal Court. However, advice from ACT Government Solicitor was that this matter would more appropriately be dealt with through the Fair Work Commission (FWC). ACTF&R listed in the FWC in an effort to resolve this matter.

The UFU did not consider that the FWC had jurisdictional power to resolve the matter and the initial conference on 11 February 2019 focussed on this objection with both parties consenting to this issue decided on papers in March 2019. In a decision dated 21 February 2020, Deputy President Kovacic dismissed the UFU's objections

The UFU appealed this decision to the Full Bench of the FWC. With a hearing on 20 April 2020. The UFU indicated at this hearing that an application to the Federal Court would be proceeding and that this claim will relate to 300 staff and not the four in the original claim.

The appeal decision was handed down on 19 May 2020 with permission to appeal being refused, which meant that the UFU's application was unsuccessful.

Attempts were again made to resolve the issue through discussion however the UFU lodged the claim with the Federal Court on 13 August 2020.

As part of this procedure, consent orders have been agreed and include that on or before 30 November 2020 the parties attend a mediation before Mr Julius Roe, retired Commissioner of

the Fair Work Commission and should the matter remain unresolved after, the matter be listed for a further case management hearing on 16 December 2020.

Executive/Commissioner Recruitment

Recruitment action is currently underway for ESA Executive positions including:

- Chief Officer, ACT State Emergency Service;
- Chief Officer, ACT Rural Fire Service; and
- Executive Branch Manager, Capability, Coordination & Support.

ACT Rural Fire Service

ACT Rural Fire Service (ACTRFS) has recruited additional personnel to bolster technical specialists within the staff ranks. A Strategic Planner, Aviation Officer and Fire Weather Analyst will provide technical leadership for preparedness and incidents in their area of expertise.

Volunteer numbers have remained constant with a strong waiting list of people wishing to join the service. Focus is on retention and upskilling of the current volunteer workforce. The ACTRFS strategic direction to increase diversity is by recruiting more non-firefighters to provide operational support to frontline personal and community engagement activities.

ACT Ambulance Service Strategic Priorities

The ACT Ambulance Service (ACTAS) is working on a new Service Delivery Model to better reflect the needs and expectations of the Community. The Service Delivery Model will inform a new workforce structure to deliver services more efficiently and effectively. In parallel to this work, a leadership development program and career continuum is being developed to complement the ACTAS leadership framework.

ESA Communication Centre (ComCen) Reforms

The ESA is working with staff and the unions on proposed changes to the ComCen. An ACT Fire & Rescue specific Workplace Consultative Committee has been established to discuss issues specific to the future ComCen model with United Firefighters Union representatives.

A long-term outcome of the ComCen project is to expand the current call-taker/dispatch model used by the ACT Ambulance Service (ACTAS) across the ESA ComCen to provide a single one agency approach. The new ESA positions will be known as communication officers.

The reform process will allow ESA to adapt to evolving responses with an all hazards approach.

ATTACHMENT D

PFAS

National Environment Management Plan (NEMP) 2018 for PFAS provides a framework for testing and management of the risks of PFAS contamination to human health and the environment.

In accordance with the NEMP, JACS engaged an expert investigator (GHD Pty Ltd) in January 2020 to undertake environmental assessment of the former ACTFR West Belconnen site and the adjacent sites and eight current ACTFR sites for the presence of PFAS in soil and ground water. An independent auditor (Ramboll) has been engaged to review all stages of the former ACTFR West Belconnen site investigation, consistent with EPA processes.

At present, the former ACTFR West Belconnen site is privately owned and operated by the Ducklings Early Education Childcare Centre. Adjacent sites are Saint Thomas Aquinas Primary School and Ginninderra Christian Church. The findings of the PFAS investigation has confirmed the presence of PFAS at the adjacent sites. The concentration levels identified exceed the recommended threshold in the NEMP. Interim Management Plan for the Charnwood site was finalised and reviewed by the auditor and provided to EPA. Also, further intrusive investigation has been undertaken to confirm the spread of PFAS contamination.

The findings of the PFAS investigations at the other eight ESA sites have confirmed the presence of PFAS. The concentration levels identified at these sites exceed the recommended threshold in the NEMP for ecological and/or human levels. The EPA has been advised of the findings of these investigation.

Stakeholder communication

An ACT Government PFAS Working Group has been established chaired by the PFAS Coordinator General.

The external community consultation process has been managed by the communications teams within the PFAS Working Group. The external consultation was undertaken with the relevant stakeholders, which includes Saint Thomas Aquinas Primary School and Ginninderra Christian Church. The internal communication with ESA staff and United Firefighters Union (UFU) is being managed by the ACTFR Chief Officer.

ATTACHMENT E

NATIONAL AND LOCAL SECURITY

NATIONAL SECURITY

Terrorism

Australia's general terrorism threat level remains at **PROBABLE**. Credible intelligence, assessed to represent a plausible scenario, indicates an intention and capability to conduct a terrorist attack in Australia.

The terrorism threat level is likely to persist at this unacceptably high level for the next 12 months. While COVID-19 has caused social and economic challenges around the world and in Australia, it has not greatly changed the threat of terrorism.

The principal source of the terrorist threat in Australia remains Sunni Islamist extremism. While other forms of extremism are currently less likely to manifest in violence, an extreme right-wing attack in Australia is plausible.

Crowded places remain the target of choice for violent extremists.

The Australia-New Zealand Counter Terrorism Committee (ANZCTC) is an intergovernmental committee charged with maintaining Australia's counter-terrorism plan, coordination nation-wide counter-terrorism capability and provide expert strategic and policy advice to heads of government and relevant ministers. ANZCTC meets four times a year and the Deputy Director General Community Safety, Justice and Community Safety Directorate (JACS) and the Chief Police Officer attend as the ACT members. The Attorney-General and Minister for Police and Emergency Services are briefed on the agenda items and outcomes of ANZCTC meetings.

Current priorities for the ANZCTC include finalising a refresh to Australia's counter-terrorism plan and reforming laws and national arrangements for the management of high-risk terrorist offenders.

Violent Extremism

Violent extremism is the beliefs and actions of people who support or use violence to achieve ideological, religious, or political goals. This includes terrorism and other forms of politically motivated and communal violence.

The threat from the extreme right wing in Australia has increased in recent years. Australian individuals, largely consisting of white men, are being drawn to and adopting extreme right-wing ideologies.

While there is no current information to suggest current attack planning, including in relation to COVID-19, and extreme right-wing attack in Australia is plausible in the next 12 months.

The ANZCTC's Countering Violent Extremism Sub-Committee (CVESC) progresses nationally coordinated policies to counter violent extremism. This includes the voluntary Living Safe Together Intervention Program that supports people at risk of radicalisation. The Executive Branch Manager of JACS SEMB and a representative of ACT Policing are members of CVESC.

To coordinate countering violent extremism activities in the ACT, JACS maintains the whole of government countering violent extremism committee steering committee (CVE-SC). CVE-SC is chaired by the Deputy Director-General Community Safety and generally meets three times a year. CVE-SC reports to the Security and Emergency Management Senior Officials Group (SEMSOG).

Schedule 2.2(a)(ii)

Countering Foreign Interference

Foreign interference activities go beyond routine diplomatic influence practiced by governments. Interference may be coercive, covert, deceptive and clandestine in nature and can cause harm to the ACT's interests.

Foreign interference differs from foreign influence. Foreign influence refers to actions undertaken by a foreign actor that attempt to influence discussions on matters of importance. When conducted in an open and transparent way, foreign influence contributes positively to public debate and is a welcome part of international engagement.

Foreign actors are pursuing opportunities to interfere with decision makers, intellectual property, and IT systems in Australia. The ACT is not immune from this interference.

The ACT is closely engaged with the Australian Government and other states and territories to partner on efforts that protect our systems of government, democracy, critical infrastructure, education, and media.

JACS SEMB is currently developing a framework to strengthen the connection between the ACT's CFI activities. This includes awareness raising, contact reporting, travel briefings and ICT device security.

Fixated Threats

A fixated individual is a person that possesses an unhealthy obsession or perceived grievance with another person. In many cases, a fixated individual may possess undiagnosed or untreated mental health issues.

At the October 2017 meeting of the former Council of Australian Governments (COAG), First Ministers agreed to a nationally consistent approach to the management of fixated threats.

In the ACT Budget 2019-20, the government appropriated \$1.08 million over three years to establish and trial a fixated threat capability for the ACT in line with the COAG agreement. This capacity has been established.

The trial will see specially trained officers from ACT Policing, and mental health professionals from Canberra Health Services co-located and working closely together to assess and manage fixated individuals in the ACT.

A focus for the ACT's fixated threat capability will be to assess and divert fixated persons into care and lower the risk they pose to the community.

Ministers will receive further advice on the outcomes of the trial, including the need for ongoing funding to support the ACT capability in accordance with the COAG agreement.

Cyber Crime

Malicious cyber activity against Australia's national and economic interests is increasing in frequency, scale, and sophistication. Over the past 12 months the Australian Cyber Crime Centre has observed real-world impacts of cyber incidents and has responded to 2,266 cyber security incidents and received 59,806 cybercrime reports at an average of 164 cybercrime reports per day, or one report every 10 minutes. Australian Government or state and territory government entities were targeted in 35.4% of the incidents the ACSC responded to in the year to 30 June 2020.

Phishing remain the most common methods used by cyber actors to harvest personal information or user credentials to gain access to networks, or to distribute malicious content.

The malicious cyber activity is occurring against all levels of government, industry, political organisation, education, health, essential services providers, and operators of critical infrastructure.

Shared Services ICT works closely with the ICT system owners in directorates to minimise the risk of a successful cyber attack against the ACT Government. However, the prevalence of ICT systems and the ever change nature of threats means that the risk of a successful cyber-crime cannot be eliminated. The Chief Information Security Officer (CISO) within Shared Services ICT is the ACT's representative on the National Cyber Security Committee. The CISO is supported by the Chief Digital Officer and JACS SEMB in relation to cyber operations and policy.

In 2018, COAG agree to the national Cyber Incident Management Arrangements (CIMA) to provide for nationally coordinated responses to cyber incidents. Within the CIMA are national cyber security levels from level 5 (normal) to level 4 (national cyber crisis). The current level is level 4 (lean forward).

The ACT supported the development of Australia's Cyber Security Strategy 2020 that was launched in August 2020.

Critical Infrastructure and Systems of National Significance Reforms

The *Security of Critical Infrastructure Act 2018* (SOCI Act) requires owners and operators of identified infrastructure relating to electricity, gas, water, and ports to provide certain information to the Australian Government.

In 2020, the Australian Government announced that further reforms are proposed to the SOCI Act to increase the coverage of the Act across a range of other critical infrastructure sectors. This includes health and education.

The ACT has lodged a submission in response to a consultation paper issued by the Australian Government about the reforms. The Australian Government received approximately 190 submissions which are currently under consideration.

Separately, the ACT maintains a critical infrastructure register and a critical infrastructure committee comprised of critical infrastructure owners across the ACT Government, utilities, and communications to ensure a coordinated approach to the management of CI in the ACT.

ACT SECURITY ARRANGMENTS

Local Security Threat Environment

While the national terrorism threat level remains at **PROBABLE**, there is no specific or credible threat to the ACT.

ACT Policing and JACS SEMB works closely with the Australian Government to monitor and respond to a dynamic and evolving security threat environment.

Security Classified Information Management

The Australian Government regularly issues security classified information that is either PROTECTED, SECRET or TOP SECRET. The distribution, handling and storage of this information is subject to strict national security requirements. The ACT Government's ICT system is not rated to receive security classified information.

Schedule 1 1.4

Specific security classified material is made available to Ministers for review.

Safer Public Places

ACT Policing, the Emergency Services Agency and JACS SEMB support ACT Government event organisers to deliver safe community events.

A key tool used by the government and ACT Policing to strengthen the safety of ACT public places is the Public Safety CCTV Network (Network).

The Network is an inter-connection of CCTV systems across ACT public venues and spaces including Canberra City, Manuka and Kingston shopping precincts, GIO Stadium, Manuka Oval, Exhibition Park in Canberra, the Jolimont Centre and Haig Park, Haig Park and the Greenway CBD.

The CCTV Network provides live and recorded CCTV footage to the government and the ACT Policing to support public safety monitoring, event management, criminal investigations, and prosecutions in court. The CCTV network is monitored by ACT Policing on Thursday, Friday and Saturday nights between 6:00pm and 6:00am.

In early 2020, the government approved the *Strategic Closed Circuit Television (CCTV) Plan 2020-2022* (Plan) which identifies four priority areas including:

- a. Enhancing Safety, Security and Lowering Crime;
- b. Capability and Connectedness;
- c. Governance and Transparency; and
- d. Innovation.

In accordance with the Plan, JACS SEMB is progress an expansion of the CCTV Network into Glebe Park, and, the proposed installation of 30 public safety CCTV cameras over the CBRfree Wi-Fi network over the coming years. A new CCTV Policy is also under development and will be presented to the Attorney-General in due course.

ACT Protective Security Policy Framework

The ACT Government Protective Security Policy Framework (PSPF) is a whole of government policy document maintained by JACS SEMB and agreed to by the government.

The PSPF provides a mandatory framework for directorates and agencies to implement protective security measures to protect people, information, and assets. Protective security covers security governance, information, cyber security and personnel and physical security.

To keep pace with the current evolving security environments, a full review of the PSPF is underway and is expected to be presented to the government through the Attorney-General for consideration by early 2021.

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CORRECTIONS AND JUSTICE HEALTH PORTFOLIO OVERVIEW

The Minister for Corrections and Justice Health is responsible for overseeing the management of Corrective Services in the ACT and providing justice health services in all adult and youth correctional facilities in the ACT. A strong focus is placed on the delivery of rehabilitative, educational and vocational programs, effectively managing un-sentenced offenders and community-based corrections programs, and providing advice and services to the ACT justice system.

The key area of the Justice and Community Safety (JACS) Directorate responsible for the provision of safe and secure custody for detainees is the ACT Corrective Services (ACTCS).

ACTCS is a significant part of the ACT justice system with responsibility for administering court-imposed sanctions including the provision of a safe and secure environment for those in custody, and supervising offenders in the community subject to bail conditions or community-based sentences. Through the provision of a wide range of interventions, including offender behaviour programs, education and vocational training ACTCS strives to reduce recidivism and promote successful rehabilitation and reintegration of people into the community. ACTCS also provides advice and services to the Courts, the Sentence Administration Board and government and community stakeholders.

Justice health care is provided directly by Canberra Health Services and through partnerships with community organisations. Care ranges from prevention and treatment to recovery and maintenance, and harm minimisation. Consumer and carer participation is encouraged in all aspects of service planning and delivery.

Alexander Maconochie Centre

Commissioned in 2009, the Alexander Maconochie Centre (AMC) has been operational for over 10 years. As the ACT's only adult correctional centre, the AMC caters for the full-time custody of male and female remanded and sentenced detainees of all security classifications in a secure and safe environment. Operating under the *Corrections Management Act 2007* and Human Rights principles, the AMC is a campus-style correctional facility comprising of cottage-style accommodation and cell blocks. With a strong focus on rehabilitation, the AMC also engages actively with the ACT private sector striving for positive outcomes for detainees and a safer community for all.

In 2019-21, a focus for the AMC has been on improving prison industries, enhancing detainee conditions and implementing numerous policies, procedures and initiatives to ensure the AMC is a safe, secure and healthy environment for detainees, staff and visitors.

In 2019-20 average daily detainee numbers were 443.8 with the average sentenced detainee population at 269.8. Detainee numbers at the AMC have fallen from the 2018-19 levels of 484 on average, and the peak of 507 detainees on 19 and 25 June 2018.

Custodial and Community Correctional Programs

ACTCS provides a range of criminogenic (offence specific and offence related), psycho-educational and wellbeing programs and interventions in the AMC and the community, for both male and female, remand and sentenced detainees/offenders.

Programs delivered in the AMC include:

Anger Management Program

A Cognitive Behaviour Therapy (CBT) based program that employs behavioural and cognitive skills interventions. The program presents participants with options that draw on these interventions to develop individualised 'anger control plans' using as many as possible of the techniques presented.

First Steps

A drug educational program for detainees with offending behaviour relating to substance abuse.

Self-Management and Recovery Training Program

A psychoeducational program which assists with problematic behaviours, such as alcohol, drugs, cigarettes, gambling, food, shopping, internet use. Guided by trained peers and professionals, participants come to help themselves and each other by using cognitive behavioural therapy and motivational tools and techniques.

Community Programs

Detainees may also continue their participation in some criminogenic programs in the community following a release from custody, including:

Cognitive Self Change Program

Takes participants through a series of steps designed to facilitate their skills development in mindfulness, objectivity, and recognition of how their own risk thinking, attitudes and beliefs lead them to harmful behaviour.

In 2020, 10 male participants and one female participant have completed the program, with 39 men and seven women currently participating in custody and the community.

Domestic Abuse Program

The Program is facilitated by ACTCS staff who have attended and completed mandatory training. ACTCS delivers the program to male perpetrators of domestic violence who are assessed as being of medium risk of reoffending or higher.

In 2020, eight participants have completed the program, with 20 participants currently enrolled in custody and the community.

Sexual Offending Programs

The suite of programs offered in the AMC are evidence based and have been evaluated, with published data showing men who complete the program are less likely to commit further sexual offences. These programs use internationally recognised best practice principles for sexual offending programs, focus on the future as well as the past and teach skills to lead a fulfilling life.

In 2020, 10 participants have completed the program, with nine participants currently enrolled in custody and the community.

Detainee Health and Wellbeing

Forensic Mental Health Service

The Forensic Mental Health Service is a specialist service based in the court, custodial, youth detention and community settings. It provides assessment and intervention for people with a mental illness who have or are at risk of committing a criminal offence.

Specific forensic services include the Forensic Community Outreach Service, Court Assessment and Liaison Service and Mental Health Services at the AMC and Bimberi Youth Detention Centre.

Primary Health Service

The Primary Health Service provided by Justice Health Services, provides a range of general and specialised health management. This includes assessment, primary health care treatment, opioid therapy, dental services, emergency and referral services for detainees and young people at the AMC and Bimberi Youth Justice Centre.

Winnunga Model of Care

On 7 January 2018, Winnunga Nimmityjah Aboriginal Health and Community Service began delivering the Winnunga Model of Care to assist in maintaining and improving the overall health and wellbeing of Aboriginal and Torres Strait Islander detainees, by providing a culturally safe service within the AMC.

A significant outcome of the “So Much Sadness in Our Lives”: Independent Inquiry into the Treatment in Custody of Steven Freeman (the Moss Review) was the recommendation to introduce a holistic Aboriginal and Torres Strait Islander model of care and health service into the AMC. On 15 October 2018, ACTCS together with Canberra Health Services and Winnunga officially launched the Model of Care at the AMC. The service is delivering enhanced health care for Aboriginal and Torres Strait Islander detainees when they enter custody through to their release to the community.

This is a ground-breaking initiative as it is the first time in Australia that a holistic Aboriginal and Torres Strait Islander primary health provider is being integrated into a correctional environment. Holistic health care refers to the physical, emotional, social and cultural wellbeing of an individual.

Inspector of Correctional Services

The *Inspector of Correctional Services Act 2017* (the Act) establishes the independent statutory authority and provides that the Inspector 'must examine and review correctional centres at least once every two years.' This requirement ensures the systematic and preventative approach to oversee ACTCS and facilities, allowing the Inspector to conduct proactive reviews to identify strengths and areas for improvement for correctional services in the ACT. In May 2018, the ACT Government announced the appointment of Mr Neil McAllister to the role of Inspector.

The Act also makes provision for the Inspector to review critical incidents. Critical incidents are defined in the legislation to include circumstances where a person's life has been endangered, there is an escape, hostage situation, a riot, fire or serious assault. This function is intended to provide insight into broader systemic issues that may be raised by individual incidents.

Sentence Administration Board

The Sentence Administration Board (the Board) established under the *Crimes (Sentence Administration) Act 2005* exercises supervisory functions in relation to offenders serving a sentence of life imprisonment released on licence, parole, and intensive correction orders (ICO).

In mid-2020, the Board exchanged a Statement of Expectations and Statement of Intent with the Minister to guide its operations and support arrangements. The Board is supported by the Sentence Administration Board Secretariat which is an administrative section within ACT Corrective Services.

COVID-19 response

Emergency arrangements have been activated since March 2020 to ensure a whole of government response to COVID-19 in the ACT. The arrangements reflect the ACT Emergency Framework as outlined under the ACT Emergency Plan and ACT Health Emergency Plan.

The JACS Directorate coordinated necessary COVID-19 legislative measures across government.

In the first half of 2020, the ACT Legislative Assembly passed three omnibus Amendment Acts in response to the COVID-19 pandemic: *COVID-19 Emergency Response Act 2020*, *COVID-19 Emergency Response Legislation Amendment Act 2020* and *COVID-19 Emergency Response Legislation Amendment Act 2020 (No 2)*. These Acts give effect to non-health related decisions of National Cabinet and implement measures to ensure the ACT Government continues to meet the needs of the community in the context of the COVID-19 pandemic.

All COVID-19 legislative measures are enacted temporarily. Generally, the expiry of amendments aligns with either the *Public Health (Emergency) Declaration 2020 (No 1)* (and its further extensions), and end when the public health emergency ends, or 12 months after the commencement of the *COVID-19 Emergency Response Act 2020*, on 8 April 2021.

The legislative changes include changes to streamline operations of certain aspects of the corrective services system, while having due regard for community safety.

DELIVERING ON YOUR PRIORITIES

The JACS Directorate has a role in continuing the Government's work building a community in which people are and feel safe, and building a justice system that is accessible, efficient, transparent and enhances human rights.

In the Corrections and Justice Health portfolio, as part of the JACS responsibilities across the justice and community safety systems, we will support your priorities of:

- using a justice reinvestment approach to support community-based programs that tackle crime, divert offenders, enhance the rehabilitation framework and reduce recidivism; and
- embedding a restorative approach to deliver justice outcomes that enhance the healing and wellbeing of people involved in the justice system, including young people, the Aboriginal and Torres Strait Islander community, and those with particular vulnerabilities.

In particular, continuing progress against the following initiatives will be supported:

Continuing the Building Communities, Not Prisons (BCNP) programs

By taking the \$132 million that would have otherwise been spent on expanding the AMC and investing these funds in community-based programs, to develop a smarter, more cost-effective approach to improving criminal justice outcomes.

BCNP is seeking to build community capacity to facilitate programs that reduce crime and divert offenders, and those at risk of becoming offenders, from the criminal justice system.

Implementing the Reducing Recidivism Plan

The Reducing Recidivism plan will aim to:

- Reduce the over-representation of Aboriginal and Torres Strait Islander people in custody;
- Respond to justice housing needs;
- Support people with substance use disorders in the justice system;
- Support people living with a mental illness or disability in the justice system;
- Support detainee reintegration;
- Develop community capacity; and
- Respond to the needs of women in the justice system.

The implementation of the Reducing Recidivism Plan will require establishing a robust governance structure to maintain momentum against identified objectives and deliverables, transparent reporting mechanisms and effective engagement with stakeholders.

Progressing the Justice Housing Program

By continuing the work with Housing ACT to identify properties suitable to expand the Justice Housing Portfolio to its full complement of 10 houses, and continuing the collaboration with service

providers, community stakeholders and residents of the program to refine the service model and effectiveness of overall outcomes.

Progressing the Construction of the Transitional Reintegration Centre

By prioritising the delivery of this significant capital project, with a focus on commencing construction in 2021 and successfully delivering a Reintegration Centre to support effective pathways out of the justice system, and so support the BCNP platform of your Government.

Developing an Integrated Offender Management IOM model

To be operational by the end of 2020 – the IOM model aligns with your Government’s commitment to reduce recidivism and will embed early release planning and the ACTCS Reintegration Framework across custodial and community operations through an an-inclusive end-to-end sentence management process for offenders that commences from the time they enter custody.

Women’s Accommodation and Framework

We will work with your Government, and in close consultation with stakeholders, to establish a long-term approach for the accommodation needs of women detainees at the AMC. This will be complemented by the finalisation of the Women Offenders Framework which will support the provision of services to women in custody and supervised in the community, in order to maximise opportunities for successful rehabilitation and reintegration. The Framework is intended to be completed in December 2020.

Responding to the Reviews of Oversight bodies

This includes implementing the recommendations from various reviews (including the Healthy Prison Review) while fostering constructive relationships with oversight bodies, and engaging positively with the insights they bring to improve the operations of the corrections system.

MINISTERIAL FUNCTIONS

Legislative Responsibilities

The Minister for Corrections has portfolio responsibilities for the following legislation:

- *Corrections Management Act 2007*
- *Crimes (Sentence Administration) Act 2005*, except part 8.1
- *Inspector of Correctional Services Act 2017*

Key Statutory Appointments

Ministerial appointments that you have direct or shared responsibility for as Minister for Corrections and Justice Health are as follows:

Sentence Administration Board

The Board is established under the *Crimes (Sentence Administration) Act 2005* (the Act). Under section 174 of the Act, the Attorney-General as the responsible minister is required to appoint a

chairperson, at least one deputy chairperson (and not more than two deputy chairpersons) and not more than eight other members. The work undertaken by the Board plays a central role in the mandate of ACTCS in determining sentences and judicial orders for offenders and detainees in the ACT.

All Board judicial (chair and deputy chair) and non-judicial positions are current until May 2023.

External Adjudicators (Statutory)

The *Corrections Management Act 2007* (the Act) provides, under Division 10.3.4, for review of disciplinary charges by an external adjudicator. The adjudicator is appointed under section 177 of the Act as the independent, external reviewer in relation to disciplinary matters and investigative segregation. The adjudicator performs a role that protects both the detainee and the correctional facility.

Currently there are three external adjudicators appointed, Mr Don Malcolmson, Mr Christopher Ward and Ms Sayuri Grady. The appointment of Mr Malcolmson is due to expire on 31 December 2020. The appointments of Mr Ward and Ms Grady are current until 23 September 2022.

Official Visitors

Under section 10 (1) (b) of the *Official Visitors Act 2012*, the Minister for Justice and Consumer Affairs progresses the appointments for at least two official visitors, including one official visitor who is an Aboriginal or Torres Strait Islander person in consultation with the Minister for Corrections and Justice Health. The current official visitors are Mr Shannon Pickles, Ms Denise Brassier, Ms Vickie Quinn and Ms Violet Sheridan.

Mr Pickles appointment will expire on 16 December 2020. Ms Brassier's appointment is in place until 22 December 2020. Ms Quinn and Ms Sheridan's appointments will expire on 6 January 2023.

MINISTERIAL COUNCILS AND CONSULTATIVE BODIES

Corrective Services Ministers' Conference

The Minister for Corrections is a member of the Corrective Services Ministers' Conference which meets annually. The Conference provides an opportunity for State and Territory Ministers to meet about cross jurisdictional corrections issues and strategic priorities. Briefings are prepared for the Minister prior to these meetings.

The last CSMC meeting was held in ACT in August 2019. The meetings are typically held mid-year and Victoria was due to host the meeting in July 2020, however this conference was postponed due to COVID-19.

KEY ISSUES AND CONSIDERATIONS

Justice Reinvestment - Building Communities, Not Prisons and Reducing Recidivism

Similar to all Australian states and territories, the ACT is experiencing an increased rate of incarceration, overcrowding and rising over-representation of Aboriginal and Torres Strait Islander people in our justice system. Experience elsewhere in the world has shown that recidivism reduction targets are unlikely to be met within existing programs or through business-as-usual activities.

Developing a plan to achieve recidivism reduction requires a new package of work to effectively change the life trajectories of some of Canberra's most vulnerable citizens who have complex needs.

It requires a shared responsibility across the justice and human service system and continued close work with government stakeholders, the community sector, academia and those with lived experience.

Building Communities, Not Prisons (BCNP) is part of the ACT Government's justice reinvestment program. By taking \$132 million that would have otherwise been spent on expanding the AMC and investing these funds in community-based programs, the ACT Government is seeking to develop a smarter, more cost-effective approach to improving criminal justice outcomes. BCNP is seeking to build community capacity to facilitate programs that reduce crime and divert offenders, and those at risk of becoming offenders, from the criminal justice system.

The Reducing Recidivism Plan (RR25by25) is based on recidivist-based Building Communities, Not Prison (BCNP) initiatives. Its key pillars are:

- Reducing the over-representation of Aboriginal and Torres Strait Islander people in custody;
- Responding to justice housing needs;
- Supporting people with substance use disorders in the justice system;
- Supporting people living with a mental illness or disability in the justice system;
- Supporting detainee reintegration;
- Developing community capacity; and
- Responding to women in the justice system.

A key component of the RR25by25 Plan is developing a Reducing Recidivism Research Collaboration (Research Collaboration) and corresponding research program to examine the impact of initiatives and how the ACT is tracking against targets related to RR25by25. The Research Collaboration with the ANU was signed in August 2020.

Justice Housing Program

The Justice Housing Program (JHP) is a collaboration between the Justice and Community Safety Directorate, Community Services Directorate, the social and community housing sector and support agencies, and provides an accommodation option for those who otherwise would be incarcerated in the AMC due to a lack of suitable community based accommodation. The supported accommodation provided by the JHP acts as a stepping-stone to longer term or permanent accommodation in public housing, community housing or the private rental market.

The housing stock for the JHP is sourced from Housing ACT under arrangements ensuring public housing stock availability is not impacted by this initiative. Two houses are currently operational. On 15 September 2020, CatholicCare assumed responsibility for four additional properties, which will be ready for occupancy in late October 2020. Another property is being prepared for transfer and three other properties are yet to be identified by Housing ACT. As at 6 October 2020, two occupants are currently in a JHP property. There has been a total of 18 acceptances into the JHP since it commenced, with eight occupants accommodated in a property. Six occupants have exited the program, two of which were planned exits into other accommodation.

Additional information is provided at [Attachment A](#).

Refurbishment of Hume Health Centre

ACTCS was allocated a \$4 million capital fund over three years (2017-18 to 2019-20) to provide an accommodation solution to expand health services to detainees and enable Winnunga and Justice Health to deliver a holistic Aboriginal and Torres Strait Islander model of care and health service into the AMC.

The construction of a modular health services building to rehouse Winnunga and ACT Health Centre staff has been completed to allow for the refurbishment of the current Health Centre to better meet the needs of detainees.

Reintegration Centre

As part of the *Building Communities Not Prisons* initiative, the ACT Government committed to improving rehabilitation options for detainees at the AMC, including through a purpose-built Reintegration Centre that will support detainees in transitioning back to the community. The Reintegration Centre is intended to reduce the time a person may be detained in custody through increasing the capacity of detainees to gain parole and, once released, to successfully reintegrate into the community with increased skills and strategies to address the causes of their criminogenic behaviours.

The Reintegration Centre is intended to provide enhanced rehabilitation programs including trauma and relationship counselling, alcohol, tobacco and other drug rehabilitation, and jobs skills training in partnership with non-government and government organisations. The design, procurement and construction of the facility is being managed by Major Projects Canberra. The design phase of the

Reintegration Centre is nearing completion, and a public tender will follow to enable construction to commence.

Additional information is provided at [Attachment B](#).

Integrated Offender Management Framework

ACT Corrective Services (ACTCS) will implement a holistic model of Integrated Offender Management (IOM) across custodial and community operations. The IOM model will embed early release planning and the ACTCS Reintegration Framework across custodial and community operations through an an-inclusive end-to-end sentence management process for offenders that commences from the time they enter custody.

The IOM model will ensure that interventions are delivered in a considered and timely manner at the appropriate point of an offender's sentence. The IOM model will also seek to provide opportunities for offenders to engage in constructive activity throughout their custodial sentence, and that those in the community post-release or under community supervision are supported appropriately. The development and implementation of an IOM model, including an IOM Manual, is a substantial program of work for ACTCS and is intended to be implemented and operational by the end of 2021.

Women's Accommodation and Framework

The original design of the AMC included a purpose-built women's area formerly known as the Women's Community Centre with a design capacity of 25 beds, including five beds designated as a women's high-needs cottage. An additional four beds were subsequently installed to increase the capacity to 29.

Due to a rapid increase in the number of women detainees at the AMC, women detainees were also housed in Health, the Management Unit and the Crisis Support Unit for accommodation purposes, with all women detainees subsequently being relocated to the Special Care Centre (SCC) in 2017. This relocation was not ideal but, in the circumstances, was found to be the most timely and suitable accommodation option.

ACTCS is currently developing a Women Offenders Framework that will identify the best practice principles and strategies in providing services to women in custody and supervised in the community, in order to maximise opportunities for successful rehabilitation and reintegration. The Framework is intended to be completed in December 2020.

Whilst development is underway, a Women's Reference Group consisting of representatives from ACTCS, oversight agencies and external stakeholders has been established as a short-term measure to identify opportunities to positively support women within the AMC through enhanced engagement with the community sector. The Women's Reference Group meetings are held bi-monthly and are chaired by the Commissioner, ACTCS.

Reviews by Oversight bodies

Inspector of Correctional Services – Healthy Prison Review of the AMC

The Inspector of Correctional Services undertook his first Healthy Prison Review (HPR) of the AMC in 2019. The HPR examined whether the AMC meets the “healthy prison” test, which was devised by the World Health Organisation and contains four pillars: Safety; Respect and dignity; Purposeful activity; Rehabilitation and preparation for release.

The final version of the report was tabled in the ACT Legislative Assembly on 26 November 2019. The HPR contains 51 findings and 73 recommendations. The previous Government agreed to 61 recommendations; agreed in principle to six recommendations; noted four recommendations; and did not agree to two recommendations.

The HPR also made a number of findings and recommendations which had already been identified by ACTCS and for which remedial action was already in progress or had been completed by the time the report was tabled. The next HPR will take place in 2021.

Inspector of Correctional Services – Court Transport Unit Review

In 2020, the Inspector of Correctional Services undertook a thematic review into the operations of the ACTCS Court Transport Unit. A draft of the report was provided to ACTCS for comment and it is anticipated that the report will be tabled in the Legislative Assembly at the next sitting. Once tabled, the Government will have up to six weeks to prepare a response to the report and recommendations therein.

ACT Ombudsman – Own Motion Investigation into Parole Processes

In 2019, the ACT Ombudsman commenced an own motion investigation into the administration of parole processes by ACTCS. The investigation examined opportunities for ACTCS to improve parole processes and readiness for detainees at the AMC.

In 2020, the Director-General provided comments on the draft report and a formal response to the recommendations that will be incorporated into the final report when published. JACS have agreed to all 15 recommendations contained in the report. Many of the recommendations will be addressed in the project to implement an Integrated Offender Management model across ACTCS in 2021.

The introduction of this new model will provide the overarching guiding principles and framework contained in multiple recommendations.

ACT Audit Office – Performance Audit – Court Transport Unit Vehicle

In August 2020, the ACT Audit Office commenced a performance audit of ACTCS procurement processes for the ‘R5’ Court Transport Unit vehicle. This vehicle is a Mitsubishi Fuso Cantor (heavy commercial) vehicle used to transport detainees.

The audit will consider the processes undertaken by ACTCS to inform the procurement; adherence to business rules during the procurement process; whether operational needs were suitably identified; and whether effective management arrangements were implemented for the vehicle.

The audit is anticipated to be completed and tabled in the Legislative Assembly in the fourth quarter of 2020.

Safeguarding families and young people - family violence

The ACTPS is preparing proposals to:

- improve the family violence orders scheme;
- improve information-sharing between ACT services; and
- create a scheme to review family violence deaths.

ACT sentencing law may require amendment to clarify principles for dealing with family violence offences.

The Council of Australian Governments (COAG) has committed to a National Domestic Violence Order Scheme.

The Council of Attorneys-General (CAG) has agreed in principle to improve sharing of family violence and child welfare information across jurisdictions.

Separate advice will be provided on options for raising the minimum age of criminal responsibility from 10 to 14 years of age.

Please refer to [Attachment C](#) for further information.

Aboriginal and Torres Strait Islander people in the ACT Justice system

Aboriginal and Torres Strait Islander people are **over-represented** across the ACT justice system.

- Aboriginal and Torres Strait Islander people make up approximately 1.9% of the ACT population, and on average make up approximately 23% of the detainee population at the Alexander Maconochie Centre (the AMC);
- Re-imprisonment rates are higher than 90% for Aboriginal and Torres Strait Islander detainees at the AMC, compared to 75% for non-Indigenous detainees;
- There are increasing 10-year trends in Aboriginal and Torres Strait Islander apprehensions, charges and arrests, as well as the proportion of apprehensions, charges and arrests that are Aboriginal and Torres Strait Islander. Non-Indigenous apprehensions and charges are stable; and
- Diversion rates for Aboriginal and Torres Strait Islander people are low and corresponding 10-year trends are decreasing. Charges are less likely to be cleared by formal diversion or caution than charges against non-Indigenous people.

Please refer to Attachments D and E for further information on incarceration rates and statistics and trends.

JACS oversees a broad number of initiatives that support Aboriginal and Torres Strait Islander people.

JACS is currently overseeing Aboriginal and Torres Strait Islander contracts with a combined total of over \$4 million. In the current financial year, program delivery funds approach \$2 million. This includes initiatives that are primarily aimed at reducing recidivism and the over-presentation of Aboriginal and Torres Strait Islander people in the ACT justice system.

The Aboriginal and Torres Strait Islander Elected Body (ATSIEB) is represented on the Justice Caucus which oversees the Aboriginal and Torres Strait Islander Justice Action Plan (JAP). It is also represented on the Aboriginal and Torres Strait Islander Justice Advisory Group by its justice member representative, currently Fred Monaghan. This group is the strategic group which oversees the JAP.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
30 October 2020 NAIDOC Community Art Exhibition Launch	Launch of an Aboriginal and Torres Strait Islander art exhibition featuring detainee artwork.
27 November 2020 Corrections Remembrance Day	Ceremony to mark Corrections Remembrance Day at the Alexander Maconochie Centre.
3 December 2020 Disability Action and Inclusion Plan Launch	Launch of the ACT Corrective Services Disability Action and Inclusion Plan on International Day of Persons with a Disability.
15 January 2021 National Corrections Day	Event to mark National Corrections Day.
TBC Launch of the Women Offenders Framework	Launch of the ACT Corrective Services Women Offenders Framework.
TBC Drug Strategy	Ministerial decision to finalise the ACT Corrective Services Drug Strategy for the Alexander Maconochie Centre.

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
Oversight agencies	
Office of the ACT Ombudsman	Ms Louise MacLeod (Senior Assistant) Phone: 6276 3773 email: [REDACTED]
ACT Human Rights Commission	Dr Helen Watchirs (ACT Human Rights Commissioner) Phone: 6205 2222 Email: Helen.Watchirs@act.gov.au
ACT Inspector of Correctional Services	Mr Neil McAllister (Inspector) Phone: [REDACTED] email: Neil.McAllister@act.gov.au
Sentence Administration Board	Ms Laura Beacroft (Chair) Email: Laura.Beacroft@act.gov.au Phone: [REDACTED]
Aboriginal and Torres Strait Islander organisations	
Aboriginal and Torres Strait Islander Elected Body	Ms Katrina Fanning (Chair) Joanne Chivers (Deputy Chair) Phone: [REDACTED] (Deputy Chair) Email: atsieb@act.gov.au / Joanne.Chivers@act.gov.au
Winnunga Nimmityjah Aboriginal Health and Community Services	Ms Julie Tongs OAM (CEO) Phone: [REDACTED] email: [REDACTED]
Aboriginal Legal Service (NSW/ACT) Limited	Ms Karly Warner (CEO) Phone: [REDACTED] email: [REDACTED]

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses ¹	100.444	100.859	102.487	100.925
Controlled – capital injection	24.450	24.225	0.366	0.376
Territorial – expenses				
Territorial – capital injection	-	-	-	-

Notes

- Controlled expenses include depreciation and corporate overheads.

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL
ACT CORRECTIVE SERVICES			
Jon Peach	Commissioner		Jon.Peach@act.gov.au
<i>Pia Marbaniang</i>	<i>Executive Officer to the Commissioner</i>		Pia.Marbaniang@act.gov.au
Corinne Justason	Deputy Commissioner Custodial Operations		Corinne.Justason@act.gov.au
<i>Susan Loftus</i>	<i>Executive Officer to the Deputy Commissioner</i>		Susan.Loftus@act.gov.au
OFFICE OF THE INSPECTOR OF CORRECTIONAL SERVICES			
Neil McAllister	Inspector		Neil.McAllister@act.gov.au
Rebecca Minty	Deputy Inspector		Rebecca.Minty@act.gov.au
JUSTICE HEALTH SERVICES			
Dannielle Nagle	Operational Director		Dannielle.Nagle@act.gov.au
Dr Ahmed Mashhood	Clinical Director Forensic Mental Health Services		Ahmed.Mashhood@act.gov.au

ATTACHMENT A:

TITLE: JUSTICE HOUSING PROGRAM

- In February 2020, two properties were established for the Bail Accommodation Transition Support Service. Housing ACT's commitment to ACTCS is to provide an additional eight properties to allow an additional 24 places.
- In May 2020, the bail accommodation for men became operational, providing a total of six places in two houses.
- Four properties were transferred from Housing ACT to CatholicCare in September 2020, and a fifth property is expected to be transferred to CatholicCare in early October 2020. The remaining three properties are yet to be identified by Housing ACT.
- The five additional JHP properties will be ready to accept clients in a phased roll-out over October/November 2020. The final three properties will be accepted following inspection and consideration of size, proximity from shops and/or bus route, required remediation to the property and ACT Policy feedback. ACT Policing Judicial and Family Violence provides feedback on proposed locations, any known issues and potential for community fatigue.
- ACT Corrective Services (ACTCS) is taking the lead on service design and implementation, while property management and resident support is currently undertaken by CatholicCare as a one-year COVID 19 response, contracted by ACTCS. ACTCS continues to collaborate with the service providers, community stakeholders, and residents of the program to refine the service model.

ATTACHMENT B:

TITLE: REINTEGRATION CENTRE

- In December 2019, the Minister for Corrections and Justice Health reported to the Legislative Assembly on the progress of the Reintegration Centre.
- The Reintegration Centre project involves design and planning approvals to provide accommodation buildings for new beds and associated support, administration, and stores.
- The design, procurement and construction of the facility is being managed by Major Projects Canberra.

- Following the announcement of the expansion of the Reintegration Centre as part of the 2018-19 budget review and the 2019-20 budget, a geotechnical investigation was commissioned to assess the subsurface soil and groundwater conditions across the site.
- The investigation identified several areas of concern which had different classifications for rectification before building works can commence.
- The rectification works have been considered as part of the project timelines and work is due to commence in 2021.
- The budget bid to support the works being undertaken will be submitted as part of the 2020-21 budget process as this was not included in the original project budget.

Key milestones achieved to date include:

- In May 2019, Perumal Pedavoli Pty Ltd was appointed to provide Design Consultancy Services for the Reintegration Centre.
- 30 per cent Preliminary Sketch Plan documents were submitted in June 2019.
- 80 per cent Preliminary Sketch plan documents were issued for review in mid-December 2019.
- The Development Application (DA) was submitted in May 2020.
- 100 per cent Preliminary Sketch Plan Phase commenced 8 July 2020.
- The determination of the DA is delayed due to the requirement to carry out a Bushfire Risk Assessment. This assessment is now complete, pending endorsement from ACT Fire & Rescue.

ATTACHMENT C:

TITLE: SAFEGUARDING FAMILIES AND YOUNG PEOPLE

Family violence

Family violence orders

- External consultants have conducted a review of the *Family Violence Act 2016* which sets out the ACT family violence order scheme.
- The review's final report was delivered in March 2020 and a number of concerns with the report have delayed its public release. JACS is seeking to address some of these issues by re-engaging with the consultants and will brief the incoming Minister on the report and options regarding its publication.
- At the national level, COAG has agreed to establish the National Domestic Violence Order Scheme, to enable family and domestic violence orders issued in any Australian jurisdiction to be automatically recognised and enforceable across Australia. A key element of the COAG

decision was the development of a comprehensive national information sharing system that police and courts would be able to use to enforce orders. This work is awaiting advice from the Commonwealth regarding the feasibility and costs of the proposed IT system that could support the scheme.

Improved information-sharing between ACT services

- Multiple reports¹ have recommended improved information-sharing to help ACT services respond to family violence.
- In 2016, the ACT Government committed to develop an enhanced legal framework for family violence information-sharing.² JACS is currently working with the Office of the Coordinator-General for Family Safety (OCGFS) to develop a model which will be effective and sustainable.
- The Victims of Crime Commissioner is administering a family violence case-tracking pilot program, using existing legislation. The pilot is funded by the Commonwealth. This pilot will inform the design of a new legislative framework for assessing family violence and coordinating system responses.

Family violence death reviews

- Family violence death reviews (FVDRs) can be conducted after the death of a victim or perpetrator of family violence. FVDRs typically identify system improvements to avoid future deaths.
- In 2016, the ACT Government committed to develop a legislative mechanism for FVDRs to ensure that future reviews have appropriate statutory powers. The OCGFS is currently developing a preferred model for a permanent FVDR. JACS will work with the OCGFS on any required legislative amendments.

Family violence sentencing principles

- ACT legislation does not require the courts to consider family violence as a factor in sentencing.
- The ACT Court of Appeal has found there is no basis for taking ‘a special approach [to] sentencing for family violence offences’: (*R v UG [2020] ACTCA 8*). This finding is inconsistent with the sentencing principles of other Australian jurisdictions and may discourage ACT courts from taking family violence into account.
- JACS will work with key agencies to prepare advice on the potential to amend the sentencing legislation, including what amendment options are available.

¹L. Glanfield AM, [Report of the Inquiry: Review into the System level responses to family violence in the ACT](#), 2016; Domestic Violence Prevention Council, [Review of Domestic and Family Violence Deaths in the ACT](#), 2016; Community Services Directorate, [Domestic Violence Service System Gap Analysis Project Final Report](#), 2016.

² [ACT Government Response to Family Violence](#), 2016.

Family violence and child welfare information sharing

- On 29 November 2019, CAG endorsed the National Strategic Framework for Information Sharing Between the Family Law and Family Violence and Child Protection Systems (the National Framework). The National Framework is an in-principle agreement that the following services should be able to share family violence and child welfare information:
 - family law courts;
 - state and territory courts (which deal with family violence orders and family violence offences);
 - police; and
 - child protection services.
- In late 2020, a cross-jurisdictional working group is due to provide preliminary advice to CAG on how the National Framework can be operationalised. There will need to be:
 - a cost-sharing arrangement;
 - federal, state and territory law reform; and
 - agreed policies and protocols which can be used in all jurisdictions.

Minimum age of criminal responsibility

Council of Attorneys-General Working Group

- The minimum age of criminal responsibility (MACR) in the ACT, and across all Australian jurisdictions, is 10 years of age. However, a child aged under 14 years cannot be held criminally responsible unless the prosecution can prove they knew what they were doing was wrong (the *doli incapax* presumption).
- In late 2017 and throughout 2018, the MACR was the subject of increased media coverage, in response to the Royal Commission into the Protection and Detention of Children in the Northern Territory, which recommended the MACR be increased to 12 years of age. The findings of the Royal Commission were consistent with several reports that have recommended the MACR in Australia be increased from 10 years of age, including those delivered by the United Nations Committee on the Rights of the Child.
- MACR is being considered at the national level through CAG. To inform consideration of the issue, CAG agreed at its November 2018 meeting to establish the Age of Criminal Responsibility Working Group (the Working Group). The Working Group is chaired by Western Australia and the ACT is represented by JACS.
- At the CAG meeting on 27 July 2020, Attorneys-General noted that the Working Group had identified the need for further work to occur to ensure appropriate support measures were in place for children who exhibit offending behaviour. This further work aims to ensure that any changes to the law could be implemented successfully, and that young people who engage in harmful behaviours would receive appropriate supports. The Working Group will provide a progress report in mid-2021.

- There was substantial stakeholder and media interest in this issue following CAG's decision and the ACT Government was the subject of criticism from both individuals and professional bodies for not committing to an increase in the MACR and for failing to lead reform in this area.

ACT-specific work

- On 20 August 2020, the ACT Legislative Assembly passed a motion which called on the Government to:
 - support raising the MACR to 14 years of age, taking into account medical and other relevant evidence, and with consideration given to exemptions for serious offences;
 - ensure that reform in this complex area engages with and enhances support services identified through a gap analysis, noting that keeping young people safe and diverting them from the justice system is a whole-of-government and whole-of-community responsibility; and
 - continue to progress policy work and consider programs and resources that may be required in order for the tenth Assembly to consider legislation raising the age.

JACS is working with other Directorates and justice agencies to consider how a higher MACR could be implemented in the ACT. In August 2020, the outgoing Attorney-General approved the use of \$500,000 from the Confiscated Assets Trust Fund to assist in this work, including \$120,000 to support a gap analysis review by an external consultant. This included collaboration with an Aboriginal and Torres Strait Islander consultant.

ATTACHMENT D:

TITLE: ABORIGINAL AND TORRES STRAIT ISLANDER INCARCERATION RATES

In the Australian Capital Territory (ACT), Aboriginal and Torres Strait Islander adults make up 1.9% of the ACT population and 22% of the ACT prison population. Over-representation is a persistent and growing problem across Australia with incarceration rates increasing by 51% between 2012 and 2018. The degree of urgency in the ACT is more acute with a 135% increase over the same period.

Over the past decade the ACT has seen the highest increases in Indigenous incarceration of any jurisdiction in Australia. As shown in Figure 1, the increase of 279% in the ACT is five times higher

than the national increase of 59%. While non-Indigenous rates have also risen significantly in the ACT, the numbers indicate there is still a large disparity between the two.³

Figure 2 shows the actual number of Indigenous vs non-Indigenous people incarcerated at the AMC in December 2019⁴, with Figure 3 indicating percentages of prior incarceration rates in each State and Territory⁵.

Figure 1 – Based on ‘Report on Government Services 2020, Corrective Services, Figure 8A.6’

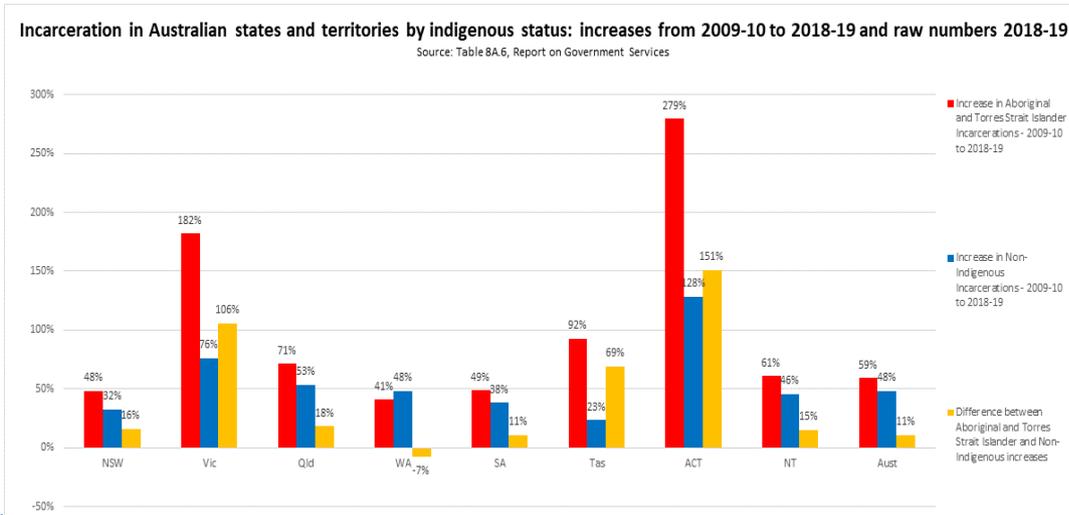
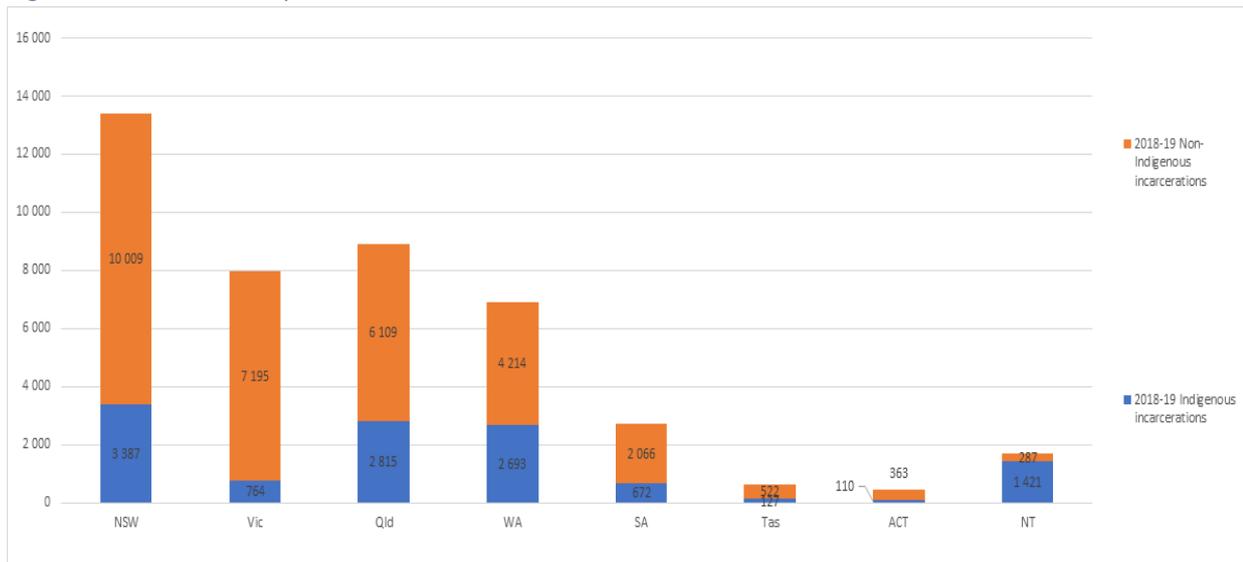


Figure 2 – Based on Report on Government Services 2020, Part C, Section 8

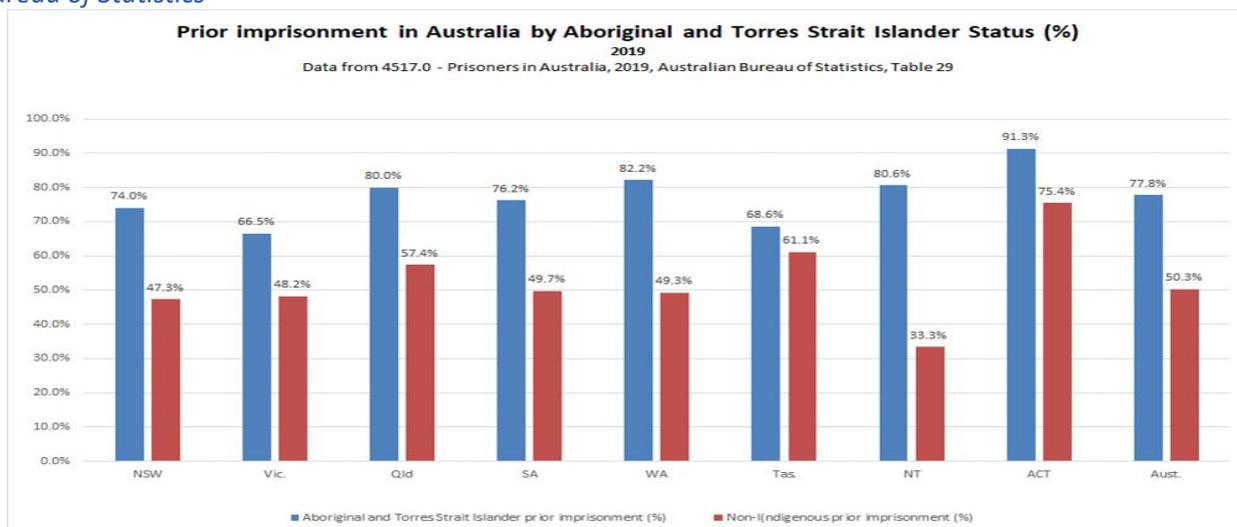


³ Report on Government Services 2020, Corrective Services, Figure 8A.6

⁴ Report on Government Services 2020, ACT Government

⁵ Prior Imprisonment in Australia by Aboriginal and Torres Strait Islander Status (%) 2019, Australian Bureau of Statistics

Figure 3 – Prior Imprisonment in Australia by Aboriginal and Torres Strait Islander Status (%) 2019, Australian Bureau of Statistics



ATTACHMENT E:

TITLE: ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE IN THE ACT JUSTICE SYSTEM – DETAIL ON STATISTICS AND TRENDS (BASED ON ABS DATA RELEASED DECEMBER 2019)

Magnitude data

Aboriginal and Torres Strait Islander people are **over-represented** across the ACT justice system. Aboriginal and Torres Strait Islander people make up approximately 1.9% of the ACT population (and 2.7% of young people aged between 10 and 17), and on average make up approximately 23% of the detainee population at the Alexander Maconochie Centre (the **AMC**).

The age standardised incarceration rate for Aboriginal and Torres Strait Islander people in the ACT is the lowest in the country, however the ratio of this rate to the rate for non-Indigenous people is the highest.

More than 90% of adult Aboriginal and Torres Strait Islander detainees at the AMC have been previously incarcerated, compared to approximately 75% of non-Indigenous detainees. These are the highest reimprisonment rates in the country.

Trend data

- The ACT has had the highest increase of Aboriginal and Torres Strait Islander detainees since 2009-10 of any jurisdiction in Australia. Most data shows 10 year trends in ACT’s Aboriginal and Torres Strait Islander justice data are getting worse.
- Both Aboriginal and Torres Strait Islander and Non-Indigenous admissions to the AMC demonstrate increasing 10-year trends, with average annual increases of 5.7% and 2.9% respectively).

- There are increasing 10 year trends in Aboriginal and Torres Strait Islander apprehensions, charges and arrests, as well as the proportion of apprehensions, charges and arrests that are Aboriginal and Torres Strait Islander. Non-Indigenous apprehensions and charges however are stable.

Diversions

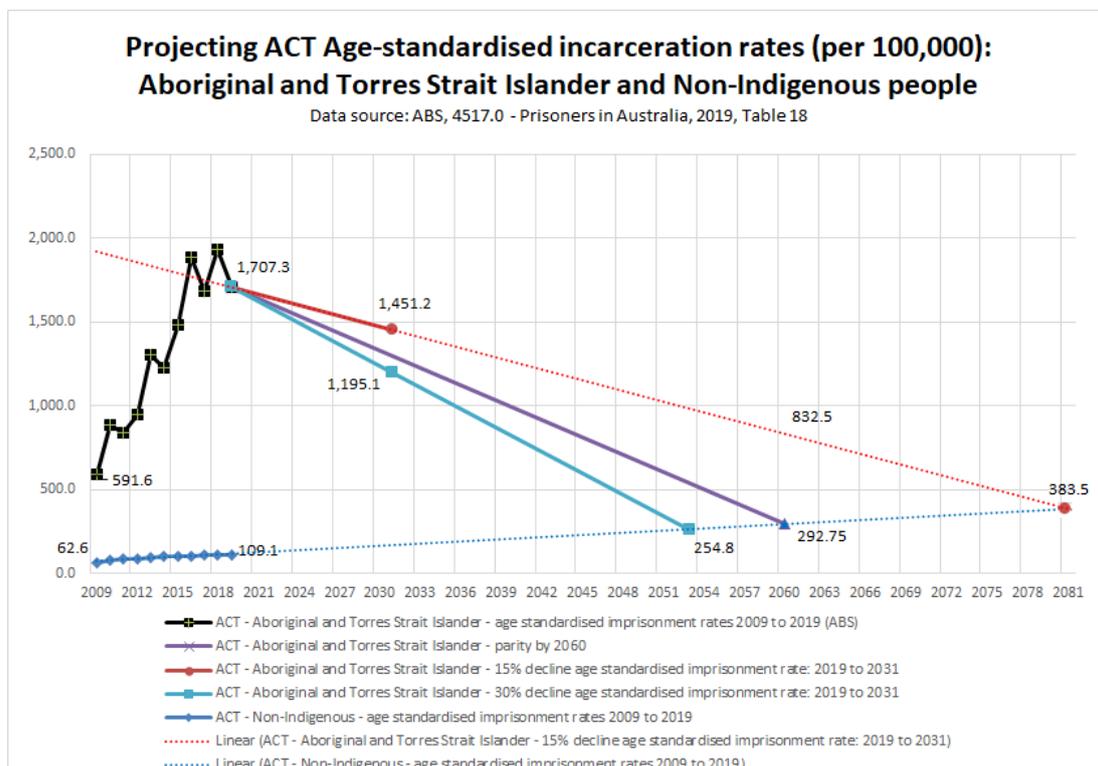
- ACT data shows that diversion rates for Aboriginal and Torres Strait Islander people are low and that charges are less likely to be cleared by formal diversion or caution than charges against non-Indigenous people.
- This is not a new issue, with ACT Policing data showing downward 10 year trends for cautions and other diversions, and consistently lower rates for Aboriginal and Torres Strait Islander people.

Aboriginal and Torres Strait Islander people are **over-represented** across the ACT justice system. Aboriginal and Torres Strait Islander people make up approximately 1.9% of the ACT population (and 2.7% of young people aged between 10 and 17), and on average make up approximately 23% of the detainee population at the Alexander Maconochie Centre (the **AMC**).

The age standardised incarceration rate for Aboriginal and Torres Strait Islander people in the ACT is the lowest in the country, however the ratio of this rate to the rate for non-Indigenous people is the highest.

More than 90% of adult Aboriginal and Torres Strait Islander detainees at the AMC have been previously incarcerated, compared to approximately 75% of non-Indigenous detainees. These are the highest reimprisonment rates in the country.

Incarceration rate projections



- The graphic shows the following data and trends:
 - a. the Aboriginal and Torres Strait Islander age-standardised incarceration rate being reduced by 15% by 2031, i.e. to 1,451.2 per 100,000. If that trend was projected forward to 2060, the Aboriginal and Torres Strait Islander age-standardised incarceration rate would be 832.5 per 100,000 while the equivalent rate for Non-Indigenous people would be 292.8 (based on existing trends). Using a 15% reduction by 2031 target sees parity with existing Non-Indigenous rate trends being achieved only at approximately 2081;
 - b. the Aboriginal and Torres Strait Islander incarceration rate being reduced by 30% by 2031 (i.e. to 1195.1 per 100,000). If this trend was projected forward parity with existing Non-Indigenous age-standardised incarceration rates would be reached in approximately 2053, when the rate for both groups would be approximately 255 per 100,000;
 - c. To achieve parity with existing Non-Indigenous incarceration rates by 2060, the Aboriginal and Torres Strait Islander incarceration rate would need to be decreased by 24.4% by 2031 and 83.0% by 2060.
- Note that if social programs were run to successfully decrease Aboriginal and Torres Strait Islander incarceration rates by 15% or 24.4% or 30% by 2031 or 83.0% by 2060, it is highly likely Non-Indigenous incarceration rates would also experience declines. This means that to achieve parity a further increased reduction in Aboriginal and Torres Strait Islander incarceration rates would be required above the 15%, 24.4%, 30% and 83% projected reductions.

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PORTFOLIO OVERVIEW

The Minister for Justice, Consumer Affairs and Road Safety is responsible for a range of important justice policy and program areas including the ACT's Human Rights Commission, justice reinvestment, restorative justice, and road transport regulation and safety.

You are supported in these responsibilities by the Justice and Community Safety Directorate (JACS).

The Government has committed to making Canberra a progressive and inclusive community with a strong economy. Justice institutions that are values based, that protect the vulnerable and which reflect restorative approaches are central to this.

An immediate institutional priority is to create an Aboriginal and Torres Strait Islander Young People's Commissioner. We will work with you and the Attorney General to deliver this commitment by developing and consulting on a model for the role, informed by the outcomes of the Protection of Rights Services Review which will report to you later this year. We will work closely with the Aboriginal and Torres Strait Islander Community whose input and views will be critical.

A review of the over representation of Aboriginal and Torres Strait Islander People in the justice system is also priority. Again, we will work with you and the Attorney General to scope this review in consultation with the Aboriginal and Torres Strait Islander Community and establish terms of reference. We will draw on our strong relationships across government and establish a governance structure that ensures strong early buy-in from other Directorates. We anticipate that making a difference will require sustained whole of government attention, effort and service adaptation not only for justice institutions but also in the areas of education, community service and more broadly.

We will also work to help you consolidate and build on important work commenced during the Ninth Assembly. This includes implementing the Act's Road Safety Strategy - working towards 'Vision Zero' and continuing to build communities rather than prisons through justice reinvestment.

The ACT justice system spans frontline policing and emergency services, the legal framework for a just and safe community, the formal criminal justice process, corrective services and services to assist people who are, or at risk of, having contact with the criminal justice system. Each element is supported by infrastructure and equipment, policy development, legal services and programs. There is a close relationship between the Attorney-General, Police and Emergency Services and Corrections portfolios given their responsibility for different components of the justice system. The Directorate is committed to providing cohesive and coordinated advice across each portfolio to deliver the Government's priorities.

COVID-19 response

The Justice and Community Safety Directorate coordinated necessary COVID-19 legislative measures across government.

In the first half of 2020, the ACT Legislative Assembly passed three omnibus Amendment Acts in response to the COVID-19 pandemic: *COVID-19 Emergency Response Act 2020*, *COVID-19 Emergency Response Legislation Amendment Act 2020* and *COVID-19 Emergency Response Legislation Amendment Act 2020 (No 2)*. These Acts give effect to non-health related decisions of National Cabinet and implement measures to ensure the ACT Government continues to meet the needs of the community in the context of the COVID-19 pandemic.

All COVID-19 legislative measures are enacted temporarily. Generally, the expiry of amendments aligns with either the Public Health (Emergency) Declaration 2020 (No 1) (and its further extensions), and end when the public health emergency ends, or 12 months after the commencement of the *COVID-19 Emergency Response Act 2020*, on 8 April 2021. Certain amendments include transitional mechanisms to ensure the COVID-19 measure can continue to operate effectively during a specified transition period.

If necessary, COVID-19 measures may be amended so that they continue to apply for a further period.

DELIVERING ON YOUR PRIORITIES

The Directorate's initial advice on how we will implement key election commitments is provided below. More detailed briefing will be provided separately.

Establish Aboriginal and Torres Strait Islander Children and Young People's Commissioner

This commitment consolidates the ACT Government's previous agreement in-principle to the *Our Booris, Our Way* recommendation that an Aboriginal and Torres Strait Islander Children's Commissioner be established.

Work could commence in late 2020 or early 2021 on developing and consulting on a model for the Aboriginal and Torres Strait Islander Children's Commissioner, informed by the findings of the Protection of Rights Services Review which is due to be finalised in November 2020. That review is likely to inform thinking as to whether the new Commissioner role should be located in the ACT Human Rights Commission.

Considered engagement with the Aboriginal and Torres Strait Islander Community will be critical and legislative change will be required. However, we anticipate that the new Commissioner could be in place within two years.

Commission a review of Aboriginal and Torres Strait Islander over-representation in the justice system

Aboriginal and Torres Strait Islander people are over-represented across the ACT justice system. Although over-representation is a persistent and growing problem across Australia with incarceration rates increasing by 51% between 2012 and 2018, the degree of urgency in the ACT is more acute with a 135% increase over the same period. Moreover, diversion rates are low.

We estimate that, to achieve parity with existing Non-Indigenous incarceration rates by 2060, the Aboriginal and Torres Strait Islander incarceration rate would need to be decreased by 24.4% by 2031 and 83.0% by 2060.

The Directorate will work with relevant Ministers, in consultation Aboriginal and Torres Strait Islander representative and community organisations, to scope the review, establish terms of reference and a statement of requirements to support the review. Review scope and the preferred approach to engagement with community will be important issues that will impact likely cost and timing (indicatively, the review could take one-two years).

We would also engage Education, Health and Community Services directorates, noting that a whole-of-government solution to identifying and addressing the issues is likely to be required.

Consolidate and Build

We note that important work building on and consolidating initiatives under way in the ninth assembly remains to be done including:

- Building Communities, Not Prisons through justice reinvestment;
- Working towards the Creation of Centre for Restorative Justice. Embedding restorative approaches can deliver outcomes that enhance the healing and wellbeing of people involved in the justice system including young people, the Aboriginal and Torres Strait Islander community and those with particular vulnerabilities; and
- Improving the safety of road users and working towards Vision Zero.

These are discussed further in the 'Key Issues and Considerations' section of this briefing.

We look forward to working closely with you as we develop a work program that reflects your priorities.

MINISTERIAL FUNCTIONS

Legislation

The Minister for Justice, Consumer Affairs and Road Safety is responsible for the following legislation:

- *Adoption Act 1993*, section 104 (2)
- *Agents Act 2003*
- *Births, Deaths and Marriages Registration Act 1997*
- *Charitable Collections Act 2003*
- *Civil Unions Act 2012*
- *Classification (Publications, Films and Computer Games) (Enforcement) Act 1995*
- *Co-operatives National Law (ACT) Act 2017*
- *Crimes (Restorative Justice) Act 2004*
- *Discrimination Act 1991*
- *Domestic Relationships Act 1994*
- *Eggs (Labelling and Sale) Act 2001*
- *Fair Trading (Australian Consumer Law) Act 1992*
- *Fair Trading (Fuel Prices) Act 1993*
- *Fair Trading (Motor Vehicle Repair Industry) Act 2010*
- *Heavy Vehicle National Law (ACT) Act 2013*
- *Human Rights Act 2004*
- *Human Rights Commission Act 2005*
- *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Act 2018*
- *Motor Sport (Public Safety) Act 2006*
- *Motor Vehicle Standards Act 1989 (Cwlth)*
- *Mutual Recognition (Australian Capital Territory) Act 1992*
- *Official Visitor Act 2012*
- *Parentage Act 2004*
- *Pawnbrokers Act 1902*
- *Registrar-General Act 1993*
- *Registration of Deeds Act 1957*
- *Retirement Villages Act 2012*
- *Road Transport (Alcohol and Drugs) Act 1977*
- *Road Transport (Driver Licensing) Act 1999*
- *Road Transport (General) Act 1999*, except sections 12, 13, 14, 17, 19, 20, 54 and administration provisions relating to fees and approval of forms, to the extent that they relate to a function under the road transport legislation that is the responsibility of the Minister for Roads and Active Travel, the Minister for Planning and Land Management or the Treasurer.
- *Road Transport (Offences) Regulation 2005*, except section 8 (1) (a) and (b), to the extent that it relates to a function under the road transport legislation that is the responsibility of the Minister for Planning and Land Management.
- *Road Transport (Public Passenger Services) Act 2001*, except sections 23 and 27C

- *Road Transport (Public Passenger Services) Regulation 2002*, except sections 70 (1) (a) and (b), 70AS and 70AAD (1) and (2)
- *Road Transport (Safety and Traffic Management) Act 1999*, except sections 5A, 18, 20, 31, 32 and division 8.4
- *Road Transport (Road Rules) Regulation 2017*, except divisions 12.11 and 12.12 and sections 206, 207, 295A (3), 295B (3), 310 and 346A (1) and (2)
- *Road Transport (Safety and Traffic Management) Regulation 2017*, except part 7
- *Road Transport (Vehicle Registration) Act 1999*
- *Sale of Goods Act 1954*
- *Sale of Goods (Vienna Convention) Act 1987*
- *Sale of Motor Vehicles Act 1977*
- *Second-hand Dealers Act 1906*
- *Sex Work Act 1992*
- *Spent Convictions Act 2000*
- *Supervised Injecting Place Trial Act 1999*, sections 7, 8 and 13
- *Traders (Licensing) Act 2016*
- *Trans-Tasman Mutual Recognition Act 1997*
- *Unclaimed Money Act 1950*
- *Uncollected Goods Act 1996*
- *Victims of Crime Act 1994*
- *Victims of Crime (Financial Assistance) Act 2016*

KEY APPOINTMENTS

Statutory Appointments

Body	Position	Appointed by	Current occupant	Expiry date
Human Rights Commission	President and Human Rights Commissioner	Executive	Dr Helen Watchirs OAM	30 September 2021
	Victims of Crime Commissioner	Executive	Heidi Yates	18 March 2023
	Public Advocate and Children and Young People Commissioner	Executive	Jodie Griffiths-Cook	30 September 2021
	Discrimination, Health Services and Disability and Community Services Commissioner	Executive	Karen Toohey	20 September 2021

PORTFOLIO BRIEF: MINISTER FOR JUSTICE, CONSUMER AFFAIRS AND ROAD SAFETY

<p>Official Visitors - <i>Official Visitors are appointed under the Official Visitor Act 2012. The Minister must appoint seven Official Visitors for a number of operational acts and may appoint other Official Visitors in certain circumstances.</i></p>	<p>Children and Young People Act 2008</p> <p>Corrections Management Act 2007</p> <p>Disability Services Act 1991</p> <p>Housing Assistance Act 2007</p> <p>Mental Health Act 2015</p>	<p>Minister</p>	<p>Tracey Lea Harris Chris Redmond</p> <p>Shannon Pickles Denise Brassier Vickie Quinn</p> <p>Mary Durkin Chris Redmond Rob Wooley</p> <p>Simon Rosenberg</p> <p>Shannon Pickles Jane Grace</p>	<p>4 October 2021</p> <p>11 June 2022</p> <p>16 Dec 2020. 6 January 2023 6 January 2023</p> <p>17 October 2022 23 April 2023 30 July 2023</p> <p>3 September 2022</p> <p>1 July 2022 1 July 2022</p>
<p>Motor Vehicle Repair Industry Advisory Committee</p>	<p>Representative of the industry body for the motor vehicle repair industry</p> <p>Representative of people who carry on business as motor vehicle repairers</p> <p>Representative of employees of people who carry on business as motor vehicle repairers</p> <p>Person to represent the interests of consumers</p> <p>Person to represent the community's</p>	<p>Minister</p>	<p>Kenneth Michael Burke</p> <p>Ante Nazor</p> <p>Richard Lindsay</p> <p>Adam Thompson</p> <p>Environment Protection Authority</p>	<p>30 August 2021 <i>(all members)</i></p>

	interest in the environment			
Victims Advisory Board	Indigenous communities representative	Minister	Selina Walker Jonathan Cornforth	27 June 2022 30 June 2023
	Victims services groups representative	Minister	Elle Burgess Chelsea Holton Frances Rose Lauren O'Brien	27 June 2022 30 June 2023 30 June 2023 30 June 2023
	Lawyer member	Minister	Margie Rowe Various statutory members ¹	30 June 2023
	Statutory members	<i>Victims of Crime Act 1994 s22D</i>		30 June 2023

Non-statutory Appointments

ACT Road Safety Advisory Board - The Board is a non-statutory body comprising eight members.

Currently the following people are appointed to the Board until 3 December 2021:

- Mr Richard Glenn – Director-General Justice and Community Safety Directorate (JACS) – Chair;
- ACT Policing (Super-Intendent of Traffic Operations) – Road safety expert;
- Associate Professor Vanita Parekh – Road safety expert;
- Suncorp - Executive manager, ACT CTP – Compulsory Third-Party Insurer;
- IAG - Manager Road Safety and Regulatory Policy - Compulsory Third-Party Insurer;
- Ms Jennifer Woods – Road user representative;
- Mr Rod Katz – Road user representative; and
- Mr James Goodwin – Road user representative

¹ Deputy Director of Public Prosecutions (DPP member), Deputy Chief Police Officer – Capability and Community Safety ACT Policing (Australian Federal Police member), Chair of the Sentence Administration Board (SAB member), Commissioner of ACT Corrective Services (ACTCS representative). Executive Group Manager – Children, Youth and Families (Youth justice representative), the Director of Restorative Justice Unit (Restorative Justice Unit representatives) and the Principal Registrar and CEO – ACT Courts and Tribunal

MINISTERIAL COUNCILS AND CONSULTATIVE BODIES

Following agreement to reform the federal relations framework and replace the Council of Australian Governments with a National Cabinet, various Ministerial Councils are being reviewed and may be replaced or renamed in the near future.

The following tables reflect the most recent inter-governmental arrangements and you will be briefed on any changes as they occur.

Ministerial Council	Directorate level meeting	Role of body	Member	Frequency	Action area
Legislative and Governance Forum on Consumer Affairs (CAF)		CAF's objective is to improve consumer well-being through consumer empowerment and protection, fostering effective competition and enabling the confident participation of consumers in markets in which both consumers and suppliers trade fairly.	Commonwealth, State, Territory and New Zealand Ministers responsible for fair trading and consumer protection laws.	Two times per year	Access Canberra - Chief Minister, Treasury and Economic Development Directorate
Infrastructure and Transport Minister's Meeting (ITMM))		The Council's objective is to achieve a co-ordinated and integrated national transport and infrastructure system that is efficient, safe, sustainable, accessible and competitive. Achieving this objective will support and enhance Australia's economic	Commonwealth, State, Territory and New Zealand Ministers responsible for transport and infrastructure issues, as well as the Australian Local Government Association.	Two times per year	Road Safety and Transport Regulation (RSTR) - JACS

		development and social and environmental well-being.			
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CONSULTATIVE BODIES

Consultative Committee	Membership
Motor Vehicle Repair Industry Advisory Committee	
<p>The Motor Vehicle Repair Industry Advisory Committee is established under the <i>Fair Trading (Motor Vehicle Repair Industry) Act 2010</i>. The Advisory Committee has the following functions:</p> <p>(a) advising the Minister about—</p> <ul style="list-style-type: none"> (i) the licensing, registration or training of people in the motor vehicle repair industry; (ii) matters affecting the interests of consumers in relation to motor vehicle repair work; (iii) unfair commercial practices that affect people who carry on business as a motor vehicle repairer; and (iv) environmental issues in relation to disposal of the motor vehicle repair industry’s waste; <p>(b) advising the Minister about conditions of a licence under the <i>Traders (Licensing) Act 2016</i>; and</p> <p>(c) any other function given to the advisory committee under this Act.</p>	<p>The Advisory Committee consists of:</p> <ul style="list-style-type: none"> • the commissioner for fair trading; and • the following members appointed by the Minister: <ul style="list-style-type: none"> · a representative of the industry body for the motor vehicle repair industry; · a representative of employees of people who carry on business as motor vehicle repairers; · 2 people to represent the interests of consumers · a representative of the community’s interest in the environment.
ACT Road Safety Advisory Board	
<p>The ACT Road Safety Advisory Board (the Board) is a non-statutory group responsible for advising the Minister on road safety issues in the ACT and the use of funds from the ACT Road Safety Fund.</p>	<p>The Board comprises eight members, consisting of the Chair (Deputy Director-General, Justice and Community Safety Directorate (JACS)), two road safety experts, three road user representatives and two Compulsory Third Party Insurer representatives.</p>

Victims Advisory Board	
<p>The Victims Advisory Board is established under the <i>Victims of Crimes Act 1994</i>.</p> <p>The functions of the Board are to:</p> <ol style="list-style-type: none"> a. to advise the Minister on policies, priorities and strategies for the acknowledgment, protection and promotion of the interests of victims in the administration of justice; b. if asked by the Minister—to help develop and maintain protocols and procedures for the treatment of victims by agencies involved in the administration of justice; and c. any other function given to the board under this Act or another territory law. 	<p>The Board consists of:</p> <ul style="list-style-type: none"> • the Director-General (Chair); • the Victims of Crime Commissioner; • the Coordinator-General for family safety; and • 13 members consisting of a representative of each of the following entities: <ul style="list-style-type: none"> · the Director of Public Prosecutions; · the Australian Federal Police; · ACT courts; · Sentence Administration Board · the administrative unit allocated responsibility for the administration of corrective services; · the administrative unit allocated responsibility for the administration of youth justice; · the administrative unit allocated responsibility for restorative justice; · three people who, in the Minister’s opinion, represent the interests of victims services groups; · two people of different gender who, in the Minister’s opinion, represents the interests of indigenous communities; · one person who is a lawyer.

KEY ISSUES AND CONSIDERATIONS

Your portfolio is a varied and impactful one – maintaining important human rights, building communities, and keeping road users safe. Further high-level information is provided below.

Human Rights

The Minister for Justice has administrative responsibility for the ACT Human Rights Commission (ACT HRC) and policy responsibility for the *Human Rights Act 2004* (ACT) and *Human Rights Commission Act 2005* (ACT) (HRCA).

A review of the 2016 structural changes to the Human Rights Commissioner and the Public Trustee and Guardian (the Protection of Rights Services Review), required under s 105A of the HRCA, commenced in June 2020, and is expected to be finalised by late November 2020. The review is being conducted by an external reviewer, contracted by JACS. The Minister for Justice is required to table the final report of the Review in the Legislative Assembly by 24 June 2021, 12 months after the Review commenced.

The administrative responsibilities of the Minister include the appointment of the four Commissioners under the HRCA. Three of the four current Commissioners of the ACT HRC are appointed to terms which will expire on 30 September 2021 (the appointment of the Victims of Crime Commissioner expires at a later date). A recruitment process for the appointment of these Commissioners must be undertaken ahead of the expiration of these terms. The appointments under the HRCA are Executive appointments so they will not require consultation with the Legislative Scrutiny Committee. The outcomes of the Protection of Rights Services Review may inform the recruitment processes that must take place ahead of the current expiration of appointments.

The Minister for Justice is also responsible for the implementation of the *Optional Protocol to the Convention Against Torture* (OPCAT) in the ACT. The Commonwealth Attorney-General has ultimate responsibility for implementation of OPCAT in Australia, however, each state and territory must take measures to ensure Australia meets its obligations under OPCAT. Specifically, the Minister for Justice will need to designate certain ACT bodies as National Preventive Mechanisms (NPMs) by January 2022 to ensure oversight of places of detention in the ACT, in line with Australia's obligations under OPCAT. The Minister for Justice administers the *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Act 2018* (ACT), which provides the legislative powers necessary to meet our OPCAT obligations in the ACT.

Charter of Rights for the Victims of Crime

The Charter of Rights for the Victims of Crime details victim rights in areas including protection of privacy and safety; access to support services and assistance; provision of information and case updates; and opportunities to participate in the justice process.

The Charter was developed in close consultation with stakeholders including the Victims Advisory Board, the Victims of Crime Commissioner, individual victims of crime and justice agencies.

The accountability framework for the Charter obligates justice agencies to uphold rights. It establishes a process for victims to seek acknowledgement of the impact of any breaches, and provides opportunities for changes in victim engagement practices. Generally, victims whose rights are not upheld can raise their concerns with the justice agency involved -or escalate their concerns to the Human Rights Commission.

The Charter commences on 1 January 2021 and Justice agencies must develop guidelines about how they will support victims' rights, to be published on their website by 1 January 2022.

Justice Reinvestment

The ACT Government is committed to *Building Communities, Not Prisons*. Using a justice reinvestment strategy, it has taken more than \$132 million that would otherwise have been spent expanding the Alexander Maconochie Centre and is using it to support community-based programs that represent a smarter, more cost-effective approach to improving criminal justice outcomes.

Initiatives currently under the BCNP umbrella include:

- The Reducing Recidivism Plan (RR25 by25) which includes justice housing components as well as programs to assist those in the justice system with substance use disorder, mental illness or disability;
- Enhancements to the rehabilitation framework at the AMC, including the construction of the purpose-built reintegration centre delivering up to 80 beds and increasing the range of rehabilitation programs available to detainees; and
- Provision of more supported housing options for people on bail and exiting detention.

Justice reinvestment is one of the ways in which funding for future programs to address the overrepresentation of Aboriginal and Torres Strait islander people can be garnered.

Restorative justice

The ACT Restorative Justice Unit's (RJU) provides restorative justice to members of the ACT community who have been affected by an offence in a forum that gives:

- victims with an opportunity to talk about how the offence has affected them and others close to them;
- offenders with an opportunity to accept responsibility for their actions;
- victims, offenders and supporters an opportunity to discuss the harm and what needs to be done to repair that harm; and
- offenders with an opportunity to repair the harm done by the offence.

The RJU operates according to the Crimes (Restorative Justice) Act 2004 and has been in operation since 31 January 2005. Criminal justice agencies can make referrals to restorative justice at various points in the criminal justice process.

Aboriginal and Torres Strait Islander people in the ACT Justice system

The Justice Action Plan (JAP) was agreed to under the ACT Aboriginal and Torres Strait Islander Agreement 2019 – 2028. It articulates actions and measures relating to some key justice issues affecting Aboriginal and Torres Strait Islander people in the ACT to ensure that Aboriginal and Torres Strait Islander peoples, their families and communities thrive in a safe environment and have equitable access to justice and culturally safe restorative justice, prevention and diversion programs.

Priority outcomes under the new National Agreement on Closing the Gap are consistent with those of the ACT Aboriginal and Torres Strait Islander Agreement 2019-2028. However, a new justice-specific target has been included as 1 of 16 socio-economic targets in the National Agreement:

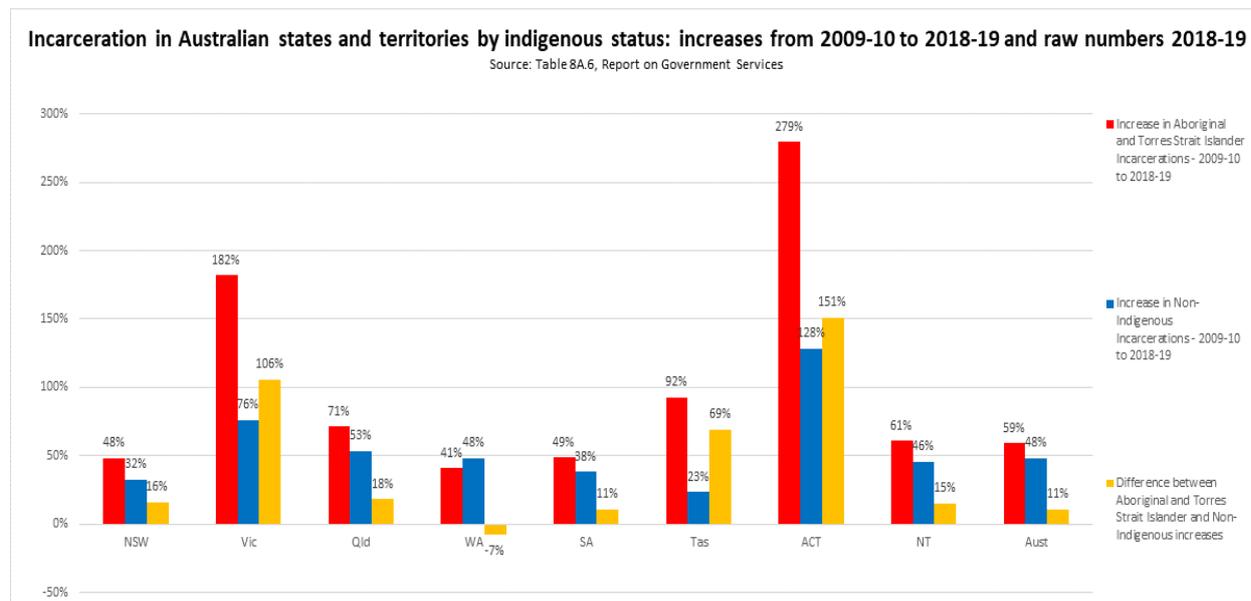
Target 10 – ‘Reduce the rate of Aboriginal and Torres Strait Islander adults held in incarceration by at least 15 per cent by 2031’

The Outcomes Framework for the ACT Agreement, currently under development by the Office of Aboriginal and Torres Strait Islander Affairs (OATSIA) and the ACT Agreement Inter-Directorate Committee (IDC), will incorporate and closely align with National Agreement targets, including targets currently under consideration by the Joint Council on Closing the Gap for the 4 Priority Reform areas.

Aboriginal and Torres Strait Islander people are over-represented across the ACT justice system. Although over-representation is a persistent and growing problem across Australia with incarceration rates increasing by 51% between 2012 and 2018, the degree of urgency in the ACT is more acute with a 135% increase over the same period.

Over the past decade the ACT has seen the highest increases in Indigenous incarceration of any jurisdiction in Australia. As shown in Figure 1, the increase of 279% in the ACT is five times higher than the national increase of 59%.

Figure 1 – Based on ‘Report on Government Services 2020, Corrective Services, Figure 8A.6’



Aboriginal and Torres Strait Islander people make up approximately 1.9% of the ACT population, but on average make up approximately 23% of the detainee population at the AMC. Re-imprisonment rates are higher than 90% for Aboriginal and Torres Strait Islander detainees at the AMC, compared to 75% for non-Indigenous detainees.

JACS oversees a number of programs (with a combined total contract value of around \$4 million) that support Aboriginal and Torres Strait Islander people.

Importantly, the Aboriginal Legal Service is contracted to provide culturally appropriate Duty Lawyer Services for Aboriginal and Torres Strait Islander people in the Magistrates Court and Children’s Country of the ACT jurisdiction. Other initiatives include:

- *The Ngurrambai Bail Support Program Trail (NBSP)* - designed to reduce the number of Aboriginal and Torres Strait Islander people on remand, and the time spent on remand. NBSP is delivered by the Aboriginal Legal Service;
- *Yarrabi Bamirr* - a program designed to support Aboriginal and Torres Strait Islander families to delay or prevent contact with the justice system. Three organisations deliver the program – Winnunga (14 families), Yeddung Mura (3 families), Tjillari Justice (3 families);
- *Front Up* - which is a Community Justice Program for people who have an outstanding warrant(s), or have breached bail or a community-based sentence to assist them to present to Court and negotiate on their behalf to have the matter resolved, where possible, without a period of custody. Front Up is currently provided by the Aboriginal Legal Service;
- *Yarning Circles for Justice* - a series of 26-week programs that use co-designed activities with both a cultural and therapeutic lens to support ex-detainees in a supportive group setting to stay in the community and rebuild their lives - rather than return to prison. Yarning Circles for Justice is currently provided by Yeddung Mura;

- Aboriginal Throughcare Support is a client-centred program designed to enable Aboriginal and Torres Strait Islander clients to succeed on their journey from prison to living sustainably back in the community. Aboriginal Throughcare Support is currently provided by Yeddung Mura;
- The Galambany Court provides culturally appropriate sentencing options through the inclusion of Aboriginal and Torres Strait Islander Elders in the Court; and opportunity to work collaboratively with the ACT criminal justice system to address issues of over representation and offending behaviour. Galambany Circle Sentencing Court Support is currently provided by Tjillari Justice;
- *The On Country Program* – a 10 week culturally relevant sentencing option available to both the Magistrates and Galambany courts as an alternative to a custodial sentence for Aboriginal men; and
- The Mulleun Mura Aboriginal and Torres Strait Islander Women’s Access to Justice Program (‘A2J Program’) assists vulnerable and disadvantaged Aboriginal and Torres Strait Islander women in need of law and justice services in the ACT and surrounding region. It is delivered by the Women’s Legal Centre ACT & Region.

Road Safety

The total number of reported crashes in the ACT has reduced over the last 5 years (2015-2019). Between 2015 and 2019, the number of property damage crashes reduced from 7200 to 6600 and the number of fatalities and injury crashes also reduced:

Year	Fatalities	Injury crashes
2015	14	638
2016	11	611
2017	5	579
2018	9	587
2019	6	582

Casualty crashes involving vulnerable road users, motorcyclists, pedestrians and cyclists have reduced from 249 in 2015 to 224 in 2019, with the most significant decrease in motorcycle casualties which fell from 132 in 2015 to 98 in 2019.

Vehicle controllers over 65 years of age involved in a casualty crash have decreased from 613 in 2015 to 519 in 2019 despite the number of people over the age of 60 continuing to hold a drivers licence increasing in that time frame from 43,982 to 49,744.

Mobile phone use while driving has been recognised as one of the greatest challenges currently facing road safety, due to the increased risks associated with phone use while driving and the high prevalence and mobile phone use.

The ACT Strategy

The *ACT Road Safety Strategy 2020-2025* (the Strategy) and the *ACT Road Safety Action Plan 2020-2023* (the Action Plan) outline the ACT Government’s commitment to addressing road safety.

The Strategy describes the key goals and guiding principles for achieving Vision Zero and ensuring everyone in the community is safe when using our road network.

The Strategy is based around four goals:

1. Reduce serious and fatal crashes;
2. Build a community that shares responsibility for road safety;
3. Change road user attitudes and behaviour through education and compliance activities; and
4. Strengthen collaboration across Government and with stakeholders to improve road safety in the ACT.

These goals are supported by guiding principles that underpin the implementation of the strategy and road safety related decisions.

- *Vision Zero* – No deaths or serious injuries out of our road transport network. Vision Zero acknowledges that deaths and serious injuries on our roads are preventable, they are not an inevitability;
- *Safe System approach* – This approach provides the technical methodology and policy framework for achieving Vision Zero. Nationally, Australia is adapting its approach to implementation of safe system principles by focusing on three key themes: safe vehicles, safe road use, safe roads, with safe speeds applying across each of the key themes;
- Evidence-based road safety efforts and transport policy decisions. Programs and policy will be evaluated to ensure continuous improvement and effectiveness in improving road safety;
- New road safety measures implemented nationally and internationally will be reviewed on an ongoing basis and those that are shown to be effective will be considered for application in the ACT;
- The ACT Government recognises the important role played by sustainable transport policies in improving road safety and the important advances that are being made in vehicle technology. Policies that aim to reduce car traffic and prioritise sustainable transport-walking, cycling and public transport – are valuable in their own right, but also have measurable road safety benefits; and
- The ACT Government remains committed to enforcement of road transport laws in a manner that deters unsafe behaviours and is premised on changing driver behaviours through an “anytime, anywhere” approach to enforcement.

This Strategy will be supported by Action Plans. The first *ACT Road Safety Action Plan 2020 – 2023* has four key focus areas: distraction, drink and drug driving, vulnerable road users and speeding. Each focus area has specific actions.

The National Strategy

The next National Road Safety Strategy and first action plan are currently being drafted by the Commonwealth Office of Road Safety in consultation with jurisdictions and industry. A consultation strategy will be presented to Infrastructure and Transport Ministers at their meeting on 20 November 2020.

The ACT is represented on the cross-jurisdictional working groups by JACS.

Final targets are yet to be settled, but the Office of Road Safety will be recommending a target to Ministers that is not below current aims. The proposed national ten-year targets per capita are:

- To reduce the rate of deaths from road crashes per 100,000 population by at least 50% by 2030; and
- To reduce the rate of serious injuries from road crashes per 100,000 population by at least 50% by 2030. Final safety performance indicators are also yet to be settled. Modelling is still underway.

Commitments to better data collection and analysis will have implications across the ACT Government and ACT Policing.

ACT Road Safety Advisory Board

The Road Safety Advisory Board is a non-statutory board that provides advice and recommendations to the Minister responsible for Road Safety on the funding and direction of road safety initiatives, research, education and road trauma prevention in accordance with priorities outlined in the ACT Road Safety Strategy and associated Action Plans.

The Board was first established in 2015. The first three-year term of the Board was completed in 2018. A new board was appointed in 2019.

The Board is supported by the Road Safety Taskforce and relevant sub-committees. The following agencies are represented on the ACT Road Safety Taskforce: ACT Policing, TCCS, Health Directorate (HD), Education Directorate (ED), Chief Minister, Treasury and Economic Development Directorate (CMTEDD) and Environment, Planning and Sustainable Development (EPSDD) Directorate.

ACT road safety fund community grants program

The ACT Road Safety Fund was established to support the ACT Road Safety Strategy by funding projects and initiatives relating to road safety research and education, and road trauma prevention. The fund is resourced by the road safety contribution levied on ACT vehicle registrations. The contribution of \$2.50 per vehicle generates approximately \$700,000 each year.

The ACT Road Safety Fund supports an annual Road Safety Community Grants Program and for strategic road safety initiatives. Applications for a community grant are generally sought between March and May each year. Decisions on the grants program are generally made by July. The Road Safety Advisory Board makes recommendations to the relevant Minister as to which grant applications should be funded.

Commonwealth road safety program funding

The Australian Government's 2020-21 Budget included \$2 billion towards a new Road Safety Program to be delivered in three, six-month tranches from 1 January 2021 to 30 June 2022. The program will provide funding of up to 80 per cent for regional projects and 50 per cent for urban projects, with jurisdictions to contribute the remainder. The ACT will be eligible for a notional total allocation of \$6 million over this period. Program guidelines will be released in late October. The funding model is a "use it or lose it" model and provision of road safety data is a key funding condition. The Road Safety Program is exempt from the Horizontal Fiscal Equalisation calculations.

ACT Road Safety Camera Program

The ACT Government operates both fixed cameras and mobile camera vans, in partnership with speed enforcement activities conducted by ACT Policing.

Automated, camera-based enforcement, coupled with police enforcement, has played a critical role in addressing other high-risk behaviours on our roads such as speeding and red light running. These camera programs have proven to help prevent crashes and reduce road trauma.

The ACT Government has previously announced it will expand the road safety camera program by an additional two mobile cameras. This decision was made following strategic analysis that found that the expansion of two mobile cameras is expected to prevent an additional 11 casualty crashes and over 170 property crashes per year.

The ACT Road Safety Camera Program currently focuses on enforcement of speeding and red-light offences.

The ACT Government committed funding in the 2019-20 mid-year budget to explore the possible future introduction of mobile phone detection cameras in the ACT to help address the significant road safety risks arising from illegal mobile device use.

The program is overseen by the Road Safety Camera Program Management Group which provides governance over the program and reports to the Road Safety Advisory Board. The Group consists of representatives from JACS, Access Canberra, TCCS and ACT Policing.

The program is evaluated every three years. The next evaluation is scheduled for 2023.

Road Safety Education Programs

The ACT provides a number of road safety education programs, some optional and some mandatory.

As part of the reforms to the ACT's driver licensing scheme for learner and provisional car drivers that commenced on 1 January 2020, the ACT introduced a mandatory hazard perception test as part of the eligibility requirements for a provisional licence and two optional training programs: the Vulnerable Road User Program and the Safer Driver Course.

The ACT is also the only jurisdiction that requires applicants for a learner licence to have completed the pre-learner licence training course. The Directorate is currently reviewing and updating this course.

Since 2014, the ACT has had an Alcohol Interlock Program. The program has both mandatory and voluntary participants. Also, anyone convicted of a drink or drug driving offence in the ACT must complete an Alcohol and Drug Awareness Course.

ACT Road Safety Calendar

ACT Policing and the ACT Government have a joint annual ACT Road Safety Calendar that identifies targeted enforcement and complementary communication activities during the year. The focus of the Calendar is on dangerous driving behaviours and road safety issues that are known to be contributing factors in crashes occurring in the ACT.

Road safety enforcement complemented by communications and awareness campaigns helps to promote safer driving behaviours and create awareness of road safety issues. The Calendar provides a coordinated approach to enforcement and communications activities.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
Approve consultation plan for determination of ACT NPM body for OPCAT.	The Commonwealth have requested States and Territories to identify relevant inspectorate bodies by December 2020. JACS has advised the Commonwealth that this may not be possible (other than providing an indication at officer level) due to the election, but the ACT intends to undertake consultation early in the new year to finalise an approach to be put to Cabinet. Formal nomination of NPM bodies is not required until January 2022.
Official Visitor Board	<p>The Public Trustee and Guardian (PTG), Mr Andrew Taylor has been appointed chair of the Official Visitor Board until 1 April 2021. A new appointment will need to be made (or the PTG's appointment extended) before this appointment expires.</p> <p>A decision will also need to be made regarding a proposal to move the administration of the Official Visitor Scheme from the PTG to the Human Rights Commission, which would preferably be timed to commence in the new financial year.</p>
Infrastructure and Transport Ministers Meeting (ITMM)	20 November 2020.

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
Human Rights	
<p>ACT Human Rights Commission</p>	<p>Dr Helen Watchirs OAM, President and Human Rights Commissioner Email: Helen.Watchirs@hrc.act.gov.au Ph: 6205 2222</p> <p>Heidi Yates, Victims of Crime Commissioner Email: Heidi.Yates@hrc.act.gov.au Ph 6205 2222</p> <p>Karen Toohey, Discrimination, Health Services, Disability and Community Services Commissioner Email: Karen.Toohey@hrc.act.gov.au Ph 6205 2222</p> <p>Jodie Griffiths-Cook, Public Advocate and Children & Young People Commissioner Email: Jodie.Griffiths-Cook@hrc.act.gov.au Ph 6205 2222</p> <p>The ACT Human Rights Commission is a key stakeholder for a range of law reform and policy initiatives.</p> <p>The HRC comments on human rights compatibility of legislation and policy proposals.</p> <p>Individual Commissioners also provide input on particular policy issues within their portfolios (e.g. health services, disability services, discrimination, children and young people and victims of crime.). Contact within first month if possible.</p>
Official Visitors	
<p>Chair of the Official Visitor Board</p>	<p>Andrew Taylor (PTG)</p> <p>Ph: 02 6207 9800 Email: Andrew.Taylor@act.gov.au</p> <p>The Official Visitor Board oversees the operation of the Official Visitor Scheme in the ACT. Contact within first month if possible.</p>

Road Safety	
Road Safety Advisory Board	Richard Glenn - Board Chair Director General - Justice and Community Safety Directorate T: (02) [REDACTED] Richard.Glenn@act.gov.au
ACT Policing	ACT Policing Detective A/S/Sergeant Marcus Boorman - OIC Traffic Operations ACT Policing T: (02) [REDACTED] M: [REDACTED] [REDACTED]
National Transport Commission	Dr Gillian Miles - Chief Executive Officer and Commissioner T: (03) 9236 5000 (Generic phone number) [REDACTED]
Austrroads	Dr Geoff Allan - Chief Executive T: (02) 8265 3350 (Generic phone number) [REDACTED]
Pedal Power	Ian Ross - Chief Executive Officer T: (02) [REDACTED] M: [REDACTED] executiveofficer@pedalpower.org.au
Commonwealth Office of Road Safety	Gabby O'Neill - Head of the Office of Road Safety Assistant Secretary, Department of Infrastructure, Transport, Regional Development and Communications T: 02 6274 6492 M: [REDACTED] [REDACTED]
National Heavy Vehicle Regulator	Sal Petrocchio - Chief Executive T: (07) [REDACTED] M: [REDACTED] [REDACTED]

FINANCIAL CONSIDERATIONS

	2020-21	2021-22	2022-23	2023-24
	\$m	\$m	\$m	\$m
Controlled – expenses ^{1, 2}	23.840	19.732	19.665	20.290
Controlled – capital injection	0.333	-	-	-
Territorial – expenses	0.275	0.135	0.139	0.142
Territorial – capital injection	-	-	-	-

Notes

1. Controlled expenses include depreciation and corporate overheads.

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL
Legislation, Policy and Programs			
Daniel Ng	Executive Group Manager		Daniel.Ng@act.gov.au
Zoe Hutchinson	A/g Executive Branch Manager		Zoe.Hutchinson@act.gov.au
Karen Greenland	Executive Branch Manager		Karen.Greenland@act.gov.au
Kathryn Johnson	Executive Branch Manager		KathyrnL.Johnson@act.gov.au
Andrew McIntosh	Senior Director - Justice Planning and Safety		Andrew.McIntosh@act.gov.au
Kim Hosking	Senior Director - Road Safety and Transport Regulation		Kim.Hosking@act.gov.au

ACT Human Rights Commission			
Helen Watchirs	President, Human Rights Commissioner	6205 2222	Helen.Watchirs@act.gov.au
Jodie Griffiths-Cook	Public Advocate, Children and Young People Commissioner		Jodie.Griffiths-Cook@act.gov.au
Karen Toohey	Discrimination, Health Services and Disability and Community Services Commissioner		Karen.Toohy@act.gov.au
Heidi Yates	Victims of Crime Commissioner		Heidi.Yates@act.gov.au

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URBAN RENEWAL OVERVIEW

Working with our community, the Environment, Planning and Sustainable Development Directorate (the Directorate) is responsible for delivering land release and urban renewal programs in accordance with the *ACT Planning Strategy 2018* vision for a city that is compact, efficient, diverse, sustainable, resilient, liveable and accessible to all. The Minister for Planning's *Statement of Planning Intent 2015* highlighted the benefits and challenges of urban renewal in Canberra.

The Directorate delivers urban renewal projects that involve multiple policy outcomes, including:

- the identification of key precincts and individual projects;
- prioritisation of projects based on community need with associated feasibility studies and due diligence; and
- project delivery, including demolition and minor works.

This work seeks to integrate urban renewal opportunities across Government around defined urban renewal precincts, including within town and group centres and within pockets of established suburbs, such as local centres. The Directorate works closely with the Suburban Land Agency and the City Renewal Authority in delivering well-designed and friendly urban environments through innovative approaches that engage with the community.

Land Release

Land release and urban renewal contribute to the financial, social and environmental objectives of the Territory by:

- promoting housing diversity and delivering affordable housing choices;
- stimulating urban renewal and activating key gateways to the City and commercial centres;
- maintaining an appropriate inventory of land in the planning, land development and building pipeline;
- meeting the demand for land in the Territory across all sectors, and attracting investment to diversify the Territory's economy;
- assisting the operation of a competitive land development and construction industry; and
- achieving satisfactory revenue returns to Government from the sale of unleased Territory land and surplus property assets.

City Renewal Authority Urban Renewal Sites

The City Renewal Authority's land development program involves a range of sites across the City Renewal Precinct including:

- City Walk;
- Braddon including Haig Park;
- Dickson;
- Acton Waterfront;
- UNSW Precinct;
- Sydney and Melbourne Buildings; and
- Civic Cultural and Arts Precinct.

DELIVERING ON YOUR PRIORITIES

The *Better Suburbs Policy Position Statement* contains a number of initiatives related to your portfolio, including a \$22 million commitment to upgrade 12 shopping and business precincts over the next four years.

A key priority for the Directorate will be to work with you to commence community engagement as part of your commitment to design and construct a new Gungahlin Community Centre that is co-designed with the community. This will require the identification of an appropriate site (initial options studies have been undertaken); the establishment of a functional brief for the design of the community centre (based on an understanding of user requirements), and developing a community engagement strategy to ensure there is a genuine co-design process for the facility.

The work that the Directorate has undertaken on the design of the proposed Woden Community Centre will provide a useful background for the community engagement strategy. This project has shown the value of making sure that architects are involved early in the community engagement, to enable a robust and reasonable functional brief to be prepared. The community facility study for Gungahlin (to be commissioned shortly) will also help inform what services could be provided from the Gungahlin Community Centre. Funding will need to be sought for the design and community engagement to take the project to development application stage. A subsequent Budget bid would be sought for construction funding.

The Directorate will also continue to progress a number of existing initiatives. Some of these initiatives result from high priority specific commitments made in the last term of Government, such as the release of a site for a non-Government school in Molonglo (Wright) and the sale of land in Watson for the Academy of Interactive Entertainment. Others result from land sales, such as the Yarralumla Brickworks, Kingston Arts Precinct and the Gold Creek Homestead.

There are other commitments that the Directorate will work with other Directorates to support, such as the establishment of a library and community centre in the Molonglo area. This support would be around the identification of a site and necessary due diligence/site investigation work as required.

MINISTERIAL FUNCTIONS

While the Minister for Planning and Land Management has responsibility for the relevant legislation, such as the *Planning and Development Act 2007*, the Directorate will support you in:

- establishing the strategic direction for urban renewal as well as the land release program;
- progressing and providing advice on urban renewal initiatives;
- continuing to maintain close relationships with ACT Government agencies, especially the Suburban Land Agency and the City Renewal Authority, that are involved in the delivery of urban renewal initiatives; and
- engaging with the community on urban renewal initiatives.

The connection between the work of the Transport Canberra and City Services Directorate, the City Renewal Authority and the Suburban Land Agency is important to the work of the Directorate. In

determining the strategic direction for the Urban Renewal portfolio, it will be essential to clarify roles related to public spaces and places and its connection with future development. There is an opportunity to utilise the Urban Renewal Portfolio to build a greater coherence between the increasingly compact form of our city and the upgraded public amenity that this necessitates.

Legislative Responsibilities

City Renewal Authority and Suburban Land Agency Act 2017, sections 39, 41, 42 and 65 (when exercised in relation to matters that are the responsibility of the Minister for Urban Renewal)

KEY ISSUES AND CONSIDERATIONS

Progressing Urban Renewal Initiatives

There are significant and complex urban renewal initiatives that are being progressed by the Directorate, the City Renewal Authority and the Suburban Land Agency. Community engagement on these projects is important to understanding all the issues associated with the sites so that decision making is fully informed.

Some of these projects have been underway for some time, such as the Yarralumla Brickworks, Kingston Arts Precinct and Gold Creek Homestead, and have well established project frameworks and community engagement pathways. These are being progressed as 'business as usual' and separate briefings will be provided to you at decision making points or as requested by you.

Other projects, including Section 72 Dickson and the East Lake Precinct, have already been subject to some level of community engagement and are being progressed in response to Government decisions around the development of land. These projects have attracted considerable community interest in the past and will require further detailed community engagement. Community engagement strategies will be established and the use of community-based forums or panels to inform the decision-making process will be considered. The Directorate will seek your advice on appropriate community engagement arrangements for such projects.

These projects have demonstrated that while there seems to be general community support for the broad planning policies put forward by Government, the community wants to be involved in the detailed development so that they see good urban design/place making outcomes being achieved. These aims also drive Government policies on design, sustainability and public realm.

Demonstration Housing Projects

Significant progress has been made with the various Demonstration Housing projects. Progress on draft Territory Plan variations and community engagement by proponents on projects has been delayed by COVID-19, but it is expected that this situation will improve. There are three draft Territory Plan variations (Ainslie, Griffith and Watson) to be submitted to the Minister for Planning and Land Management for consideration, and some proponents are expected to commence community engagement shortly.

The Directorate is working with these groups to make sure that the process is open and fully informative. The tender for the one site has been completed (Kingston) and will be brought back to Cabinet in early 2021. There are two tenders underway (Ainslie and Belconnen), with the Belconnen submission under assessment, and one other tender (Lyneham) to be issued shortly.

Land Release

The Directorate continues to support the Suburban Land Agency's land sale program by providing assurance packages for both urban renewal and greenfield sites. There is close interaction between the two agencies to make sure that appropriate development scenarios are considered when undertaking site investigations while also allowing the Suburban Land Agency sufficient time within which to market the site so that revenue, as well as building design and public amenity are maximised.

Kingston Arts Precinct

The Kingston Arts Precinct is Stage 5 of the Kingston Foreshore Estate project being delivered by the Suburban Land Agency (SLA).

In July 2019, Geocon Group Pty Ltd was announced as the successful tenderer for the development of the Kingston Arts Precinct that will include purpose-built art facilities for a number of Canberra arts organisations as well as private mixed-use development.

The arts hub will include accommodation and gallery spaces for artsACT, Canberra Glassworks, CraftACT, Canberra Contemporary Art Space, M16, Megalo, PhotoAccess and an Aboriginal and Torres Strait Islander artspace.

Geocon's design team has been engaging with artsACT and arts organisations on review of their functional briefs and future requirements. Arts organisations have worked collaboratively and agreed their preferred locations within the proposed arts hub buildings.

In response to information gathered during the initial phase of stakeholder and community engagement, SLA and Geocon announced agreement to consider retention of the 1948 Switch Room which was granted conditional demolition approval in 2014. Other heritage-listed buildings retained within the precinct are the Powerhouse, Fitters Workshop and the Former Transport Depot.

Geocon's design team has commenced the Estate Development Plan process and has prepared the next iteration of drawings which have been discussed with the National Capital Design Review Panel (NCDRP), arts organisations and the Community Panel. Further meetings are scheduled with the Heritage Council and other statutory agencies.

Canberra Brickworks Precinct

The sale of the Canberra Brickworks Precinct will allow for the make-safe, refurbishment, adaptive reuse and preservation of the Brickworks kilns, quarry and railway remnants so that they can be re-opened to the public.

Doma Group (Doma) was announced as the successful tenderer to redevelop the site in September 2019.

The industrial heritage site will be renewed as part of a residential development of a maximum of 380 dwellings, set amongst extensive public parks and recreation areas, with a mix of stand-alone houses, terraces and apartments. Direct access to heritage buildings, heritage spaces and public parking will be available on site.

Doma meets monthly with the Community Panel and has been doing this through online meetings and newsletters during COVID-19 restrictions. Doma has a community engagement website to keep the community informed on any project updates and consultation dates.

Doma’s updated Conservation Management Plan is currently being considered by the ACT Heritage Council.

Upcoming Cabinet Items

- Sale of land at Kippax Group Centre
- Direct sale of land in Kingston for K2 – Demonstration Housing Initiative

Upcoming Assembly Items

Nil

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
<p>Watson Section 76 February 2021</p>	<p>Media release expected from the Minister for Urban Renewal on a public consultation in February 2021 for a Draft Territory Plan Variation and Place Plan for Watson Section 76. The decision will also need approval by the Minister for Planning and Land Management.</p>
<p>Demonstration Housing February 2021</p>	<p>Release of Territory Plan Variations in Ainslie and Griffith in February 2021 subject to agreement of Minister for Planning and Land Management. Media release by Minister for Urban Renewal.</p>
<p>Release of land in Casey Group Centre and Gungahlin Community Facilities Assessment January 2021</p>	<p>A community facility and recreation spaces assessment for the Gungahlin district is being undertaken by external technical advisers to inform future planning work and land releases. The assessment will be supported by community engagement developed by EPSDD.</p>

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
Residents associations	
Tuggeranong Community Council Inc	Mr Jeffrey Bollard president@tuggcc.com
Inner South Canberra Community Council	Ms Marea Fatseas info@isccc.org.au
Weston Creek Community Council Inc	Mr Tom Anderson info@westoncreek.org.au
Woden Valley Community Council Inc	Ms Jenny Stewart info@wvcc.org.au
Belconnen Community Council Inc.	Mr Glenn Hyde belcocouncil@gmail.com
Gungahlin Community Council Inc	Mr Peter Elford info@gcc.asn.au
North Canberra Community Council Inc	Mr Jochen Zeil info@northcanberra.org.au
Reid Residents Association	Ms Marianne Albury-Colless info@reid.northcanberra.org.au
Pialligo Resident's Association	Mr Bob Ross [REDACTED]
Oaks Estate Progress Association	Ms Kate Gauthier oepa@hotmail.com.au
Friends of Hawker	Mr Colin Lyons secretary@friendsofhawkervillage.com

Aboriginal and Torres Strait Islander representatives	
Aboriginal and Torres Strait Islander Elected Body	Ms Katrina Fanning atsieb@act.gov.au
United Ngunnawal Elders Council	oatsia@act.gov.au
Industry peak bodies	
Australian Institute of Architects (ACT)	Ms Shannon Battisson [REDACTED]
Housing Industry Association	Mr Greg Weller, Regional Executive Director ACT/Southern NSW enquiry@hia.com.au
Master Builders Association (ACT)	Mr Michael Hopkin, CEO [REDACTED]
Property Council of Australia (ACT)	Ms Adina Cirson, ACT Executive Director [REDACTED]
Australian Institute of Landscape Architects (ACT)	Mr Steve Kirsu act@aila.org.au
Planning Institute of Australia	Mr Ian Wood-Bradley actpresident@planning.org.au
Engineers Australia (ACT)	Ms Catherine Carter, General Manager Canberra [REDACTED]
Canberra Business Chamber	Dr Michael Schaper ceo@canberrabusiness.com
Building Designers Association of Australia	hello@archrepublic.com.au
ACT Law Society	Ms Elizabeth Carroll, President president@actlawsociety.asn.au

FINANCIAL CONSIDERATIONS

The due diligence work undertaken by the Directorate is largely funded through base funding. Additional funding is sought through business cases if required to achieve the land release program. Funding for bespoke programs such as demonstration housing and the development of Section 72, Dickson are sought through the budget process as required.

Previously, funding pressure has been experienced in undertaking demolition activities such as the former Woden CIT and the associated costs of disposal and remediation.

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL	
Ben Ponton	Director-General		Ben.Ponton@act.gov.au	
Geoffrey Rutledge	Deputy Director-General, Sustainability and the Built Environment		Geoffrey.Rutledge@act.gov.au	
Craig Simmons	Chief Operating Officer		Craig.Simmons@act.gov.au	
Bruce Fitzgerald	Executive Group Manager, Urban Renewal		Bruce.Fitzgerald@act.gov.au	
Karen Wilden	Executive Branch Manager, Engagement and Executive Support		Karen.Wilden@act.gov.au	

ELECTION COMMITMENT NUMBER LAB 068-C

 Source <https://www.actlabor.org.au/blog/act-election-announcements/labor-s-plan-for-gungahlin/>
Plan for Gungahlin - Dog Park in Franklin

- Deliver a new dog park in Franklin

Administrative Arrangements

- Transport Canberra and City Services – City Services – Infrastructure Delivery

Treasury Election Commitment Costings – No
Implementation considerations

• Financial resources	Yet to be costed
• Legislative change	Not Applicable
• Procurement process required	Yes
• Stakeholder consultation required	Yes
• Implications for intergovernmental relations	No
• Link to existing program(s)	No
• Link to other election commitment(s)	LAB 018: Build more dog parks, including a facility in Lanyon
• Indicative commencement year	2021
• Indicative implementation timeframe	1 year / 2 years (depends on intended scope)
• Risk profile / complexity	Medium - High Preliminary planning required. A suitable site would need to be identified through consultation. Project scope may also be limited if based on pre-identified budget.
• Can material progress be made within 100 days?	No

Additional comments (if required)

- Estimated costings for the design and construction of a dog park, based on previous projects is ~\$1 million over 24 months. This includes community consultation and site selection from land that is already owned by the ACT Government.
- Currently there is one dog park per region within the urban area of Canberra.
- The seven existing fenced dog parks are located at:

Cleared – DG TCCS – Alison Playford

Contact Officer – Stephen Alegria/ Ph: 62079833

- Belconnen: Lake Ginninderra, Diddams Close.
- Tuggeranong: Greenway, Lake Tuggeranong, Mortimer Lewis Drive.
- Inner South: Yarralumla, Park land, Weston Park.
- Gungahlin: Forde, Park land, Amy Ackman Drive & Casey, Park land, Springbank Rise.
- Inner North: O'Connor, Park land, Fairfax Street.
- Woden/Weston: Duffy, Park land, Warragamba Avenue.

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PLANNING AND LAND MANAGEMENT OVERVIEW

The Environment Planning and Sustainable Development Directorate (EPSDD) manages a wide range of policies and programs to deliver planning, land management and environment priorities. Portfolio responsibilities cover areas such as the built environment, land strategy, strategic planning and policy, urban renewal, building policy, development and leasing applications, the environment, water, heritage, parks and nature conservation, climate change and energy.

The Planning and Land Management portfolio includes responsibility for planning and managing land and development for the growth and transformation of Canberra, while also conserving the Territory's environmental values. This covers a wide range of policies, programs and regulatory functions including areas of built environment, urban design, land strategy and release, strategic planning and policy, planning delivery, leasing, land information, and parking policy.

Major works underway in this portfolio area include progressing the ACT Planning System Review and Reform Project, implementing the actions of the *ACT Planning Strategy* and progressing other significant strategic planning projects such as the review and implementation of the City Plan and the development of a planning framework for the City to Woden light rail corridor.

The Government Architect (who heads the National Capital Design Review Panel) and Surveyor General are also part of this portfolio. The Director-General of EPSDD is also the Chief Planning Executive. The independent statutory functions of the planning and land authority are carried out by the Planning Delivery division of the Directorate, under delegation from the Chief Planning Executive, which also performs the independent statutory functions of the Office of the Surveyor-General and Land Information.

The Planning and Land Management portfolio has strong links with the functions of the Suburban Land Agency and the City Renewal Authority, through the directorate's responsibility for land strategy and for urban policy and their responsibilities as development delivery agencies.

DELIVERING ON YOUR PRIORITIES

The Planning and Land Management Portfolio of EPSDD will continue projects to implement your priorities to:

- dedicate at least 15 per cent of the Indicative Land Release Program's residential land releases to affordable, community and public housing;
- maintain a strong supply of new homes and provide certainty to builders, investors and prospective owner-occupiers through the annual Indicative Land Release Program;
- contribute to protecting and creating local jobs through strategic planning and urban policy that will support infrastructure for urban growth, light rail, and social infrastructure such as hospitals and schools; and
- release land to construct new non-government schools.

The *Statement of Planning Intent* has set direction for the Planning and Land Management portfolio to implement your four planning priorities to make Canberra a world class city and a great place to live and work, by:

- creating sustainable, compact and liveable neighbourhoods with better transport choices;
- delivering high quality public spaces and streets through placemaking;

- delivering an outcome focused planning system to reward design excellence and innovation; and
- engaging with the community, business and research sectors to optimise planning outcomes.

The directorate will focus on delivering these priorities, as well as contributing to your economic recovery and jobs growth priorities. The *ACT Planning Strategy*, adopted in 2018, establishes the 'how, what and where' of the Territory's planning and future growth, describing how EPSDD and strategic partners will plan and develop a compact and efficient city that balances growth and development with the needs of the environment, heritage and culture. The strategy prioritises ongoing urban regeneration and intensification, extension of light rail, and managing the demands of a growing population.

Important to achieving these priorities is having an effective and clear planning system. The directorate is progressing your commitment to review and reform the planning system to better enable the improved processes and outcomes sought, and to progress major strategic planning projects that will set the best directions for the future of our city. You may wish to consider a new *Statement of Planning Intent*. If you choose to do so, a more detailed briefing can be provided to you about options you may wish to consider.

ACT Planning System Review and Reform Project

The directorate is progressing your priority for a comprehensive review of the whole planning system including strategic directions, the *Planning and Development Act 2007* and the Territory Plan. The aim is to develop a clear, easy to use system that encourages improved spatial and built form outcomes across the Territory, and improved community engagement.

This was undertaken as a three year project (prior to COVID-19). Work is progressing on a range of technical work throughout 2020, following earlier focused engagement activities. A suite of discussion papers on the review and proposed directions for reform have been prepared and is awaiting public release. Key stakeholders in the planning and development industry, through the Planning and Construction Industry Chief Executive Reference Group (PACICERG), and Community Councils and other organisations through the Environment and Planning Forum, have been briefed on the project. There is considerable anticipation about the progress and outcomes of this project. Community engagement is anticipated through 2021, which will require significant focus in approach and require adequate funding (technical and engagement) for ongoing project work and implementation.

Planning Strategy Implementation

The *ACT Planning Strategy* was released in November 2018 and continues to be one of your priorities and the key driver of the planned growth and development direction of Canberra. Fully implementing the actions of the Planning Strategy is resource intensive, with some projects being budget funded and some internally resourced. The projects also connect with the ACT Planning System Review and Reform project. There are 25 strategic directions and 65 actions, which amount to 47 specific projects. Of these 47 projects, seven have been completed, 16 are underway in whole or part, 16 are yet to commence and eight projects are ongoing. Many of the projects interface with the transport, climate change, living infrastructure, waste and other strategies, and the directorate will progress these through extensive cross government collaboration.

City Plan Review and Implementation, Light Rail

This major piece of strategic planning work for the City involves several related projects (some with budget funding), and coordination with the City Renewal Authority (CRA) on its work program. Projects

include review of the city parking code; a social infrastructure study; building a base ArcGIS urban model; and developing a City Plan Urban Design Framework.

A related piece of work is developing a Planning Framework for the City to Woden Light Rail corridor. Your commitment to the city’s light rail network is progressively being developed to improve transport accessibility by providing more convenient, reliable and high-quality public transport to better connect Canberrans and support opportunities for urban regeneration and uplift. In its early stages, this work will commence with a planning study to assess the physical, social, environmental and infrastructure capability of the corridor for urban regeneration based on light rail. This stage will be a technical analysis to inform the development of a subsequent City to Woden Planning Framework, which will ultimately feed into longer-term planning and design for this major investment in city building transport infrastructure. A further, more detailed briefing will be provided to you as the project progresses.

MINISTERIAL FUNCTIONS

As Minister for Planning and Land Management you are responsible for:

- Setting strategic planning direction for the ACT – by issuing a Statement of Planning Intent and endorsing major government policies such as the Planning Strategy
- Setting the Indicative Land Release Program (ILRP)
- Planning and Development – e.g. approving proposed changes to the Territory Plan, determining certain development applications by use of call-in powers in specific circumstances
- Survey and Crown leasing
- Government architect
- Appointing statutory committee members – Place Names Committee, Survey Practice Advisory Committee

Legislative Responsibilities

<i>Australian Capital Territory (Planning and Land Management) Act 1988 (Cwlth), sections 16, 19, 25 and 29 and part 10</i>
<i>Community Title Act 2001</i>
<i>Districts Act 2002</i>
<i>Enclosed Lands Protection Act 1943</i>
<i>Fertilisers (Labelling and Sale) Act 1904</i>
<i>Government Agencies (Land Acquisition Reporting) Act 2018</i>
<i>Lands Acquisition Act 1994</i>
<i>Planning and Development Act 2007</i>
<i>Public Place Names Act 1989</i>
<i>Public Roads Act 1902</i>
<i>Recovery of Lands Act 1929</i>
<i>Road Transport (General) Act 1999, sections 12, 13, 14, 17, 19, 20, 54 and administration provisions relating to fees and approval of forms, in relation to a function under the road transport legislation that is the responsibility of the Minister for Planning and Land Management</i>
<i>Road Transport (General) Regulation 2000, sections 13AA and 14 (1), (2) and (3) in relation to a function under the road transport legislation that is the responsibility of the Minister for Planning and Land Management</i>

Road Transport (Offences) Regulation 2005, section 8 (1) (a) and (b), to the extent that it relates to a function under the road transport legislation that is the responsibility of the Minister for Planning and Land Management
Road Transport (Road Rules) Regulation 2017, divisions 12.11 and 12.12 and sections 206 and 207
<i>Road Transport (Safety and Traffic Management) Act 1999</i> , division 8.4
Road Transport (Safety and Traffic Management) Regulation 2017, part 7
<i>Stock Act 2005</i>
<i>Surveyors Act 2007</i>
<i>Unit Titles Act 2001</i>

Appointments

Statutory

The planning and land authority is established under the *Planning and Development Act 2007*. It is an independent authority and maintains the Territory Plan, regulates development, advises on planning and land policy and manages leases and licences of Territory Land. The Chief Planning Executive is Ben Ponton (also Director-General of EPSDD). The Chief Planning Executive is the planning and land authority.

Survey Practice Advisory Committee - established under the *Surveyors Act 2007*, the committee advises you on matters relating to survey and lease titles. Members are:

Current

Deputy Chair and member – Deputy Surveyor-General of the ACT (1 November 2017 - 31 October 2020)

Ms Leesha Pitt (1 November 2017 - 31 October 2020) (member representing the Registrar General of the ACT)

Mr Peter Mayberry (1 November 2017 - 31 October 2020) (member representing the Surveying and Spatial Sciences Institute)

Mr Matthew Stevenson (1 November 2017 - 31 October 2020) (member representing the Surveying and Spatial Sciences Institute)

Commencing shortly

Deputy Chair and member – Deputy Surveyor-General of the ACT (1 November 2020 - 31 October 2023)

Mr Fred Arugay (1 November 2020 - 31 October 2023) (member representing the Registrar General of the ACT)

Mr Philip Allpress (1 November 2020 - 31 October 2023) (member representing the Surveying and Spatial Sciences Institute)

Mr Walter Johansen (1 November 2020 - 31 October 2023) (member representing the Surveying and Spatial Sciences Institute)

Non-statutory

The Government Architect provides independent design advice to the ACT government on architecture, urban design, planning and procurement for both major government projects and private proposals.

The Government Architect is Ms Catherine Townsend (25 August 2016 - 23 August 2021).

Place Names Committee – makes recommendations to you or your delegate on Division, road, and location names to be notified on the Legislation Register. Current members are:

Co-chair – Mr Jeff Brown, Surveyor-General (1 October 2020 – 30 June 2021)

Co-chair – Dr David Headon (1 October 2020 – 30 June 2021)

Mr Craig Allen (1 October 2020 – 30 June 2021)

Ms Samantha Faulkner (1 October 2020 – 30 June 2021)

Dr Anne McGrath (1 October 2020 – 30 June 2021)

Mr Allen Mawer (1 October 2020 – 30 June 2021)

Mr Kanish Oberoi (1 October 2020 – 30 June 2021)

Dr Kaye Price AM (1 October 2020 – 30 June 2021)

Mr Paul Scholtens (1 October 2020 – 30 June 2021)

Ms Rebecca Sorensen (1 October 2020 – 30 June 2021)

Dr Marilyn Truscott (1 October 2020 – 30 June 2021)

Dr Jill Waterhouse (1 October 2020 – 30 June 2021)

KEY ISSUES AND CONSIDERATIONS

Managing the City's Growth

Canberra's population is growing by around 8000 people per year (not taking the impacts of COVID-19 into account). If Canberra is to grow and flourish, adequate provision must be made to accommodate and service the additional population. As outlined in the ACT Planning Strategy 2018 and as part of your commitment, the city's growth is planned to be managed by 70% being within the current urban footprint, with intensification around town centres and transport corridors, and 30% being greenfield development (new suburbs).

As noted in the [Priorities](#) section of this brief, you have committed to the ACT Planning System Review and Reform project. This work is important to developing a more efficient and effective system to support the best planning and built form outcomes for the ACT. This is partially funded but will require ongoing support to adequately resource the technical and communication work required. The release of the current suite of papers to the industry and community would send an indication of the Government's progress and direction for this important work.

Indicative Land Release Program

The ACT government releases and sells land to cater for the demand for new land and housing. Each year the government prepares a four- year ILRP (which you have responsibility for preparing), which sets out intended land releases for residential, mixed use, commercial, industrial, community and non-urban land. EPSDD prepares the program in consultation with other directorates, and the SLA and CRA deliver the programmed land releases. The ILRP preparation is overseen by an ILRP Steering Committee chaired by the Director-General, EPSDD.

As a result of COVID-19 the full four year ILRP was not released as usual at budget time this year. The Directorate will continue to prepare a new ILRP for the next budget.

Greenfield Developments

You have committed to plan new suburbs to be sustainable and efficient, with good integration of land use planning and transport (responsibility for transport planning is currently in a different directorate and portfolio).

Molonglo Valley is the newest greenfield development front and at capacity, is planned to accommodate approximately 55,000 new residents over the coming decades. The physical environment of Molonglo Valley presents excellent opportunities to demonstrate best practice in suburban design – ecological conservation, bushfire management, providing recreation facilities and incorporating landscape into the urban area.

Land development in Molonglo has been planned in three stages, EPSDD will continue planning Molonglo 3 East. Progressing the concept planning and statutory planning for Molonglo is critical to provide for development of new suburbs, to accommodate Canberra's growth.

Other greenfield development is the Gungahlin suburb of Kenny. EPSDD will continue to develop a concept plan/precinct code and subsequently a Territory Plan variation to facilitate the release and delivery of Kenny by the Suburban Land Agency. Timing for the first land release is yet to be confirmed. The new East Gungahlin High School planned in the suburb of Kenny is separately covered in this brief.

Forward strategic planning and the opportunity for new development fronts requires long term due diligence and significant forward planning to set in place the required planning framework for the future development of Canberra. When Gungahlin and Molonglo valley are developed, EPSDD will continue to develop ACT's next urban development front which is the Western Edge – almost 10,000 hectares of land bordered by the Murrumbidgee River and the existing urban areas of Weston Creek, Molonglo Valley and Belconnen. EPSDD will continue to scope and investigate land suitability to inform options for future use of the area. It will be eight to ten years before any of this land is able to be released and developed, to allow for necessary strategic and statutory processes.

Other key activities

National Capital Design Review Panel

The NCDRP, a joint undertaking of the ACT Government and the National Capital Authority, is focused on improving design outcomes for the built environment by having independent design professionals reviewing development proposals. The panel is well subscribed with proponents. Some industry sectors consider this another layer of process impacting timelines. Due to changes to processes related to the NCDRP (types of development, information transparency) the operation of the NCDRP will need to be further funded to adequately support the quality and timeliness of advice and support the development process and outcomes.

Parking Policy

EPSDD in supporting the Minister for Planning and Land Management, is responsible for parking policy under the Administrative Arrangements. As such, major changes to public parking conditions are required to be discussed with EPSDD through the Parking Coordination Group (PCG), chaired by the Deputy Director General, and with the Minister. Other parking responsibilities are split across several directorates and ministers. The PCG meets every two months and is supported by a working group. EPSDD responsibilities include parking fee changes for Government carparks under the *Road Transport (General) (Pay Parking Area Fees) Determination 2019* and reviewing the Territory Plan's parking general code. The parking code review has commenced with an initial focus on the city area.

Parking can be a contentious issue in Canberra and is the subject of much community interest and comment. Responsibility for parking matters is currently divided between three agencies (EPSDD for policy, Transport Canberra and City Services for regulation (and also responsible for transport policy), and Access Canberra for enforcement) which can create inefficiencies in progressing and resolving issues.

Projects underway

A number of projects and work tasks are underway and at various stages and are proposed to brief you on and some will require direction to proceed. Some of these are noted below and a briefing can be provided on these:

- Eastern Broadacre Strategic Assessment
- East Gungahlin School – Kenny - progress
- Proposed National Heritage Listing
- Red Hill Integrated Plan (subject of an Assembly motion)
- Entertainment Action Plan (subject of an Assembly motion)

Planning and Development Assessment

The directorate is responsible for setting the development controls (through the strategic planning and policy work of the Planning, Land and Building division) and implementing and applying those controls (through the Planning Delivery division work) through Crown leasing and development assessment.

Territory Plan

The Territory Plan is the key statutory planning document in the ACT. Its purpose is to manage land use change and development in a manner consistent with the strategic directions set by the ACT government, Legislative Assembly, and the community.

The Territory Plan includes a statement of strategic direction, a map setting out zones and precincts, objectives and development tables applying to each zone, and a series of general, development and precinct codes. It also includes structure plans and concept plans for the future urban areas mentioned above.

The Territory Plan can be varied, to reflect changes brought about by economic, social, environmental or other factors. There is a prescribed process for varying the Territory Plan, and Territory Plan Variations (TPVs) are ultimately approved by the Minister and presented to the Assembly which has the power to reject them.

A full list of current draft TPVs can be separately briefed, as will individual TPVs as they progress. A number of these TPVs will require direction on next steps and may be subject to timing of new Assembly committees being established.

The process for varying the Territory Plan can be found at the following link:

www.planning.act.gov.au/tools-resources/plans-registers/plans/territory_plan/varying-the-territory-plan.

Assessing Development Applications

Assessment of development applications is a statutory function of the planning and land authority, carried out by the Planning Delivery division of EPSDD. A Development Application (DA) Gateway team provides a single point of contact for industry and the community for all DA and planning related matters.

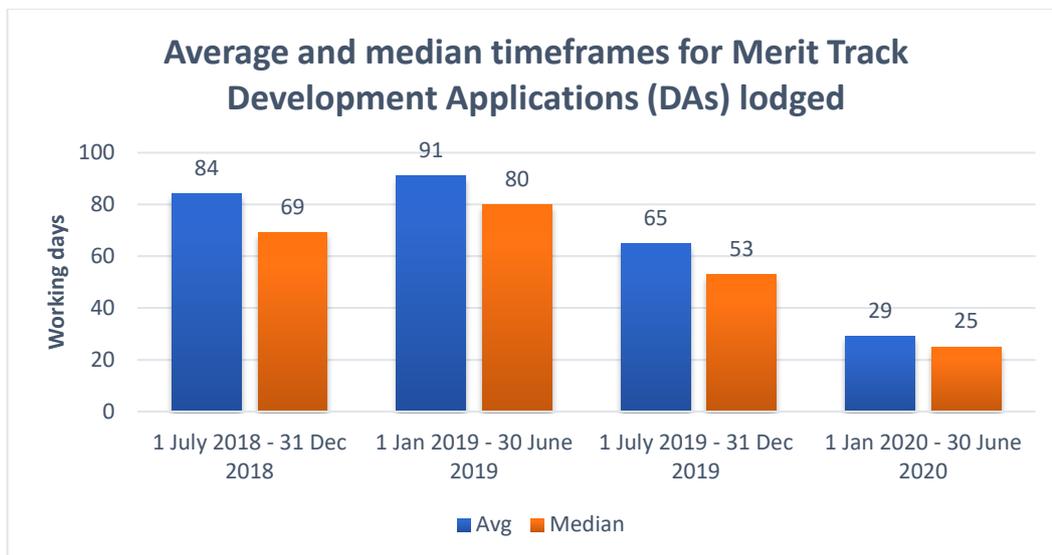
It provides an important service role, answering more than 10,000 planning inquiries every year. As the point of contact of the Directorate with the development industry, the quality and advice and the timeliness for processing applications come under considerable scrutiny.

A separate briefing can be provided on the processes for receiving, assessing and determining the various categories of Development Application and can also be found at the following link:

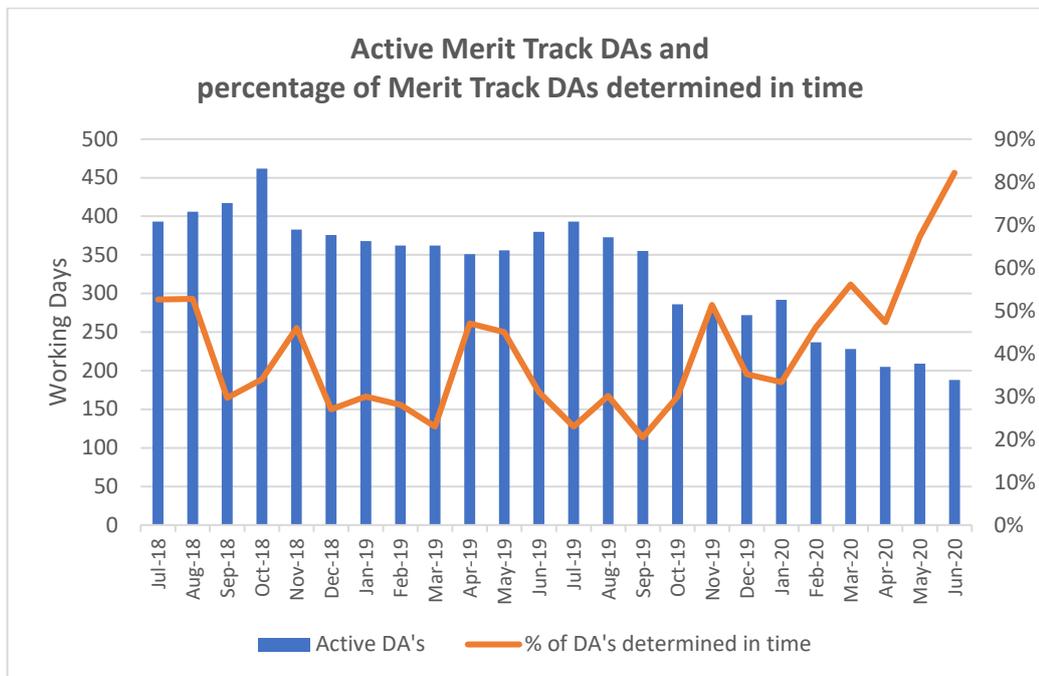
www.planning.act.gov.au/development_applications.

The number of large and complex proposals continue to increase, many of which attract significant community interest and require substantial resourcing.

The time for processing development applications as set out in the graph below reflects the increasing complexity of applications (increasing the number of days to finalise an application) and the additional staff appointed as assessors from July 2019.



In 2019-20 a staged process for assessing development applications was implemented, whereby several officers assess and review a DA, rather than one single officer. The number of applications awaiting assessment and the number of applications decided within statutory timeframes set out in the graph below reflects the move to the staged assessment process and the additional assessors.



Outside the DA process, leasing services are provided including land transfer applications, licences to occupy or use unleased Territory land, unit title applications, community title applications, rural leases and licenses, and land rent payments.

Upcoming Cabinet Items

- Government Response to PUR Report 13- Draft Variation No. 363-Curtin Group Centre and adjacent residential areas: zone changes and amendment to the Curtin precinct map and code
- Government Response to ACT Auditor-General's Report No. 4/2020 - Residential Land Supply and Release
- Government Response to PAC Report 13 - Inquiry into Auditor-General Report No 8 of 2018: Assembly of Rural Land West of Canberra
- Planning and Environment Legislation Amendment Bill 2020 (No 2) - minor amendments relating to unit titles and community concessional leases (combined pass)

Upcoming Assembly Items

- Government Response to PUR Report 13- Draft Variation No. 363-Curtin Group Centre and adjacent residential areas: zone changes and amendment to the Curtin precinct map and code
- Government Response to ACT Auditor-General's Report No. 4/2020 - Residential Land Supply and Release
- Government Response to PAC Report 13 - Inquiry into Auditor-General Report No 8 of 2018: Assembly of Rural Land West of Canberra

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
<p>Planning Ministers' Forum TBC – possibly 27 November, 2020</p>	<p>This is a national forum of Ministers with planning portfolios. It is chaired by the Commonwealth Minister for Population, Cities and Urban Infrastructure. The forum has more recently been focused on planning matters and sharing information about changes to support economic recovery and ongoing reform.</p> <p>A national Heads of Planning supports this forum. The Director-General (Ben Ponton) and Deputy Director-General Land Strategy and Environment (Erin Brady) attend this group. You will be briefed prior to the next Ministers' Forum.</p>
<p>Pre-Development Application Consultation Guidelines January 2021</p>	<p>Decision on releasing the updated Pre-Development Application Consultation Guidelines. Announcement would feature a media release, social media, YourSay updates, and web updates.</p>

KEY STAKEHOLDERS

ORGANISATION	DETAILS
<p>Planning and Construction Industry Chief Executive Reference Group (PACICERG) Chaired by Director-General EPSDD (also attended by DGs/DDGs from EPSDD, TCCS, SLA, CRA and MPC)</p>	<p><u>PACICERG Membership</u></p> <p>ACT Chief Engineer: Adrian Piani</p> <p>Chief Executive Officer, National Capital Authority: Sally Barnes</p> <p>Chief Executive Officer, Canberra Business Chamber: Michael Schaper</p> <p>Chief Executive Officer, Master Builders Association of the ACT: Michael Hopkins</p> <p>Executive Director, Housing Industry Association (ACT/NSW Region): Greg Weller</p> <p>Executive Director, ACT Property Council: Adina Cirson</p> <p>Chief Executive Officer, Real Estate Institute of the ACT: Michelle Tynan</p> <p>President, ACT Chapter, Australian Institute of Architects: Phillip Leeson</p> <p>President, ACT Chapter, Australian Institute of Landscape Architects</p> <p>President, ACT Chapter, Planning Institute Australia: Ian Wood-Bradley</p>

	<p>President, ACT Division, Engineers Australia: Catherine Carter</p> <p>President, ACT Division, Professionals Australia: Dale Beasley</p> <p>ACT Executive Director, Consult Australia: Jane Irvine</p> <p>Chief Executive Officer, Green Building Council</p> <p>Managing Director, Icon Water</p> <p><u>Directorate representatives:</u></p> <p><i>EPSDD</i></p> <p>Director-General: Ben Ponton</p> <p>Deputy Director-General, Land Strategy and Environment: Erin Brady</p> <p>Deputy Director-General, Sustainability and the Built Environment: Geoffrey Rutledge</p> <p><i>Major Projects Canberra</i></p> <p>Chief Project Officer: Duncan Edghill</p> <p><i>City Renewal Authority</i></p> <p>Chief Executive Officer: Malcolm Snow</p> <p><i>Suburban Land Agency</i></p> <p>Chief Executive Officer: John Dietz</p>
<p>Environment and Planning Forum (EPF)</p> <p>Chaired by Director-General, EPSDD</p>	<p><u>EPF Membership and contacts</u></p> <p>Presidents of each of the Community Councils:</p> <p>Tuggeranong Community Council Mr Jeffrey Bollard president@tuggcc.com</p> <p>Inner South Canberra Community Council Ms Marea Fatseas info@isccc.org.au</p> <p>Weston Creek Community Council Mr Tom Anderson info@westoncreek.org.au</p> <p>Woden Valley Community Council</p>

	<p>Ms Jenny Stewart info@wvcc.org.au</p> <p>Belconnen Community Council Mr Glenn Hyde belcocouncil@gmail.com</p> <p>Gungahlin Community Council Mr Peter Elford info@gcc.asn.au</p> <p>North Canberra Community Council Mr Jochen Zeil info@northcanberra.org.au</p> <p>Australian Institute of Architects Mr Phillip Leeson actpresident@architecture.com.au</p> <p>Building Designers Australia hello@archrepublic.com.au</p> <p>Council on the Ageing ACT Ms Jenny Mobbs contact@cotaact.org.au</p> <p>Housing Industry Association Mr Greg Weller enquiry@hia.com.au</p> <p>Master Builders Association Mr Michael Hopkins </p> <p>Pedal Power Mr Jeff Ibbotson secretary@pedalpower.org.au</p> <p>ACT Property Council Ms Adina Cirson act@propertycouncil.com.au</p> <p>Planning Institute of Australia Mr Ian Wood-Bradley actpresident@planning.org.au</p>
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	<p>Australian Institute of Landscape Architects act@aila.org.au</p> <p>Conservation Council ACT Region Ms Helen Oakey director@conservationcouncil.org.au</p> <p>ACT Council of Social Services Mr Craig Wallace [REDACTED]</p> <p>Youth Advisory Council youthinteract@act.gov.au</p>
<p>ACT Law Society Property Law Committee</p>	<p>Adam Peppinck [REDACTED]</p>
<p>Majura Valley Landcare Group</p>	<p>Sherry McArdle-English (Chair) – for Eastern Broadacre [REDACTED]</p>

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	134.929	84.225	79.631	89.917
Controlled – capital injection	7.336	5.061	2.655	2.069
Territorial – expenses				
Territorial – capital injection				

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL	
Ben Ponton	Director-General		Ben.Ponton@act.gov.au	
Dr Erin Brady	Deputy-Director General		Erin.Brady@act.gov.au	
Geoffrey Rutledge	Deputy-Director General		Geoffrey.Rutledge@act.gov.au	
Craig Simmons	Chief Operating Officer		Craig.Simmons@act.gov.au	
Brett Phillips	Executive Group Manager; Planning Delivery		Brett.Phillips@act.gov.au	

George Cillers PSM	Executive Branch Manager; Planning Delivery		George.Cillers@act.gov.au	
Malcolm Snow	CEO, City Renewal Authority		Malcolm.Snow@act.gov.au	
Lesley Cameron	Executive General Manager; Planning, Land and Building		Lesley.Cameron@act.gov.au	
Bethel Sendaba	Executive Branch Manager; Planning, Land and Building		Bethel.Sendaba@act.gov.au	
Karen Wilden	Executive Branch Manager; Engagement and Executive Support		Karen.Wilden@act.gov.au	

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BUILDING QUALITY IMPROVEMENT OVERVIEW

The Environment Planning and Sustainable Development Directorate (EPSDD) manages a wide range of policies and programs to deliver on the ACT Government's planning, land management and environment priorities. Portfolio responsibilities cover areas such as the built environment, land strategy, planning policy, urban renewal, building policy, development and leasing applications, the environment, water, heritage, parks and nature conservation, climate change and energy.

The Building Quality Improvement Portfolio includes responsibility for developing, implementing and reviewing policies and programs that contribute to delivering on the EPSDD's Strategic Objective 1:

"A planning, building and leasehold system that contributes to a sustainable Canberra and economic prosperity by delivering quality spatial, urban design, integrated transport and development outcomes, and that rewards design excellence and innovation."

The functions of the Building Quality Improvement Portfolio include development and maintenance of policy and regulation for the construction industry, providing advice on policy for building and construction services, practitioner regulation, the safety, health, amenity and environmental performance of buildings and building appliances and equipment.

Major projects in this portfolio area underway by EPSDD include completing stage 1 and progressing stage 2 of the Building Regulatory Reform Program to improve the ACT's regulatory system for building, other building regulatory and program initiatives including property developer licensing, regulation of engineers, and introduction of a public sector building certification service.

EPSDD, under the Building Quality Improvement Portfolio, has responsibility for progressing work to improve home swimming pool safety, implementing legislative changes to clarify building requirements for urban and non-urban bushfire prone areas and providing advice and implementing reforms to support other Government priorities, such as the Climate Change Strategy. Relevant projects include reviewing the ACT Energy Efficiency Rating Disclosure Scheme and undertaking assessment of potential minimum energy efficiency standards or other options for improving the energy efficiency of rental properties in the Territory.

EPSDD works with officials from other jurisdictions under the Building Ministers' Forum (the Forum) on national policy for non-conforming building products, accessible housing, security of payments, implementation of the recommendations of the Building Confidence Report commissioned by the Forum, and a range of other building and building related issues. The Director-General of EPSDD, Mr Ben Ponton, also represents the ACT on the Australian Building Codes Board (ABCB), which is responsible for the development and maintenance of the National Construction Code (NCC).

The Building Quality Improvement Portfolio also includes work underway by Major Projects Canberra on the Cladding Rectification Program.

The regulation of the building industry is largely undertaken by Access Canberra through the functions of the Construction Occupations Registrar. EPSDD works closely with the Registrar as well

as community and industry stakeholders on reform projects and to achieve the Government's objectives for the Portfolio.

DELIVERING ON YOUR PRIORITIES

The ACT Labor Policy Position Statement reiterates the Government's commitment to key initiatives commenced in the previous term. Substantial progress towards achieving these objectives was made in the last term of Government and EPSDD is continuing to progress a program of projects that will deliver on your commitments to:

- establish an expert team of publicly funded certifiers within the ACT Public Service, to break the potential conflict of interest that could arise from certifiers being hired and paid for by the developers whose work they are assessing;
- set up an Australian-first licensing scheme for property developers. It will require developers to meet a "fit and proper person" test and apply to undertake higher-risk developments (such as apartment builds). It will include a stringent and rigorously enforced penalty scheme, up to and including barring developers from working in the ACT; and
- introduce a registration scheme for engineers, based on the Victorian model, so that expert engineering works conducted onsite meet the necessary standards, as recommended by the Building Confidence Report (also known as the Shergold Weir Report).

EPSDD will continue to support the Government to achieve its priorities to:

- work towards the highest-quality built environment in Australia, which is livable and sustainable;
- raise community confidence in the built environment, including by raising the professionalism and standard of practice in the local building industry;
- empower the community with more accessible information on their rights and responsibilities when building, buying or renovating; and
- have in place a stringent and enforceable practitioner licensing scheme and building certification process enabling the regulator to hold the building industry to account.

Current Priority Projects

EPSDD (or Major Projects Canberra regarding cladding rectification work) can provide further briefings on the progress of the below priority projects.

Building Regulatory System Reform Program

As at October 2020, 41 of the 43 Improving the ACT's Building Regulatory System stage one reform projects are complete, with the remaining two projects underway (Reform 27: Reviewing the effectiveness of ACT procurement arrangements for security of retentions held by contractors and progress payments on government projects; and Reform 32: Implement mandatory qualifications for corporate and partnership licences, potentially including financial assessment).

The first stage of the reform program included several consultations, reviews and legislative changes. The stage two reform program includes work to implement outcomes from the stage one projects. A summary of this work is at [Attachment A](#). The stage two reform projects, along with the building quality initiative projects outlined below comprise a substantial program of work that will help achieve the Government's priorities for the portfolio.

Public Sector Building Certification

This work is considering a public sector or government run building certification service that would run alongside private certification services currently available. This work is also considering how a public sector certification service may be applied to different types of buildings. EPSDD is funded for 2020-21 and 2021-22 to undertake the policy and regulatory work and industry consultation to develop options for new service models and to inform a budget business case toward establishment and ongoing running of a scheme.

Regulation of Engineers

Initial targeted stakeholder consultation with the key industry and professional bodies representing Engineers has occurred. EPSDD has engaged HWL Ebsworth to undertake detailed analysis of schemes in other jurisdiction including Victoria and Queensland, further assessment of the policy, regulatory and implementation issues for the ACT, further industry and community consultation and develop options for a regulatory scheme for the ACT. EPSDD has funding for 2020-21 to progress this policy development only. Implementation of a scheme will require additional resources.

Property Developer Licensing Scheme

EPSDD has commenced initial policy and regulatory analysis and has considered key definitions, the types of issues the scheme may regulate, and what is in place in other jurisdictions for the accountability of property developers. The next stage of work will require expert legal and regulatory advice and industry and community consultation and engagement. EPSDD has funding for 2020-21 to progress this policy work only. Implementation of a scheme will require additional funding.

Cladding Rectification Program

Following a review of all ACT Government owned properties in 2019 by EPSDD, the ACT Government approved the commencement of the Cladding Rectification Program to be led by Major Projects Canberra and reporting to you as Minister for Building Quality Improvement. The program consists of two elements:

- an ACT Government program to rectify combustible cladding on ACT Government owned facilities; and
- a Private Sector program to support the rectification of combustible cladding on certain private sector buildings.

ACT Government Program

- The audit of 71 ACT Government buildings conducted in late 2019 of external facades identified 23 sites requiring cladding rectification works.
- Of these, 21 sites are being progressed through MPC (two sites within the Education portfolio are being progressed directly by the Education Directorate).
- Funding of \$19m has been allocated to rectify the 21 sites, with design and cost estimation services recently procured.
- Community and stakeholder interest may be substantial and a communication strategy is being developed.

Private Sector Program

- A voluntary rectification support scheme has been approved to support private building owners in responding to rectification requirements in relation to potentially combustible cladding for private buildings.
- Through this scheme, the ACT Government will facilitate financial support in the form of concessional loans to assist with testing and assessment of potentially combustible cladding material for eligible applicants.
- A project team within MPC is being established to commence development of the eligibility criteria and administrative processes, which will be finalised over the next six months. Interested parties will be able to apply for the scheme in the first half of 2021.
- The scheme will be implemented in two phases:
 - Phase 1: 'testing and assessment'; and
 - Phase 2: 'cladding rectification.'
- The extent of the issue will be further understood prior to finalisation of phase 2.
- A communication and marketing strategy will be developed to inform eligible owners of the scheme arrangements.

MINISTERIAL FUNCTIONS

As Minister for Building Quality Improvement you are responsible for:

- Setting the strategic direction for building policy and building quality improvement matters.
- Representing the ACT on the Building Ministers' Forum (BMF), which oversees policy and regulatory issues affecting Australia's building and construction industries. The BMF is made up of Australian Government and state and territory government ministers with responsibility for building and construction. The BMF's work includes overseeing the functions of the ABCB, improving the effectiveness of building regulations and standards, compliance and enforcement systems and other policy issues affecting the building and construction industries. *Note - a Commonwealth review is underway of the former COAG*

councils and Ministerial Forums which may result in changes to the arrangements, scope and role of the BMF.

- Decision making powers, ability to create subordinate legislation as allowed by the legislation you are responsible for, is outlined below.

Legislative Responsibilities

- *Architects Act 2004*
- *Building Act 2004*
- *Building and Construction Industry (Security of Payment) Act 2009*
- *Construction Occupations (Licensing) Act 2004*
- *Electricity Safety Act 1971*
- *Gas Safety Act 2000*
- *Water and Sewerage Act 2000*

Appointments

Statutory

ACT Architects Board - established under the *Architects Act 2004*, the board requires registered architects provide services to the public in a professional manner, including the investigation of complaints. Current members are:

- Ms Erin Hinton (18 August 2020 – 17 August 2023) (academic architect member)
- Ms Catherine Townsend (25 August 2020 – 24 August 2022) (member nominated by a representative body)
- Mr Maurice Falcetta (25 August 2020 – 24 August 2022) (commercial lawyer member)
- Mr Scott Hodgson (25 August 2020 – 24 August 2023) (registered architect member)
- *NOTE - a process has commenced to fill the remaining vacancy on the board, the community representative member*

KEY ISSUES AND CONSIDERATIONS

Economic and Tourism - Report 9 Inquiry into Building Quality in the ACT

The 9th Legislative Assembly's Economic and Tourism Standing Committee conducted an Inquiry into Building Quality in the ACT. The terms of reference included inquiring into and reporting on the quality of new buildings in the ACT and any potential or actual causes of poor building quality in the ACT. The Committee tabled its report on 23 July 2020. It included 48 recommendations across a variety of subjects. While there are overlaps between matters that are the subject of recommendations and the scope of some of the stage two reforms, there are additional and new matters that may require additional consideration and may result in additional work to respond to the relevant findings. The Government response to the committee report is due by 23 November 2020. EPSDD will provide you with a separate briefing on this matter.

Implementation of the Building Confidence Report recommendations in the ACT

In addition to the reform work underway, the ACT along with other jurisdictions is responding to the 24 recommendations of the Building Confidence Report (BCR - also known as the Shergold Weir report). EPSDD will continue to progress the ACT reform program as a priority while engaging with processes underway to develop and implement policies arising from the BCR recommendations. It is expected that the agenda of the upcoming Building Ministers' Forum will include consideration of next steps for several of these matters. There continues to be strong advocacy from key local industry associations (Master Builders Association (MBA), Property Council of Australia (PCA)) for the Government to implement all of the BCR recommendations. The level of activity and call for officers to participate in national discussions, continues to be high.

Adoption of minimum accessibility standards into the National Construction Code

Public consultation was undertaken in July-August 2020 on a Regulatory Impact Statement for the adoption of mandatory accessibility standards into the NCC. Substantial feedback was provided to the ABCB office, directly to agency officials across all jurisdictions and a number of concerns raised by key stakeholders with regards to the assessment presented in the RIS. The Building Ministers' Forum agenda for November 2020 is expected to include initial discussion and consideration of the consultation outcomes before a decision at the next meeting currently expected to be February 2021. While a building policy issue as it relates to the NCC, this work has a broader social policy context. An ACT Government position will need to be developed with this in mind ahead of the February meeting. This may require consultation with other portfolio areas and possible Cabinet consideration depending on the scale of implementation costs and benefits. EPSDD will provide further briefing on this matter ahead of the upcoming BMF meeting.

Treasurers agreement on licencing mobility

The Hon Josh Frydenberg MP announced on 17 August 2020 that Commonwealth, State and Territory Treasurers had agreed to the development of a framework for automatic recognition of occupational licences across jurisdictions. The proposed framework is intended to be in place by 1 January 2021, subject to the passage of legislation in individual jurisdictions. Specific details of the proposal are still being developed by an interjurisdictional working group. The ACT is represented by officials from CMTEDD- Policy and Cabinet and Access Canberra. Changes in the framework for mutual/automatic recognition may have an impact for building quality (as it could reduce the opportunity for vetting of licensees before they undertake work) in the ACT. EPSDD will continue to provide policy advice on this issue and update you as the national work progresses. National Cabinet is expected to consider progress on this work shortly. Improving licencing mobility was highlighted as a key reform in the Government's Jobs and Economic Recovery Plan released just prior to the election.

Technical Regulation of Light Rail

The preparation for Stage 2A includes drafting of revised draft light rail Technical Codes for the approval of the Technical Regulator and subsequent stakeholder consultation. Following completion of consultation, the approval of these Codes will be a responsibility of the Minister for Sustainability and Climate Change.

Subject to the signing of the contract for Light Rail Stage 2A, UTR will recommend agreement to a regulatory strategy that will define the regulatory methods applied throughout the delivery of Stage 2A. This will establish the processes of engagement, issues management and escalation mechanisms and will be developed in consultation with other key stakeholders. In addition, legislative amendments are required to clarify the application of the *Electricity Safety Act 1971* in regard to the construction of light rail electrical works. As the Minister responsible for the *Electricity Safety Act 1971* your agreement to any amendments will be sought and you may be required to progress this to Cabinet and subsequently the Legislative Assembly.

Cladding Rectification Program

ACT Government Buildings

The delivery of the works based upon the design works currently underway should be relatively straight forward from a design and construction sense. However, program timeframes are likely to be impacted by the need to work on facilities that are still in use. This will require strong liaison and engagement with the operators and users of the assets.

Private Sector Buildings

- Importantly, decisions about assessing and managing cladding risks on privately owned buildings remain the responsibility of owners’ corporations.
- Funding has been provided for Phase 1 only. Approval will be sought for Phase 2 once there is a clearer indication of possible demand and costs.
- Demand for support through the concessional loan scheme in the private sector will determine the size and duration of the program.

Upcoming Cabinet Items

Government Response to Standing Committee on Economic Development and Tourism - Report 9 Inquiry into Building Quality in the ACT. The submission is currently scheduled for Cabinet consideration the week beginning 16 November 2020.

Upcoming Assembly Items

Government Response to Standing Committee on Economic Development and Tourism - Report 9 Inquiry into Building Quality in the ACT. The Government response is due to the Assembly by 23 November 2020.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
Building Policy	
Building Ministers’ Forum 27 November 2020, via videoconference	The agenda for this meeting is still TBC but it is expected to include consideration of the outcomes of the public consultation on the

National Cabinet has agreed to a new system of ministers’ meetings – there will no longer be ‘forums’ or ‘councils’. A review of these fora is underway and new sub-committees may be established under National Cabinet.	minimum accessibility standards RIS and several BCR implementation items.
Cladding Rectification Program	
Undertaking rectification works at pilot sites. Oct/Nov 2020	There may be value in undertaking pilot rectification works at a handful of lower cost sites to provide technical and cost estimate insight to inform the current consultancy design and cost estimation work.
Private sector governance and administration development and finalisation. December 2020	The governance and administrative processes to underpin the private sector scheme are under development. It is expected that as the scheme takes shape, Ministerial approval will be required.
Approval for funding to undertake construction rectification works on ACT Government buildings. January 2021	Approval for the release of provisioned funding to undertake the construction rectification works across the ACT Government sites will be required. Depending on the completion of the design and cost estimates, this is planned to occur in January 2021.

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
Master Builders’ Association (ACT)	Michael Hopkins, CEO [REDACTED]
Housing Industry Association (ACT)	Greg Weller, Regional Executive Director ACT/Southern NSW [REDACTED]
Property Council of Australia (ACT)	Adina Cirson, ACT Executive Director [REDACTED]
Australian Institute Building Surveyors	Brett Mace, CEO ceo@aibs.com.au
Australian Institute of Building (ACT)	Robyn Hardy, Chapter President actbuild@aib.org.au

	Tristan Ryall hello@archrepublic.com.au
ACT Government Architect	Catherine Townsend [REDACTED]
Australian Institute of Architects (ACT)	Shannon Battisson [REDACTED]
Building Designers Association of Australia	Peter Henden [REDACTED]
Professionals Australia (ACT)	Dale Beasley, Director ACT Branch [REDACTED]
Engineers Australia (ACT)	Catherine Carter, General Manager Canberra [REDACTED] Johnathan Russell, Public Affairs National Manager [REDACTED]
Consult Australia	Jane Irvine, Acting ACT Manager act@consultaaustralia.com.au
Law Society	Elizabeth Carroll, President president@thelawsociety.asn.au
Owners Corporation Network ACT	Gary Petherbridge, President [REDACTED]

FINANCIAL CONSIDERATIONS

Table 1 MPC

Cladding Rectification Program

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
ACT Govt Program	3	10	6	0
Private Sector Program (*Phase 1)	0.702	1.102	0.635	0

** Budget for Phase 2 will be determined once the key attributes of the scheme are developed and a clearer picture of demand is known*

Table 2 EPSDD - Building Quality

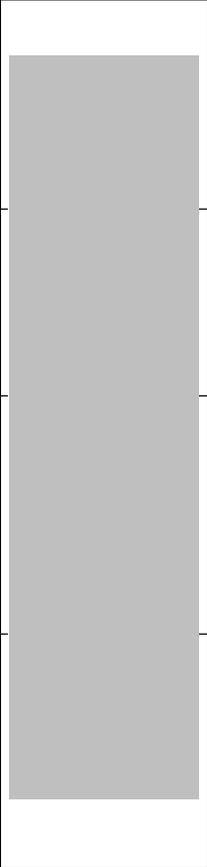
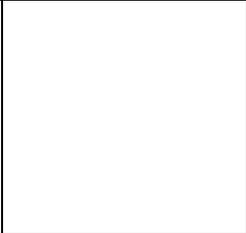
	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	3.337	1.319	1.188	1.209
Controlled – capital injection	0	0	0	0
Territorial – expenses	0	0	0	0
Territorial – capital injection	0	0	0	0

Table 3 - Combined EPSDD & MPC

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	6.337	11.319	7.188	1.209
Controlled – capital injection	0.702	1.102	0.635	0
Territorial – expenses	0	0	0	0
Territorial – capital injection	0	0	0	0

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL	FACEPLACE
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Dr Erin Brady	Deputy Director-General; Land, Strategy and Environment		Erin.Brady@act.gov.au	
Craig Simmons	Chief Operating Officer		Craig.Simmons@act.gov.au	

<p>Lesley Cameron</p>	<p>Executive Group Manager; Planning, Land and Building</p>		<p>Lesley.Cameron@act.gov.au</p>	
<p>Bethel Sendaba</p>	<p>Executive Branch Manager; Planning, Land and Building</p>		<p>Bethel.Sendaba@act.gov.au</p>	
<p>Karen Wilden</p>	<p>Executive Branch Manager; Engagement and Executive Support</p>		<p>Karen.Wilden@act.gov.au</p>	
<p>Adrian Piani</p>	<p>Executive Group Manager; Infrastructure Delivery Partners, Major Projects Canberra</p>		<p>Adrian.Piani@act.gov.au</p>	

ATTACHMENT A - Stage Two Improving the ACT Building Regulatory System Reform Program

Stage one reform No.	Reform	Work progressing under stage two
3	Develop guidelines for builders for supervision and critical hold points with the intention they will be adopted as codes of practice under the Building Act.	Guidelines for Licensed Builders that include supervision and hold points have been developed and released and will form the basis of a new code of practice to be introduced by 1 July 2021. Further consultation with industry is required to finalise the code of practice ahead of implementation.
5	Enact regulations to require stage inspection information be lodged shortly after the inspection is complete.	The ACT Government has enacted a regulation to require building certifiers to supply information to the Construction Occupations Registrar about houses and buildings that include residential apartments after inspections. The information provided will support Access Canberra’s compliance, auditing and regulatory functions. Consultation is required with industry to develop implementation process. Communication and engagement with industry is also required to ensure surveyors are aware of the new requirements.
27	Review the effectiveness of ACT procurement arrangements for security of retentions held by contractors and progress payments on government projects.	The ACT Government is considering how we can make sure subcontractors are paid what they are owed when payments are due. To help determine the most effective way to do this, we are looking at the different arrangements used on ACT Government procured building and construction projects. This review of our own arrangements, to be completed under the stage two building reforms, will help identify models that would be appropriate for broader adoption across industry. This work is part of broad work we are doing on security of payments (reform 41).
32	Implement mandatory qualifications for corporate and partnership licences, potentially including financial assessment.	Mandatory qualifications for corporate and partnership licences to be introduced following completion of further consultation to be undertaken for reform 35 and 36.

Stage one reform No.	Reform	Work progressing under stage two
35	Consult on the findings of the review in relation to licensing, licensing categories and 'contracting' as a scope of work.	Consultation has identified areas for further development and broader community and industry consultation under stage two building reforms.
36	Consult on the findings of the review of the ACT building regulatory system in relation to insurance and practitioner accountability.	Consultation has identified areas for further development and broader community and industry consultation under stage two building reforms.
39	Consult on the findings of the review of the ACT building regulatory system in relation to building contracts and the residential building insurance system.	Consultation has identified areas for further development and broader community and industry consultation under stage two building reforms.
41	Review the Security of Payments system in the ACT.	EPSSDD has undertaken a review of the ACT Security of Payment System against the recommendations of the national review. The Government will consult on the findings and potential reforms under stage two of the reform program.
28 and 43	<p>Refine the proposed alternative dispute resolution model based on consultation feedback and conduct a second round of consultation.</p> <p>Complete implementation of alternative dispute resolution model.</p>	The ACT Government has passed new laws, the Building and Construction Legislation Amendment Act 2020, to allow a scheme to help homeowners and the building industry resolve residential building disputes earlier and at less cost to be introduced in the ACT. The Government will consult further with the public and industry to finalise the details of the scheme as part of stage two building reforms.

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HOUSING AND SUBURBAN DEVELOPMENT OVERVIEW

The Environment, Planning and Sustainable Development Directorate (EPSDD) manages a wide range of policies and programs to deliver planning, land management and environment priorities. Portfolio responsibilities cover areas such as the built environment, housing policy, land strategy, planning policy, urban renewal, building policy, development and leasing applications, the environment, water, heritage, parks and nature conservation, climate change and energy.

EPSDD is responsible for the Housing and Suburban Development Portfolio along with important delivery partners including the Suburban Land Agency (SLA), the City Renewal Authority (CRA) and the Community Services Directorate (CSD).

The Housing and Suburban Development Portfolio within EPSDD is responsible for developing, implementing, and reviewing policies and programs that contribute to delivering EPSDD's Strategic Objective 1:

“A planning, building and leasehold system that contributes to a sustainable Canberra and economic prosperity by delivering quality spatial, urban design, integrated transport and development outcomes, and that rewards design excellence and innovation.”

The functions within the Housing and Suburban Development Portfolio include:

- Affordable Housing - ongoing policy development related to housing and affordable housing. This includes developing and delivering actions under the ACT Housing Strategy (the Strategy). EPSDD is responsible for coordinating actions and reporting across ACT Government agencies with responsibility for delivering actions under the Strategy - SLA, CSD, CRA and Treasury.
- Suburban land development – due diligence, planning and feasibility studies required to prepare greenfield areas for future land release.
- Developing housing targets for the minimum number of affordable, public and community housing dwellings to be delivered through land release identified in the Indicative Land Release program (ILRP).
- Suburban Land Agency - the SLA is a statutory authority established under the *City Renewal Authority and Suburban Land Agency Act 2017*. The SLA is responsible for delivering the suburban development program, including urban renewal in established town centres and suburbs. This comprises releases for residential, commercial, industrial, mixed use and community purposes.

The SLA along with the CRA are statutory authorities established under the *City Renewal Authority and Suburban Land Agency Act 2017*. The directorate acts as the administrative unit responsible for the Agency and Authority's legislation. When considered together, the Directorate, the Authority and the Agency are referred to as the EPSD portfolio.

EPSDD provides corporate and governance support to the SLA and the CRA through a service agreement with both. This includes people and capability support, governance capability and advice, information and records management, freedom of information (FOI), legal support services, integrity support, ICT business systems, government services and facility and fleet management.

Governance support includes coordinating the appointments of members to the SLA and CRA's boards.

The service agreement with the SLA is nearing the completion of its term and will be renegotiated early in the new term of government.

The Housing and Suburban Development Portfolio has strong linkages to other EPSDD portfolios – Planning and Land Management and Urban Renewal. The Planning and Land Management Portfolio is responsible for land supply, strategic planning and developing the ILRP.

DELIVERING ON YOUR PRIORITIES

The Housing and Suburban Development Portfolio will continue with the responsibility to develop, review and implement policies and programs and deliver on your priorities to:

- dedicate at least 15 per cent of the ILRP's residential land releases to affordable, community and public housing.
- continue delivering on the actions set out in the ACT Housing Strategy.
- develop a shared equity scheme and build-to-rent model for Canberra to enable increased affordable rentals and a pathway to home ownership for people on lower incomes.
- deliver direct affordable housing projects, building on the success of the Kaleen mixed-tenure approach, with social and affordable housing and the proposed North Wright Demonstration Affordable Housing Project.
- explore opportunities to increase the availability of affordable housing for people in the second income quintile.

ACT Housing Strategy – implementation update

As part of implementing the ACT Housing Strategy (the strategy), the Government prepares a report card to deliver its commitment to annual evaluation and reporting on the progress and status of actions under the ACT Housing Strategy Implementation Plan (the plan).

The strategy's first annual report, titled the ACT Housing Strategy Year One Report Card, was released in November 2019. EPSDD has prepared the Year 2 report card, for your agreement. The Year Two Report Card shows steady progress across all goals throughout the strategy's second year of implementation, with

66 of the 67 short-term, medium-term and ongoing actions either completed (15), in development (4), progressing (31), or continuing (16). One of the actions has not commenced. The strategy includes seven annual actions, all were either completed (4) or progressing (3). There are currently no long-term actions under the strategy.

EPSDD can provide you with a further detailed briefing on the Year Two Report Card and progress on the implementation of the actions of the ACT Housing Strategy. This briefing will also highlight areas for future focused attention including exploring opportunities to increase the availability of affordable housing for people in the second income quintile.

Economic recovery through social housing

You have previously committed to undertake work on a range of initiatives that could support the economic recovery through the development/construction sector. EPSDD is working with colleagues in the SLA, EPSDD Urban Renewal portfolio, Treasury and CSD (Housing ACT) on proposals for:

- build-to-rent;
- public housing shared equity;
- pilot for individual shared equity;
- pilot for community housing shared equity; and
- pilot for community housing land rent scheme.

You will be briefed further on options for the above initiatives and any associated financial implications.

Ginninderry Joint Venture Affordable Housing Program

The Ginninderry Joint Venture has a requirement as part of its Project Objectives to deliver a range of housing types, including for those on a moderate income. Additionally, the project is required to achieve a commercially acceptable return on investment taking into consideration policies and initiatives of the ACT and NSW Governments associated with affordable and accessible housing.

To support the project objectives, a project specific Affordable and Housing Choice Strategy was developed to respond to the challenges of delivering housing choice and affordability. The Strategy contemplates a range of initiatives to meet the project's affordable housing requirements, including the delivery of built form.

The Built Form Project was first proposed by the Joint Venture in June 2016. Called the Flexi-living Series, the project comprises the delivery of 70 two- and three-bedroom dwellings on separate title. The dwellings are turnkey including all fittings and landscaping. They also include a sustainable energy package including photo voltaic cells and an energy management system. The design, build and sale of the dwellings were directly managed by the Joint Venture.

Purchasers of the Flexi product were required to meet eligibility requirements including a joint household income of less than \$120,000, the purchaser must live in the dwelling, and must not sell the dwelling for at least three years. 57 of the 70 dwellings are now complete and all have sold to qualified purchasers.

A review of the Flexi Living Affordable Built Form product was undertaken by TW2 Consulting in July 2019. The review found:

- the Joint Venture affordable housing program has been successful at addressing the 'missing middle' of the housing market and has provided an alternative to meet home ownership aspirations; and
- the findings of the evaluation provide a useful contribution to future affordable housing policy considerations and built form initiatives.

EPSDD will consider the recommendations and findings of the review in developing future affordable housing policy for your consideration.

MINISTERIAL FUNCTIONS

As Minister for Housing and Suburban Development you are responsible for:

- setting the strategic direction of the portfolio;
- appointing members to the board of the SLA;
- issuing a Ministerial direction to the SLA outlining the Government's performance expectations for the SLA in discharging its responsibilities under the *City Renewal Authority and Suburban Land Agency Act 2017*;
- setting a housing target identifying the affordable, public and community housing sites in relation to the delivery of greenfield estates, via a notifiable instrument made under the provisions of the *City Renewal Authority and Suburban Land Agency Act 2017*;;
- report to the community annually on the strategy and the progress and status of the actions in the implementation plan.

Legislative Responsibilities

City Renewal Authority and Suburban Land Agency Act 2017, except part 2, section 63 and sections 39, 41, 42, 65 (when exercised in relation to matters that are the responsibility of the Minister for Urban Renewal or the Chief Minister)

Appointments

Statutory

SLA Board Appointments – established under the *City Renewal Authority and Suburban Land Agency Act 2017*, the board is responsible for overseeing the operations of, and exercise of functions by the SLA. Current members are:

Mr John Fitzgerald, Chair - 23 June 2020 – 22 June 2022

Mr Peter Howman, Deputy Chair - 23 June 2020 – 22 June 2021

Mr Angus Dawson, member - 23 June 2020 – 22 June 2021

Ms Katrina Fanning PSM, member - 23 June 2020 – 22 June 2023

Ms Clare Petre, member - 23 June 2020 – 22 June 2023

Ms Julie Garland McLellan, member 23 June 2020 - 22 June 2022

Ms Shelley Penn, member 23 June 2020 - 22 June 2022

KEY ISSUES AND CONSIDERATIONS

Minister's Affordable Housing Consultative Group

The Consultative Group informed development of the ACT Housing Strategy, and includes representatives from community housing, homelessness groups and public housing tenants. You will be briefed, for your agreement, on a revised term of reference, governance structure and membership, which has been updated to place a greater focus on engagement with the group to support the implementation phase of the strategy.

ACT Auditor-General's Report No. 4/2020 - Residential Land Supply and Release

While responsibility for progressing the Government response to this audit report sits with the Minister for Planning and Land Management, some recommendations sit within the scope of the Housing and Suburban Development Portfolio:

RECOMMENDATION 5 - AFFORDABLE HOUSING SITING CRITERIA The Environment, Planning and Sustainable Development Directorate should develop policy guidance and criteria for the identification and allocation of affordable housing across the Indicative Land Release Program land releases.

RECOMMENDATION 7 - AFFORDABLE HOME PURCHASE PROGRAM EPSDD, SLA and CRA should:

- a) review and amend the nature and type of affordable housing dwellings offered to the market through the Affordable Home Purchase Program in order to better meet market demand; and
- b) following these changes, plan for an evaluation of the Affordable Home Purchase Program to review the effectiveness of the program in meeting affordable housing policies and objectives of the Territory.

The Government Response is expected to be presented to Cabinet by the Minister for Planning and Land Management for consideration in November 2020. EPSDD will brief you on work underway and planned in response to these recommendations.

Future delivery of affordable housing

While the Year 2 Report Card demonstrates steady progress across all goals in the strategy's second year of implementation, it is important to acknowledge that there are areas where the strategy could be refined to better meet its policy objectives.

Areas include:

- Innovation and sustainability (the trade-off between offering homes with sustainable features and meeting affordable price thresholds for target (quintile 1 and 2) cohorts);
- specialist categories of housing (resulting from a lack of suitable sites, particularly in the areas of Specialist Disability Accommodation and culturally appropriate Aboriginal and Torres Strait Islander housing); and
- high land values and development restrictions (can act as barriers and prevent community housing providers from developing new housing with implications for build-to-rent and build-to-sell models).

EPSDD will work across government and with the community housing sector to examine these areas and provide a follow-up briefing as work progresses.

Review of the Affordable Home Purchase Scheme

As part of good public sector management practices EPSDD is due to review the Affordable Home Purchase Scheme. The nature and type of affordable housing dwellings offered to the market through the Affordable Home Purchase Program dwellings is linked to the blocks of land identified for release through the ILRP, and the affordable housing price thresholds. The review, amongst other issues, is expected to consider how the scheme could be adjusted, noting the financial and budgetary impacts, to deliver standalone dwellings that still meet a maximum price threshold that is below market value for these types of homes.

Land release against ILRP

Land remains available for sale during the COVID-19 health emergency. All sales documents to support purchaser decisions are available via the SLA website and our sales agents are contactable by phone or email, if any further information is required. Interested buyers can also arrange for a private appointment, so all parties are abiding by social distancing measures.

Alternative approaches for releasing multi-unit and commercial sites were considered by the SLA. Some sites originally scheduled for auction have been released by tender due to restrictions on public gatherings.

Market conditions continue to remain strong with the SLA now posting three months of over the counter (OTC) land sales at or near record levels. This strength is attributable to a combination of factors, including: the ACT and Federal Government economic stimulus measures, the SLA's landscape rebate, revised pricing of inventory in early August, and Canberra's relatively better economic performance and lower unemployment rates compared to the nation. The SLA currently has around 150 (as at 12/10/2020) single residential blocks available for purchase across its three estates – Taylor, Throsby, and Wright. Block prices start from \$354,000 and range in size from around 472m² to more than 1,000m². The SLA has exchanged on 273 single residential blocks of land since the start of the financial year to the end of September 2020..

The SLA has released 140 dwelling sites to date this financial year, including the final release of 82 single residential blocks of land in Throsby on 9 September 2020. All the blocks made available in this release have exchanged or are now in the process of exchanging contracts for sale.

Upcoming Cabinet Items

Housing Strategy Year 2 Report Card

Upcoming Assembly Items

Housing Strategy Year 2 Report Card

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
Housing Strategy Year 2 Report Card– November/December 2020	The ACT Housing Strategy was launched in 2018, with an annual report card published to report on progress against the five goals and 74 actions. Year 2 Report Card has been prepared, showing strong progress against the actions, ready for publication in 2020.
Minister’s Affordable Housing Consultative Group November/December 2020	The Consultative Group informed development of the ACT Housing Strategy, and includes representatives from community housing, homelessness groups and public housing tenants. The terms of reference for the group will be re-focused to concentrate on implementation of the strategy.

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
Community Housing Providers	
Community Housing Industry Association (CHIA)	Mr Andrew Hannon CEO, Community Housing Canberra and Chair Community Housing Industry Association [REDACTED] Key contact for housing policy matters impacting the community housing sector.
Havelock Housing	Mr Andrew Rowe [REDACTED]
Catholic Care	Ms Anne Kirwan [REDACTED]
YWCA	Ms Frances Crimmins [REDACTED]
ACT Shelter	Mr Travis Gilbert ceo@actshelter.net.au
Peak Bodies	
ACT Council of Social Services	Dr Emma Campbell, CEO ceo@actcoss.org.au
Master Builders Association (MBA)	Mr Michael Hopkins, Chief Executive Officer [REDACTED]
ACT Property Council	Ms Adina Cirson, ACT Executive Director, [REDACTED]
Housing Institute of Australia (ACT)	Mr Greg Weller, Regional Executive Director ACT/Southern NSW [REDACTED]

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	13.492	8.284	8.37	8.497
Controlled – capital injection	0	0	0	0
Territorial – expenses				
Territorial – capital injection				

**This relates to EPSDD only and does not include the SLA.*

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL	FACEPLACE
Ben Ponton	Director-General		Ben.Ponton@act.gov.au	
Dr Erin Brady	Deputy Director-General; Land Strategy and Environment		Erin.Brady@act.gov.au	
Craig Simmons	Chief Operating Officer		Craig.Simmons@act.gov.au	
Lesley Cameron	Executive Group Manager; Planning, Land and Building		Lesley.Cameron@act.gov.au	
Bethel Sendaba	Executive Branch Manager; Planning, Land and Building		Bethel.Sendaba@act.gov.au	
John Dietz	Chief Executive Officer; Suburban Land Agency		John.Dietz@act.gov.au	
Karen Wilden	Executive Branch Manager; Engagement and Executive Support		Karen.Wilden@act.gov.au	

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HOUSING ACT OVERVIEW

As Minister for Housing and Suburb Development you are responsible for the ACT homelessness services and the public housing portfolio. These portfolio responsibilities are administered through Housing ACT which is a division of the Community Services Directorate reporting separately as a public trading enterprise (PTE), and treated as a 'not-for-profit' entity under the Australian Accounting Standards.

The Government has committed to continuing to support public housing tenants, and continuing to increase public housing, in the Territory.

You have indicated your public housing priorities are to keep growing and renewing public housing, to continue delivering actions set out in the ACT Housing Strategy, to finish the second common ground, to build an additional youth foyer, to develop a program to support social housing tenants, and to deliver direct mixed-tenure affordable housing projects.

To help you achieve these outcomes, Housing ACT will progress the \$120 million investment to build 1260 new homes, including an extra 260 social housing dwellings for people who need them most. This includes the additional capital stimulus investment, providing \$32 million to buy land from the Suburban Land Agency, \$20 million to extend the Growing and Renewing Program to a sixth year and funding to provide upgrades to existing public housing properties. We will continue our internal business transformation to ensure that systems, processes, and workforce capability improvements are able to deliver on your priorities.

As part of the responsibilities of Housing ACT portfolio, your priorities to deliver a second common ground and to build a second youth foyer are progressing well. We will keep you informed of progress and seek your input to ensure these projects meet your Ministerial priorities in the way they are delivered.

In support of the commitment to continue delivering on the actions set out in the ACT Housing Strategy, we will work with our counterparts in the Environment Planning and Sustainability Directorate to ensure all actions are on track and seek your input for any changes you may require to deliver these actions in alignment with your Ministerial priorities.

Key Housing ACT facts

Housing ACT provides social housing that is appropriate and affordable and meets the needs and circumstances of low income and disadvantaged families, for as long as they need it. It also funds the specialist homelessness sector to assist and support homeless people or those at risk of becoming homeless. The diagram below shows the different types of social housing in the ACT. These different types of social housing are delivered by many different organisations, including Housing ACT. We seek to collaborate across the housing sector and form partnerships so that innovative and effective outcomes are delivered for our community.



At 30 June 2020:

- There were 11, 704 properties in the Housing ACT portfolio,
- We provided property and tenancy management to 10,613 public housing tenancies, providing homes to 21,481 people,
- We head leased 700 properties to community housing providers and specialist housing providers to provide the different types of housing described in the diagram above.

In conjunction with the head leased properties we administer funding (\$130.7 million over five years) from the Commonwealth under the National Housing and Homelessness Agreement (NHHA) to the Specialist Homelessness Sector receives:

- Approximately \$25 million per annum is provided to 27 different organisations to deliver 52 programs to support people at risk of or experiencing homelessness.

Oversight of community housing providers in the ACT is provided through the National Regulatory System for Community Housing (NRSCH). In addition to the 14 registered Community Housing Providers (CHPs) overseen by the Human Services Registrar (HSR,) 6 more providers have their Primary Registrar in other jurisdictions, while operating in the ACT.

To ensure quality services are delivered Quality, Complaints and Regulation (QCR) operates independently from program, funding, or policy streams within the Community Services Directorate. It brings together a range of functions focused on the quality of services available for use by the most vulnerable people within our community and ensuring that their rights and safety are protected.

COVID-19 response

Housing ACT continued to operate throughout the COVID-19 period.

- The Central Access Point at Nature Conservation House Belconnen remained open for face-to-face service delivery throughout the Covid-19 pandemic. Housing ACT assessed what services could be moved online or delivered over the phone, so that tenants and clients could reduce the need for visiting Nature Conservation House.
- In line with restrictions standard face-to-face tenancy client service and home visits were put on hold. In urgent situations home visits were undertaken following social distancing protocols.

The ACT Government announced several economic stimulus packages to help reduce the impact that may be felt on the more vulnerable members of the Canberra Community. This included:

- a \$250 bank payment to public housing tenants
- six month rent relief for HAAP properties
- \$3m funding for homelessness and DFV service providers.

The \$3 million, included the Accommodation Support Fund of \$832,000, to provide both emergency and long-term accommodation for men, women and children who face the challenge of physical distancing in shelters, self-isolation and potential quarantine when needed and included:

- \$100,000 for CatholicCare to expand its Axial Housing Pilot to house rough sleepers under a Housing First model.
- \$77,000 for Argyle Housing to operate temporary accommodation, for men experiencing homelessness during Covid-19. The 'Winter Lodge' is an 18-bed facility located within the Ainslie Village grounds, previously known as 'The Lodge.'
- \$150,000 for CatholicCare to establish and operate MacKillop House to respond to the growing need for safe supported accommodation for women and children who are experiencing homelessness during Covid-19. MacKillop House has accommodation for 20 single women and 6 units for women with children.
- \$150,000 for OneLink to increase its existing brokerage funding for motel and hotel accommodation. This included provision for residents in larger shared/congregate living accommodation to self-isolate or quarantine for 14 days if required.
- \$305,000 to furnish and upgrade existing public housing to be made available as crisis and shelter accommodation.

In addition, the ACT Government provided a further \$330,000 in client support funding for OneLink to expand existing operations in response increased demand on the homelessness services sector. All specialist homelessness service providers across the ACT have been able to access this funding to support current and new clients who are at risk of homelessness due to Covid-19.

Outbreak management

Housing ACT's portfolio has two accommodation types which have been identified as higher risk settings for the spread and control of COVID-19. These are:

- residential facilities which are a form of shared accommodation, and
- multi-unit public housing properties (MUPs).

Housing ACT has been working closely with ACT Health to inform the development of guidance resources for these accommodation settings, support prevention measures and to prepare to support ACT Health in the event of an outbreak (dependent on property type and mitigation approach).

DELIVERING ON YOUR PRIORITIES

To support the Government and its key Housing priorities we will focus delivering the ongoing priorities outlined in the ACT Labor Policy Position Statement and aligned with *the ACT Housing Strategy*. A snapshot of status of priorities is outlined below. Further detailed briefings on how this work could be progressed or modified to meet your Ministerial priorities can be provided.

Growing and renew public housing with \$120 million to build 1260 new homes including an extra 260

Progressing – The Program is in its second year. Housing ACT is recalibrating the program delivery targets to include the additional stimulus funding and extension of the program to a sixth year. A further briefing about new growth targets and timelines will be provided for your consideration.

Continue delivering in the actions set out in the *ACT Housing Strategy*

Progressing – Housing ACT continues to work on its goals under the *Strategy*, collaborating with government and community partners to provide more targeted accommodation. This includes projects to support youth out of home care and crisis accommodation, Aboriginal and Torres Strait Islander older persons, mental health wellbeing homes and disability group housing

Finishing common Ground Dickson

Progressing - The design and construct tender was awarded on 30 August 2020 and work is expected to commence second quarter 2020-2021. The property, tenancy and support services will be scoped and provided to you for consideration.

Develop a shared equity scheme in partnership with EPSDD and Treasury

Commenced – Housing ACT is working with EPSDD and Treasury on designing and implementing a shared equity scheme, aligning with the goal under the *ACT Housing Strategy* of increasing affordable home ownership. Options will be provided for your consideration.

Work in partnership to deliver an additional youth foyer at CIT Woden

Commenced - Housing ACT is working with the relevant stakeholders and partners to deliver the next youth foyer.

Develop a program to support social housing tenants to maintain their homes and access additional support services

Housing ACT has prepared an early business case for specific tenant support programs for consideration and further Government advice.

Work with the community housing sector to deliver direct affordable housing projects, building on the success of the Kaleen mixed-tenure approach

Progressing – Housing ACT is currently undertaking an analysis of Oaks Estate and other properties and considering options for the tenancy and support management including the procurement of a community organisation to undertake long term management of these services. Common Ground Dickson is another example of where Housing ACT will work with the community sector to provide affordable housing options. Once options have been prepared, we will provide them to you for further consideration.

Explore opportunities to increase the availability of affordable housing for people in the second income quintile

Progressing - Under the Growth and Renewal Program Housing ACT is undertaking early planning and feasibility on the remaining multi-unit sites (such as Ainslie Avenue). These sites provide opportunities to explore planning up-lift that can facilitate mixed-tenure projects leading to increased affordable housing for people in the second income quintile. Early feasibility and planning studies are due in December 2020 and will be provided to Government for consideration.

MINISTERIAL FUNCTIONS

As Minister for Housing and Suburban Development you are responsible for governing the Territory in relation to homelessness services, housing policy and services, housing sector regulation and public housing asset management.

Legislation and decision making

Current legislation in the Housing portfolio and key decision-making responsibilities are set out in the table below. Opportunities for reform can be discussed with you.

Legislation	Decision making responsibilities
<i>Housing Assistance Act 2007</i>	<p>The <i>Housing Assistance Act 2007</i> (the Act) establishes the Commissioner for Social Housing (Housing Commissioner) as the framework through which the housing assistance system is provided. The Housing Commissioner is established under Section 9 of the Act and specifies the Community Services Directorate Director-General is the Housing Commissioner.</p> <p>The Minister may approve housing assistance programs relating to the Housing Commissioner’s functions. Programs must include the kind of assistance to be provided under the program; the eligibility criteria; and arrangements for review of decisions.</p>
<i>The Public Rental Housing Assistance Program 2013</i>	<p>This is the principal housing assistance program that governs the provision of public housing to eligible people in the ACT who are most in need. There are several notifiable instruments under the program covering applications, eligibility, registers (wait lists) and rental rebates. Many of these are subject to a program of modernisation and review.</p>
<i>The Housing Assistance Housing Asset Assistance Program 2008</i>	<p>The program makes public housing assets available to eligible organisations for the provision of services within the social housing and human services system</p>

<p><i>The Housing Assistance Rental Bond Program 2018</i></p>	<p>This program has recently been updated and provides rental bond assistance to eligible applicants to meet requirements for rental bonds. The program offers an interest free loan for 100 per cent of a private rental bond.</p>
<p><i>The Safer Families Assistance Program 2018</i></p>	<p>This program has also recently been updated to increase uptake. The program offers financial assistance to people experiencing family violence to assist them to maintain their family home or establish a new one (in the private market – i.e. not for public housing tenants). The funds can be used for anything relating to maintaining or establishing a new family home including rent, legal advice, and pet accommodation.</p>
<p><i>Community Housing Providers National Law (ACT) Act 2013</i></p>	<p>This Act applies the national law establishing the National Regulatory System for Community Housing in the ACT. This Act enables the registration and regulation of community housing providers; facilitates investment in the community housing sector; ensures that registered community housing is developed as a viable and diversified component of the ACT social housing sector; and supports the provision of registered community housing for people on a very low, low or moderate income.</p>

Appointments

Nil.

KEY ISSUES AND CONSIDERATIONS

Financial sustainability of Housing ACT

- Housing ACT (HACT) relies on rental income from tenants and funding from the ACT and Commonwealth Governments to fund its operations. Over the last decade or so, government funding (\$51 million) and net rents (\$89 million) have been relatively flat.
- Over the same period most of HACT's cost lines have grown. HACT has managed its internal costs well with repairs and maintenance (R&M) steady at around \$43 million per annum. Similarly, staffing (\$33 million), other admin (\$31 million) and program (\$24 million) expenditure have also been flat.
- While HACT's balance sheet overall is extremely healthy (the portfolio is valued at over \$5 billion) the consequence of this disparity between revenue and expenditure has been a steady decline in HACT's operating result with current data suggesting an average annual shortfall of around \$19 million.
- There are variety of ways and opportunities to solve this structural deficit, ranging from changes to organisational structural and direct subsidies to rent reviews and a more commercial approach to planning and development.
- In the absence of budget supplementation HACT has managed its negative operating cashflows with property sales. This approach provides time to consider longer-term options and opportunities.
- At this stage there has been no decision on which, if any, of these options should be further explored or pursued. Further briefings will be provided for your consideration.

Extension of current specialist homelessness sector contracts and future procurement

- Homelessness sector funding is a combination of ACT Government Appropriation and Commonwealth funding from the National Housing and Homelessness Agreement (NHHA). The NHHA is a five-year agreement came into effect on 1 July 2018.
- Current contracts administered by us are due to expire on 30 June 2021 and variations to these agreements need will be executed extending the contracts to 30 June 2022.
- This will align contracts for specialist homelessness services with the end dates of contracts for other community sector services, including services for children, young people and families, and community health services. This provides an opportunity to refresh and refocus services to better meet needs, focus on outcomes and support the Government's election commitments and your Ministerial priorities.
- The community sector has identified challenges with current funding levels, increasing client demand and complexity and ultimately the sustainability of services.
- As the first step, we will progress the community sector sustainability review agreed by the Government. The review will include an assessment of demand and the cost of service delivery. We will brief you on the program of work required to have new funding agreements in place for 1 July 2022.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
tbc (once COVID-19 restrictions lifted)	Trade for a Day (Social Inclusion Program through Programmed Facilities Management)
tbc (once COVID-19 restrictions lifted)	Chapman tenant BBQ
October / November 2020	Sod turn for Morphett Street Dickson public housing
October / November 2020	Media event (key handover) for Lowrie Street Dickson public housing

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
Winnunga Nimmitjiah Aboriginal Health and Community Services	Julie Tongs Chief Executive Officer [REDACTED]
Woden Community Service	Jenny Kitchin [REDACTED]
Northside Community Service	Bruce Papps Chief Executive Officer [REDACTED]
Capital Region Community Services (Belconnen Community Service)	Mandy Green Chief Executive Officer contact@crs.com.au
Communities@Work	Lee Maiden Chief Executive Officer [REDACTED]
YWCA	Frances Crimmins Chief Executive Officer [REDACTED]
ACTCOSS	Dr Emma Campbell Chief Executive Officer [REDACTED]
UnitingCare Early Morning Centre	Nicole Wiggins Director emc@canberracityuca.org.au
Canberra Community Law	Genevieve Bolton Executive Director/Principal Solicitor [REDACTED]
Legal Aid ACT	John Boersig Chief Executive Officer
Hands Across Canberra	Peter Gordon Chief Executive Officer
Toora Women's Inc	Susan Clarke-Lindfield Executive Director [REDACTED]
Beryl Women's Inc	Robyn Martin Chief Executive Officer manager@beryl.org.au
Everyman Australia	Greg Aldridge Chief Executive Officer [REDACTED]
MARSS Australia Inc	Dewani Bakkum Chief Executive Officer ceo@marss.org.au

Havelock House	Andrew Rowe Chief Executive Officer [REDACTED]
CatholicCare	Anne Kirwan Chief Executive Officer [REDACTED]
Argyle Housing	Wendy Middleton Chief Executive Officer [REDACTED]
CHC	Andrew Hannan Chief Executive Officer [REDACTED]
AHURI	Michael Fotheringham Executive Director [REDACTED]
Programmed	Graeme Hurn Chief Executive Officer
Barnardos Australia	Michael Dunne Senior Manager [REDACTED]
Karinya House	Marie-Louise Corkhill Executive Director [REDACTED]
Salvation Army	Andrew Rich [REDACTED]
Doris Womens refuge	Marluce De Silva Coordinator dwrcoord@bigpond.net.au
DVCS Inc	Ms Dearne Weaver a/g Chief Executive Officer coordinator@dvcs.org.au
ACT Shelter Association	Mr Travis Gilbert Executive Officer ceo@actshelter.net.au
Australian Red Cross Society	Ms Poppy Brown Director ACT/NSW [REDACTED]
Canberra Rape Crisis Service	Ms Chrystina Stanford Executive Officer [REDACTED]
Gugan Gulwan Youth Aboriginal Corporation	Ms Kim Davison Executive Director [REDACTED]
St Vincent de Paul	Mr Barnie van Wyk Chief Executive [REDACTED]
Ted Noffs	Mr Lachlan Dean

	ACT Manager [REDACTED]
Tamil Senior Citizens Assoc Inc	Mr Sabesh Shivasabesan President tscacanberracorro@googlegroups.com

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	227.287	224.072	228.471	225.572
Controlled – capital injection	84.920	11.900	5.000	5.000
Territorial – expenses	Nil	Nil	Nil	Nil
Territorial – capital injection	Nil	Nil	Nil	Nil

The forward estimates in the above table are based on the Pre-Election Budget Update published in September 2020 and the delivery of the Budget Initiatives and priorities per this publication. The update is available at https://apps.treasury.act.gov.au/data/assets/pdf_file/0008/1628549/Pre-Election-Budget-Update-2020.pdf

If there are any changes to the priorities or deliverables of Housing ACT due to election commitments, the above figures would be required to be reviewed as there may not be the ability for Housing ACT to fund new commitments or initiatives within the resources currently available to Housing ACT.

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL	FACEPLACE
Jo Wood	Director-General		jo.wood@act.gov.au	
Anne-Maree Sabellico	Deputy Director-General		annemaree.sabellico@act.gov.au	
Louise Gilding	Executive Group Manager, Housing ACT		louise.gilding@act.gov.au	
Sally Gibson	Executive Branch Manager, Quality, Complaints and Regulation		sally.gibson@act.gov.au	
Catherine Loft	Executive Branch Manager, Infrastructure and Contracts		Catherine.Loft@act.gov.au	
Geoff Aigner	Executive Branch Manager, Client Services Branch		Geoff.Aigner@act.gov.au	
Shane Nielsen	Executive Branch Manager, Policy and Business Transformation		Shane.Nielsen@act.gov.au	

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EMPLOYMENT AND WORKPLACE SAFETY OVERVIEW

The Asbestos Response Taskforce (the Taskforce), established in June 2014, is responsible for the delivery and management of the Loose Fill Asbestos Insulation Eradication Scheme (the Scheme). The Scheme is designed to eradicate ongoing exposure risks from the continuing presence of loose fill asbestos insulation in ACT residential properties through assistance, buyback, demolition, and sales. The Taskforce provides a single point of contact for those in the community affected by, or having concerns about, loose fill asbestos in a residential setting.

The Taskforce forms part of the Urban Renewal branch of the Environment, Planning and Sustainable Development Directorate (EPSDD). The Head of the Taskforce is the Deputy Director-General, Sustainability and the Built Environment.

Extension to property surrender deadline for the voluntary Buyback Program

The impacts of COVID-19 on the day to day lives of the Canberra community presented additional challenges to homeowners, who were working toward surrendering their affected property to the Territory by the Buyback Program deadline of 30 June 2020.

Acknowledging the barriers and added stress this may cause in already uncertain times, the property surrender deadline and closure of the Buyback Program was extended to either 30 June 2021 or six months after the COVID-19 Public Health State of Emergency is lifted, whichever date occurs later. This provides assurance to homeowners participating in the Buyback Program that they have until at least mid-2021 to make all necessary arrangements to surrender their affected property.

Scheme Priorities

With the majority of homes identified as affected by loose fill asbestos now demolished (989 of 1,027 as at 30 September 2020), the Taskforce remains focused on supporting homeowners of affected properties, which remain privately-owned to consider their options on managing their affected property (either within the Scheme or privately) and addressing the residual risks associated with the presence of loose fill asbestos in the community. The Taskforce is continuing to progress this by:

- providing personal support and assistance to homeowners and residents who remain in their homes
- administering the Buyback Program
- continued scheduling and oversight of demolition and remediation activities as properties are surrendered to the Territory
- supporting the sale of remediated blocks to invigorate renewal of Canberra streets and suburbs once affected by loose fill asbestos insulation.

Key Statistics (as at 30 September 2020)

- 1,046 ACT properties in total have been eligible to be part of the Scheme, including:
 - 1,027 identified as affected by Mr Fluffy loose fill asbestos insulation (five identified since June 2015 – further information available under [key issues and considerations](#))
 - 19 identified as ‘impacted’ properties, where their acquisition would support the safe and efficient demolition of an associated affected property.

Demolition and Deregistration

- 999 properties have been demolished (989 affected and 10 impacted), comprising:
 - 970 by the Taskforce (960 affected and 10 impacted)
 - 12 assisted private demolitions
 - 16 private demolitions
 - one surrendered to the Territory following demolition.
- 985 of the demolished affected properties have been removed from the Affected Residential Premises Register (the Register)¹.

Remaining Properties

- 47 properties remain (38 affected and nine impacted²)
- Of the 38 remaining affected properties:
 - seven are owned by the Territory with demolition planning underway
 - 31 remain privately owned. Of these:
 - one is expected to settle by November 2020
 - 20 have an extended expected settlement date by 30 June 2021
 - one is considering participation in the Scheme
 - nine are not participating in the Scheme.

Sales

- 890 blocks have been sold (settled), comprising:
 - 47 through First Right of Refusal to former homeowners
 - five to Housing ACT
 - 838 through the public sales program
- Contracts have also been exchanged on an additional 55 blocks (as at 7 October 2020):
 - 31 by direct sale to Housing ACT
 - 24 through the public sales program.

¹ To be removed from the Register (deregistered) the following documents must be submitted to the Taskforce:

- asbestos removal clearance certificates prepared by a licensed asbestos assessor
- a site soil validation report prepared by a licensed asbestos assessor or authorised soil validator; and
- a Certificate of Completion of Demolition issued by the Construction Occupations Registrar.

² Of the nine remaining impacted properties:

- six are owned by the Territory with demolition planning underway
- one with Scheme participation to be confirmed
- two are not participating in the Scheme.

DELIVERING ON YOUR PRIORITIES

The Taskforce continues to deliver the Scheme, with particular focus on:

- providing information and support to homeowners and tenants who remain in their homes
- contacting owners, tenants and landlords who have progressed through all phases of the Scheme to:
 - confirm their support and information needs are being met;
 - assist them to connect to appropriate community services as needed
- making sure that appropriate wellbeing supports remain accessible in the community for members of affected households that may require tailored support options.

Pathways to Eradication – Supporting Community Safety

The Taskforce continues to support delivery of the [Pathways to Eradication Package \(Pathways Package\)](#) announced in November 2019, for affected properties which remain privately-owned beyond 30 June 2020. The initiatives in the Pathways Package balances the safety risk that remaining affected properties pose to the community with the individual needs of remaining homeowners. The Pathways Package initiatives are:

- **Transition Assistance** providing homeowners with complex health and financial circumstances the ability to access equity in their home to assist with expenses associated with moving to new accommodation
- **Additional Asbestos Management Plan (AMP) requirements**, that commenced 1 July 2020, making it easier for tradespeople, care workers and visitors to access the information they need when attending an affected property
- **Development and Building Approval (DA and BA) restrictions**, that from 1 July 2020, limits building approval for work to demolish affected structures or work essential for health, safety or reasonable living conditions
- Introduction of an **Occupancy Prohibition**, that from 1 July 2020, makes any new rental agreement void; and prevents new owners living in an affected premises
- **Compulsory Acquisition**, from mid-2025, of any remaining privately-owned affected properties. Commencement action will be timed on a case-by-case basis, taking into consideration the specific circumstances of each remaining homeowner and/or resident.

The Pathways to Eradication legislative package commenced on 1 July 2020, to implement the AMP, DA and BA, and Occupancy Prohibition initiatives of the Pathways Package. In summary, the amendments:

- require the Register to show whether a property requires an AMP and whether a current report is in place with the required contamination management works completed.
- require owners/occupiers of affected residential premises to display the AMP in an approved display case in a visible location at the affected property so visitors to the home including tradespeople and care providers are aware loose fill asbestos is present. This amendment also allows for the Minister to approve the way and place where an approved display case must be displayed, by way of notifiable instrument.
- allow for an AMP to have a validity period between six to 24 months, as determined appropriate by a licensed asbestos assessor.

- prevent development approval being granted for affected residential premises unless the development includes the demolition of the affected structures and remediation of the premises.
- restrict building works on affected residential premises to work associated with demolishing the affected property, including asbestos removal and structural demolition, or work essential for health, safety or reasonable living conditions.
- provide that upon transfer or transmission of an affected residential premises, only approved occupants can live in the premises.
- make void any residential tenancy agreement, occupancy agreement, assignment or sublet for a premise on the Register that is entered into on or after 1 July 2020.

From 1 July 2020, AMP compliance status for affected properties remaining on the Register are published on the Taskforce website at www.asbestostaskforce.act.gov.au/affected-properties/register. As at 30 September 2020, of the 30 properties required to have an AMP in place, 16 are compliant.

WorkSafe ACT continue to monitor compliance and liaise with affected property owners around the additional compliance measures aimed at supporting community safety.

Mr Fluffy Legacy Project

The Taskforce will continue to implement the recommendations outlined in the [ACT Government Response](#) to the [Mr Fluffy Legacy Project: Consultation Outcomes Report and Recommendations](#) (prepared by the Community and Expert Reference Group).

These documents were tabled in the ACT Legislative Assembly on 7 May 2020 and consider how the legacies of more than 50 years of Mr Fluffy in Canberra homes may be acknowledged and responds to community interest to recognise the impact of Mr Fluffy and its legacy for the Canberra community.

Community Impact Research Scholarship Program

The Taskforce, Australian National University and the Community Expert Reference Group have partnered to develop the Community Impact Research Scholarship Program (Scholarship).

The Scholarship was designed to promote independent research that builds on the ACT community's experience with loose fill asbestos insulation. A full [scholarship](#) and two [research awards](#) are available.

Applications are open until 18 October 2020. Applicants and projects from all disciplines are invited.

MINISTERIAL FUNCTIONS

Legislative Responsibilities

Dangerous Substances Act 2004, chapter 3A

The Taskforce is responsible for administering the Affected Residential Premises Register established under section 47N of the *Dangerous Substances Act 2004*. The powers and responsibilities of the Minister in that regard have been delegated to the Head of Taskforce and Executive Group Manager, Urban Renewal.

The Taskforce is subject to regulation by WorkSafe ACT, which also reports to the Minister for Employment and Workplace Safety.

KEY ISSUES AND CONSIDERATIONS

Funding for the Taskforce currently ends on 30 June 2021

The Taskforce is currently funded up until 30 June 2021. Noting the extension to the buyback program to the latter of 30 June 2021 or six months after the COVID-19 Public Health State of Emergency is lifted, further consideration is required about how the Scheme will be delivered beyond 30 June 2021. Refer to [Financial Considerations](#) for further information.

Identification of additional affected properties

An additional five properties in the ACT have been identified as being affected by loose fill asbestos insulation since the original list of affected properties was published in June 2015, these are as follows:

- Downer – December 2016
- Curtin – July 2019
- Fraser – November 2019
- Rivett – February 2020
- Weston – March 2020

Loose fill asbestos insulation within these five properties was identified when a tradesperson and/or the homeowner found suspicious material during renovation works and took appropriate action to have testing conducted. A full asbestos assessment, undertaken by a licensed asbestos assessor, confirmed contamination. The five properties were subsequently added to the Register and became eligible to participate in the Scheme.

Unlike most properties where Mr Fluffy insulation was blown into the entire ceiling, these properties all had loose fill asbestos insulation found in just a portion of the ceiling cavity.

It is possible that other properties exist that have loose fill asbestos insulation in their roof and/or wall cavities.

Health and compensation claims

The Scheme was established to manage the removal of Mr Fluffy affected houses from Canberra’s suburbs. It does not extend to providing financial support to those who may contract asbestos related diseases as a result of living in those houses.

The Canberra community has recently asked the ACT Government to consider establishing a fund to provide financial assistance and compensation to former residents of Mr Fluffy homes diagnosed with mesothelioma or an asbestos related disease and are unable to access compensation through other means. This is being explored in collaboration with the Taskforce, ACT Health and Treasury.

The Taskforce’s Personal Support Team is still available to provide guidance and support access to health services to assist current and former residents of Mr Fluffy properties diagnosed with an asbestos related disease.

Upcoming Cabinet Items

Nil

MAJOR UPCOMING DECISIONS AND EVENTS

Nil.

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS	CONTEXT
Community and Expert Reference Group (CERG)	Dr Sue Packer (Chair) [REDACTED]	The CERG was established in August 2014, as an information and reference group to the Taskforce. The CERG provides the Taskforce with an alternative, independent source of expertise, information, feedback and advice on community and stakeholder sentiment and need, policy, delivery and emerging issues.
Council on the Aging	Ms Jenny Mobbs [REDACTED]	Advocate for elderly homeowners remaining resident in their affected property.
Capital Health Network	Ms Megan Cahill	Health advocate.

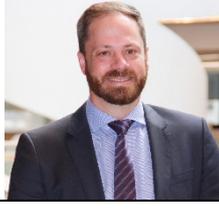
Asbestos Safety and Eradication Agency	Ms Justine Ross (CEO) enquiries@asbestossafety.gov.au	Coordinating Australia's national action for asbestos safety and eradication.

FINANCIAL CONSIDERATIONS

Funding for the Taskforce ceases in June 2021. A business case will be prepared to request additional funding to continue the Taskforce and assist homeowners in their decision making. Funding for the Taskforce largely consists of demolition, remediation and staffing expenditure. Revenue generated from the sale of remediated properties is returned to government.

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	60.781	34.060	0	0
Controlled – capital injection	44.014	5.012	0	0
Territorial – expenses	0	0	0	0
Territorial – capital injection	0	0	0	0

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

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EMPLOYMENT AND WORKPLACE SAFETY OVERVIEW

The Workplace Safety and Industrial Relations Group (WSIR) is responsible for the Territory's workplace relations regulatory frameworks including for work health and safety, workers' compensation, dangerous substances, workplace privacy, public holidays and portable long service leave. The Group also supports the management and prevention of workplace injuries by delivering work safety, workers' compensation and injury management services for the ACT Government.

As part of the Workplace Safety and Industrial Relations Group's service delivery functions the Group provides legislative policy and related support for:

- the ACT's public sector workers' compensation self-insurance arrangements and the planning, guidance and preparation of the ACTPS in relation to the impacts of COVID-19 on ACTPS workplaces and working arrangements;
- the Office of the Work Health and Safety Commissioner and Commissioner (independent WHS regulator) – established for the ACT following an *Independent review of the ACT's work safety compliance infrastructure, policies and procedures*¹ conducted in 2018;
 - The WHS Commissioner, Ms Jacqueline Agius was appointed by the Executive on 28 April 2020² and the Commissioner's Office commenced on 20 April 2020; and
 - Since then, the Deputy WHS Commissioner, Ms Amanda Grey has been appointed by the WHS Commissioner commencing 20 August 2020³;
- the ACT Long Service Leave Authority, established to administer the *Long Service (Portable Schemes) Act 2009*;
- the newly established, yet to commence, Labour Hire Licensing Scheme for the Territory;
- the various Government advisory bodies and the Governing Board for the ACT Long Service Leave Authority; and
- collaborates on legislative and policy reform across a number of national forums, including Safe Work Australia, Heads of Workers Compensation Authorities, Heads of Work Safety Authorities and Industrial Relations Senior Officials.

You will be briefed with more detail on the above responsibilities in later briefings.

DELIVERING ON YOUR PRIORITIES

The Workplace Safety and Industrial Relations Group stands ready to drive and support the delivery of your workplace relations policy agenda.

During the previous term, the Government and portfolio Ministers articulated a progressive workplace relations policy focused on increasing rates of secure employment, encouraging ethical employment practices and improving working conditions for Canberrans.

¹ https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0003/1270677/Independent-review-of-ACTs-work-safety.pdf

² <https://legislation.act.gov.au/ni/2020-243/>

³ <https://legislation.act.gov.au/ni/2020-501/>

Due in part to jurisdictional issues and the application of the Commonwealth Fair Work system in the ACT, the pursuit of this policy agenda involved a suite of innovative approaches, including changes to government procurement, work safety, portable long service leave and public holiday laws, large investments in the work safety regulator and the development of a labour hire licensing regime.

Integral to all of these reforms has been consultation with trade unions and efforts to leverage union expertise, access and education resources to support more effective and efficient compliance and enforcement with workplace relations laws.

Subject to your views, the Workplace Safety and Industrial Relations Group would continue to pursue a policies including:

- using networks and positions of influence on national forums such as Safe Work Australia, to influence national policy and other state and territory arrangements;
- continuing to design, coordinate and implement an integrated regulatory reform program attuned to your policy positions;
- supporting the new Work Health and Safety Commissioner's efforts to improve industry compliance, including through the provision of workers compensation claim and policy data management, analysis and reporting;
- supporting the Work Health and Safety Council's agenda and advisory activities;
- working with UnionsAct to improve the effectiveness and efficiency of its workplace relations, work safety and injury management education and support services; and
- delivering a program of work that will elevate the ACT public sector's injury management practices to an exemplary level.

MINISTERIAL FUNCTIONS

The strategic direction is set by your priorities in designing, coordinating and implementing legislative policy and reforms to drive improved workplace and injury management legislation and practice in the Territory.

Ministerial responsibilities within your portfolio include:

- legislative and policy responsibilities for workplace laws, work health and safety and injury management laws, including the making of subordinate legislation and instruments;
- collaborating with the Commonwealth, states and territory and contributing to the national agenda on workplace laws, health and safety and injury management policy under various intergovernmental commitments of the ACT designed to:
 - support and drive improvements to the national workplace system established under the *Fair Work Act 2009*;
 - implement nationally harmonised systems of work health and safety legislation and injury management laws; and
 - collaborate with jurisdictions on emerging and re-emerging workplace issues such as silica dust exposure and vulnerable worker arrangements;

- in relation to the Office of the WHS Commissioner:
 - the selection and appointment of the WHS Commissioner, the current Commissioner is appointed for a term of five years to 27 April 2025;
 - Every 12 months you are responsible for making the Statement of Expectations for the Office of the WHS Commissioner under the WHS Act. The Statement is a notifiable instrument, notified on the ACT's Legislation Register and sets out the Government's general directions about the priority activities and initiatives for the Commissioner's Office; and
 - Every 12 months, in response to the Statement of Expectations, the WHS Commissioner provides you with the Statement of Operational intent for the Office which you are responsible for making in the form of a notifiable instrument;
- potential appointment of the Labour Hire Licence Commissioner, if the labour hire licensing scheme is not administered by the WHS Commissioner; and
- appointments to various Government advisory bodies and the ACT Long Service Leave Authority Governing Board.

WSIR also provides legislative policy support to the Secure Local Jobs Registrar in relation to the secure local jobs requirements under the *Government Procurement Act 2001*, part 2B. The Secure Local Jobs Registrar is located within Workforce Capability and Governance Group, CMTEED and reports to the Minister for Government Services and Procurement.

Key intergovernmental forums

- **Commonwealth, state and territory Ministers for Industrial Relations and Work Health and Safety.** As Minister for Employment and Workplace Safety, you attend the meeting of Commonwealth, state and territory Ministers for Industrial Relations and Work Health and Safety. Meetings are held annually, however, in 2021 two meetings are foreshadowed to deal with work health and safety matters and the 2018 model WHS laws review and industrial relations matters separately.
- **Transport and Infrastructure Council.** Transport Minister's participate in the Transport and Infrastructure Council (TIC) and relevantly endorse changes to the model dangerous goods road transport laws administered by your portfolio.
 - The National Transport Commission is the national policy body responsible for developing and consulting on changes to the model dangerous goods road transport laws.
 - The ACT's commitments to harmonise with the model dangerous goods road transport laws is made under an Inter-Governmental Agreement.
 - You are responsible for implementing changes to the model dangerous goods road transport laws adopted under the Territory's *Dangerous Goods (Road Transport) Act 2009*.

Key appointments in your portfolio

- **Work Health and Safety Commissioner:** the *Work Health and Safety Act 2011* (WHS Act) establishes the statutory office of the Work Health and Safety (WHS) Commissioner who is appointed by the Executive (you and another Minister) for a term of up to five years.

- appointments are made by you to the Work Health and Safety Council, Default Insurance Fund Advisory Committee, PSWC Fund Advisory Committee;
- appointments are also made by you to the ACT Long Service Leave Authority Governing Board; and
- the potential statutory office of the Labour Hire Licence Commissioner and Labour Hire Licensing Scheme Advisory Committee, if the labour hire licensing scheme is not administered by the WHS Commissioner.

Key Assembly reporting requirements

- For every four years, the Office of the WHS Commissioner must make a Compliance and Enforcement Policy and a Strategic Plan. These governance documents are provided to you for presenting in the ACT Legislative Assembly within six sitting days of receiving them. Based on the current schedule, the next iteration of the plan must be provided to you no later than September 2024.
- An annual ministerial statement of expectations for the WHS Commissioner is also required at least once in every 12-month period, with the next required no later than 21 July 2021. This would be in the form of a notified instrument.
- An Annual Workplace Safety Statement is delivered by you around August/September informing the ACT Legislative Assembly of the Territory's safety performance, key WHS reforms and initiatives. A statement was not delivered in 2020 prior to the ACT Election due to timing of the establishment of the Office of the WHS Commissioner and the limited number of Assembly sitting days. Responsibility for preparing the Statement has since been assumed by the Office of the WHS Commissioner.
- A review, to be presented to the ACT Legislative Assembly, of the labour hire licensing scheme is required to be conducted under your portfolio as soon as possible after the 3rd year of its operation. Absent action by you as Minister, the scheme would commence automatically in May 2021 and consequently the legislated review would be required as soon as possible after May 2024.

KEY ISSUES AND CONSIDERATIONS

Model 2018 WHS laws review

- An independent review of the model WHS laws was conducted in 2018, with the final report released in February 2019.
- The Commonwealth has foreshadowed a meeting in early 2021 of WHS Ministers to decide on the response to the review's recommendations.
- Additional briefing will follow seeking your views on the ACT's response to the review's recommendations.

Comcare – Asset transfer to the ACT workers' compensation self-insurer

- On 1 March 2019, the ACT Government commenced operations as a workers' compensation self-insurer under the *Safety, Rehabilitation and Compensation Act 1988* (Cth) (SRC Act).
- This involved assuming financial and management responsibility for historic workers' compensation claims with an outstanding claim liability value in excess of \$300 million.

- The Commonwealth (Comcare) agreed to make a payment to the Territory corresponding to the amount of claim liabilities transferred to the ACT.
- In March 2019 Comcare made an interim payment of \$55 million and has agreed to transfer the remaining amount by the end of the 2020-21 financial year.
- The precise amount that will ultimately be paid to the self-insurer is the subject of an ongoing actuarial review and negotiations between the Commonwealth and ACT.

Other issues for consideration will follow in supplemental briefings and include:

- Implementation of the labour hire licensing scheme for the ACT established under the *Labour Hire Licensing Act 2020*.
- Ongoing implementation work consequential on the *Employment and Workplace Safety Legislation Amendment Act 2020*.
- A review of the portable long service leave schemes and legislation.
- Addressing silica dust exposure and silicosis in the workplace.
- A review looking at “in-housing” claims management service delivery under self-insurance workers’ compensation arrangements.
- Moving from the *Globally Harmonised System of Classification and Labelling of Chemicals (GHS)* edition 3 to edition 7 in the ACT under the *Work Health and Safety Regulation 2011*.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
Labour Hire Licensing Scheme	<p>A decision will be required by you in relation to implementation of the new labour hire licensing scheme for the ACT.</p> <p>The <i>Labour Hire Licensing Act 2020</i> was announced to commence in January 2020, however, will otherwise automatically commence on 27 May 2021.</p> <p>Implementation of the scheme will require consideration of the supporting regulation and instruments, including any scheme exemptions and consideration of the association budget proposal.</p> <p>The Budget proposal was originally due to be considered as part of the 2020-21 Budget, now delayed due to COVID-19 impacts and the ACT Election.</p>
Work Health and Safety Council Appointments	<p>There have been a number of resignations from the Council, with two resignations in the last two months. This has left three vacant employer representative positions on the Council.</p> <p>It will be necessary to consult, consider and make appointments prior to the next Council meeting, anticipated on 18 November 2020.</p>

WHS Ministers Meeting	The Commonwealth has flagged early 2021 for WHS Ministers to meet and decide how to respond to the recommendations made by the 2018 review of the model WHS laws.
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KEY STAKEHOLDERS

Major stakeholders within your portfolio are listed below, a full stakeholder list with contact details will be provided separately in due course.

ORGANISATION	CONTACT DETAILS
Employee stakeholders	<ul style="list-style-type: none"> - UnionsACT - CFMEU - United Workers Union - CPSU - ACTU
Employer stakeholders	<ul style="list-style-type: none"> - Canberra Business Chamber - Master Builders Association, ACT - Housing Industry Association, ACT/Southern NSW - Ai Group
Industry stakeholders	<ul style="list-style-type: none"> - Apprentice Employment Network NSW & ACT - Recruitment, Consulting and Staffing Association (RCSA) - Insurance Council of Australia - Workers Compensation insurers and self-insurers
Other	<ul style="list-style-type: none"> - ACT Council of Social Services - Safe Work Australia
Members of the various advisory bodies and Governing Board	<ul style="list-style-type: none"> - Work Health and Safety Council - Public Sector Workers Compensation Fund Advisory Committee - Default Insurance Fund Advisory Committee - ACT Long Service Leave Authority Governing Board

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	13.1	13.3	13.43	13.9
Controlled – capital injection				
Territorial – expenses	11.5	11.8	12.1	12.4
Territorial – capital injection				

The figures above are sourced from CMTEDD information included in the August 2020 Economic and Fiscal Update.

The controlled expense figures relate to CMTEDD’s Output Class 5, ‘Workforce Injury Management and Industrial Relations Policy’.

The quoted expense figures include:

- an allocation of the Directorate’s overheads (a share of central expenses, such as Corporate and Strategic Finance); and
- expenses paid centrally, such as rent.

The territorial expenses reflect the on-passage of a regulatory levy on workers’ compensation insurers collected by CMTEDD on behalf of the Territory to the Territory Banking Account.

Key portfolio programs and funding

Two key services are Government funded under your portfolio:

- **Young Workers Advice Service:** Funding committed to in the 2018-19 Budget supports the delivery of the Young Workers Advice Service which provides information and advice about workplace rights to young workers, educators and carers of young workers in the ACT. The service is delivered by UnionsACT and was officially launched on 31 July 2019. The period of the contract with UnionsACT is for two years ending 19 June 2021 with an option to extend for a further two one-year periods.
- **WHS Liaison Deed of Grant funding:** WSIR manages a Deed of Grant with UnionsACT to support work health and safety awareness activities in the Territory. The period of the Grant is three years expiring 30 June 2022, with the option to extend for a further two years.

	Total Cost	FTE
	2019-20 Budget Initiatives	2019-20 Forecast
Workplace Safety and Industrial Relations Group	<p>\$12.6 million comprising:</p> <ul style="list-style-type: none"> • \$8.7 million in recurrent funding; and • \$3.9 million which is cost recovered from ACTPS agencies. <p>Recurrent funding is offset by a regulatory levy on workers' compensation insurers, which is payable to consolidated revenue.</p>	<p>62 staff, comprising:</p> <ul style="list-style-type: none"> • 1 Executive • 28 Senior Officers • 33 Administrative Officers
ACT Long Service Leave Authority	<p>The Authority is not budget funded. Levies collected under the <i>Long Service Leave (Portable Scheme) Act 2009</i> fund the activities of the Authority.</p> <p>Total revenue (budgeted for 2019-20) is \$35.466 million.</p> <p>Total expenses (budgeted for 2019-20) is \$34.208 million.</p>	<p>18 staff, comprising:</p> <ul style="list-style-type: none"> • 1 Executive • 4 Senior Officers • 13 Administrative Officers

WORKPLACE SAFETY AND INDUSTRIAL RELATIONS CONTACTS FOR FURTHER INFORMATION

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COMMUNITY SERVICES AND FACILITIES OVERVIEW

As the Minister for Community Services and Facilities you are responsible for setting the strategic direction for the Government's engagement with the community services sector and the policy settings for management of Government facilities utilised by community sector organisations. You also have responsibility for leading social recovery in response to natural disasters and policy responsibility for the ACT's Carers Strategy and Working with Vulnerable People Scheme.

You will be supported in the delivery of these responsibilities by the Community Services Directorate (CSD). Work under this portfolio intersects with the responsibilities of the Ministers for Housing and Homelessness, Children, Youth and Families, Health, Mental Health, Police and Emergency Services, Justice and the Attorney-General. Funding for services delivered by the community sector sit within these portfolios.

Key facts

You have direct responsibility for three programs delivered by community sector providers that support vulnerable members of the Canberra community:

- The Child, Youth and Family Services Program which is designed to support vulnerable children and young people (aged 0 to 25 years) and their families by focusing on early intervention and holistic, wrap-around services.
- The Children's Services Program assists children and families in need to access short-term early childhood education and care, where the primary caregiver is unavailable.
- The Community Development Program which provides funding for community organisations to deliver emergency relief and financial aid, promote resilience and participation in the community. The program also funds peak bodies to support member organisations.

In addition, the Community Referred Respite (CRR) Assistance Program is designed to support children, young people and families in need. The CRR Assistance Program supports planned short-term, time-limited breaks for families of children and young people, with the intention that families resume care at the end of the respite period.

Portfolio responsibilities regarding community facilities are administered jointly between the ACT Property Group (ACTPG) in the Chief Minister, Treasury and Economic Development Directorate which has operational responsibility for facilities supporting community services and Community Services Directorate which has policy responsibility.

ACTPG manages 156 repurposed and specifically built properties for community use across the portfolio. Repurposed buildings include former schools, depots and community halls. Specifically built community facilities include regional community centres, community hubs, neighbourhood halls and childcare centres.

COVID-19 Response

On 20 March 2020, the Chief Minister announced an economic survival package to support the ACT community through the public health emergency caused by the COVID-19 pandemic, known as the Community Support Package. Under this package the Community Services Directorate was

responsible for the allocation and distribution of \$7.1 million funding to support for the community during 2019-20. An additional \$3.801 million of funding has been allocated in the 2020-21 financial year, bringing the total funding package of \$11.051 million over the two financial years.

Decisions are required regarding the continuation of key initiatives, for example: the Canberra Relief Network is funded to continue operations until March 2021, whilst the community resilience work program will cease at the end of the 2020 calendar year.

In consultation with key stakeholders, the Community Support Package was designed to support community partners to respond to the increased service demand for emergency relief in the region. This package included support for a broad range of services including:

- food relief;
- homelessness support;
- domestic and family violence supports;
- support and advice for young people facing financial hardship and employment difficulties;
- additional support for Canberrans who are asylum seekers and other temporary visa holders;
- coordination of health and hygiene supplies (PPE) to the sector and people with disability;
- support to the Aboriginal and Torres Strait Islander community;
- safe and connected youth service provision;
- emergency material and financial aid;
- COVID-19 Disability Strategy;
- support for veterans and older Canberrans;
- increased counselling support (boys and young men; support for post and antenatal depression);
- support for foster and kinship carers;
- additional support for young people in care who turn 18 this year;
- extra support for young carers;
- children, young people and families – services adaptation and support for priority cohorts;
- legal services;
- community resilience and recovery;
- a rolling grants program; and
- rapid response grants.

A total drawdown of \$6.158 million of the Community Support Package has been submitted (of which \$5.497 million has been paid) leaving \$4.893 million remaining.

DELIVERING ON YOUR PRIORITIES

Renewing Community Services Sector Funding Agreements

Major contracts for community sector services, including services for children, young people and families, homelessness services and community health services, are expiring on 30 June 2022. The Government has committed to sustaining existing pay and funding levels for community sector services to sustain the important work of the sector for the Canberra community. This included agreement to undertaking a sustainability analysis jointly with the sector ahead of renewal of

funding agreements by 1 July 2022.

This provides an opportunity to refresh and refocus services to better meet needs, focus on outcomes and support the Government's election commitments.

To support you in engaging with the sector and other Ministers on these priorities, we will develop the scope of the sustainability analysis and brief you on options. We will also work with other directorates to develop a proposed workplan covering the analysis and funding and policy decisions required to deliver new funding agreements by 1 July 2022.

As the first step, the Directorate will progress the community sector sustainability review agreed by the Government. The review will include an assessment of demand and the cost of service delivery. We will brief you on the program of work required to have new funding agreements in place for 1 July 2022.

COVID-19 Canberra's Recovery Plan: Community Recovery Roadmap

The Government has committed to a Community Recovery Roadmap to support an inclusive approach to recovery out of the COVID-19 pandemic. We will work with the ACT's Coordinator-General for COVID-19 (non-Health) on your commitment to continue implementing the Community Recovery Plan, which has a focus on ensuring Canberra's recovery from the COVID-19 pandemic is inclusive of all ACT community members. We will also administer additional grant funding of \$350,000 to ensure community service organisations have access to suitable Information Technology equipment.

ACT Carers Strategy 2018-2028

CSD will deliver on your commitment to ensure Canberra continues to be an inclusive community where all Canberrans feel they belong, are valued and supported, including acknowledging the important role carers play in ensuring everyone in our community is supported.

The *ACT Carers Strategy 2018-2028* (Strategy) seeks to improve the visibility of carers and foster community appreciation of the essential contribution they make through their caring role. Carers' lived experience and expertise continue to inform the Strategy's implementation through the Carers Strategy Governance Group.

CSD will ensure your commitments for carers, some of which are underway in the Carers Plan, are addressed, including supporting carers to advocate for themselves and the people they care for; supporting the distribution of digital supports and information targeted at carers; developing a mentoring program and a respite handbook for carers, as well as links, to support them to take care of themselves.

In partnership with Carers ACT and the Carers Strategy Governance Group, CSD will commence the process to introduce legislation to formally recognise the essential role carers play in our community and establish a Ministerial Advisory Council to provide advice on how to best support our carers. Create a mentoring program for carers. Develop a respite handbook for carers, as well as links, to support them to take care of themselves.

Bushfire preparedness

CSD will support your commitment to strengthen bushfire preparedness and responses, in collaboration with the Emergency Services Agency. CSD has responsibility for social recovery and will work with our community partners to prepare for community supports, including evacuation and recovery centres, prior to the bushfire season.

MINISTERIAL FUNCTIONS

As the Minister for Community Services you are responsible for setting the strategic direction for the Government's engagement with the community services sector and the policy settings for management of Government facilities utilised by community sector organisations.

You also have responsibility for leading social recovery in response to natural disasters and policy responsibility for the ACT's Carers Strategy and Working with Vulnerable People Scheme (WWVPS).

Legislation and decision making

You are responsible for the *Working with Vulnerable People (Background Checking) Act 2011*.

Appointments

Nil.

Intergovernmental forums you attend

Nil.

KEY ISSUES AND CONSIDERATIONS**Social Recovery – preparing for the severe weather season**

In preparation for the 2020-21 severe weather season, the Community Engagement and Social Recovery Officer has been involved in several broader ACT and national government discussions on COVID-19 safe recovery practices. We are planning for the provision of evacuation centres with social distancing in place and will brief you further on this approach.

Other preparatory work will include reviewing recommendations from the ACT Emergency Services Agency Operational Review of the Bushfire Season 2019/20, recruitment and training of Social Recovery Network members to ensure sufficient coverage of evacuation centre rosters and interjurisdictional support requirements and continued involvement in whole of ACT Government emergency planning exercises.

Amendments to Working with Vulnerable People (Background Checking) Act 2011

In late 2019, the ACT with all other States and Territories agreed to the National Standards for Working with Children Checks (National Standards), which establish nationally consistent

standards for the screening of individuals who propose to engage in child-related work. The *Working with Vulnerable People (Background Checking) Act 2011* (WWVP Act) aims to reduce the risk of harm or neglect to vulnerable people in the ACT and gives effect to the National Standards. Amendments were made to the WWVP Act in 2019 and 2020 to deliver on these standards.

The 2019 and 2020 amendments have not commenced. The amendments commence on a day fixed by the responsible Minister by written notice, but no later than 31 March 2021. The ACT has committed to working toward a commencement date for Nationally Consistent Worker Screening for the NDIS of 1 February 2021. Commencement by this date would ensure the ACT aligns with national implementation of NDIS worker screening.

Commencement of Nationally Consistent Worker Screening

On 1 February 2021, the ACT will join other jurisdictions across Australia (except Northern Territory, commencing later) for the commencement of Nationally Consistent Worker Screening for the NDIS under the Nationally agreed Rules. This will implement changes to the WWVP Act. Currently, legislation provides for commencement by 31 March 2021, unless a Commencement Notice is signed by the Minister to bring forward the commencement date to 1 February 2021. A Commencement Notice will be prepared to enable earlier commencement in the ACT.

Review of Community Facilities and rental arrangements

ACT Property Group generally works on a cost recovery rental model for community organisations. These community organisations occupy on a community rent or peppercorn rent arrangement.

CMTEDD and CSD have been considering the best way to support community organisations having appropriate space to provide their services, and how this is supported financially through a rental charge or government financial support. We anticipate that advice will be provided to government in 2021-22 to inform planning on this.

Most community facilities are older buildings with high maintenance costs, poor energy efficiency and not necessarily in the location that best serves the current community or the organisations. We will brief you further on a planned approach to managing existing facilities and planning for new ones including the opportunities through the new EPIC facility.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
National Carers Week (11 – 17 October 2020)	Carers Week is an annual national event designed to celebrate unpaid family and friend carers and acknowledge the contribution they make to our community.
2020 Bushfire Season (1 November 2020)	The ACT's 2020 Bushfire Season will officially begin on 1 November 2020, one month later than usual.
Community Connections Grants November-December	The Community Connections Grants are currently underway. The Community Services Directorate will provide you with recommendations regarding applicants for these Grants.
NDIS Worker Screening (1 February 2021)	Commencement of NDIS Worker Screening (as part of the Working with Vulnerable People Scheme) in the ACT along with NSW, SA, QLD, Vic, Tas. Commencement is dependent on completion of information system build and testing, communication strategy and training of staff as well as commencement of legislative provisions.

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
Social Recovery Community Functional Partners: <ul style="list-style-type: none"> - ACT Disaster Recovery Chaplaincy Network (DRCN) - ACT Council of Social Services (ACTCOSS) - Anglicare Canberra and Goulburn - Australian Red Cross - Communities@Work - GIVIT - Salvation Army - St John Ambulance ACT - St Vincent de Paul Society - Canberra and Goulburn - Volunteering & Contact ACT 	Non-Government Organisations providing a range of supports and services in an evacuation centre Contact details can be sought from the Social Recovery Sub-Committee secretariat

Carers ACT	Ms Lisa Kelly (Chief Executive Officer) Phone: (02) 6296 9970 Email: [REDACTED]
ACT Council of Social Service (ACTCOSS)	Dr Emma Campbell (Chief Executive Officer) Phone: (02) 6202 7200 Email: ceo@actcoss.org.au

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	18.309	15.608	16.608	17.071
Controlled – capital injection	1.086	0.750	Nil	Nil
Territorial – expenses	Nil	Nil	Nil	Nil
Territorial – capital injection	Nil	Nil	Nil	Nil

This portfolio does not have any funded positions to support the Social Recovery functions

This portfolio includes annual funding for the following grant programs:

- Community Support and Infrastructure Grants - \$103,130
- Digital Grants - \$103,130

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

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PREVENTION OF DOMESTIC AND FAMILY VIOLENCE OVERVIEW

As Minister for the Prevention of Domestic and Family Violence you are responsible for ACT Government policies and programs to address domestic and family violence. These policies and programs are the responsibility of multiple directorates and you are supported in directing this cross-government work by the Coordinator-General for Family Safety within the Community Services Directorate. The Office of the Coordinator-General for Family Safety leads policy and program design in partnership with other directorates and includes the Family Safety Hub.

Understanding that gender discrimination is the driver of domestic and family violence, and efforts on gender equality must form the backdrop to prevention measures, the Government has committed to addressing domestic and family violence as an urgent social issue that affects people across the ACT community.

Domestic and family violence impacts physical and mental wellbeing, financial and housing stability, employment, and educational outcomes and has effects that last across generations. The cost of domestic and family violence for the ACT community and government is over \$400 million per year (*The cost of violence against women and their children in Australia*, KPMG, 2016).

You have indicated your priorities are to continue to: deliver the Family Safety Hub, which works to improve people's safety and experiences when seeking help; and to trial culturally sensitive approaches to preventing family violence and engage the Aboriginal and Torres Strait Islander community to co-design prevention and behaviour change approaches.

We will help you achieve your priorities for the community by continuing to focus on evidence-based perpetrator interventions, building capability across the public service to recognise and respond effectively to domestic and family violence.

Based on successful programs including the Orange Door model in Victoria, we will progress with the design and implementation of a new integrated domestic and family violence response in collaboration with other directorates and service partners.

We will also support the Education Directorate to lead on your commitment to implement a gender equality in schools initiative that will provide a whole-school approach to respectful relationships education and prevent domestic and family violence by creating a culture of gender equality in schools.

Key Family Safety facts

Domestic and family violence can happen to anyone across all income groups, cultural backgrounds, ages, genders, and locations. National research tells us that one in four women and one in 13 men experience intimate partner violence (Australian Bureau of Statistics 2017).

The role of the Coordinator-General for Family Safety was established by the Government in 2016 to drive a whole of government response to domestic and family violence and drive cultural change and reform across systems.

The Government established the Family Safety Hub within the Office of the Coordinator-General to drive the design, delivery and evaluation of new solutions for those affected by domestic and family violence in the ACT. The Hub follows an evidence-based 'try, test, learn' process, bringing together community, government, the private sector and people who have experienced domestic and family violence to co-design and test new ideas to: provide new pathways to safety; build capability across government and services; integrate systems; and build a shared understanding of domestic and family violence.

The crisis response for domestic and family violence in the ACT is largely delivered by the Domestic Violence Crisis Service (DVCS), as the ACT's specialist and primary domestic and family violence crisis service. DVCS provides 24 hour a day crisis intervention, legal advocacy, risk assessment, safety planning and case management supports for people that have been affected by, and those that use violence in their relationships.

Services whose core business is domestic and family violence are: DVCS, Doris Women's Refuge and Beryl Women's Refuge.

Those with a significant focus on domestic and family violence include: Victims of Crime Commissioner and Victim Support ACT, Everyman, YWCA and Toora Women Inc. There is a significant legal and justice component required in the response to domestic and family violence provided by services such as: Women's Legal Service, Legal Aid, ACT Policing, DPP, Courts and Corrections.

There are also more mainstream providers in health, housing and health whose work often involves responding to domestic and family violence. All levels of service provision are critical in providing the responses necessary to domestic and family violence in the ACT.

COVID-19 Response

The COVID-19 pandemic and the 2019-20 bushfire season brought additional challenges for families. There is a growing body of international, national and local evidence that during and after crisis and disasters, the risk, prevalence and severity of domestic and family violence increases.

Government and community agencies worked together to make sure essential services kept families safe during lock-down. The Coordinator-General for Family Safety and the Victims of Crime Commissioner established a regular roundtable so sector agencies could jointly identify and prioritise issues.

As the pathway to recovery is developed, the Roundtable will continue to be an important group to assist government in deciding what is required and how best to deliver approaches to support the domestic and family violence sector.

DELIVERING ON YOUR PRIORITIES

To support the Government and its key domestic and family violence priorities, we will continue to work across Government and with the community sector to bring evidence-based approaches to supporting Canberrans who are experiencing or are at risk of domestic violence. We will continue the 'try, test, learn' approach to testing preventative measures for family and domestic violence.

Details will be provided in further briefings on this issue and each of these priorities.

Continue to deliver the Family Safety Hub which will focus on improving people's experiences when seeking help and safety

The Family Safety Hub (the Hub) takes an innovative approach to creating and testing new solutions for those affected by domestic and family violence. Consistent with your commitment, the Hub will focus on improving people's experiences when seeking help and safety.

To do this, the Hub will focus on four areas of improvement prioritised by the Government: integrating our system; children and young people; avoiding financial or housing crisis; and health justice partnerships.

The Hub, in partnership with the ACT Children and Young People Commissioner, has undertaken a significant engagement exercise directly with children and young people regarding their experiences of domestic and family violence. The project was led by young people at all stages, who helped shape the methodology of the project. Seventy young people aged 13 to 20 shared their views or personal stories of living with domestic and family violence during in-depth interviews and small group discussions.

The Hub is currently commencing a co-design process to develop the supports and services that young people have identified. Co-design will include young people as well as government, non-government, and community sector representatives. The result of co-design could be a new service, a change to how we work, updated legislation or a completely new idea. You will be briefed on this work and possible options or directions for the Hub to pursue.

Design, implement and support a new integrated domestic and family violence response in the ACT

Based on successful programs including the Orange Door model in Victoria, the Directorate will progress with the design and implementation of a new integrated domestic and family violence response in partnership with other directorates and services.

Design is well advanced on a pilot of the first component of an integrated response, which is a new risk assessment and information sharing approach. This work is currently being undertaken between the Office of the Coordinator-General for Family Safety and the ACT Victims of Crime Commissioner/Victim Support ACT.

The pilot and integrated response will be underpinned by a common risk assessment framework which was commissioned by the Government in its 2016 ACT Government Response to Family Violence and is currently being tested in pilot sites in a range of settings across the ACT.

Taking a test, try and learn approach, the pilot will re-design and expand the current Family Violence Intervention Program case tracking process in order to develop and implement a model that: identifies and assesses risk early and drives high-quality practice in risk assessment across services and systems.

Commonwealth COVID-19 support funds have allowed the ACT to implement the pilot.

Enhance responses to perpetrators and continue work on perpetrator interventions and men's behaviour change programs

We will support you to continue to enhance responses to perpetrators and the ACT's perpetrator interventions.

The pilot of the integrated response discussed above provides an opportunity to identify perpetrators earlier. The common risk framework could also be extended to support services working with and responding to perpetrators.

The Government has provided funding to DVCS to deliver the Room4Change program (\$4.24 million over four years from 2019-20). Room4Change engages with men who use violence over a nine to twelve-month period and supports safety for women and children. An external evaluation of Room4Change by the Australian National University will soon be completed.

We will brief you on the outcomes of the evaluation which could inform further work on men's behaviour change programs for the ACT.

Continue to trial culturally sensitive approaches to preventing family violence and engage the Aboriginal and Torres Strait Islander community to co-design prevention and behaviour change approaches

The Aboriginal and Torres Strait Islander community have brought the complex domestic and family violence issues facing their community to the attention of the ACT Government through the We Don't Shoot Our Wounded and the Change our Future - Share What You Know reports.

The Government has committed to supporting community-led responses to these reports and directed the Office of the Coordinator-General for Family Safety to lead delivery of government actions that respond to the reports and that allow for community-led responses.

In 2019-20 the Government committed \$354,000 over four years, with an additional commitment of \$150,000 in 2020-21 to work with representatives from the Aboriginal and Torres Strait Islander community, including the Elected Body and the Domestic Violence Prevention Council's Aboriginal and Torres Strait Islander Reference Group to develop specific action in response to the recommendations of these reports and support community-designed responses.

The Office of the Coordinator-General for Family Safety is providing support to the Aboriginal and Torres Strait Islander leadership during each phase, the current focus being on community consultations which are expected to take place in October 2020.

The purpose of the consultations is to test the currency of the recommendations in the reports and to determine next steps to action these recommendations through a co-design process. It is anticipated that a report following these community consultations will be available in November 2020 and the Directorate will be able to brief you on the outcomes.

Continue to build capability across the public service to recognise and respond effectively to domestic and family violence, while focusing on lifting the capabilities of frontline staff

In 2019-20 the Government committed \$2.48 million over four years to deliver domestic and family violence training to all 21,000 ACT public servants in accordance with the ACT Government Domestic and Family Violence Training Strategy (the Strategy).

The Strategy includes foundation training for all ACT Public Service (ACTPS) employees with specific training for managers and specialist training for staff in frontline roles.

In early 2020 in response to COVID-19 the face to face training was revised to include online, and blended (webinar) approaches to delivery. These changes to the training and the inability to deliver face to face content has caused a delay in the implementation of the Strategy.

To support delivery on your commitment the Office of the Coordinator-General for Family Safety will work across Directorates in 2021 to drive a renewed focus on delivery of the Strategy.

The Office of the Coordinator-General for Family Safety has been working with the Education Directorate to develop tailored domestic and family violence training for teachers and support staff. This training will support Education Directorate to deliver your commitment to a whole-school approach to respectful relationships education.

MINISTERIAL FUNCTIONS

You are responsible for setting the strategic direction for the portfolio, which includes suggesting priorities for the use of funds raised through the Safer Families Levy. In addition, you have the following functions:

- Deliver a Safer Families Ministerial Statement annually to the Legislative Assembly, to coincide with the ACT Government Budget.
- Providing a recommendation for appointment to vacant positions of the Australian National Research Organisation for Women's Safety (ANROWS) Board members. CSD will provide recommendations regarding possible appointments for your consideration when this is required.

Legislation and decision making

You are responsible for the *Domestic Violence Agencies Act 1986* which establishes the Domestic Violence Prevention Council and empowers you to approve an organisation to be a crisis support organisation for the purposes of the Act which allows police to disclose information to that organisation. The only approved crisis support organisation is the DVCS. Opportunities for reform in this area can be discussed with you.

Appointments

You appoint members to the Domestic Violence Prevention Council (DVPC), established under the *Domestic Violence Agencies Act 1986* to reduce the incidence of domestic violence offences in the ACT, improve collaboration between government agencies, and provide you with advice on issues related to domestic violence.

Intergovernmental forums you attend

You represent the ACT on the Women's Safety Ministers' Meeting (Ministers' Meeting), a national forum for all governments to drive national progress in reducing violence against women and their children. The primary responsibility of the Ministers' Meeting is the joint implementation and development of the National Plan to Reduce Violence Against Women and their Children, and its action plans. During the pandemic, the Ministers' Meeting has also been responsible for the National Partnership on COVID-19 Domestic and Family Violence Responses, including allocation of monies and monitoring impacts of the pandemic on the safety of women and children.

The Ministers' Meeting is comprised of women's safety ministers from each state, territory and Commonwealth Government. Each jurisdiction is represented by a maximum of two Ministers with portfolio responsibility for women, families and/or prevention of family and domestic violence. The Ministers' Meeting is currently co-chaired by Senator the Hon Marise Payne, Minister for Women, and Senator the Hon Anne Ruston, Minister for Families and Social Services.

KEY ISSUES AND CONSIDERATIONS

In addition to the priorities identified above, there are further activities and commitments that you may wish to consider in the near future.

Establish the ACT Domestic and Family Violence Death Review

- The ACT and Tasmania are the only two jurisdictions in Australia without a current domestic violence death review function. The Government has committed to establishing a death review in 2020-21 and provided funding for development and implementation.
- The Office is leading the development of an ACT Domestic and Family Violence Death Review mechanism and legislation to implement the review will need to be introduced early in 2021.

Commonwealth funded initiatives through the National Partnership on COVID-19 Domestic and Family Violence Responses

- In April 2020, the ACT signed up to the National Partnership on COVID-19 and Domestic and Family Violence. Under this agreement the ACT has been allocated \$3.03 million (\$1.39 million in 2019-20 and \$1.63 million in 2020-21).
- Funding is being used to address crisis needs such as client support, case management, temporary care of children, increased capability in emergency departments, specific support for Aboriginal and Torres Strait Islander communities and direct allocations to small specialist service providers like Beryl, Doris Women's Refuge and Everyman.
- The final allocation of 2020-21 funds will need to be settled in November 2020 and reported back to the Commonwealth in March 2021.

Build data, evidence and information around domestic and family violence

- The ACT Government has committed significant resources and made substantial progress on whole of government domestic and family violence reform since 2016. However, the absence of a strategic approach to collecting and analysing domestic and family violence data continues to be a barrier to demonstrating the impacts of the investment made.
- We will brief you further on options for a more strategic approach to data collection, analysis and sharing to support your domestic and family violence reform agenda.

Women on Temporary Visas

- The ACT, through Women's Safety Ministers' and senior officials' meetings has been advocating strongly with the Commonwealth for a better response address the disproportionate impact of violence and inequality on women on temporary visas and their children.
- The Commonwealth has committed to the Women's Safety Ministers' to work with the various Commonwealth departments to address some of the structural barriers to these women and children seeking safety.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
<p>Death Review Policy</p> <p>November/December 2020</p>	<p>A brief outlining the proposed functions of the death review will be provided. This will then inform possible legislative changes required to establish the death review which may be considered by Cabinet.</p>
<p>Commonwealth Inquiry into Family, Domestic and Sexual Violence</p> <p>November/December 2020</p>	<p>The ACT Government made a submission to the inquiry and the ACT Government may be asked to appear at a public hearing for the House of Representatives Standing Committee on Social Policy and Legal Affairs Inquiry into Family, Domestic and Sexual Violence.</p>
<p>National Partnership Agreement funds final allocation</p> <p>November 2020</p>	<p>The Commonwealth has allocated the ACT a final funding amount for 2020-21 of \$1.2 million under the National Partnership on COVID-19 Domestic and Family Violence Responses.</p>
<p>16 Days of Activism Campaign</p> <p>25 November-10 December 2020</p>	<p>ACT-wide communications can be undertaken on this year's theme for ending gender-based violence, including gender equality work and domestic and family violence in the COVID-19 context</p>

STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
Domestic Violence Crisis Service (DVCS)	Glenda Stevens Interim General Manager [REDACTED]
Legal Aid	John Boersig Chief Executive Officer [REDACTED]
Women's Legal	Elena Rosenman, Chief Executive Officer [REDACTED]
Doris Women's Refuge	Marluce Silva Peters Coordinator/Manager dwcoord@bigpond.net.au
Beryl Women	Robyn Martin Manager manager@beryl.org.au
Womens Centre for Health Matters (WCHM)	Marcia Williams Chief Executive Officer ceo@wchm.org.au
Young Women's Christian Association (YWCA)	Frances Crimmins Chief Executive Officer [REDACTED]
Everyman	Greg Aldridge Chief Executive Officer [REDACTED]
Canberra Rape Crisis Centre (CRCC)	Chrystina Stanford Chief Executive Officer [REDACTED]
Domestic Violence Prevention Council (ACT)	Laura Aoun Chair [REDACTED]
Victims of Crime Commissioner	Heidi Yates Heidi.yates@act.gov.au
Family Violence Intervention Program (FVIP)	Heidi Yates Chair Heidi.yates@acy.gov.au

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	4.679	4.850	4.901	4.512
Controlled – capital injection	0.200	Nil	Nil	Nil
Territorial – expenses	Nil	Nil	Nil	Nil
Territorial – capital injection	Nil	Nil	Nil	Nil

The ACT Government introduced a Safer Families Levy on 1 July 2016 to provide an ongoing revenue base to fund long-term system reform and service improvements. The \$30 annual levy is applied to all residential and rural properties. In 2019-20 the Levy contribute \$20.2 million over four years to the overall Safer Families Package of \$24 million over the four years.

This portfolio includes annual direct funding for 13.5 Full Time Equivalent (FTE) positions.

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL	
Jo Wood	Director-General		jo.wood@act.gov.au	
Anne-Maree Sabellico	Deputy Director-General		annemaree.sabellico@act.gov.au	
Kirsty Windeyer	Coordinator-General for Family Safety		kirsty.windeyer@act.gov.au	

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CHILDREN, YOUTH AND FAMILIES OVERVIEW

As Minister for Children, Youth and Families you are responsible for policy, legislation, service delivery and regulation for child protection, out of home care and youth justice. This includes Child and Youth Protection Services (CYPS), Bimberi Youth Justice Centre, Child and Family Centres and the Child Development Service.

You are responsible for all children in care in the ACT. The Director-General for the Community Services Directorate is the Territory Parent and reports to you.

You are responsible for the *Children and Young People Act 2008* (CYP Act), except for chapter 20. The CYP Act addresses how our community deals with child protection, young offenders, childcare services and the employment of children.

You are also responsible for the *Adoption Act 1993*, except section 104(2), which governs adoptions in the ACT. CYPS is responsible for providing adoption services.

The Government has committed to strengthening families, keeping children safe and empowering Canberra's young people.

You have indicated that your priorities include implementing a therapeutic and trauma-informed model of care for out of home care, providing early support for families to help keep children safe at home and families together, and closing the gap for Aboriginal and Torres Strait Islander children in child protection and youth justice.

To help you achieve these outcomes, we will develop the next ACT Youth Justice Strategy, deliver the First 1000 Days Strategy jointly with the ACT Health Directorate, and expand existing programs that provide prevention and early supports for young people.

In support of your commitment to Aboriginal and Torres Strait Islander self-determination, we will continue to implement *Our Booris Our Way* recommendations, support co design and self-determination approaches as a core element of business, enhance access to Family Group Conferencing and other models of family led decision making and work to establish greater models of preservation and restoration such as Functional Family Therapy, and support the Aboriginal and Torres Strait Islander Affairs portfolio in establishing Aboriginal and Torres Strait Islander Community controlled organisations across both policy and practice quality and service delivery areas.

Key statistics

Child Concern reports and appraisals

- From 1 July 2019 to 30 June 2020, a total of 18,663 Child Protection Reports and Child Concern Reports about children and young people were made to CYPS.
- From 1 July 2019 to 30 June 2020, a total of 1,952 Child Protection Reports required appraisal.

Aboriginal and Torres Strait Islander children and young people receiving support during the year

- For the period 1 July 2019 to 30 June 2020, 665 Aboriginal and Torres Strait Islander children and young people received support from Child and Youth Protection Services.

- Support includes individual children and young people receiving an appraisal, support and/or ongoing casework.

A Step Up for our Kids (Out of Home Care Strategy 2015-2020)

- As at 30 June 2020, there were 784 children and young people for whom the Director-General held parental responsibility.

Aboriginal and Torres Strait Islander children entering care

- The number of Aboriginal and Torres Strait Islander children and young people who entered care in 2019-20 is 33.

Functional Family Therapy

- Since implementation of the Functional Family Therapy – Child Welfare Program (FFT-CW) in November 2018 to 30 June 2020, Oz Child and Gugan Gulwan Youth Aboriginal Corporation have received 57 referrals (families) to the program. Of this number, 43 families (involving 116 children and young people) consented to engage in the program.
- Of the 39 families, 24 families (80 children) have successfully completed the program with no subsequent entries of children and young people into Child Protection and youth Services. The remaining families continue in the program.
- Of the 24 families that successfully completed the program, 19 were referred to external agencies for ‘step down’ support including counselling, youth mentoring, mental health support, cultural health and disability support.
- The FFT-CW program offers booster sessions to those families who have successfully completed the program. Of the 24 families who have completed FFT-CW, 10 families have reached out for booster sessions.

Family Group Conferencing

- From the beginning of the Family Group Conferencing program (November 2017) to 31 July 2020, 40 families have been involved in a Family Group Conference, involving 86 children.
- Fifty-four Aboriginal and Torres Strait Islander children have not subsequently entered care following a Family Group Conference. For the remaining 32 children, decisions about the best care arrangements, other than with birth families, have been made by the extended family.

Bimberi Youth Justice Centre (Bimberi)

- In the first two quarters of the 2018-19 year, 71 children and young people were detained in Bimberi.
- Over the same period, there were 12 children and young people on an average day at Bimberi with a total of 2,160 custody days served by young people.

Child and Family Centres

- In 2018-19, CFCs provided 9,037 occasions of service to families.

- CFCs are staffed by a multi-disciplinary team and to provide a range of support programs to assist parents and children (primarily 0-8yrs), which are delivered in partnership with other ACT Government agencies and community organisations.

Child Development Service

- In 2018-19, the CDS provided services to 3,313 children and their families.
- The Child Development Service (CDS) provides assessment, referral, information, and linkages for children birth to six years old living in the ACT, where there are concerns relating to their development. Autism assessments are provided for children up to 12 years old.

Melaleuca Place

- As at 6 August 2020, 117 children have so far received intervention from Melaleuca Place; 49 were from an Aboriginal and Torres Strait Islander background.
- Currently there are 21 active clients who are being supported by Melaleuca Place; of these 3 are from Aboriginal and Torres Strait Islander background.

COVID-19 Response

Rapid changes to service delivery and legislation occurred to support children, young people and families during the COVID-19 pandemic.

Child protection and out of home care service delivery

CYPS implemented regular 'Coordinated response to children and young people at risk of abuse and neglect agencies meetings' involving key partners to identify and address individual, and systemic issues during COVID-19.

During the pandemic, most contact arrangements between children and their birth families moved quickly to telephone or video calls. While the option for face to face contact has resumed, this was an important innovation that allowed critical family contact to continue.

The West Belconnen Child and Family Centre (CFC) site is currently a COVID-19 testing clinic. CFC services are operating out of the CDS site in Holder. ACT Health is working to identify an appropriate alternative site in order to re-establish the CFC at its usual location.

The six contracts that support *A Step up for Our Kids* were extended to 30 June 2022 to enable the out of home care system reforms sufficient time to mature and to be evaluated prior to procurement for the future delivery of the service system commencing in 2020-21. COVID-19 restrictions meant the consultation processes planned to inform the revised *A Step Up for Our Kids Strategy* did not occur as intended and alternative methods have instead been implemented.

Youth justice service delivery

Bimberi Youth Justice Centre continues to operate with all staff on site, with some restrictions placed on staff and visitors to the Centre, including professional visitors and contractors. These restrictions are based on advice from ACT Health and are aligned with advice for high-risk environments.

Bimberi is considered by ACT Health as a 'high-risk' environment. ACT Health is working closely with Bimberi Residential Services, with joint scenario planning and testing.

Legislation

Amendments were made to the *Children and Young People Act 2008*, to extend the length of time the Director-General can make a Declaration of Emergency in relation to Bimberi under section 149. If the emergency relates to COVID-19, the Director-General may make a declaration for the period of the COVID-19 public health emergency. The amendments also provide for a special 'COVID-19' leave permit for young people should there be a case or an outbreak of COVID-19 within the Centre and an urgent need develops to minimise the number of young people in custody.

Stimulus support

The Government recently announced more support for children, young people, and their families experiencing difficulties during COVID-19, including young people in care.

This includes a \$1.7 million Children, Young People and their Families Package targeted at young carers, foster and kinship carers and young people.

- The package includes:
 - one-off payments of \$300 for each child and young person in foster and kinship care to support the wellbeing of young people and ease financial stress for carers whose employment or income have been affected during the COVID-19 pandemic.
 - an extended carer subsidy for young people in out of home care who turn 18 this year to support living expenses, housing costs or connect them with training and employment.
 - funding to support young carers to meet additional expenses, maintain wellbeing and support educational participation.
 - one-off grant payments to non-government service providers to assist with direct service delivery, brokerage and support for young people and their families to respond to increased demand for services.
- The Government also announced a Youth Support Package that includes:
 - A six-month payroll tax exemption for businesses who pay wages for new employees who are apprentices or trainees.
 - A \$2 million extension of the ACT Public Service graduate program to provide around 120 additional graduate positions over the next two years, including cadet and apprentice recruitment.
 - An additional \$250,000 for targeted mental health support for young people.

DELIVERING ON YOUR PRIORITIES

CSD will focus on improving services for children, young people and their families to support the Government and its priorities for children, young people and families.

Implement Our Booris, Our Way review

We will continue to implement Our Booris, Our Way recommendations to improve practice and processes to improve outcomes for Aboriginal and Torres Strait Islander children, young people, and their families across government and community organisations.

We will continue to act on the recommendations from the Our Booris, Our Way Review and will develop the Aboriginal and Torres Strait Islander Child and Family Services reform roadmap and work plan in consultation with an Implementation Oversight Committee to maintain our commitment to this crucial reform. To maintain integrity of the principle of self-determination the Implementation Oversight Committee is fully comprised of Aboriginal and Torres Strait Islander members.

The ACT Government recognises that Aboriginal and Torres Strait Islander people are the experts in their own lives and governance arrangements and policy and practice improvements should be co-designed with Aboriginal and Torres Strait Islander experts and key Aboriginal community-controlled organisations.

Aboriginal and Torres Strait Islander Policy and Practice co-design forum

We will support you in your commitment to work with the Aboriginal and Torres Strait Islander Policy and Practice co-design Forum to shape policy and services for the Aboriginal and Torres Strait Islander community.

The Aboriginal and Torres Strait Islander community voiced their views on the parameters when considering participation in the Aboriginal and Torres Strait Islander Policy and Practice co-design Forum.

We will work with you to develop solutions to address for the parameters that will require seeking appropriate funding to support the Forum, including funding to remunerate Aboriginal and Torres Strait Islander community members at a level which recognises and values their significant expertise in shaping policy and practice change to improve outcomes for their community.

Safe and Connected Youth

We will continue to build on what we have learned from the Safe and Connected Youth pilot, to deliver an ongoing, coordinated service for young people aged eight to 15 years who have experienced family breakdown and are at risk of homelessness or engagement with the child protection or youth justice system. This work will continue to build on our strong partnerships with the Conflict Resolution Service, Youth Coalition of the ACT, Northside Community Service, Woden Community Service, and Marymead, to provide therapeutic case management, family mediation and respite accommodation to keep young people safe and connected with their families.

Deliver the First 1,000 Days Strategy

We will deliver the First 1,000 Days Strategy jointly with the Health Directorate as a key component of the broader Early Support work. Work will continue to develop the *Best Start for Canberra's Kids: the first 1,000 days* draft Framework, which outlines the importance of the first 1,000 days leading up to a child's second birthday. It also sets out what families, the community, and government and community agencies can do to ensure all children get the best possible start in life.

Working towards earlier support for vulnerable families

To continue to work towards earlier support for vulnerable families, we will deliver more therapeutic, trauma-informed care for children, young people, their families and carers in the out-of-home care system.

Building on the work of *A Step Up for Our Kids: Out of Home Care Strategy*, we will work with service providers and cross-Government stakeholders to be more restorative, transparent and collaborative across Government and non-Government partners.

Schedule 2.2(a)(ii)

Pilot of Functional Family Therapy – Youth Justice

To support a pilot of Functional Family Therapy – Youth Justice, CSD, in partnership with the Justice and Community Safety Directorate (JACS), has secured \$0.38m from the Confiscated Assets Trust to cover the cost of a 12-month pilot program.

Enhance support measures for young people at risk of entering the criminal justice system

We will deliver your commitment to enhance support measures for young people at-risk of entering the criminal justice system to support your commitment to raising the minimum age of criminal responsibility and the alternative supports required for young people and families.

JACS is working in partnership with CSD and other cross-Government stakeholders to explore how a higher minimum age of criminal responsibility could be implemented in the ACT, with regard to the specific needs of the Territory's at-risk children and their families, and the specific characteristics of ACT human service systems.

To progress this work, \$0.12m has been provided from the Confiscated Assets Trust to cover the cost of an impact assessment for the service needs of children related to raising the minimum age of criminal responsibility.

Build on the success of the ACT Youth Justice Blueprint 2012-2022

We will act on your commitment to a new ACT Youth Justice Strategy that continues the positive outcomes seen across the *Blueprint for Youth Justice in the ACT 2012-2022*.

This will continue to support the ACT Youth Justice system as the community and government continue to work together to deliver on the vision of the Blueprint – keeping children and young people safe, strong and connected to their family and community.

Implement a Youth Justice Throughcare program

To meet the commitment to implement a youth justice Throughcare program, we will deliver a three-year throughcare support trial for children and young people exiting Bimberi Youth Justice Centre.

This initiative aligns with a focus area identified by the *Blueprint for Youth Justice Taskforce Final Report*. The focus area is aimed at improving transition support for young people across a number of domains, including housing, family relationships, living skills, pro social relationships, mental and physical health, education, vocational training and employment, drug and alcohol use, and leisure and recreation.

Expanded adolescent mental health services and new supports for children

We will continue to work with the ACT Health Directorate and community partners to expand existing programs that provide prevention and early intervention supports for young people.

This work includes a focus on delivering stronger mental health support through a multidisciplinary service for young people, and an intensive trauma service to support recovery for young people aged 13 to 17 years, building on the success of the existing model of Melaleuca Place.

MINISTERIAL FUNCTIONS

You are responsible for setting strategic direction and developing policy and services for the child protection and youth justice system, including Bimberi Youth Justice Centre, out of home care services, Child and Family Centres and the Child Development Service.

Legislation and decision-making

Current legislation in the Children Youth and Families portfolio and key decision-making responsibilities are set out in the table below. Opportunities for reform can be discussed with you.

Legislation	Decision making responsibilities
<i>Children and Young People Act 2008</i> , except chapter 20	You are responsible for overseeing the <i>Children and Young People Act 2008</i> including: <ul style="list-style-type: none"> • providing and promoting the safety, welfare and wellbeing of children and young people; • preventing abuse and neglect of children and young people; and • ensuring that government services provided to care for, and protect, children and young people are centred on the best interests of children and young people.
<i>Official Visitor Act 2012</i>	You are responsible for appointing two Children and Young People Official Visitors, one is an identified position.
<i>Adoption Act 1993</i> , except section 104(2)	You are responsible for administering all adoption matters in the ACT in accordance with the <i>Adoption Act 1993</i> .

Appointments

ACT Youth Advisory Council appointments

The Minister for Children, Youth and Families appointment members to the ACT Youth Advisory Council.

Official Visitors

Official Visitors are appointed under the *Official Visitor Act 2012* and report to the Minister for Children and Young People. Official Visitors visit and inspect places of detention, therapeutic protection, and places of care in the ACT.

In their role, Official Visitors ensure children and young people who are in detention or living in a place of care can raise concerns or complaints with an independent adult external to the Government.

Intergovernmental forums you attend

Community Services Ministers (CSM)

Ministers with responsibility for the Children and Families portfolios from all Australian jurisdictions (including the Commonwealth) meet regularly through Community Services Ministers (CSM) meetings to discuss national approaches to issues affecting families and children. Since March 2020, CSM has met every two months to discuss and coordinate the response to the COVID-19 pandemic for vulnerable children and families. CSM is not a Council of Australian Governments council.

CSM is supported by the Children and Families Secretariates group (CAFS). The Director-General, Community Services Directorate is the ACT Governments representative on CAFS.

The major focus for CAFS and CSM over the next 12 months will be the development of the Successor framework to replace the National Framework for Protecting Australia's Children when it expires in July 2021. When agreed by CSM, the Successor framework will require endorsement from First Ministers.

Assembly Reporting requirements

Since 2016, the Minister of Children, Youth and Families has made an annual statement reporting on the progress being made in the ACT in supporting children and young people. There is no requirement to continue with the statement, however it provides an opportunity to deliver a summary of ACT Government work to support the children and young people of the ACT.

KEY ISSUES AND CONSIDERATIONS

A Step Up for Our Kids – Out of Home Care Strategy

The next iteration of *A Step Up for Our Kids Out of Home Care Strategy* is underway and will focus on delivering a strengthened service system and will align with *Our Booris Our Way* recommendations.

In 2019-20, CSD worked with the six agencies funded under *A Step Up for Our Kids* to extend their contracts to 30 June 2022, with the intention of continuing to improve services and outcomes.

The next phase of reform in out of home care will be significantly shaped by the Aboriginal and Torres Strait Islander community to address the continuing over-representation of the Aboriginal and Torres Strait Islander children and young people.

The next phase of the reform will also focus on developing appropriate price and cost models and we will also develop a system level performance management framework for ongoing monitoring and review and continuous improvement of the program parameters as early as possible.

Identifying Vulnerable People and Families work program

Identifying Vulnerable People and Families was one of four CSD COVID-19 response teams established in March 2020. The team worked closely with Health, Education, JACS, ACTDAC and the community sector to identify vulnerable individuals and families within the ACT community; consider the impact of COVID-19 on various cohorts, determine relevant solutions/interventions and determine staging of these interventions.

Stimulus support packages were informed by policy analysis and evidence drawn from a range of sources, including the expertise of the community sector and front-line services, collation and analysis of community COVID-19 survey results and other jurisdictions' COVID-19 responses. Ongoing work continues to shape advice to Government and will inform future responses.

Internal and External merits review of child protection decision-making

We are focused on the development of internal and external merits review processes for child protection decisions. Funding has been allocated through the Confiscation of Criminal Assets Trust

(CAT) Fund towards ensuring both the internal and external merits reviews and child protection decision-making practices are grounded in restorative principles.

Progress on internal and external merits review work is occurring at different stages but will ultimately align as a unified model, which will integrate restorative child protection practice, policy and process into CYPs decision-making.

We are working closely with the ACT Human Rights Commission to develop a model for a unified internal and external merits review of child protection decision-making. The ACT Human Rights Commission and CSD jointly facilitated two online roundtable discussions about child protection decision-making with interjurisdictional and ACT stakeholders, to inform the development of the future approach.

These discussions provided a valuable foundation for the next stage of work developing a unified model that appropriately positions both internal and external merits review of child protection decision-making in the ACT.

Referral Processes for the Support of Vulnerable Children

Recommendations from an ACT Auditor-General's Report (2019) focused on the need to improve referral processes for vulnerable children across several universal early childhood and family services provided by CSD and Canberra Health Services (CHS). Four recommendations are yet to be implemented by CHS, two by CSD and one jointly. All actions will be implemented by June 2022.

Implementation of recommendations will align with broader reform of the human services system to enable more families to have their needs met in the universal early support continuum, with non-stigmatising, culturally safe and effective referrals to best benefit families.

Therapeutic Care Court

We will continue to work with the Justice and Community Safety Directorate and Courts to develop and deliver a Therapeutic Care Court to divert children and families from Children's Court processes and out of home care.

The aim of the Court is to address issues through a coordinated service provision response led by the Court. The approach is collaborative between the Court, service providers, parents and CYPs.

A draft proposal for the ACT model has been developed and consultation on the proposal has commenced with stakeholders. The Therapeutic Care Court is expected to commence in early 2021.

Aboriginal and Torres Strait Islander community-led position on adoption

In early 2020, the Government agreed in-principle to respond to Our Booris Our Way recommendation 26a, to legislate (to the extent possible) the ACT Government policy position that the adoption of Aboriginal and Torres Strait Islander children and young people is not appropriate and is not supported, and remove the possibility for Aboriginal and Torres Strait Islander children being adopted.

The Aboriginal and Torres Strait Islander community also determined that there are no exceptional circumstances under which adoption should be considered appropriate for an Aboriginal and Torres Strait Islander child under a care and protection order in the ACT.

The ACT Government noted that any legislative changes would 'be made in accordance with the ACT's and Commonwealth legislative requirements, including compliance with the Racial Discrimination Act 1975.' The Community Services Directorate is leading this project and scoping work has commenced. It is anticipated that a further update will be available by the end of 2020.

Inspector of Correctional Services Review

The Community Services Directorate has contributed to the Inspector of Correctional Services' Healthy Centre Review of Bimberi Youth Justice Centre (Bimberi).

The Inspector's review team will be attending Bimberi for a site visit between 12 and 14 October 2020. The Inspector must provide a draft report to the responsible Minister and director-general at least 6 weeks before giving the report to the Legislative Assembly. The Inspector must report to the Legislative Assembly within 6 months of completing its review.

CSD will need to respond to any recommendations or findings following the release of the Inspector's report.

Schedule 1 1.4

ACT Youth Assembly

The biennial ACT Youth Assembly was scheduled to be held on 3 April 2020. Due to the COVID-19 pandemic the Assembly was postponed.

Youth Engagement will work with the ACT Youth Advisory Council to reschedule the ACT Youth Assembly to be held prior to 30 June 2021. The ACT Youth Advisory Council have identified four focus themes for the 2021 Youth Assembly: inclusive society; resilience, rights and respectful relationships; youth employment; and environment and sustainability.

Youth InterACT initiative

The Youth InterACT initiative was launched in 2002. While components of the initiative have been regularly reviewed, the overall Youth InterACT strategy is due for a comprehensive review considering the ACT's changing population and direction.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
Community Services Ministers meeting 25 November 2020	The next meeting will be focused on agreeing the vision, goals and priority cohorts for the next children's strategy.
ACT Youth Week Timing: 16 April 2021	ACT Youth Week is a weeklong celebration of young people in the ACT, which is usually held at the end of Term One.
ACT Youth Week Grant Program Timing: late November	It is proposed applications for the 2021 ACT Youth Week grant Program will open when the returned Government is established.
Youth InterACT Grants	Announce the successful recipients of the 2020-21 Youth InterACT Grant program when the returned Government is established.
ACT Youth Assembly Timing: prior to 30 June 2021	Confirm date to deliver the ACT Youth Assembly.
ACT Youth Advisory Council Timing: March 2021	Recruitment for new members to join the Council.
ACT Youth Advisory Council Timing: June 2021	Appointment of new members to Council.
<i>A Step Up for Our Kids (2015-2020)</i>	Strategic policy framework, service design and budget strategy for the service system (current contracts expire in June 2022). Alignment with recommendations from <i>Our Booris Our Way</i> and continued embedding of the Aboriginal and Torres Strait Islander Child Placement Principle. Procurement will commence in 2021.
<i>Government Response to the Health Ageing and Community Services (HACS) Inquiry into Child and Youth Protection Services</i>	The consolidated response to the HACS inquiry into Child and Youth Protection Services will be due for consideration in November 2020.
<i>Internal and External Merits Review for decisions made by Child and Youth Protection Services</i>	Consideration as to the most appropriate internal and external review mechanism for decision made by Child and Youth Protection Services will be required, in November/December 2020.

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
ACT Youth Advisory Council	Email: Youth.InterACT@act.gov.au
Gugan Gulwan Youth Aboriginal Corporation	Ms Kim Davison, Executive Director 1 Grattan Court, Wanniasa ACT, 2903 Phone: (02) 6296 8900 Email: [REDACTED] Context:
Youth Coalition of the ACT	Dr Justin Barker [REDACTED] 6247 3540 Lead partner for Safe and Connected Youth program
Rotary Club of Canberra	Dr David Marshall [REDACTED] 6291 4321 Rotary Club of Canberra contact for Safe and Connected Youth program
Community co-Chair of the <i>Best Start for Canberra's Children: the first 1000 days</i> Reference Group	Dr Michael Brydon [REDACTED]
University of Canberra	Mr Eoghan O'Byrne Director Advancement 11 Kirinari Street BRUCE ACT 2617 YCCY Sponsor
ACT Together – Barnardos ACT	Ms Deidre Cheers, CEO Barnardos Australia GPO Box 9996, Sydney NSW 2001 Phone: (02) 9218 2300 Email: [REDACTED] Ms Melissa Bell, General Manager Operations ACT Together Phone: (02) 6110 2209 ext. 7208 / 0408 609 143 Email: [REDACTED] Context: A Step Up for Our Kids – funded Agency
Carers ACT	Ms Lisa Kelly, CEO 2/80 Beaurepaire Crescent, Holt, ACT, 2615 Phone: (02) 6296 9970 / [REDACTED] Email: [REDACTED] Context: A Step Up for Our Kids - funded Agency
Children and Young People Death Review Committee	Ms Margaret Carmody Chair of the Children and Young People Death Review Committee Phone: [REDACTED] Email: [REDACTED]

<p>CREATE Foundation</p>	<p>Ms Jacqui Reed, CEO, CREATE Foundation Level 1, 3 Gregory Terrace, Spring Hill, Qld, 4004 Phone: (07) 3602 4860 / [REDACTED] Email: [REDACTED]</p> <p>Ms Susan Pellegrino, ACT State Coordinator Cnr Cooyong Street and Scotts Crossing Phone: (02) 6232 2409 / [REDACTED] Email: [REDACTED] Context: A Step Up for Our Kids - funded Agency</p>
<p>Domestic Violence Crisis Service</p>	<p>Ms Dearne Weaver, Deputy CEO, Director of Client Services Phone: (02) 6280 5112 Email: [REDACTED]</p>
<p>Gugan Gulwan Youth Aboriginal Corporation</p>	<p>Ms Kim Davison, Executive Director 1 Grattan Court, Wanniasa ACT, 2903 Phone: (02) 6296 8900 Email: [REDACTED]</p>
<p>Karinya House for Mothers and Babies</p>	<p>Ms Marie-Louise Corkhill PO Box 7239 Kaleen ACT 2617 Phone: (02) 6259 8998</p> <p>Jo Saccasan, Finance and Business Manager Phone: (02) 6259 8998 / [REDACTED] Context: A Step Up for Our Kids - funded Agency</p>
<p>Red Cross</p>	<p>Ms Bianca Russell, Regional Manager ACT Phone: [REDACTED] Email: [REDACTED]</p> <p>Ms Danielle Parra, Manager, Birth Advocacy Support Service and Culture Talks Red Cross House, Level 1, 3 Dann Close, Canberra ACT 2605 Phone: [REDACTED] Email: [REDACTED] Context: A Step Up for Our Kids - funded Agency</p>
<p>Uniting – Children and Families</p>	<p>Ms Sue Shilbury, Director (Children Youth and Families) Phone: (02) 9768 6898 / [REDACTED] Email: [REDACTED]</p> <p>Ms Ann Lehmann, Lead (Uniting Children and Families ACT) 15 Barry Drive, Turner, ACT 2612 Phone: (02) 6195 0504 / [REDACTED] Email: [REDACTED] Context: A Step Up for Our Kids - funded Agency</p>

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	174.592	170.631	157.702	160.454
Controlled – capital injection	3.567	0.436	0.448	0.459
Territorial – expenses	Nil	Nil	Nil	Nil
Territorial – capital injection	Nil	Nil	Nil	Nil

This portfolio includes:

- around \$40 million a year (indexed at CSI) program funding for Out of Home Care. The program funding for CSD is based on a Treasury agreed model, whereby the funding to CSD is fixed, however demand is variable. CSD has monitoring systems in place in relation to the funding model, demand and variability.

The portfolio also includes annual funding for the following grant programs:

- Youth InterACT Grants - \$20,000
- ACT Youth Week Grants - \$10,000

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL	FACEPLACE
Jo Wood	Director-General		jo.wood@act.gov.au	
Anne-Maree Sabellico	Deputy Director-General		annemaree.sabellico@act.gov.au	
Helen Pappas	Executive Group Manager, Children, Youth and Families		helen.pappas@act.gov.au	
Melanie Saballa	Executive Group Manager (Deputy), Child and Youth Protection Services		Melanie.Saballa@act.gov.au	
Claire Barbato	Executive Branch Manager, Strategy and Governance, Children, Youth and Families		Claire.Barbato@act.gov.au	
TBA	Executive Branch Manager, Children and Families		TBA	TBA
Anita Chettur	Executive Branch Manager, Operations – Child and Youth Protection Services		Anita.Chettur@act.gov.au	
Tina Brendas	Executive Branch Manager, Bimberi Residential Services, Child and Youth Protection Services		Tina.Brendas@act.gov.au	

Sally Gibson	Executive Branch Manager, Quality, Complaints and Regulation		sally.gibson@act.gov.au	
Christine Murray	Executive Group Manager, Inclusion and Participation		christine.murray@act.gov.au	
Jessica Summerrell	Executive Branch Manager, Social & Community Inclusion		jessica.summerrell@act.gov.au	
Amber Shuhyta	Executive Group Manager, Strategic Policy		amber.shuhyta@act.gov.au	
Louise Bassett	Executive Branch Manager, Policy and Service Design		louise.bassett@act.gov.au	

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WOMEN OVERVIEW

As Minister for Women you are responsible for the ACT Government's policies and programs to support the equal participation of women and girls in the community. You will be supported to deliver these responsibilities by the Community Services Directorate (CSD).

The Government has committed to build a local community where gender equality is a reality. This will require addressing gender-based discrimination that happens in the context of other forms of discrimination such as ethnicity, sexuality, disability, age and economic exclusion - many of which are addressed through the Government's priorities.

The Government has indicated a continued commitment to the ACT Women's Plan 2016-26, *Second Action Plan 2020-2022: Equity Together* (Second Action Plan) which outlines five key objectives to drive and promote gender equality and to protect the rights, wellbeing and potential of all women and girls in the ACT:

1. Improving the mental health and wellbeing of women and girls in the ACT.
2. Fostering gender equity in Canberra workplaces, including through improved gender equality in leadership and workplace participation.
3. Building a community where women and girls are safe and supported to participate.
4. Improving housing support and sustainability and reducing homelessness for women.
5. Developing appropriate and accessible services, programs and policy for women and girls, ensuring consideration of those from diverse backgrounds.

Each objective is supported by outcomes and actions that will contribute to its achievement.

We will support your priority of ensuring safety for women at home and in public spaces, as this is essential to full and equal participation of women and girls in our community.

The ACT Ministerial Advisory Council on Women (MACW) provides strategic advice to government on issues that affect women in the ACT. This Council of preeminent local women will support you as Minister for Women by supporting your connections with local women in the Canberra community.

Key facts

According to the 2016 Census, women in the ACT experience the highest level of workforce participation at 67.6%, compared with 59.8% nationally, as well as lower unemployment (3.1%) compared to nationally (4.0%).

The gender pay gap in the ACT in 2019 was 12.5%, and of the 18,182-business owner-operators, only 32% are women. Nationally, women make up only 1-3% of the workforce across male-dominated traditional trade roles.

Women and girls experience and perceive safety differently than men. Women are more likely to report feeling unsafe in public spaces in Canberra than men, and girls from low-income households are less likely to participate in sport than boys. In addition, in the ACT evidence suggests that women and girls in the ACT experience higher rates of anxiety and depression. We are committed to working with you to achieve safety for women in the ACT.

COVID-19

The COVID-19 pandemic is predicted to have significant and long-lasting economic and social impacts, particularly on women. We know that women are working on the frontlines of this health crisis, in the female-dominated healthcare and social assistance workforces.

Throughout this health pandemic, women also have the added burden of unpaid caring responsibilities which have been impacted upon and increased in response to social distancing and isolation requirements, at times this has also included the additional responsibilities of looking after school aged children due to changes in the delivery of school education.

The loss of paid work and enormous economic changes and challenges our community will face will be felt sharply by women, who make up the majority of the casual workforce, particularly in the hospitality and retail sectors.

As Minister for Women, you will undoubtedly be mindful of the short term and predicted longer term impacts of the COVID-19 pandemic to women and will be interested in the publication of the ACT Wellbeing Framework which will provide further insight into the experiences of women before, during and after the pandemic.

Existing program such as the Return to Work Grants Program and the Women's Information Line will continue to be available to support women seeking to re-engage with work post-COVID. The expansion of these programs will be considered in the context of staged work under Canberra's Community Recovery Plan. Broader impacts for women such as mental health and housing insecurity will also need to be considered and potential options of support determined.

Additional funding has been provided to CatholicCare to establish and operate Mackillop House in response to the growing need for safe supported housing for women and children who are experiencing homelessness during COVID-19.

To address the impact of COVID-19 on women between the ages of 35 and 49, who have caring responsibilities, we have begun working with the Office for Mental Health and Wellbeing and Mental Illness Education ACT to address the impacts. Plans are underway to develop a community pack focused on addressing wellbeing, the importance of self-care and other supports available. You may choose to launch this project, to promote a broader community conversation about women's mental health.

DELIVERING ON YOUR PRIORITIES

To support you as Minister for Women on key equity issues for women and girls, we will continue to work across Government and with the sector to support and uphold the role of women and girls in society. We will continue to work in an evidence based and collaboratively focused way.

Target for construction industry and increasing female student participation

We will continue to coordinate cross-Government delivery of the Government's commitment to reaching a ten per cent target for the proportion of women employed in the construction industry in the ACT.

In early December 2020, the Office for Women will host a 'Women in Construction' Implementation Workshop, which will include consultation on the following actions, which are also part of the Second Action Plan:

- increasing the participation of female school students in construction industry vocational education and training through learning opportunities in schools;

- an ACT Building and Construction Industry Training Fund Authority (TFA) Women in Building and Construction campaign to specifically target employers to encourage greater employment of females in male dominated trade industries;
- setting a ten per cent target for the proportion of women employed in the construction industry in the ACT and support the achievement of this target by setting a requirement through the ACT Government procurement policies including the Secure Local Jobs Code to give greater weighting to organisations tendering for contracts over \$5 million who are meeting the target;
- working with industry and other key stakeholders to increase the target from 2022; and
- investigating options for a pilot project to deliver a major ACT capital works project (worth more than \$5 million) where tenderers must have a 100 per cent female site management team and female participation in each trade subcontractor undertaking work on the project.

A further action, *'a pilot project to deliver a major ACT capital works project with 100 per cent female site management'* will be progressed as a cross government project. This will include the Office for Women and Housing ACT, engaging with Major Projects Canberra from Chief Minister, Territory and Economic Development Directorate.

Advance cultural and educational change

Your commitment to deliver a new approach to gender equity in schools will be achieved through the focus of the *Second Action Plan* (Actions 3.1, 3.2 and 3.3). This work includes “continuing to promote evidence-based gender equality resources to support schools to implement primary prevention approaches through school processes, the Australian Curriculum and Social and Emotional Learning approaches”.

You may also choose to continue to support the Audrey Fagan Leadership Program, designed to continue to provide women with support and training to break through the barriers that prevent them from participating equally in the workforce and broader community.

Address gender inequality systemically

The ACT Diversity Register supports the appointment of more diverse members to ACT Government boards and committees, this brings greater diversity and strengthens decision-making across ACT Government agencies.

As Minister for Women you will have the opportunity should you wish, to provide a Women’s Budget Statement for the annual ACT Budget. The Women’s Budget Statement provides an opportunity for you to:

- Highlight policies that are unequal for women at the systemic level;
- Shed light on the impact budgetary decisions have on women, including issues that may be thought to be unrelated to gender;
- Articulate the economic impact of women’s responsibility for unpaid care work and conversely highlight the extent to which investment in childcare impacts women’s employment, this is particularly pertinent during the pandemic where women’s capacity to participate in paid work was impacted when childcare centres and schools closed; and
- Influence future budget processes to consider a gender-lens is applied and that a

reprioritisation of resources is allocated, to close gender gaps and support women's employment and safety.

In order to support you to drive system change, the Office for Women will continue to seek improved data, research and information collection to inform more gender responsive policies, program and services. Current work is underway with CMTEED to improve the consistency of sex, gender identity and sexual orientation data collected across Government.

ACT Women's Return to Work Program

We will continue to administer the Women's Return to Work Program and will continue to assist women to achieve increased financial independence by helping them prepare for, obtain, and maintain employment. This program is able to provide 160 women with individual grants of up to \$1,000 each year, for training and education. The funding, to develop job search skills and to access related resources to support women who have been unemployed due to caring responsibilities to return to work.

In 2020, the Office for Women has engaged SPARK Ginninderry to offer an expanded version of the Return to Work Program that includes the provision of career workshops and career counselling to 80 women, and career counselling and wrap around support to 140 women.

In 2020 and beyond we will continue working with the Women's Centre for Health Matters to explore the possibilities of offering grants to women in the Alexander Maconochie Centre. The aim of these grants will be to support women to re-engage into the community and look for work opportunities.

MINISTERIAL FUNCTIONS

As Minister for Women you are responsible for setting the ACT Government's agenda to advancing the interests of women in the ACT; delivering reports on issues affecting women in the ACT to the Legislative Assembly, including annually in response to the ACT Women's Plan; and representing the ACT Government at community events and activities including the annual Awards ceremony.

Legislation

Nil. You have no legislated responsibilities in this portfolio.

Intergovernmental forums you attend

The minister responsible for domestic violence represents the ACT on the Women's Safety Minister's Meeting (Minister's Meeting), a national forum for all governments to drive national progress in reducing violence against women and their children. The primary responsibility of the Minister's Meeting is the joint implementation and development of the National Plan to Reduce Violence Against Women and their Children, and its action plans. During the pandemic, the Minister's Meeting is also responsible for the National Partnership on COVID-19 Domestic and Family Violence Responses, including allocation of monies and monitoring impacts of the pandemic on the safety of women and children.

The Minister's Meeting is comprised of women's safety ministers from each state, territory and Commonwealth Government. Each jurisdiction is represented by a maximum of two Ministers with portfolio responsibility for women, families and/or prevention of family and domestic violence. The

Minister's Meeting is co-chaired by Senator Marise Payne, Minister for Women, and Senator Anne Ruston, Minister for Families and Social Services.

Appointments

You appoint the Chair, Deputy Chair/s and members of the ACT Ministerial Advisory Council on Women (MACW). The MACW provides advice to the Minister on issues affecting women in the ACT.

KEY ISSUES AND CONSIDERATIONS

Further to the priorities outlined already, the following key issues and considerations are prepared for your future consideration.

Improving mental health and wellbeing of women and girls in the ACT

The mental health of women and girls is a national concern and recent evidence suggests that the rate of depression and anxiety is higher for women and girls in the ACT, particularly girls and younger women. Research from Mission Australia and the Black Dog Institute indicates that females from the ACT in the 15-19-year age bracket report psychological distress at a higher rate than their male counterparts and young women at a national level.

Through the Second Action Plan under the ACT Women's Plan, ACT Health are implementing the recommendations from the mental health and wellbeing review of children and young people in the ACT (0-25 years) to improve mental health outcomes for women and girls.

Improving housing support and sustainability and reducing homelessness for women

An increasing number of older women in Canberra are finding themselves at risk of homelessness. Older single women often earn lower average wages than men, have less secure employment, less superannuation and can be left financially worse off after relationship break-ups. A major risk for women and their children when escaping from a domestic and/or family violence is housing instability. Women will often stay in unsafe situations because the alternative is homelessness.

The Government has committed, under Objective 4, of the Second Acton Plan to improving housing support and sustainability and reducing homelessness for women. There are a number of actions to address these issues underway which could be developed further, including:

- A Housing ACT led action to ensure housing pathways exist for women, including older women, single parents and families, by working in partnership with Common Ground (Dickson) and other transitional accommodations and shelters as required.
- We are working in partnership with CMTEDD to improve information sharing across ACT Government directorates to help prevent homelessness and support more accessible pathways to housing.

Fostering gender equity in Canberra workplaces, including through improved gender equality in leadership and workplace participation

To support your commitment, the Office for Women will continue to oversee the implementation of actions under the Second Action Plan to achieve gender equality in the workplace, specifically in the building and construction industry. The implementation of these actions will be supported by the 'Women in Construction Workshop' in early December and the delivery of the Audrey Fagan

Board Traineeship Program that provides women in the ACT with the skills and capabilities to participate in Boards through the Territory, through four interactive sessions.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
Recruitment of Ministerial Advisory Council on Women 2021-22 - Currently Open	Nominations for the 2021-22 Ministerial Advisory Council on Women term will be scheduled for an early Cabinet meeting following the election by the Minister for Women.
ACT Women's Awards - nominations open November 2020 - presented in March 2021	Applications will open for the ACT Women's Awards. This includes the ACT Participation (Women's) Grant and Women's Safety Grant.
Releasing outcome of Audrey Fagan Young Women's Enrichment Grants. - announcement in November 2020	Nominations have closed for the Audrey Fagan Young Women's Enrichment Grants and been assessed by a panel.
ACT Women's Grants - open for applications in November 2020	Applications will open for the ACT Women's Grants; including the ACT Participation (Women's) Grant and Women's Safety Grant.
International Women's Day and the Annual Statement on the Status of Women and Girls in the ACT - February/March 2021	International Women's Day is on the 8 March 2021, the Annual Statement is usually presented at the nearest appropriate date.

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
YWCA Canberra	Ms Frances Crimmins, Executive Director 02 6185 2000 [REDACTED]
Women with Disabilities ACT	Mx C Moore, Chief Executive Officer (pronouns they/them) [REDACTED] ceo@wwdact.org.au
Women's Centre for Health Matters	Ms Marcia Williams, Chief Executive Officer 02 6290 2166 admin@wchm.org.au / ceo@wchm.org.au
ACT Council of Social Service (ACTCOSS)	Dr Emma Campbell, Chief Executive Officer 02 6202 7200 ceo@actcoss.org.au
Women's Legal Centre	Ms Elena Rosenman, Chief Executive Office

	02 6257 4377 [REDACTED] / admin@womenslegalact.org
Domestic Violence Crisis Service (DVCS)	Glenda Stevens Interim General Manager [REDACTED]
Domestic Violence Prevention Council	Laura Aoun, Chair [REDACTED] 02 6280 6999
Uniting Care Kippax	Ms Meg Richens, Chief Executive Officer 02 6254 1733 ceo@kippax.org.au
Ministerial Advisory Council for Women	Louise Bannister, Chair 02 6292 8260 [REDACTED]

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – Expenses *	2.749	2.494	2.546	2.608
Controlled – capital injection	Nil	Nil	Nil	Nil
Territorial – expenses	Nil	Nil	Nil	Nil
Territorial – capital injection	Nil	Nil	Nil	Nil

*The reduction from 2020-21 to 2021-22 relates to \$238k one off funding for the actions to support the Second Action Plan 2020-22 under the ACT Women's Plan 2016-26.

This portfolio includes annual direct funding for 8 Full Time Equivalent (FTE) positions.

This portfolio includes funding for the following annual grant programs:

- Women's Grants - \$180,000
- Audrey Fagan - Enrichment Grants - \$10,000

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL	FACEPLACE
Jo Wood	Director-General		jo.wood@act.gov.au	
Anne-Maree Sabellico	Deputy Director-General		annemaree.sabellico@act.gov.au	
Christine Murray	Executive Group Manager, Inclusion and Participation		christine.murray@act.gov.au	
Jessica Summerrell	Executive Branch Manager, Social & Community Inclusion		jessica.summerrell@act.gov.au	

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DISABILITY OVERVIEW

As Minister for Disability, you are responsible for ACT disability policy and strategic engagement. This includes supporting the implementation of the National Disability Insurance Scheme (NDIS); the National Disability Strategy; and the ACT's Integrated Service Response Program, which supports people with disability with complex needs and those who are not eligible for the NDIS.

You are responsible for the *Disability Services Act 1991*, which provides the legislative foundation for the ACT to provide services to people with disabilities to enable them to achieve their maximum potential as members of the community.

You are also responsible for the *Senior Practitioner Act 2018*, which establishes the role of the Senior Practitioner and provides a formal framework for the reduction and elimination of restrictive practices.

These portfolio responsibilities are administered through the Community Services Directorate, including the Office for Disability, the Office of the Senior Practitioner, and Quality, Complaints and Regulation.

The Government has committed to ensuring Canberra continues to be an inclusive community where all Canberrans feel they belong, and to remove barriers to people with disability exercising their rights so they can participate fully in society. A strong ACT policy framework that supports people with disability, their families and carers is central to this commitment.

You have indicated that your disability priorities are to:

- provide grants to support disability inclusion
- adopt disability inclusion and action plans across the government
- support the Integrated Service Response Program
- continue implementing the ACT COVID-19 Disability Strategy
- continue making community facilities more accessible
- continue implementing the Community Recovery Plan
- develop and implement a disability employment strategy, and
- develop and implement a disability health strategy.

To help you achieve these outcomes, the Community Services Directorate will progress work that promotes social inclusion and community participation of people with disability.

Key disability facts

There are approximately 77,300 people with disability living in the ACT, and as at 30 June 2020, this included 7,753 active participants in the National Disability Insurance Scheme (NDIS). The ACT was the first jurisdiction to accept all eligible residents into the NDIS and is a significant financial contributor, with \$716.8 million committed for the 2019-23 financial years.

Since the introduction of the NDIS, the Commonwealth Government has held responsibility for

providing disability supports and regulating NDIS-registered disability providers. The ACT Government has, however, retained significant oversight of the NDIS as a financial shareholder in the Scheme. The ACT has also played a significant policy role in the implementation of the NDIS and is influencing national disability policy through the development of the next National Disability Strategy.

Through the Integrated Service Response Program (administered by the Office for Disability), the ACT Government retains some responsibility for supporting people with disability with complex needs, as well as people with disability who are ineligible for the NDIS due to residency reasons. More information about the Integrated Service Response Program is provided later in this brief.

COVID-19 response

Many people with disability are at increased risk of contracting COVID-19 and experiencing more severe health and social impacts from the virus and associated public health measures.

The Government has supported the community and disability sector during the COVID-19 pandemic. This includes providing support through the ACT Disability COVID-19 Strategy and actions, contributing to the ACT Operational Health Plan for People with Disability, and developing service support guidance.

The ACT COVID-19 Disability Strategy (the Strategy) provided \$850,000 to ensure people with disability, their families, carers and the disability sector are supported through the COVID-19 health emergency and during the post-emergency phase.

Key initiatives under the Strategy are:

Phase 1 – a total of \$450,000 in funding for:

- additional advocates to provide individual advocacy
- extra support for the disability sector through National Disability Services
- targeted communication approaches delivered by a range of disability support organisations
- making Personal Protective Equipment (PPE) accessible and available to people with disability and their supporters, and
- strengthening the marketplace for providers of positive behaviour supports.

Phase 2 – a further \$400,000 in funding for:

- a project that builds the confidence and skills of disability supporters to identify abuse and violence and know how to assist
- individual grants to reduce home-based pressures on people with disability and carers
- training for disability support staff in infection control training and use of PPE, and
- resources to better support people with disability and family members through an outbreak, particularly when experiencing isolation and quarantine.

DELIVERING ON YOUR PRIORITIES

To support the Government and its key disability priorities, the Community Services Directorate will focus on work to ensure that people with disability, their families and carers are supported to fully participate in the community. This includes a strong commitment to social inclusion for people with disability, as the community continues to navigate challenges related to COVID-19.

Deliver the Integrated Service Response Program

We will deliver on your commitment to continue delivering the Integrated Service Response Program (ISRP) to provide a coordinated response for people with disabilities who have complex needs. This program is currently funded until June 2021.

The ISRP works with the National Disability Insurance Agency (NDIA), ACT Government directorates and ACT service providers to resolve crises for ACT residents with disability whose complex support needs are not being met. It seeks to remove some of the barriers of government that emerge in complex situations.

The ISRP also provides case coordination support for children with disability who are living outside the family home. The case coordination component of this arrangement is extensive, due to the complexities of disability support needs for the child or young person, and the support required following a family's breakdown.

Adoption of disability inclusion and action plans across Government

We will progress your commitment to implement Disability Action and Inclusion Plans across government and community. This includes a focus on supporting Canberra Health Services to develop and implement a health plan, as well as supporting The Alexander McConachie Centre, which is also in the process of developing plans.

Deliver grants to support disability inclusion

We will progress the Disability Inclusion Grants to provide increased opportunities for people with disability to participate in mainstream community activities. To further promote inclusion for people with disability in the ACT, we will promote International Day of People with Disability, and will support the Disability Reference Group, the ACT Inclusion Council, and the Chief Minister's Inclusion Awards.

Supporting participants in the NDIS

We will continue to work collaboratively with the NDIA to ensure an integrated disability service system that is responsive and agile to the needs of people with disability. This includes ensuring that NDIS governance is robust and transparent and that the ACT Government as a key shareholder in the Scheme continues to have strategic oversight and input into the delivery of the Scheme.

Implementing the Community Recovery Plan

We will continue to deliver on your commitment to implement the Community Recovery Plan. This will be critical to assisting people with disability, their families and carers to recover from the COVID-19 pandemic.

ACT Disability Justice Strategy

In partnership with the Justice and Community Safety Directorate, we will deliver on the Government's commitment to the *ACT Disability Justice Strategy 2019-2029* (the Strategy). This has been developed to address inequality and increase the responsiveness of the justice system to the needs of people with disability, improving the justice system for everyone.

The Strategy was launched on 9 August 2019 and is resourced with \$4.8 million allocated over four years, to set strong foundations for the ten-year implementation of the Strategy.

Continue making community facilities more accessible

We will work actively across the community and within government to support your commitment to continue making community facilities more accessible for all Canberrans to access and enjoy. The Office for Disability will support the development and implementation of a disability employment strategy across government, business and community sectors.

Develop and implement a disability employment strategy

We will develop and implement a disability employment strategy. We will work with government partners to promote the 2020 Inclusion (People with Disability) Vocational Employment Program. We will also support greater participation in the workforce, by continuing to implement the ACT Government's *People with Disability Employment Framework*. The ACT Public Service will continue to ensure an accessible and inclusive workplace by following principles of Reasonable Adjustment, to ensure people have equal opportunities in the workplace.

Develop and implement a disability health strategy

We will deliver on your commitment to develop and implement a disability health strategy. This will be informed by consultation and engagement for the new National Disability Strategy, which is currently underway. This work will influence the future directions for work supporting people with disability. The new Strategy will be released in mid-2021 and will shape national and local efforts on inclusion for people with disability.

MINISTERIAL FUNCTIONS

You are responsible for setting strategic direction and policy in relation to disability in the ACT.

Legislation and decision-making

Legislation	Decision-making responsibilities
<p><i>Senior Practitioner Act 2018</i></p>	<p>You have lead responsibility for the <i>Senior Practitioner Act 2018</i>, which establishes the role of the Senior Practitioner and provides a formal framework for the reduction and elimination of restrictive practices. The intent of Act is not to enable the use of restrictive practices, but to provide a formal framework for the reduction and elimination of restrictive practices in the ACT.</p> <p>The Act enables the ACT to meet its commitments under the <i>National Framework for Reducing and Eliminating the Use of Restrictive Practices in the Disability Sector</i> and the NDIS National Quality and Safeguarding Framework.</p> <p>It also regulates the use of restrictive practices by entities that provide education (including education and care), care and protection of children, and non-NDIS disability services. The Act protects the rights of all individuals in these settings, not just those with a disability.</p>
<p><i>National Disability Insurance Scheme Act 2013</i> and NDIS governance</p>	<p>The <i>National Disability Insurance Scheme Act 2013</i> and the ACT Government full scheme bilateral agreement sets out the governance mechanisms of the NDIS, including any change to the legislative rules of the Act. As part of this agreement, the Commonwealth is required to consult on any changes to the rules. Category A rules require the agreement of all state and territory ministers.</p>
<p><i>Disability Services Act 1991</i></p>	<p>You are responsible for the <i>Disability Services Act 1991</i>, which provides the legislative foundation for the ACT to provide services to people with disabilities to enable them to achieve their maximum potential as members of the community.</p>

Intergovernmental forums you attend

Disability Ministers’ Meetings and new National Forum Federal Council

Previously, Disability Ministers provided strategic governance of the NDIS through the COAG Disability Reform Council (DRC).

On 29 May 2020, the Prime Minister announced that COAG would be abolished and replaced by a new National Federation Reform Council (NFRC) built around the National Cabinet.

Disability Ministers, Senior Officials Working Group (SOWG) and Office for Disability officials are yet to be briefed by the Commonwealth on the outcomes of the Review and the future composition, scope of work, acquittal strategies for outstanding DRC workplan items (e.g. Reserve Fund, Workforce), and future priorities, for both DRC and the NFRC.

The Office for Disability will support you with briefings and policy advice to ensure the ACT Government's interests are represented at any new governance forum.

Appointments

Disability Reference Group

The appointment of ACT Disability Reference Group members is subject to Cabinet approval. In May 2020, six Canberrans were appointed to the ACT Disability Reference Group, joining five existing members to form a strong and diverse group with a wealth of lived experience and disability sector knowledge.

Disability Justice Reference Group

The appointment of ACT Disability Justice Reference Group members is also subject to Cabinet approval. This Group was established in June 2018 and assists with the guidance and implementation of the Disability Justice Strategy. Previous Ministers have attended the Justice Reference Group meeting.

KEY ISSUES AND CONSIDERATIONS

There are several key issues in the disability portfolio that will require decisions and action over coming months.

Disability Royal Commission

The Disability Royal Commission was established on 4 April 2019. The Royal Commission has broad terms of reference to inquire into violence, abuse, neglect, and exploitation of people with disability, including particular experiences of First Nations people with disability.

The interim report of the Disability Royal Commission is due by 30 October 2020 and the final report is due by no later than 29 April 2022.

In September 2020 the ACT Government received and responded to a notice to produce from the Disability Royal Commission. The request is a written statement addressing the following matters:

1. Does the Directorate collect and record information on the First Nations status of parents in contact with child protection services?
2. Does the Directorate collect and record information on the disability status, or disability indicators, of parents in contact with child protection services?

Integrated Service Response Program

The Integrated Service Response Program (ISRP) provides a coordinated response for people with disabilities who have complex needs, including support for people with disability as they negotiate government and service system barriers. This program also provides funding to those people with disability from culturally and linguistically diverse communities who are not eligible for the NDIS due to residency reasons.

This program is currently funded until June 2021, and a decision is required regarding the ongoing role of the program.

NDIS Independent Assessments

On 28 August 2020, the Hon Stuart Robert MP, Minister for the NDIS, announced the introduction of Independent Assessments from early 2021. The ACT Government is concerned about the introduction of Independent Assessors.

This reform proposes that a panel of Independent Assessors (health professionals with experience in disability) will be selected by the NDIA, rather than NDIS participants collecting documentation and assessments from their own doctors and/or other specialists,

There are significant community concerns about this proposal from the ACT Council of Social Service, the Disability Reference Group, disability peaks and advocacy organisations. Key concerns are that

- access to the NDIS will be reduced
- NDIS plans will be reduced, resulting in cost shifting to the ACT, and
- it contravenes the principles of the NDIS, with long term impacts for people with disability, carers and funded services, who may be required to fill service and support gaps.

While the NDIA has advised that it will cover the costs of all Independent Assessments, multilateral discussions between the NDIA, Department of Social Service, and state and territory governments are ongoing.

Oversight of Specialist Disability Service Providers (SDSPs) in the ACT

On 1 June 2019, the ACT transferred regulatory oversight of 230 Specialist Disability Service Providers (SDSP) to the NDIS Quality and Safeguards Commission (the Commission). Non-NDIA registered providers may operate within the NDIS without formal oversight from the Commission. These providers are held accountable by the Code of Conduct and a jurisdiction's own laws and regulations. The ACT remains responsible for the legislative requirements for the regulation of SDSPs operating in the ACT, because the transfer of regulatory oversight was a policy decision and was not enacted through legislation. Since the transfer of oversight, two key issues have emerged in terms of Regulator oversight and quality.

Regulator oversight

Non-NDIA registered providers may operate within the NDIS without formal oversight from the Commission. These providers are held accountable by the Code of Conduct and a jurisdiction's own laws and regulations. The ACT has a proportionately higher rate of self-managed NDIS participants. These participants are free to choose either registered or non-registered providers to deliver their services or supports.

Agencies are not required to notify the Regulator that they have commenced operations. Due to the complex regulatory and legislative framework, this means that the Regulator has no power to identify providers, where they operate or to which client group(s) they are offering supports. Without these powers, there is no clear pathway to determine whether providers are compliant with the provisions of the law or if they are delivering quality services to vulnerable people.

Quality

The NDIS Commission is one of the primary means by which the ACT Government has insight into the wellbeing of the disability sector in the ACT and it is not operating as expected. The ACT Government recently raised concerns about the NDIS Quality and Safeguards Commission in its recent submission to the Joint Standing Committee Inquiry into the operation of the NDIS Quality and Safeguards Commission. Specifically, the ACT has noted poor follow-up of complaints, limited information sharing and a lack of transparency regarding operational issues. These issues have eroded trust between the NDIS Quality and Safeguards Commission and the ACT.

Reduction and Elimination of Restrictive Practices

The *Senior Practitioner Act 2018* (the Act) regulates the use of specific restrictive practices by entities providing education (including education and care), care and protection of children, or disability services. It protects the rights of all individuals in these settings, not just those with a disability. All instances of use of restrictive practices must be reported to the Senior Practitioner.

The Senior Practitioner must prepare a written report on the exercise of their functions for the year and give a copy of the report to the Director-General for inclusion in the CSD Annual Report. In 2019-20, a total of 2,313 reports were received, which relate to a total of 25,409 episodes of restrictive practices in 2019-20. Chemical restraint is the most frequently used restrictive practice (19,048 episodes), followed by environmental (4,124 episodes) and mechanical restraint (1,423 episodes).

From 1 December 2020, in accordance with NDIS Quality and Safeguarding arrangements, the Senior Practitioner will have oversight of NDIS participants in residential aged care.

Restrictive Intervention Data System (RIDS)

A new Restrictive Intervention Data System (RIDS) will be implemented in 2020-21. RIDS will enable providers to analyse data at the individual, group and service level, manage the risk of restrictive practices within their agency, and receive alerts about any uses of a restrictive practice outside of a registered positive behaviour support plan.

The RIDS will be vital, not only for reporting all uses of a restrictive practice, but also in enabling different service providers across multiple sectors to confidentially share and collaborate in the development and implementation of a positive behaviour support plan for a person. The system will also incorporate a streamlined Panel process for plan approval and build further capability around positive behaviour support. However, there is a risk that schools will not use the data system.

Compliance with the Act

At least one ACT Government Directorate is still not compliant with the Act. The Senior Practitioner has raised these concerns with the Directorate concerned, requesting that it report on all uses of restrictive practices within the requirements and timeframes set out in legislation.

NDIS participates in residential aged care

From 1 December 2020, in accordance with NDIS Quality and Safeguarding arrangements, the Senior Practitioner will have oversight of NDIS participants in residential aged care.

NDIS Full Scheme Bilateral Agreement for the Australian Capital Territory

The *Bilateral Agreement between the Commonwealth of Australia and the Australian Capital Territory on the National Disability Insurance Scheme (Full Scheme Bilateral Agreement)* and the *National Partnership on DisabilityCare Australia Fund Payments* took effect on 1 July 2019.

The *Full Scheme Bilateral Agreement* establishes long-term funding and governance arrangements for the NDIS. As part of the *Full Scheme Bilateral Agreement*, the ACT Government committed to make fixed, upfront funding contributions each year and the Commonwealth pays the balance of Scheme costs in the ACT.

The ACT Government will contribute \$716 million dollars to the scheme under the *Full Scheme Bilateral Agreement (2019-20 to 2022-23)*. The *Full Scheme Bilateral Agreement* also enables the ACT to access \$118 million of DisabilityCare Australia Fund payments between 2019–20 and 2023–24, securing the sustainability of the Scheme.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
New National Disability Strategy launch Mid-2021	Stage 2 consultation and engagement for the new National Disability Strategy has been delayed due to the impacts of COVID-19 but is currently underway. The new Strategy will be released in mid-2021 and will shape the national and local efforts on inclusion of people with disability.
Announcement of Disability Inclusion Grants December 2020	A total of \$100,000 is available in the 2020 DIGs funding round which closes on Monday 19 October 2020. Community organisations and small businesses may apply for a grant of any amount up to \$20,000.00 to be used for a project or initiative to promote social inclusion for people with disability through the removal of barriers to participation.
Announcement of I Day Grants end of October 2020	A total of \$25,000 (GST exclusive) is available in the 2020 International Day of people with disability (I-Day) Grants round. Individuals and organisations may apply for a grant up to \$5,000 to be used for a project, event or initiative around I-Day in 2020.
International Day of People with Disability 3 December 2020	I-Day is held on 3 December each year. It is a United Nations sanctioned day that aims to promote awareness and understanding of disability issues and encourage support for the dignity, rights and well-being of people with disability. I-Day also seeks to increase awareness of the benefits of inclusion of people with disability in every aspect of political, social, economic and cultural life.
Publication of the Senior Practitioner Annual Report 2019-20 (October 2020)	The annual report presents a summary of the number of reports received from providers on the use of restrictive practices. A total of 2,313 reports were received, which relate to a total of 25,409 episodes of restrictive practices in 2019-20.
Senior Practitioner oversight to extend to NDIS participants in residential aged care (1 December 2020)	In accordance with NDIS Quality and Safeguarding arrangements, the Senior Practitioner will have oversight of NDIS participants in residential aged care.
Disability Royal Commission: Public Hearing 7 (12 – 16 October 2020)	Topic: Barriers to accessing a safe, quality and inclusive school education and life course impacts.

<p>Disability Royal Commission: Public Hearing 8 (week commencing 23 November 2020)</p>	<p>Topic: The experiences of First Nations people with disability and their families in contact with child protection systems.</p> <p>The ACT Government has received a notice to produce from the Disability Royal Commission. The request is a written statement addressing the following matters:</p> <ol style="list-style-type: none">1) Does the Directorate collect and record information on the First Nations status of parents in contact with child protection services?2) Does the Directorate collect and record information on the disability status, or disability indicators, of parents in contact with child protection services?
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KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
Minister for the National Disability Insurance Scheme	The Hon Stuart Robert MP minister.robert@dss.gov.au
Minister for Families and Social Services, including Supports for People with Disability and Carers	Senator the Hon Anne Ruston Minister.Ruston@dss.gov.au
Chair ACT Disability Reference Group & Co-Chair Disability Justice Reference Group	Dougie Herd [REDACTED] P: (02) 6296 1133 M: [REDACTED]
Chair ACT Inclusion Council	Hugh Chalmers [REDACTED] M: [REDACTED]
Government Co-Chair Disability Justice Reference Group	Heidi Yates Victims of Crime Commissioner ACT Human Rights Commission Heidi.Yates@act.gov.au P: (02) 6205 2222
Acting Chair Women with Disabilities ACT	Kerry Marshall ceo@wwdact.org.au engagement@wwdact.org.au [REDACTED]
Executive Officer People with Disabilities ACT	Craig Shannon [REDACTED] P: (02) 6288 1144
Chief Executive Officer Carers ACT	Lisa Kelly [REDACTED] P: 02 6296 9970 M: [REDACTED]

PORTFOLIO BRIEF: MINISTER FOR DISABILITY

Chair National Disability Services ACT Committee	Eric Thauvette [REDACTED] ndsact@nds.org.au P: 02 6283 3200
Chief Executive Officer Advocacy for Inclusion	Nicolas Lawler [REDACTED] P: 02 6257 4005
Chief Executive Officer ADACAS	Michael Bleasdale manager@adacas.org.au P: 02 6242 5060

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – Expenses *	4.968	3.463	3.522	3.596
Controlled – capital injection	0.279	Nil	Nil	Nil
Territorial – expenses	160.560	167.161	174.029	180.990
Territorial – capital injection	Nil	Nil	Nil	Nil

* The reduction from 2020-21 to 2021-22 relates to the cessation of disability Integrated Services Response Program and COVID-19 stimulus package.

This portfolio includes annual direct funding for 10 Full Time Equivalent (FTE) positions.

This portfolio includes funding for the following annual grant programs:

- Disability Inclusion Grants - \$100,000
- I-Day Grants - \$25,000

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL	
Jo Wood	Director-General		jo.wood@act.gov.au	
Anne-Maree Sabellico	Deputy Director-General		annemaree.sabellico@act.gov.au	
Amber Shuhyta	Executive Group Manager, Strategic Policy		amber.shuhyta@act.gov.au	
Christine Murray	Executive Group Manager, Inclusion and Participation		christine.murray@act.gov.au	
Ellen Dunne PSM	Executive Branch Manager, Office for Disability		ellen.dunne@act.gov.au	
Sally Gibson	Executive Branch Manager, Quality, Complaints and Regulation		sally.gibson@act.gov.au	
Louise Bassett	Executive Branch Manager, Policy and Service Design, Strategic Policy		louise.bassett@act.gov.au	

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MULTICULTURAL AFFAIRS OVERVIEW

The Government has committed to ensuring Canberra is the most inclusive city in Australia where all Canberrans are able to participate and feel welcomed. As Minister for Multicultural Affairs you are responsible for setting the strategic direction for the ACT government's policies and programs to ensure Canberra continues to be an inclusive, progressive and proudly multicultural city. This portfolio responsibility is administered through the Office for Multicultural Affairs (OMA) in the Community Services Directorate (CSD).

You have indicated your priorities are to establish the Multicultural Recognition Act; attain the 'advanced' level in the Welcoming Cities Standard; continue to advocate for a national campaign to address racism; and ensure community spaces and venues are available for important cultural, social and religious events.

We will help you achieve these outcomes for the Canberra's multicultural community by working with the multicultural community and across the ACT Government to benchmark the ACT Government's policies and programs against the Welcoming Cities Standard and assess our progress against the 'advanced' level.

We will support you to scope, develop and deliver the new Multicultural Recognition Act which will establish the ACT Multicultural Charter, legislate for the Multicultural Advisory Council and establish reporting obligations for the Multicultural Framework.

In support of your commitment to continue advocating for a national anti-racism strategy and an effective campaign to address racism, we will work closely with the ACT Human Right Commission, the ACT Countering Violent Extremism Steering Committee and other states and the Northern Territory to identify evidence-based interventions that strengthen inclusion and address racism.

We will also support Venues Canberra in leading on your commitment to deliver on the EPIC Community Venue for large multicultural events and celebrations, performances and festivals.

Key Multicultural facts

The ACT's population is growing and is increasingly culturally and linguistically diverse. The ACT has been growing by an average of more than 7,000 people a year since 2011 and this growth has accelerated over the past four years as strong economic growth created more jobs.

Canberra's changing population is reflected in the 2016 census:

- In 2016, the proportion of ACT residents born overseas was 26.5%, up from 24% in 2011. The most reported countries of birth outside Australia were England, China, India, New Zealand and the Philippines; and
- 24% of ACT residents aged five and over indicated that they spoke a language other than English at home, up from 18% in 2011. The most common languages other than English were Mandarin, Vietnamese, Cantonese and Hindi.

The census also identified the economic benefit cultural diversity brings to the ACT:

- ACT residents born in countries where English is not the main language are relatively highly educated. 50% of them have a bachelor's degree or higher, compared to 36% of those born in Australia; and

- ACT residents with a non-English speaking background are more likely to be employed in highly skilled occupations than their Australian born counterparts. This includes ICT, engineering, natural and physical sciences, tertiary lecturing, medical practice and business analysis.

In 2019, more than half (52.4%) of Canberra's population growth came from overseas migration with the majority of new Canberrans coming from China and India.

As Canberra's population has become increasingly culturally diverse, an annual ACT Government community survey indicates a steady decrease in the number of people who believe Canberra is accepting of people from culturally diverse backgrounds.

In 2010, 91.5% of people agreed Canberra as a community accepts people from different cultures. In 2020 this has decreased to 81% with the biggest drops occurring in 2018 (89.3%) and 2019 (82%).

COVID-19

In response to the impact of COVID-19 on Canberra's temporary visa holders, the ACT Government provided \$450,000 in emergency financial support and other relief to asylum seekers, people on temporary work, family and protection visas, bridging visas and international students.

International students and other temporary visa holders are ineligible to access Australian Government social security support provided through Centrelink. The ACT Government funding will enable the Australian Red Cross and community members of the Refugee, Asylum Seeker and Humanitarian (RASH) Coordination Committee to meet the financial and social support needs of temporary visa holders facing financial difficulties due to COVID-19.

The Community Services Directorate (CSD) is working with the COVID-19 Public Information Coordination Centre (PICC) to ensure different community cohorts (including multicultural communities) are properly served by the PICC. This has included making relevant information available in 14 languages: Arabic; Chinese (Simplified); Chinese (Traditional); Dari; Farsi; Filipino (Tagalog); Greek; Hindi; Korean; Spanish; Tamil; Thai; Urdu; and Vietnamese.

DELIVERING ON YOUR PRIORITIES

To support the Government deliver on its key multicultural affairs priorities, we will focus on benchmarking government policies and programs against the Welcoming Cities Standard and establishing a multicultural charter; strengthening the ACT Government's advocacy for a national anti-racism strategy and campaign; and the effective management of existing and new ACT Government multicultural centres and venues.

Details will be provided in further briefings on each of these priorities.

Racism

We will deliver on your commitment to continue advocating for a national anti-racism strategy and an effective campaign to address racism to ensure Canberra continues to be recognised as an inclusive and welcoming city.

The need to strengthen national leadership and approaches to address racism have been identified in the Scanlon Foundation Social Cohesion Index and is a shared concern across all states and territories. It was a key agenda item discussed at the inaugural Ministerial Forum on Multicultural Affairs held in Brisbane. As Canberra's population has grown, there has been a slight increase in the number of people reporting experiences of racism as well as a slow decline in the number of people that agree Canberra is a community that accepts people from a different culture.

We will continue to work closely with the ACT Human Rights Commission and the ACT Discrimination, Health Services & Disability and Community Services Commissioner to raise awareness and understanding that the ACT Government does not tolerate racism and to advocate for a Canberra that is inclusive of all Canberrans.

This work will be further supported by the development of the ACT Wellbeing Indicators which strengthens the ACT Government's commitment to an inclusive community where everyone is valued and support to reach their full potential.

EPIC Community Venue

To further support the provision of community space for multicultural Canberrans, the Office for Multicultural Affairs will work with you and Venues ACT to support the establishment of a new EPIC Community Venue for large scale multicultural performances and celebrations.

The Theo Notaras Multicultural Centre was established by the ACT Government in 2005 to provide a community centre for Canberra's culturally and linguistically diverse community members.

Canberra is a growing city and the current function facilities available at the Theo Notaras Multicultural Centre are unable to meet the increased needs of Canberra's growing multicultural community, especially for large scale events, celebrations, performances and festivals.

The new EPIC Community Venue will ensure the cultural needs of Canberra's multicultural community are met now and into the future.

MINISTERIAL FUNCTIONS

You are responsible for setting strategic direction and policy in relation to multicultural affairs in the ACT.

Legislation and decision making

Nil.

Appointments

The Minister for Multicultural Affairs appoints members to the ACT Multicultural Advisory Council. The Council was established in 2017 to provide opportunities for Canberra's culturally and linguistically diverse community to engage in, and influence, ACT Government policies, services and programs. In September 2020, the Council commenced its second term.

The Council comprises of 15 members who either live, work or study in the ACT, have demonstrated extensive experience in the community or business and who represent the views of culturally diverse communities. Membership of the Council reflects the cultural and linguistic diversity of people residing in the ACT as well as a gender balance, representation of youth and older persons and persons with disability.

In March 2021, you may wish to undertake a process to consider new council members and establish a merit list to fill future vacancies.

Presiding Officer for conferring Australian Citizenship

As Minister for Multicultural Affairs you are responsible for citizenship ceremonies organised by the ACT Government.

Under the Australian Citizenship Ceremonies Code, the Presiding Officer must be authorised by the Commonwealth Government Minister responsible for citizenship matters. While all members of the Legislative Assembly are authorised to preside over citizenship ceremonies, the Minister for Multicultural Affairs assumes the role of Presiding Officer to confer Australia citizenship on candidates. As Minister, you have the discretion to delegate to another Member of the Legislative Assembly to preside at ceremonies should you not be available.

The ACT Government regularly hosts two ceremonies per month. ACT Government hosted citizenship ceremonies will be held on 26 October 2020; 16 November 2020; and 7 December 2020 at Albert Hall. The ACT Government does not host ceremonies in January as the Department of Home Affairs organises a large ceremony to mark Australia Day.

You will receive a brief proposing ceremony dates for 2021 in November 2020 for consideration.

The National Accreditation Authority for Translators and Interpreters (NAATI)

NAATI is the national standards and accreditation body for translators and interpreters in Australia. It is the only agency that issues accreditations for practitioners who wish to work in these roles in Australia.

NAATI is a company jointly owned by the Commonwealth, State and Territory Governments and is governed by a Board of Directors, who are appointed by the owners. As one of the nine Australian Ministers with responsibility for multicultural affairs and/or citizenship, you are the ACT Members of

NAATI.

Members may appoint a representative to exercise their powers in relation to the Company and all have done so. The current ACT representative is the Senior Director, Office for Multicultural Affairs.

Intergovernmental forums you attend

National Ministerial Forum on Multicultural Affairs

On 2 October 2019, the Queensland Minister for Multicultural Affairs, contacted Ministers with responsibility for the multicultural affairs portfolio in the Australian, State and Territory governments proposing to host a Ministerial Forum on Multicultural Affairs. The proposed Forum would provide the opportunity for ministers to discuss shared issues relating to their portfolios.

The Queensland Government hosted the inaugural Ministerial Forum on Multicultural Affairs in Brisbane on 12 March and 13 March 2020. At the Forum, Minister's discussed and shared information on efforts to strengthen and build community cohesion and how such efforts contribute to countering violent extremism; the need to strengthen national leadership and approaches to address racism given the ongoing negative trend highlighted by the Scanlon Foundation Social Cohesion Index; and approaches to address the ongoing challenge of accessing interpreters to facilitate access to essential services for many newly arrived residents.

At the Ministerial Forum on Multicultural Affairs in Brisbane, the ACT offered to host the next Forum. You may wish to consider hosting the second Ministerial Forum in Canberra at a date to be agreed.

Assembly reporting requirements

ACT Multicultural Framework 2015 – 2020

As Minister for Multicultural Affairs, you are responsible for delivering an annual Statement and Report on the *ACT Multicultural Framework 2015-2020* (the Framework) to the Legislative Assembly. The final report on the current Framework is due to be delivered in the Legislative Assembly in November 2021.

On completion, the Framework will have delivered on two action plans and a total of 50 actions that aimed to ensure Canberra continued to be an accessible and inclusive city where cultural diversity is valued.

In 2021, we will support you to scope a new vision and direction ensuring Canberra continues to be an inclusive, progressive and proudly multicultural city.

KEY ISSUES AND CONSIDERATIONS

ACT Services Access Card

The ACT Services Access Card was launched in September 2011, to provide asylum seekers living in the ACT with streamlined access to concessions and essential services that they were otherwise ineligible to receive. In 2018, the ACT Government undertook an independent review of the card to assess the extent the needs of asylum seekers are being met. The review considered future directions for administration of the card, the services and programs asylum seekers can access and identified the changing needs of asylum seekers the ACT Government should consider.

The review detailed 13 recommendations for consideration by the ACT Government to increase awareness and promotion of the access card amongst ACT Government directorates, especially front-line staff; expand the coverage of services of the access card to include those that are not contracted by the ACT Government; and additional assistance via concessions in the areas of housing and accommodation.

We are working with community and government stakeholders to progress review recommendations. You will be briefed on options to progress the review recommendations.

Multicultural Grants

The Office for Multicultural Affairs administers two grant programs: Participation (Multicultural) Grants and Participation (National Multicultural Festival) Grants.

The Participation (Multicultural) Grants program provides funding to community organisations to highlight and promote community participation and cohesion, cultural diversity and social inclusion in the ACT. You will be briefed on the proposed Grant Guidelines, opening and closing dates for the 2020-21 grant program.

The Participation (National Multicultural Festival) Grant Program aims to provide funding to enable multicultural communities to participate in the National Multicultural Festival. The Grant Program is currently open with applications due to close at 5pm Monday 26 October 2020.

Workforce Assistance Program for Migrants, Refugees and Asylum Seekers

Job Active is the Australian Government's program to assist Australians into work. It connects job seekers with employers and is delivered by a network of providers across Australia. However, many migrants have found Job Active providers are not effective at supporting their differing needs.

In 2017-2018, the ACT Government committed \$1,184,000.00 (GST exclusive) over four years to deliver on an election commitment to provide workforce participation assistance for migrants, refugees and asylum seekers.

In March 2018, Multicultural Employment Services (MES) was contracted to deliver a \$307,000.00 (GST inclusive) 12-month Migrant, Refugee and Asylum Seeker Employment Project while an open tender process was planned.

In 2019, the Office for Multicultural Affairs worked closely with Procurement ACT to develop a Statement of Requirement and a Procurement Plan for a \$1,512,500.00 (GST Inclusive) five-year Workforce Assistance Program for Migrants, Refugees and Asylum Seekers. The procurement process was delayed due to COVID-19 and an open tender process was conducted from 28 August – 16 October 2020.

We will provide you with briefing detailing the procurement process, applications and assessment process

for consideration.

ACT Humanitarian Intake

The ACT became a Refugee Welcome Zone in 2015 as a commitment to welcoming refugees and enhancing Canberra's cultural diversity. Refugees arrive in Australia under Australia's Humanitarian Program. The Office for Multicultural Affairs represents the ACT Government on the Settlement Outcomes Senior Officials Group (SOSOG) which brings together Australian, State and Territory Government to discuss and address policy and operational issues relating to Australia's Humanitarian Program. SOSOG is chaired by the Department of Home Affairs.

Refugees are permanent residents and eligible to access Centrelink and other support services provided by the Commonwealth Government. Australia's Humanitarian Program does not include people on Temporary Protection Visas (TPVs), Safe Haven Enterprise Visas (SHEVs) and bridging visas who are not eligible for Centrelink and other Commonwealth government support services.

In the October budget, the Australian Government announced Australia's annual Humanitarian Program has been reduced from 18,750 to 13,750 places but as the Program is currently on hold due to travel restrictions into Australia this may not be achieved in 2020-21.

The biggest constraint to delivering on the ACT's commitment as a Refugees Welcome Zone is housing affordability.

We will brief you on options for further strengthening the ACT Government support for refugees settling in Canberra.

Work Experience and Support Program (WESP)

The Office for Multicultural Affairs delivers the bi-annual Work Experience and Support Program (WESP) which supports culturally and linguistically diverse Canberrans enter the workforce and gain meaningful paid employment.

The program benefits Canberrans who have trouble securing employment. Barriers to employment include a lack of local qualifications and experience, developing spoken and written English skills, and a lack of Australian citizenship.

The program provides participants with the opportunity to gain an Australian qualification and local workplace experience in the ACT Government. Two programs are held each calendar year, one in March and one in September. The 2020 WESP participants will graduate from the program on 11 December at the Theo Notaras Multicultural Centre.

The Minister for Multicultural Affairs traditionally presides over the WESP Graduation ceremony. A brief will be provided to you for your consideration.

National Multicultural Festival

The National Multicultural Festival (NMF or Festival) serves as an important platform for community relations and the celebration of the city's diverse community with hundreds of cultural groups participating in the event each year. The NMF remains a vibrant, community-focused event that celebrates Canberra's cultural diversity and strengthens the participation of our multicultural communities in the life of this city.

The Festival plays a key role in fostering community led celebrations of culture and traditions. The strong engagement of Canberra's multicultural community is integral to making the Festival a success –

promoting equality and sharing of cultural traditions that contribute to a community that respects and celebrates our cultural diversity.

There were several improvements instituted in 2020 including expanding the Festival footprint to include the northern end of Glebe Park, an organic waste collection trial, the rebranding of the Children's Sanctuary resulting in a new Family Spaces program, the use of coloured marquees and the in-house management of volunteers.

Survey results from the 2020 Festival indicates a high level of engagement and interest amongst local and interstate visitors. The 2020 Festival attracted 214,231 unique individuals (up from 203,733 in 2019) with high levels of satisfaction recorded amongst attendees. Nine out of ten attendees said that the Festival met or exceeded their expectations and of those who attended, eight out of ten indicated that they would be likely to return to the Festival in 2021.

In 2020, the Festival generated a total economic benefit of just over \$12.1 million for the ACT economy. The economic benefit has been steadily increasing over the last three years (\$10.7 million in 2019 and \$7.7 million in 2018).

The major issue concerning the delivery of the 2021 NMF is the impact of the COVID-19 pandemic.

Social distancing measures and the ACT's recovery plan will dictate the approach needed in planning for an event that typically experiences high numbers of visitation and therefore crowds. The required COVID-19 safe measures that will need to be implemented and Canberra's staged recovery will have a significant impact on capacity and therefore community participation.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
<p>Establishment of the NMF Community Panel Reference Group—(CPRG)</p> <p>Timing: early November 2020</p>	<p>An opportunity to engage key community representatives to provide input into options and models for the delivery of the 2021 Festival.</p>
<p>Media announcement regarding the 2021 NMF</p> <p>Timing: Mid-November 2020</p>	<p>You may wish to announce potential postponement of the 2021 Festival at this time.</p>
<p>Options for the delivery of the 2021 Festival</p> <p>Timing: February 2021</p>	<p>A brief providing options and corresponding delivery dates for the 2021 NMF will be provided for your consideration.</p>
<p>COVID Safe (event specific) Plan / exemption to hold event > 500 attendees</p> <p>Timing: Subject to approval of the option for the 2021 Festival</p>	<p>We will seek your endorsement prior to the submission of any COVID-safe event plan to the Office of the Chief Health Officer (CHO).</p>
<p>Media announcement of 2021 date and format</p> <p>Timing: Subject to CHO’s approval of the COVID Safe Plan / exemption for the delivery of the 2021 Festival</p>	<p>This would be an opportunity to confirm the date for the delivery of the 2021 Festival (25th anniversary of the event) following approval of any relevant exemptions and COVID-safe plan by Office of the CHO.</p>
<p>Participation (NMF) Grant program outcome</p> <p>Timing: Subject to approval of the option for the 2021 Festival</p>	<p>A brief advising of the outcome of assessment of applications received and approval of the recommendation will be provided for your consideration.</p>
<p>Citizenship Ceremonies</p> <p>Timing: Monthly</p>	<p>The Office for Multicultural Affairs delivers Citizenship Ceremonies in the ACT for new citizens. Once a month, on average two ceremonies are held.</p> <p>Ceremonies are held using a slightly altered delivery method to maintain physical distancing requirements and comply with COVID-19 restrictions.</p>
<p>2020-21 Participation (Multicultural) Grants Program</p> <p>Timing: November 2020</p>	<p>It is proposed applications for the 2020-21 Participation (Multicultural) Grants Program will open around this time subject to your agreement.</p>

<p>Implementation of the ACT Services Access Card Review</p> <p>Timing: December 2020</p>	<p>You will be provided with an update regarding proposals to implement recommendations.</p>
<p>Work Experience and Support Program Graduation</p> <p>Timing: Date for graduation is confirmed for 11 December 2020</p>	<p>A graduation ceremony will take place on 11 December 2020 for the participants of two Work Experience and Support Programs in 2020.</p>
<p>Multicultural policy framework</p> <p>Timing: December 2020</p>	<p>The Second Action Plan of the ACT Multicultural Framework was extended until December 2020.</p> <p>Undertake community consultation to develop-a multicultural policy framework to guide the ACT Government for the next five to ten years.</p>
<p>The Chief Minister’s Ramadan event</p> <p>Timing: Early 2021 to allow for planning of event</p>	<p>Ramadan is from 12 April to 11 May 2021.</p> <p>An event proposal including dates and times will be provided to yourself and the Chief Minister.</p>
<p>The Second Action Plan of the <i>ACT Multicultural Framework</i></p> <p>Timing: November 2021</p>	<p>You will have an opportunity to report on progress of the Second Action Plan via a Ministerial Statement in the ACT Legislative Assembly.</p>
<p>ACT Community Language Schools Review</p> <p>Timing: April 2021</p>	<p>Report on the outcomes of the independent review on investment in ACT community language schools and proposed way forward to implement recommendations.</p>
<p>The Welcoming Cities Standard</p> <p>Timing: December 2021</p>	<p>Community consultations to seek feedback on the proposed accreditation documentation.</p> <p>Finalise and upload the accreditation documentation onto Welcoming Cities portal.</p>

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
Cross Government Reference Group	<p>Comprising representatives from each government directorate and agencies.</p> <p>Most agencies and directorates work in partnership with Festival organisers and have a role in delivering services and or supports to the annual event.</p>
Office of the Chief Health Officer	<p>Dr Kerryn Coleman ACT Chief Health Officer Email: ACTHealthOCHO@act.gov.au Phone: (02) 5124 9442</p> <p>Approver for the COVID Safe (event specific) Plan and exemption application for a future event.</p>
Showcase Leaders Working Group	<p>Members from eleven cultural Showcases, representing cultural community organisations.</p> <p>Contact details can be requested from the NMF Showcase Leaders Secretariat.</p>
Diplomatic Missions	<p>Comprised of over 80 Diplomatic Missions.</p> <p>Contact details can be accessed via the Department of Foreign Affairs and Trade website.</p>
Participating community and commercial vendors	<p>Comprised of a range of local and interstate, not-for-profit and for-profit operators.</p> <p>Contact details are restricted by the Community Services Directorate Privacy Statement.</p>
ACT Multicultural Advisory Council (MAC)	Secretariat: ACTMAC@act.gov.au
Refugee, Asylum Seeker and Humanitarian (RASH) Coordination Committee	Secretariat: CommunityParticipation@act.gov.au
Senior Officials Settlement Outcomes Group (SOSOG)	Secretariat: SOSOG.Secretariat@homeaffairs.gov.au

Inter-Directorate Implementation Group of the ACT Multicultural Framework	Secretariat: CommunityParticipation@act.gov.au
ACT Language Services Policy Group	Contact: CommunityParticipation@act.gov.au
National Accreditation Authority for Translators and Interpreters (NAATI)	NAATI Office: info@naati.com.au
Canberra Institute of Technology (CIT)	Canberra Institute of Technology: <div style="background-color: #cccccc; width: 150px; height: 15px; display: inline-block;"></div> (Work Experience and Support Program) <div style="background-color: #cccccc; width: 150px; height: 15px; display: inline-block;"></div> (English language classes)
MARSS Australia Inc (Migrant and Refugee Settlement Services)	MARSS Office: info@marss.org.au
Multicultural Hub Canberra	MHub Office: info@mhub.org.au
Companion House	Office: info@companionhouse.org.au
ACT Community Language Schools Association Incorporated.	Office: actclsa@gmail.com
Theo Notaras Multicultural Centre tenants	Contact: multiculturalcentre@act.gov.au

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – Expenses *	7.527	8.024	7.866	7.973
Controlled – capital injection	Nil	Nil	Nil	Nil
Territorial – expenses	Nil	Nil	Nil	Nil
Territorial – capital injection	Nil	Nil	Nil	Nil

* The increase in 2020-22 relates to the \$0.290m of re-profiled funding for More Support for refugees and new migrants in 2019-20 Budget.

This portfolio includes annual direct funding for 12 Full Time Equivalent (FTE) positions.

This portfolio includes funding for the following annual grant programs:

- Participation (Multicultural) Grants - \$179,000
- National Multicultural Festival Grants - \$88,780

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL	
Jo Wood	Director-General		jo.wood@act.gov.au	
Anne-Maree Sabellico	Deputy Director-General		annemaree.sabellico@act.gov.au	
Christine Murray	Executive Group Manager, Inclusion and Participation		christine.murray@act.gov.au	
Jessica Summerrell	Executive Branch Manager, Social & Community Inclusion		jessica.summerrell@act.gov.au	

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ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS OVERVIEW

As Minister for Aboriginal and Torres Strait Islander Affairs you are responsible for setting the strategic direction and advocating across government for policy, programs and service delivery aimed at improving the lives of Aboriginal and Torres Strait Islander peoples of the ACT.

These policies, programs and services are the responsibility of multiple directorates and you are supported in this cross-government work by Office for Aboriginal and Torres Strait Islander Affairs (OATSIA) within the Community Services Directorate. OATSIA leads works to enable self-determination of Aboriginal and Torres Strait Islander people in the ACT and drives policy reform within government.

Central to your commitments are the importance of Voice, Treaty and Truth to Aboriginal and Torres Strait Islander peoples and self-determination as the key to equitable life outcomes for Aboriginal and Torres Strait Islander peoples living the ACT.

In support of your commitment to delivering equitable outcomes, the Government is a party to the National Agreement on Closing the Gap and you are a member of the Joint Council on Closing the Gap. You have the policy responsibility to setting the strategic direction of Aboriginal and Torres Strait Islander Affairs in line with the National Agreement on Closing the Gap.

You have responsibility for leading the Government's actions under the ACT Aboriginal and Torres Strait Islander Agreement 2019-2028 (the ACT Agreement), closely aligned with the National Agreement, and reporting on progress annually.

As Minister for Aboriginal and Torres Strait Islander Affairs you work with the key Aboriginal and Torres Strait Islander leadership and governance groups including ACT Aboriginal and Torres Strait Islander Elected Body and the United Ngunnawal Elders Council.

You have indicated your priorities in Aboriginal and Torres Strait Islander Affairs are working in genuine partnership with the Aboriginal and Torres Strait Islander community in addressing intergenerational disadvantage and building stronger families. We will work with you to continue to deliver ACT Agreement outcomes and priority reform areas of National Agreement on Closing the Gap whilst addressing local priorities as they arise from the Aboriginal and Torres Strait Islander community.

To help you achieve these outcomes and your key priorities, OATSIA will progress:

- working with Gugan Gulwan on the Concept Design Phase of purpose-built facility;
- providing the recommendations and findings of the Our Booris, Our Way review *Recommendation Six: Feasibility Study Aboriginal Child Care Association*;
- finding ways to support the direct involvement of Aboriginal and Torres Strait Islander peoples in developing community-led solutions, providing advice and guidance to government, and contributing to government processes;
- working in partnership with the Elected Body and the ACT Aboriginal and Torres Strait Islander community to commence a co-design process to set out the strategic vision and objectives for the Yarramundi Cultural Centre;

- working in collaboration with the Office of Family Safety in implementation of the *We Don't Shoot Our Wounded* report; and
- support Ngunnawal traditional custodians and the broader Aboriginal and Torres Strait Islander community to facilitate preliminary discussions about what Treaty would mean for the community.

COVID-19

During the COVID-19 response \$580,000 was specifically invested to support Aboriginal and Torres Strait Islander organisations and services during this time.

The funding supported local organisations by boosting their capacity and culturally specific programs to continue their vital work, and to respond flexibly to emerging needs within the community. This package of funding complemented the \$250,000 investment made in targeted Indigenous mental health and suicide prevention initiatives.

The Aboriginal and Torres Strait Islander Wellbeing Program provided one-off grants to individuals, community groups and organisations to assist those whose wellbeing was affected by the COVID-19 health emergency.

The Indigenous community was able to access the \$351 million economic survival package to support community through the public health emergency.

Impacts on the Aboriginal and Torres Strait Islander community will need to be considered further in the delivery of Canberra's Community Recovery Plan.

DELIVERING ON YOUR PRIORITIES

To support the Government and its key Aboriginal and Torres Strait Islander priorities, we will continue to work across government to deliver action under the ACT Agreement and providing oversight and coordination of the ACT Agreement.

Details will be provided in further briefings on the issues and each priority.

Purpose-Built facility for Gugan Gulwan Youth Aboriginal Corporation

We will support you in achieving your commitment to work with Gugan Gulwan Youth Aboriginal Corporation (Gugan Gulwan) to deliver a purpose-built facility to deliver services valued by the Aboriginal and Torres Strait Islander community.

Preparations are well advanced to move forward in the design aspects of the new building. The current funding available will provide for preliminary sketch drawings and associated costings to be undertaken by an architect, and project management for Gugan Gulwan.

Deliver on the comprehensive ACT Aboriginal and Torres Strait Islander Agreement 2019-2028 Action Plans across Government

We will support your commitment to the delivery of actions in the ACT Agreement by keeping directorates accountable in achieving the targets. We are well advanced in the development of the ACT Agreement Outcomes Framework (the Outcomes Framework). The Outcomes Framework is designed to measure the impact of programs and initiatives against long term outcomes for ACT Aboriginal and Torres Strait Islander peoples. It will provide a shared understanding of specific outcomes the community expects and a way to measure how efforts across the ACT Government contribute to these outcomes.

Future of Yarramundi Cultural Centre and plan to transition to community control

We will deliver your commitment to transition Yarramundi Cultural Centre and other community assets to community control by first working with the Elected Body to develop a Governance Framework to provide a range of governance models that could be applied across a variety of different sized organisations and a cross section of community service sectors. A core part of this work will be to work with key community stakeholders in the development of the framework.

In addition to this work, OATSIA is also working in partnership with the Elected Body and the community to commence a co-design process to establish the strategic vision and objectives for the Yarramundi Cultural Centre.

Implementation of Recommendations of the Our Booris, Our Way Review – More Aboriginal and Torres Strait Islander children and young people grow up connected to their family and culture

We will act on your commitment to deliver on the recommendations of the *Our Booris, Our Way* Review; to work in genuine partnership with the Aboriginal and Torres Strait Islander community in

building stronger families and have more Aboriginal and Torres Strait Islander children and young people grow up connected to their family and culture.

The Feasibility Study undertaken by OATSIA into establishing Aboriginal and Torres Strait Islander Community Controlled Organisations focusing on children, young people and families is near completion.

We will brief you further on the Feasibility Study recommendations which provide a pathway to establishing the Aboriginal and Torres Strait Islander advocacy/policy organisation by July 2021 and an Aboriginal and Torres Strait Islander Community Controlled service organisation by July 2022. These timelines are achievable but will require early decisions to progress and early consideration of funding implications.

Aboriginal and Torres Strait Islander Policy and Practice Co-Design Forum

We will support you in your commitment to work with the Aboriginal and Torres Strait Islander Policy and Practice co-design Forum to shape policy and services for the Aboriginal and Torres Strait Islander community.

We will work with you to develop solutions to address related issues which will require seeking appropriate funding to support the Forum, including funding to remunerate Aboriginal and Torres Strait Islander community members at a level which recognises and values their significant expertise in shaping policy and practice change to improve outcomes for their community.

Traditional Custodians and Treaty

We will support you in your discussions with Ngunnawal Traditional Custodians on Treaty through the provision of strategic policy advice to you and secretariat and administrative support to the United Ngunnawal Elders Council (UNEC).

Community expectations have been raised following the launch of the ACT Agreement and UNEC have been advocating for Treaty. Currently there are a number of family groups who have connection to the ACT. There are differing views and expectations about a Treaty for the ACT and it is imperative that support independent of Government is provided to the community to facilitate preliminary discussions about what Treaty would mean for the community.

Implement the recommendations from the We Don't Shoot Our Wounded Report

The Aboriginal and Torres Strait Islander community have brought the complex issues facing their community in regard to domestic and family violence to the attention of the ACT Government through the *We Don't Shoot Our Wounded* and the *Change our Future - Share what you know* reports. We will support the Office of Family Safety to deliver on your commitment to implement the recommendations of the *We Don't Shoot Our Wounded* Report.

MINISTERIAL FUNCTIONS

You are responsible for setting the strategic direction for the portfolio, which includes accountability to deliver commitments under the National Agreement on Closing the Gap. You have the following functions:

- Deliver an Indigenous Affairs Ministerial Statement annually to the Legislative Assembly, to coincide with National Statement on Closing the Gap.
- Table the ACT Aboriginal and Torres Strait Islander Elected Body Annual Hearings Report and present the Government Response to the ACT Legislative Assembly.

Appointments

You appoint members to the ACT Reconciliation Council and you also have powers under the ACT Aboriginal and Torres Strait Islander Elected Body Act 2008 in certain circumstance to make decisions regarding the membership of the Elected Body including undertaking chairing arrangements.

Intergovernmental forums you attend

You represent the ACT on the Joint Council on Closing the Gap, a national ministerial partnership with representatives of the National Coalition of Aboriginal and Torres Strait Islander Peak Organisations (Coalition of Peaks) and the Australian Local Government Association. The primary responsibility of the Joint Council is to provide national leadership, coordination and cooperation on Closing the Gap and provide advice to the National Cabinet as appropriate. The Joint Council have an ongoing role in monitoring performance and implementation against the jointly agreed National Agreement on Closing the Gap and associated targets.

The Joint Council is co-chaired by the Minister for Indigenous Australians, the Hon Ken Wyatt AM MP, and the Lead Convenor of the Coalition of Peaks, Ms Pat Turner AM.

Legislation and decision making

You are responsible for the ACT Aboriginal and Torres Strait Islander Elected Body Act 2008 and the Aboriginal and Torres Strait Islander Regulation 2017 which establishes the ACT Aboriginal and Torres Strait Islander Elected Body and informs the governance, accountability and transparency of the operation of the Elected Body.

KEY ISSUES AND CONSIDERATIONS

ACT Agreement Reporting – Coordination and Timing

As far as possible, reporting and indicators under the ACT Agreement and the National Agreement on Closing the Gap are being aligned to maximise the effort directed towards outcomes and streamline resources required for reporting. To strengthen this alignment there is an opportunity for you to consider:

- extending the end date of the ACT Agreement from December 2028 to align with the end date of the National Agreement on Closing the Gap in 2031; and
- bringing together the ACT Agreement annual statement in early 2021 with the annual reporting requirement of the National Agreement on Closing the Gap.

Government Response to the ACT Aboriginal and Torres Strait Islander Elected Body Report from Hearing 11-13 March 2020 Tenth Report to the ACT Government

The Tenth Report has been presented to Directors-General on 29 September 2020.

Under the Aboriginal and Torres Strait Islander Elected Body Act 2008 section 10B(3) the Minister for Aboriginal and Torres Strait Islander Affairs must—

- (a) present the report to the Legislative Assembly within 6 sitting days after the day the Minister receives the report; and
- (b) present a response to the report not later than the first sitting week after the end of 4 months after the day the Minister receives the report.

OATISA has commenced work to prepare the Government response and will brief you on timeframes.

NAIDOC Week 2020

NAIDOC Week 2020 was postponed to 8-15 November 2020 due to the COVID-19 pandemic. The Canberra and District NAIDOC Aboriginal Corporation announced that they will not host Awards or events such as the NAIDOC Ball or Family Day in 2020. The Corporation does not feel that it is appropriate to hold events which may negatively impact on the health and wellbeing of the community and do not align with government restrictions on gatherings.

This year the Flag Raising is scheduled to be held on 9 November 2020, however the format for the event has moved to online video to align with the Canberra and District NAIDOC Aboriginal Corporation position.

Traditional Custodians

Currently there are several family groups who have connection to the ACT. The United Ngunnawal Elders Council (UNEC) see themselves as the traditional custodian peak body however not all family groups are currently represented on the Council. In addition to UNEC there is the Dhawura Ngunnawal Committee who work with the Environment, Planning and Sustainable

Development Directorate to support joint management of Ngunnawal Country.

There are inconsistencies in the governance and government support between these committees including sitting fees, which has created inequity. UNEC has since sought an increase in sitting fees.

OATSIA is also developing an approach to remuneration for traditional custodians that appropriately acknowledges their contribution in advising government. This work is anticipated to be complete by early 2021 with options to be provided for Government's consideration.

ACT Aboriginal and Torres Strait Islander Elected Body Elections

The Elected Body Elections are normally held during NAIDOC Week (the first full week in July) and polling is carried out during this week to maximise participation in the election. NAIDOC Week celebrations nationally were postponed due to COVID-19 concerns and this significantly impacted on the polling of the Elected Body elections in 2020. To maximise the participation of Indigenous people in the election, the election was deferred for 12 months, with polling set to occur in NAIDOC Week 2021.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
NAIDOC Week Observed 8-15 November 2020	The Office for Aboriginal and Torres Strait Islander Affairs are organising a COVID safe way of observing NAIDOC Week with the annual flag raising.
Feasibility Study of an Aboriginal and Torres Strait Islander Child Care Association: Recommendations and findings – November 2020	OATSIA has undertaken a Feasibility Study of an Aboriginal and Torres Strait Islander Child Care Association in response to Recommendation 6 of the <i>Our Booris Our Way Review</i> . You will be provided with options and recommendations.
ACT Agreement Outcomes Framework – November 2020	OATSIA will brief you regarding finalisation of the ACT Agreement Outcomes Framework now that the National Agreement on Closing the Gap is in place.
Joint Council on Closing the Gap – 17 November 2020	You will represent the ACT as a member on the Joint Council on Closing the Gap.
Tabling of the ACT Aboriginal and Torres Strait Islander Elected Body Tenth Hearings Report – Govt response to be tabled first sitting after 30 January 2021.	Under the <i>ACT Aboriginal and Torres Strait Islander Elected Body Act</i> the Minister for Aboriginal and Torres Strait Islander Affairs is required to table the Hearings Report in the Legislative Assembly. The Government Response is also tabled four months from the time the Government receives the report.
Reconciliation Day 2021 Held the first Monday on or after 27 May each year – 31 May 2021	ACT Reconciliation Council working with OATSIA and Events ACT to develop the 2021 program. It is likely to be both online and small physical events around Canberra.
ATSIEB Elections These are held during NAIDOC Week – July 2021	Postponed from 2020 to 2021. OATSIA will work with Elections ACT to hold the elections in the ACT over NAIDOC Week.
ACT Aboriginal and Torres Strait Islander Grants	The ACT Aboriginal and Torres Strait Islander Grants program first round will be assessed in late October 2020 and you will be briefed on recommended grants and options regarding the program.
New and Emerging Organisations Support Program	The New and Emerging Organisations Support Program applications will be assessed in late October 2020 and you will be briefed on recommended grants and options regarding the program.

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
ACT Aboriginal and Torres Strait Islander Elected Body	Secretariat Email: atsieb@act.gov.au Phone: 6207 9656
United Ngunnawal Elders Council	Secretariat Email: UNEC_secretariat@act.gov.au
ACT Reconciliation Council	Secretariat Email: OATSIA@act.gov.au
Gugan Gulwan Youth Aboriginal Corporation	Kim Davison – CEO Phone: (02) 6296 8900 Email: [REDACTED]
Winnunga Nimmitjiah Aboriginal Health Service	Julie Tongs – CEO Phone: (02) 6284 6222 Email: reception@winnunga.org.au
Tjillari Justice Aboriginal Corporation	Deborah Evans Phone: (02) 6147 3369 Email: info@tjillarijustice.com.au
Yeddung Mura: Good Pathways	Pastor Priestley Obed – CEO Phone: 1800 86 4663
Yerrabi Yurwang Child and Family Aboriginal Corporation	Selina Walker, Brian Wilson and Aunty Elaine Lomas – Board Members Email: yerrabiyurwangchildanandfamily@gmail.com
Canberra and District NAIDOC Aboriginal Corporation	Maurice Walker – Chairperson Email: actnaidoc@yahoo.com Phone: [REDACTED]
ACT Torres Strait Islanders Corporation	Samantha Faulkner Phone: [REDACTED]
CIT Yurana Centre	Caroline Hughes - Director Phone: (02) 6207 3308
SNAICC – National Voice for our Children	Richard Weston - CEO Phone: (03) 9419 1921 Email: ceo@snaicc.org.au

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	4.983	4.382	4.448	4.527
Controlled – capital injection	Nil	Nil	Nil	Nil
Territorial – expenses	Nil	Nil	Nil	Nil
Territorial – capital injection	Nil	Nil	Nil	Nil

This portfolio includes annual direct funding for 15 Full Time Equivalent (FTE) positions and 1.8 FTE positions for 2020/21 only.

Grants Programs

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
ACT Aboriginal and Torres Strait Islander Grants Program	0.22	0.22	0.22	0.22
Reconciliation Day Grants	0.150	Nil	Nil	Nil
Aboriginal and Torres Strait Islander Job Readiness Program	0.264	0.264	0.264	0.264
New and Emerging Organisations Support Program	0.025	Nil	Nil	Nil

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL	FACEPLACE
Jo Wood	Director-General		jo.wood@act.gov.au	
Anne-Maree Sabellico	Deputy Director-General		annemaree.sabellico@act.gov.au	
Lisa Charles	Executive Branch Manager, Office for Aboriginal and Torres Strait Islander Affairs		lisa.charles@act.gov.au	

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SENIORS AND VETERANS OVERVIEW

As Minister for Seniors and Veterans, you are responsible for addressing issues relating to social inclusion of older Canberrans, veterans and their families. You will be supported in the delivery of these responsibilities by the Community Services Directorate (CSD) with other directorates leading on specific policy and program responsibilities.

Seniors

In 2011, Canberra was accepted as a member of the World Health Organisation's Global Network of Age-Friendly Cities. Through *Age-Friendly Canberra - A Vision for Our City* (the Vision), the Government has committed to valuing and supporting inclusion and active participation of older people. The Vision is supported by the *Age-Friendly City Plan 2020-2024*, which sets out a range of actions designed to ensure Canberra's seniors have equitable access to all services. Actions relate to enhancing social inclusion; access to services; public transport; addressing age discrimination and elder abuse; and age-friendly urban planning.

There is no specified age range for what constitutes an older person, as this varies according to the context. Often, an older person is defined as being 65 years and over. However, in some settings (such as the ACT Seniors Card Program), a person over 60 years is considered a senior. Aboriginal and Torres Strait Islander people tend to be recognised as being older community members at an earlier age, due to an overall need for care at younger ages and decreased life expectancy when compared with non-Indigenous Australians.

The population of Canberra is increasing each year, with the number of older Canberrans who choose to stay in the ACT growing rapidly. Around 12.5% of Canberrans are aged over 65 and this is expected to increase over the next decade.

Key issues for seniors include the availability of affordable and accessible healthcare services, housing, public and community transport services, and recreational activities. Seniors also seek accessible public spaces; accessible retail outlets and service providers; rewarding volunteer opportunities; and paid employment opportunities without age-discrimination.

Veterans

An estimated 26,000 Australian Defence Force (ADF) veterans live in Canberra. Veterans include current members of the ADF starting new careers or seeking rehabilitation, and others who have retired.

Key issues for veterans include transition from the ADF to civilian life, greater recognition of the potential for veteran experiences and skills to be utilised, and for civilian employment to contribute positively to one's mental health and overall wellbeing needs. There is also a general need to build the capability of mainstream services to recognise the specific needs of veterans and their families, and ensure their staff have the relevant knowledge and understanding to respond appropriately.

The ACT veteran community is extremely diverse and younger veterans often have very different needs and expectations from government and services than their older counterparts. Many issues facing veterans concern Commonwealth-funded services provided by the Department of Veterans' Affairs (DVA).

COVID-19 response

Older Canberrans particularly those with limited English, with disability or chronic health conditions, and those living in poverty have additional vulnerabilities to COVID-19. Emerging issues relating to COVID-19 for vulnerable cohorts of older Canberrans include:

- prolonged adherence to social distancing measures and resulting loss of social connection – associated with an increased risk of mental and physical ill-health (this includes a decrease in engagement with volunteering);
- continued avoidance of public transport due to its risk of transmitting infection – associated with a lack of capacity to access the community for older Canberrans who do not drive;
- minimisation of visits to aged care facilities and heightened risk of infection within aged care facilities (as visitors and as residents);
- a reduction in access to the health system, including regular appointments for chronic and complex needs due to individuals opting to prioritise self-isolation over accessing this care. The health sector is reporting a reduction in the number of consultations with older patients, which may have implications for chronic disease management;
- an increase in the incidence of elder abuse which has been associated with social and physical isolation and financial hardship;
- responses and messaging in relation to COVID-19 may be influenced by and further entrench ageism;
- particular risks for individuals with dementia who may have less capacity to adapt their behaviour to meet social distancing requirements and to maintain social connection in different ways; and
- a digital divide for a portion of older people who do not use digital devices or online platforms, reducing these individual's:
 - capacity to connect digitally as an alternative to in-person connection;
 - access to up to date information on COVID-19 and available supports and social connection opportunities; and
 - access to remotely delivered health care.

Some measures introduced to address these issues included:

- A fortnightly Community Partner COVID-19 Update distributed to organisations supporting seniors.
- Additional funding of \$60,000 was allocated through the COVID-19 Community Support Package to support older veterans and older Canberrans. This funding was evenly distributed amongst the following organisations: COTA ACT; Vietnam Veterans and Veterans Federation ACT Incorporated; and Woden Valley RSL Sub-Branch Inc.
- The Wellbeing Calls Service.
- Celebrating Seniors – a range of activities to celebrate connection and resilience through International Day of Older Persons and Grandparents Day in October.

DELIVERING ON YOUR PRIORITIES

Seniors

We will work with you to fully implement your age-friendly city plan and ensure older Canberrans can participate, are valued and are well represented in our community. To achieve these outcomes CSD will:

- work with the Environment, Planning and Sustainable Development Directorate to expand the age-friendly suburbs program;
- work with the Justice and Community Safety Directorate and Canberra Health Services to implement actions identified in the National Plan to Respond to the Abuse of Older Australians (Elder Abuse) 2019-2023;
- collaborate with Access Canberra to plan for the digitising of the ACT Seniors Card, making the application process more accessible for older Canberrans.

We will engage with Access Canberra and Libraries ACT to ensure all ACT Government shopfronts and libraries are dementia friendly; and consult with Office for the Coordinator-General for Mental Health and Wellbeing to facilitate the development and implementation of a specific strategy for the mental health of older people.

Veterans

We will prioritise your commitment to develop a Whole of ACT Government Veterans Strategy, with appropriate consultation with veterans and their families.

We will work with you to ensure that veterans are properly supported to make the transition to civilian life, engage meaningfully with their local services and have a positive quality of life. This includes implementing the Veterans Employment Strategy covering both public and private sectors and providing the Veterans Connect event three times a year in line with ADF Transition Seminars, in collaboration with Chief Minister Treasury Economic Development Directorate.

MINISTERIAL FUNCTIONS

Seniors

The Minister for Seniors is responsible for setting strategic direction and policy in relation for the seniors' portfolio. You have oversight of the ACT Seniors Grant Program, funding provided to COTA ACT for Seniors Week events, and the delivery of the Seniors Card Program. In addition, you:

- Work with Ministerial colleagues to address cross-portfolio issues impacting on older Canberrans. This includes working with the Attorney-General on matters relating to elder abuse and the Health Minister on matters relating to Aged Care.
- Advocate for the Commonwealth to address issues for older Canberrans within their jurisdiction, including aged care.

Legislation and decision making

Nil. However, a range of legislation relevant to the Seniors portfolio is currently within the portfolio responsibilities of the Attorney-General and the Minister for Justice, Consumer Affairs and Road Safety (Powers of Attorney Act 2006, Guardianship and Management of Property Act 1991, Human Rights Commission Act 2005, and Crimes Act 1900).

Appointments

As Minister for Seniors, you appoint community members to the Ministerial Advisory Council on Ageing (MACA) to ensure there is a broad range of knowledge, skills, qualifications, and experience relevant to providing strategic advice on matters relating to older Canberrans. This includes appointment of the Chair and Deputy Chair. The role of the Council is to:

- Undertake research, monitor and provide advice on positive ageing matters referred by the Minister for Seniors or raised as a result of community consultation;
- Evaluate and provide advice on ACT Government positive ageing policies and programs affecting the community and recommend changes where necessary; and
- Consult with relevant community organisations and individuals to identify concerns and propose action. Act as a link between these organisations and the ACT Government on these issues.

Appointments to the Council are non-statutory and made for two-year terms, unless determined otherwise by you. The term of the current Council is due to end on 31 May 2021.

Intergovernmental forums you attend

You are the ACT representative for the Ministerial Seniors Roundtable. The Roundtable brings together Ministers responsible for the Seniors portfolio in each State and Territory to facilitate collaboration on matters affecting seniors across Australia.

The inaugural Roundtable was hosted by the ACT on 28 May 2020. Ministers shared ideas on how governments across the country address issues of social isolation, loneliness and elder abuse. This included working with the community and legal sectors, provision of information and grants, and the sharing of resources across jurisdictions.

The Commonwealth, States and Territories agreed that the Roundtable meetings continue, with the Victorian Minister for Disability, Ageing and Carers, the Hon. Luke Donnellan MP, subsequently agreeing to host the next Roundtable. However, the future of the Seniors Roundtable will likely depend on the outcome of the Conran Review of the former COAG Councils and Ministerial Forums in November 2020.

Assembly reporting requirements

The Age-Friendly City Plan specifies that the Minister for Seniors will deliver the first Annual Statement in the Legislative Assembly in the first half of 2021. The Annual Statement reports on progress against actions identified in the Plan.

Veterans

The Minister for Veterans is responsible for setting strategic direction and policy in relation for the Veterans portfolio. As Minister for Veterans, you will also be invited to attend local services and commemoration events as scheduled, and will often have a key role.

Legislation and decision making

Nil.

Appointments

As Minister for Veterans you appoint individual community members to the Ministerial Advisory Council for Veterans and their Families (MACVF). Members have a material interest in issues affecting veterans and their families in the ACT. The role of the Council is to:

- Provide advice and introduce issues to government on any matters relating to veterans, their families and the veterans' community.
- Ensure the objectives of the MACVF are met to the maximum extent practicable.
- Facilitate a collective approach to raising issues with the Minister.
- Consult across the veterans' community when developing advice.

The Council consists of a minimum of eight to a maximum of 12 members, including a Chair and Deputy Chair.

Intergovernmental forums

You represent the ACT at the Veterans Ministerial Council (VMC). The VMC provides an opportunity for Ministers responsible for veterans' issues from across Australia to come together to discuss how different levels of government can collaborate to support veterans and their families.

The VMC is Chaired by the Minister for Veterans and Defence Personnel, The Hon Darren Chester MP. Secretariat support is provided by DVA. The next VMC meeting is due to be held in mid-November 2020, though the future of the Council is uncertain, in line with discussions around the Conlan Review of former COAG Councils.

KEY ISSUES AND CONSIDERATIONS

SENIORS

National Plan to Respond to the Abuse of Older Australians (Elder Abuse) 2019-2023

In 2019, the Council of Attorneys-General (CAG) endorsed the *National Plan to Respond to the Abuse of Older Australians (Elder Abuse) 2019-2023* (the National Plan). The National Plan is supported by an Implementation Plan, which includes actions that will be progressed by both the Australian Government and State and Territory governments. Actions include those assigned to the Justice and Community Safety Directorate; the Community Services Directorate; and Canberra Health Services.

The Commonwealth Attorney-General's Department has indicated that, aside from underwriting the costs and set the fees for the build of the national register for Enduring Powers of Attorney, it will not commit funding to carry out work under the National Plan, with States and Territories required to contribute funds. It has been proposed that the ACT pay a contribution towards measures which is disproportionately high, per capita. We will brief you further on these issues ahead of the next Ministerial Council meeting.

ACT Seniors Card Program

All Australian states and territories independently operate a Seniors Card Program that assists seniors to access discounted goods and services from participating businesses and a range of Government concessions, including travel concessions.

COTA ACT has been funded by the ACT Government for over 12 years to administer the ACT Seniors Card Program. The current Deed of Grant provides \$170,738.39 (GST exclusive) annual funding and is due to end on 1 July 2021.

We will brief you on future arrangements for the administration of the Seniors Card Program including options for digitising of the Seniors Card to making the application process more accessible for older Canberrans and enhance connections with other systems such as Transport Canberra's ticketing arrangements.

Seniors Grant Program

The Seniors Grant Program provides funding for innovative projects that promote older Canberrans as valued members of the local community and enable their active participation in community life. The Program has a particular emphasis on supporting projects that address elder abuse, enhanced social inclusion, and the needs of diverse seniors, including Aboriginal and Torres Strait Islander elders and culturally and linguistically diverse seniors.

The main round of the 2020-21 Seniors Grant Program is due to close on 30 October 2020. It is anticipated that the second round will open in late 2020, and close late March 2021. As Minister for Seniors, you have responsibility for approving the grants.

A total of \$80,000 is available for the 2020-21 Seniors Grant Program, with \$70,000 committed through the main round. The remaining \$10,000 will be reserved for the 2020-21 Seniors Grant Program (Round 2) subject to your agreement.

Restrictive Practice in Aged Care

From 1 December 2020, in accordance with NDIS Quality and Safeguarding arrangements, the Senior Practitioner will have oversight of NDIS participants in residential aged care.

The Senior Practitioner has met with three residential aged care providers to discuss her role and requirements under the Act and will continue to engage with the sector over coming months.

VETERANS

Mental Health of Veterans and Families

There are several barriers to accessing suitable mental health services in Canberra, particularly for ex-servicemen and women. These relate to the lack of clinical specialists such as psychologists/psychiatrists, long waiting times for services, the need for services to be responsive to the culture of the Australian Defence Force, and lack of training in veteran specific issues, such as Post Traumatic Stress Disorder (PTSD).

A feasibility study is currently being conducted to determine how the ACT could lead the development and delivery of an integrated, nationally connected service to support veterans and their families. This initiative is co-funded by the Commonwealth and ACT Government. Yellow Edge, partnering with ORIMA Research, has been engaged to conduct the project. The final report for the project is due to the Directorate in late 2020.

We will brief you on the feasibility study and options for taking forward the findings.

Ministerial Advisory Council for Veterans and their Families

The current Deputy Chair for the Ministerial Advisory Council for Veterans and their Families will be stepping down from this role in late 2020 and will complete the remainder of the Council term as a general member. A replacement Deputy Chair will need to be appointed to take effect from early 2021.

We will brief you on potential candidates for this role and the appointments process.

Veterans Grant Program

The primary aim of the Veterans Grant Program is to support the wellbeing and social inclusion of veterans and their families. A total of \$80,000 is available for the 2020-21 Veterans Grant Program, with \$70,000 committed through the main round. The remaining \$10,000 will be reserved for the 2020-21 Veterans Grant Program (Round 2) subject to your agreement.

The main round of the 2020-21 Veterans Grant Program is due to close on 30 October 2020. It is anticipated that the second round will open in late 2020, and close late March 2021.

MAJOR UPCOMING DECISIONS AND EVENTS

SENIORS TOPIC AND TIMING	DETAILS
30 October 2020 – Seniors Grant Program	Closing of the Main Round of the 2020-21 Seniors Grant Program.
3 November 2020 – Ministerial Advisory Council on Ageing	This meeting provides an opportunity for you to meet with the Ministerial Advisory Council on Ageing if you so choose.
November/December 2020 – Ministerial Seniors Roundtable	Meeting with Ministerial counterparts
March 2021	Seniors Week events
Senior Practitioner to safeguard NDIS participants in residential aged care from 1 December 2020	In accordance with NDIS Quality and Safeguarding arrangements, the Senior Practitioner will have oversight of restrictive practices used in relation to NDIS participants in residential aged care.
VETERANS TOPIC AND TIMING	DETAILS
30 October 2020 – Veterans Grant Program	Closing of the Main Round of the 2020-21 Veterans Grant Program
11 November 2020 – Remembrance Day	Local commemorative service
November 2020 – Veterans Ministerial Council	Meeting with your Ministerial counterparts

November/December 2020 – Veterans Grant Program	Opening of the Second Round of the 2020-21 Veterans Grant Program subject to your consideration and agreement
December 2020 – Ministerial Advisory Council for Veterans and their Families	This meeting provides an opportunity for you to meet with the Ministerial Advisory Council on Ageing if you so choose.
January 2021 – Ministerial Advisory Council for Veterans and their Families	A new Deputy Chair will need to be appointed in January 2021.

KEY STAKEHOLDERS

SENIORS

ORGANISATION	CONTACT DETAILS
<u>Ministerial Advisory Council on Ageing</u>	Professor Diane Gibson, Chair P [REDACTED] E [REDACTED]
<u>Council on the Ageing (COTA) ACT</u> <i>COTA is a national body and COTA ACT provides guidance and support to older people in the ACT.</i>	Ms Jenny Mobbs, Executive Director P 6282 3777 E [REDACTED]
<u>Older Persons ACT Legal Service (OPALS)</u> <i>OPALS is a specialist legal service established by Legal Aid ACT to provide legal assistance to older Canberrans. It also hosts the ACT elder abuse helpline, to which the national helpline (1800 ELDERHelp) is directed.</i>	Dr John Boersig PSM CEO, Legal Aid ACT P 02 6243 3455 E [REDACTED]
<u>Belconnen Seniors Seniors centre</u>	Mr John Badenoch, President P 6251 6354 E bscci@bigpond.net.au
<u>Canberra Seniors Centre Seniors centre</u>	Ms Pat Gratton, Chief Executive Officer P 6248 9509 E cseiors@bigpond.com
<u>Tuggeranong 55 Plus Club Seniors centre</u>	Mr Phil Burns, President P 6293 4004 E tugg55plusclub@gmail.com

PORTFOLIO BRIEF: MINISTER FOR SENIORS AND VETERANS

<u>Woden Seniors</u> <i>Seniors centre</i>	Mr Paul McGlew, President P 6282 2573 E admin@wodenseniors.org.au
<u>ACT Disability, Aged and Carer Advocacy Service (ADACAS)</u>	Mr Michael Bleasdale, Chief Executive Officer P 6242 5060 E adacas@adacas.org.au
<u>National Seniors Australia Northside</u>	Ms Nola Shoring, President P [REDACTED] E [REDACTED]
<u>National Seniors Australia Southside</u>	Mr Rob Fredericksen P [REDACTED] E nsacanberrasouth@gmail.com
<u>Dementia Australia</u>	Ms Maree McCabe, Chief Executive Officer P 6255 0722 E act.admin@dementia.org.au

VETERANS

ORGANISATION	CONTACT DETAILS
<u>Ministerial Advisory Council for Veterans and their Families</u>	Brigadier Alison Creagh AM CSC (Retd), Chair P [REDACTED] E [REDACTED] Mr Gerard Pratt, Deputy Chair P [REDACTED] E [REDACTED]
<u>RSL ACT Branch</u> <i>ACT Branch of the National Returned Services League (RSL) Ex- service organisation</i>	Mr John King, President P (02) 6260 6344 E admin@actrsl.org.au
<u>RSL Belconnen Sub-Branch</u> <i>Ex- service organisation</i>	Mr Ian Sayers OAM ED, President P [REDACTED] E [REDACTED]
<u>RSL Campbell-Russell Sub-Branch</u> <i>Ex- service organisation</i>	Mr Brian Grosman, President Mr Tom Roberts, Secretary P [REDACTED] E [REDACTED]
<u>RSL Gungahlin Sub-Branch</u> <i>Ex- service organisation</i>	Flying Officer Shaun McGill, President P [REDACTED] E president.gungahlinrsl@gmail
<u>RSL Hellenic Sub-Branch</u>	Mr Peter Tsikleas, President

<i>Ex- service organisation</i>	Mr Paul Taylor, Secretary P 6254 0868 E [REDACTED]
<u>RSL Woden Valley</u> <i>Ex- service organisation</i>	Mr Jim Gilchrist, President P [REDACTED] E president@rslwoden.org.au

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	1.683	1.607	1.646	1.710
Controlled – capital injection	Nil	Nil	Nil	Nil
Territorial – expenses	Nil	Nil	Nil	Nil
Territorial – capital injection	Nil	Nil	Nil	Nil

This portfolio includes annual direct funding for 4 Full Time Equivalent (FTE) positions.

This portfolio includes annual funding for the following grant programs:

- Senior Grants - \$80,000; and
- Veterans Grants - \$80,000.

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL	
Jo Wood	Director-General		jo.wood@act.gov.au	
Anne-Maree Sabellico	Deputy Director-General		annemaree.sabellico@act.gov.au	
Christine Murray	Executive Group Manager, Inclusion and Participation		Christine.murray@act.gov.au	
Jessica Summerrell	Executive Branch Manager, Social & Community Inclusion		jessica.summerrell@act.gov.au	
Sally Gibson	Executive Branch Manager, Quality, Complaints and Regulation		sally.gibson@act.gov.au	

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SOCIAL INCLUSION AND EQUALITY OVERVIEW

As Minister for Social Inclusion you have responsibility for improving social inclusion, equality, diversity and equal opportunity in the ACT. A specific focus of this portfolio has been inclusion and equality for Canberrans with diverse sex, gender and/or sexuality. You also have responsibility for encouraging philanthropy and the Chief Minister's Charitable Fund.

You will be directly supported in the delivery of these responsibilities by the Chief Minister, Treasury and Cabinet Directorate, including the Office for LGBTIQ+ Affairs.

LGBTIQ+ affairs

A major component of the Social Inclusion and Equality portfolio is supporting Canberrans with diverse sexuality, gender and/or sex. This is primarily conducted through the Office for LGBTIQ+ Affairs within CMTEDD.

Capital of Equality is the government's current strategy to make Canberra the most welcoming and inclusive city for LGBTIQ+ people in Australia. The strategy includes three objectives to achieve this vision:

1. Foster understanding and awareness so that barriers can be removed.
2. Undertake service improvements to deliver more inclusive and accessible services.
3. Continue reforms to have equal rights reflected in law, data and policies.

The strategy is supported by a series of action plans outlining how these objectives will be delivered. The first action plan expires at the end of 2020.

Other key activities of the Office for LGBTIQ+ Affairs include administering an annual grants program to support LGBTIQ+ visibility and inclusion, and the administration of a service agreement with Canberra Inclusive Partnerships to deliver support services for LGBTIQ+ Canberrans.

This program of work has close connections with the Health and Justice portfolios given their importance to delivering safe and inclusive physical and mental health services and fair and equal treatment under legislation.

Chief Minister's Charitable Fund

The Chief Minister's Charitable Fund has been established as an independent organisation that can distribute funds to important charitable causes in the ACT at arms-length from government, while also promoting philanthropy and charitable giving in the Territory.

The Fund itself has been funded through an initial grant from the ACT Government, a portion of which it is required to invest as a means of generating future funds that can be distributed.

Although the Fund is managed independently from government, it works closely with the government to coordinate efforts to promote social inclusion and equality and support for charitable causes.

During COVID-19 and the 2019-20 bushfires the Fund engaged with Government to coordinate fundraising and recovery and relief funding efforts. The Fund has also worked closely with the Government to make Canberra Day an annual day focussed on philanthropy and charitable giving.

Social Inclusion and Equality grants

The 2019-20 Budget provided funding of \$150,000 per annum for three years to support three organisations that contribute to social inclusion and equality in the ACT. These were Kulture Break, Vietnam Veterans and Veterans Federation ACT and the National Eisteddfod. Funding to these organisations has already been provided to these organisations for 2019-20 and 2020-21.

DELIVERING ON YOUR PRIORITIES

Capital of Equality Strategy

The Government has indicated it intends to continue pursuing a vision for Canberra to be Australia's most LGBTIQ+ inclusive and welcoming city.

Capital of Equality (2019-2023) is the Government's current strategy to deliver equitable outcomes for Lesbian, Gay, Bisexual, Trans, Intersex & Queer (LGBTIQ+) people and make Canberra the most LGBTIQ+ inclusive and welcoming city in Australia.

Under the current strategy the Minister for Social Inclusion and Equality is responsible for providing an annual statement of performance against actions under the strategy.

The expiration of the first action plan under the strategy at the end of 2020 provides an opportunity to review and/or refresh any priorities the government may want to pursue over the coming 2-3 years.

The Office for LGBTIQ+ Affairs can provide you with advice regarding possible directions based on current community priorities, including those gathered through ongoing discussions with the LGBTIQ+ Ministerial Advisory Council and other stakeholders.

The Government has also committed to continuing the Safe and Inclusive Schools Initiative that supports gender and sexual diversity in schools. This is an existing program being delivered by the Education Directorate. As such, we do not anticipate any issues with implementation of this commitment.

Other LGBTIQ+ commitments

The Government has made a range of commitments that fall within your responsibilities for LGBTIQ+ policy and programs. These include:

- Extending the Capital of Equality grants program;
- Continue funding for key LGBTIQ+ events including SpringOUT and Yes! Fest;
- Providing funding for the CBR Pride Hub;
- Funding LGBTIQ+ inclusion training for the ACT Public Service;
- Funding A Gender Agenda to support our intersex, trans and gender diverse community;

- Improving mental and physical health services for LGBTIQ+ Canberrans, including continuing work to ban unnecessary medical interventions on children born with variations in sex characteristics.

These commitments are largely expansions or extensions of programs already in place or significantly advanced, and the Office for LGBTIQ+ Affairs will brief you regarding progress and seek your views on any further changes you may wish to consider.

Wellbeing Indicators

The Chief Minister launched the ACT Wellbeing Framework in March 2020 stating that “having a set of wellbeing indicators will help us zero in on where we need to invest more of our time, energy and creativity to make a real difference for those Canberrans who currently aren’t sharing in the benefits of our prosperity in the way they should’.

The Government committed prior to the election to reporting on Canberra’s progress out of COVID-19 from a wellbeing perspective. A first data dashboard of indicator measures is proposed for release in December, subject to consideration by the Chief Minister.

Although the Wellbeing Indicators are currently the responsibility of the Chief Minister they offer an opportunity to promote social inclusion and equality as key aspects of the community’s overall wellbeing, as well as a mechanism to assess whether social inclusion and equality are improving in the Territory.

MINISTERIAL FUNCTIONS

Legislative responsibilities

The Minister for Social Inclusion and Equality has no specific legislative powers or responsibilities but is the Minister responsible for the *Sexuality and Gender Identity Conversion Practices Act*.

Role in Chief Minister’s Charitable Fund

The ACT Government’s relationship to with the Chief Minister’s Charitable Fund is set out in a Deed of Grant between the Territory and the Chief Minister’s Charitable Fund Limited. The Deed does not expire until June 2023 but may be varied on agreement by both parties. CMTEDD can undertake any negotiations with the Chief Minister’s Charitable Fund should you wish to vary the Deed.

The Chief Minister’s Charitable Fund is managed by an independent board at arms-length from government. The ACT Government has no role in day-to-day decision making for the Fund, including decisions regarding grant applicants or nominations to the board.

The Minister for Social Inclusion and Equality has no legislated or official role as part of the Fund, but may engage with the Fund’s representatives to discuss the ACT Government’s priorities for social inclusion and equality and/or discuss opportunities to promote philanthropy within the Territory.

The ACT Government is to be provided with all papers ahead of board meetings and is invited to provide an independent observer to board meetings. This role is currently fulfilled by the Director-General of the Community Services Directorate in an ex-officio capacity. CMTEDD is able to brief you on matters being considered by Board if you so choose.

LGBTIQ+ Ministerial Advisory Council

An LGBTIQ+ Ministerial Advisory Council has been established to advise the Minister for Social Inclusion and Equality on priorities and matters of importance to the LGBTIQ+ community. This may occur in a range of ways depending on your preferences, but can include meetings with the whole Council, discussions with key representatives such as the Chair, in correspondence directly from the Council or advice relayed by directorate officials. Directorate officials will support your engagement with the Council however desired.

The Minister for Social Inclusion and Equality is responsible for presenting Cabinet with recommendations for appointments to the Ministerial Advisory Council as vacancies arise. Directorate officials can support the identification and selection of potential candidates for this process.

KEY ISSUES AND CONSIDERATIONS

Capital of Equality - Second Action Plan

The current (and first) action plan under the government's Capital of Equality strategy is due to expire at the end of 2020. A second action plan would ordinarily be developed and finalised prior to the end of the year. This timing is not critical; however, community stakeholders are hoping to maintain the strategy's momentum with the release of a new action plan as soon as possible.

Commencement of the Sexuality and Gender Identity Conversion Practices Act

The Sexuality and Gender Identity Conversion Practices Act was passed during the Ninth Legislative Assembly but does not commence until 4 March 2021. The legislation has been contentious and continues to be actively opposed by some organisations.

No specific action is required regarding commencement of the legislation; however, community stakeholders regularly note the stress and trauma that coincides with public campaigns against legislation and other initiatives that promote inclusion and acceptance of LGBTIQ+ people as this legislation does.

Stakeholders have previously raised the need for government leadership, mental health supports for LGBTIQ+ people and community education during periods of intense campaigning against LGBTIQ+ causes and may request this again ahead of the March 2021 commencement date.

Joint Advisory Council Chairs

A range of Ministerial Advisory Councils or similar bodies exist to advise Ministers regarding portfolios such as children and young people, seniors, veterans, women, LGBTIQ+ people, people with disability, Aboriginal and Torres Strait Islander people and culturally and linguistically diverse people.

The Chairs of each of these Ministerial Advisory Councils meet every two months in a forum called the Joint Advisory Council Chairs to share information and discuss issues and work of common interest.

The Joint Advisory Council Chairs represent a wide range of diverse Canberrans including the challenges they face and strengths they can offer. As such, they offer an opportunity to discuss issues of social inclusion and equality with a diverse group of community leaders.

In 2020, the group has particularly focussed on the issue of community cohesion and resilience during the COVID-19 pandemic – an issue that is likely to remain relevant for the foreseeable future – and a shared interest in raising the minimum age of criminal responsibility in the ACT, which the government indicated a level of in principle support for late in the ninth term of the Legislative Assembly.

Charity and philanthropy

Charitable giving and philanthropy can play a role in the Territory's economic and social recovery from the COVID-19 pandemic. This is particularly relevant given Canberra's relatively unique demographics where many individuals and households have seen a reduction in employment or employment opportunities, while others continue to hold stable employment in the public service.

Given the government's commitments to partnering with community organisations to support Canberra's recovery, you may wish to explore opportunities to use the Chief Minister's Charitable Fund or other philanthropic bodies to provide quick, targeted support to grass roots organisations delivering innovative services that improve social inclusion and equality in a 'post-COVID' setting.

Charity House governance arrangements

The Chief Minister's Charitable Fund has sought government support for an annual program of charity houses. This would involve the government supporting the construction of a home which could be auctioned as a way of raising money for the Fund.

The Fund was recently advised that a transparent and consistent governance framework would need to be developed, considered and agreed by the government before this could occur. This work is currently being undertaken by the Environment, Planning and Sustainable Development Directorate in consultation with other directorates and agencies.

No immediate action is required at this time, although you may be asked to consider a draft framework early during the Tenth Legislative Assembly.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
Capital of Equality – Second Action Plan	<p>The First Action Plan under the Strategy explains the steps the ACT Government would take through to the end of 2020 to improve the lives of LGBTIQ+ Canberrans.</p> <p>Under the current Strategy, a Second Action Plan is due to be developed and released in early 2021.</p> <p>The Office for LGBTIQ+ Affairs would lead development of a draft whole of government action plan working closely with other directorates and external stakeholders for your consideration and ultimately consideration by Cabinet.</p>
Reporting against the First Action Plan	<p>Under the current Capital of Equality strategy progress against actions in the First Action Plan are due to be reported publicly via an annual statement by the Minister for Social Inclusion and Equality.</p>
Capital of Equality Grants	<p>A round of the Capital of Equality Grants is due to be undertaken during 2020-21. This could be opened either late 2020 or early 2021 (ideally no later than February 2021 to ensure payments can be acquitted in 2020-21).</p>
SpringOUT	<p>SpringOUT - SpringOUT is Canberra’s only pride festival. Held in November each year, it is a month-long pride festival that celebrates Australia’s most LGBTIQ-friendly city and its LGBTIQ community in all its diversity.</p> <p>While you have no formal role, there may be opportunities for you to promote or participate in events in support of LGBTIQ+ Canberrans during the festival.</p>

KEY STAKEHOLDERS

ORGANISATION	CONTACT DETAILS
<p>LGBTIQ+ Ministerial Advisory Council</p>	<p>Contact details</p> <p>Isabel Mudford</p> <p>Chair</p> <p>ACT LGBTIQ+ Ministerial Advisory Council</p> <p>LGBTIQCouncil@act.gov.au; Schedule 2.2(a)(ii)</p> <p>The ACT Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ) Ministerial Advisory Council provides advice to the ACT Government on issues affecting LGBTIQ+ persons. The Advisory Council provides practical and strategic advice to support the LGBTIQ community, improve the lives of people who identify as LGBTIQ and promote an inclusive Canberra.</p>
<p>Meridian Incorporated (formerly the AIDS Action Council)</p>	<p>Contact details</p> <p>Philippa Moss, Executive Director</p> <p>[REDACTED]</p> <p>Joshua Anlezark, Deputy Executive Director</p> <p>[REDACTED]</p> <p>Meridian Incorporated is a longstanding provider of healthcare and advocacy for LGBTIQ Canberrans. They are a key partner in the Canberra Inclusive Partnerships consortium which delivers support services for LGBTIQ Canberrans under a funding agreement with the Office for LGBTIQ+ Affairs.</p> <p>More information about the organisation is available at https://meridianact.org.au/about-us/organisation-history/</p>

<p>A Gender Agenda (AGA)</p>	<p>Contact details</p> <p>Sel Cooper, Executive Director</p> <p>[REDACTED]</p> <p>A Gender Agenda is a community organisation that provides advocacy and support services for intersex, trans and gender diverse Canberrans.</p> <p>A Gender Agenda has received funding from the ACT Government particularly to provide advocacy and support for intersex people.</p> <p>More information about the organisation is available at https://genderrights.org.au/about-aga/</p>
<p>Sexual Health and Family Planning ACT (SHFPACT)</p>	<p>Contact details</p> <p>Tim Bavinton, Executive Director</p> <p>[REDACTED]</p> <p>SHFPACT is a not-for-profit, non-government, membership-based organization providing sexual and reproductive health workforce development, health promotion and clinical service delivery to reduce barriers to improved sexual and reproductive health.</p> <p>More information about the organization is available at https://www.shfpact.org.au/about-us/our-vision-mission</p>
<p>Chief Minister’s Charitable Fund Limited</p>	<p>Contact details</p> <p>Diane Kargas Bray, Chairperson chair@handsacrosscanberra.org.au</p> <p>Peter Gordon, Chief Executive Officer, ceo@handsacrosscanberra.org.au</p> <p>The Chief Minister’s Charitable Fund Limited is an independent organisation supported by the ACT Government to distribute funds to charitable causes in the ACT.</p>

FINANCIAL CONSIDERATIONS

The Office for LGBTIQ+ Affairs receives recurrent base funding to enable employment of two policy officers. Funding is also provided for an annual grants program worth \$100,000 per year and providing support services to LGBTIQ+ Canberrans (approximately \$125,000 per year). Non-going funding of \$150,000 is also being provided to A Gender Agenda in 2020-21 for intersex advocacy and support services.

As part of the 2019-20 Budget, the Government provided \$150,000 per year for three years to be shared by three organisations to improve social inclusion and equality in Canberra. The organisations are Kulture Break (\$100,000 per year), Vietnam Veterans and Veterans Federation ACT (\$35,000 per year) and the National Eisteddfod (\$15,000 per year).

The Chief Minister's Charitable Fund is primarily supported through the original provision of a \$5 million grant from the Government which the organisation can partially invest to generate income for future grants. The Government also provides the Fund with a small portion of gaming machine revenues it collects to the Fund. The value of this funding is variable and dependent on the total level of gaming machine activity in the ACT.

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	0.952	0.809	0.666	0.673
Controlled – capital injection				
Territorial – expenses				
Territorial – capital injection				

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL
Leesa Croke	Deputy Director-General, Policy and Cabinet	6207 3751	Leesa.croke@act.gov.au
Sam Engele	Executive Group Manager, Policy and Cabinet	6205 0230	Sam.engele@act.gov.au
Andrew Mehrton	Executive Branch Manager, Social Policy, Policy and Cabinet	6205 8507	Andrew.mehrton@act.gov.au

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SPORT AND RECREATION OVERVIEW

In this portfolio, you will have responsibility for a range of matters relating to sport and recreation. These include policy development and implementation; sector support and funding; facility planning and management (including aquatic facilities); the ACT Academy of Sport; and support of elite sports through performance agreements and sponsorships.

COVID-19 has significantly impacted the sector, causing the majority of sport and recreation activities, both not-for-profit and commercial, to cease from mid-March until late May. Many activities and organisations continue to operate in a reduced or restricted capacity.

Physical activity has remained a priority for many Canberrans through the pandemic, with recreational activity thriving during the period of restrictions. Rates of organised sporting participation has begun to recover, and the role of the sporting sector in supporting community recovery will continue to be critical in boosting social connections and health and wellbeing outcomes.

We understand your plan to assist sport to re-emerge as strongly as possible following the impacts of COVID-19, and prioritise the continued engagement in an active lifestyle valued by Canberrans.

Economic Development – Sport & Recreation

Economic Development, within the Chief Minister, Treasury and Economic Development Directorate (CMTEDD), will drive your priorities for sport and recreation. Responsibilities relevant to your portfolio include:

- Sport and Recreation Branch which supports community participation and the local sporting sector by administering grants programs, building capacity within the sector, and supporting regular awards recognizing achievements in the sector.
- ACT Academy of Sport (ACTAS) supports up to 120 high performance ACT athletes from Olympic, Paralympic and Commonwealth games. It is a member of Australia's National Institute Network (NIN) accompanying the Australian Institute of Sport (AIS) and seven other state/territory institutes/academies of sport. ACTAS operates under the broader direction of a National High Performance Sports Strategy and is a recognised Olympic and Paralympic Training Facility, operating from the AIS campus.

ACT Property Group – Aquatics (CMTEDD – Treasury)

ACT Property Group, within CMTEDD Treasury is responsible for six aquatic facilities including Manuka Pool, Civic Olympic Pool, Dickson Pool, Lakeside Leisure Centre (Tuggeranong), Gungahlin Leisure Centre and the recently opened Stromlo Leisure Centre. Manuka and Dickson pools operate in the summer season only, the other centres have enclosed facilities and operate throughout the year.

The pools and aquatic centres are operated under contract by various organisations on behalf of the ACT Government. Operating subsidies of approximately \$2 million per year are provided to all of the Aquatic Centre operators.

Sport and Recreation Facilities – (TCCS)

The Sport and Recreation Facilities team within the Transport Canberra and City Services (TCCS) Directorate is responsible for maintenance of a total of 442 hectares of sportgrounds.

The sportgrounds are hireable and are generally set up as “combination grounds”, meaning no one club has exclusive rights over an oval. Formal hire of sportgrounds comprised 74,245 hours of use in 2019/20, including 22,274 hours under lights. These figures do not include all the informal use by local schools and members of the community. Peak bodies of each sport are consulted with to determine the ground allocations for winter and summer sport, allowing individual clubs to then book the grounds.

Recently, the ACT Government has funded around 88% of the cost of maintaining sportgrounds with the remaining 12% generated from user fees and charges. The national average benchmark for sportground booking fee return is around 20%. The ACT’s return is lower as previous yearly increases on fees and charges were limited to wage price index (WPI).

Twice yearly, at the beginning and end of the summer sport season, all ACT Government irrigated sportgrounds are closed for approximately two weeks to undergo maintenance work.

DELIVERING ON YOUR PRIORITIES

We understand infrastructure development to support access and inclusion for Canberrans through sport and recreation will be one of your key priorities and will be an important component of the ACT’s Jobs and Economic Recovery Plan (the Plan) released under your previous term of government.

Infrastructure projects commenced during your previous term of government include:

Throsby “Home of Football”

This initiative is being delivered in partnership with Capital Football, with budget commitments of \$20 million (ACT Government) and \$4.5 million (Capital Football). A consultant has been engaged to prepare a staged master plan for the future facility. Early design work is progressing and consultation with key community stakeholders is anticipated to commence in November/December 2020. Following consultation, an Estate Development Plan Development Application will be submitted to the Environment, Planning and Sustainable Development Directorate. Pending necessary approvals being forthcoming, an early civil works package is anticipated to commence in 2021.

New ACT Ice Sports Facility

A suitable proponent was recently identified to progress a proposal to design, construct, own, operate and maintain a new ice sports facility in Canberra. It is anticipated the proponent’s detailed proposal for a facility in Greenway will be submitted to the Government in early 2021.

Stromlo Forest Park District Playing Fields

Design has been informed by consultation with outdoor field sports stakeholders to determine the respective needs and which sports will be catered for at the future District Playing Fields. A Project Plan and Request for Tender is currently being prepared to engage a suitably qualified consultant to develop a preliminary design and cost plan for the facility.

New Infrastructure Priorities

Sport and Recreation has also commenced work on priorities regarding elite and professional sport and planning and delivery of sporting infrastructure announced during the ninth Assembly.

New tennis facility in Gungahlin

In the last assembly, \$8 million was committed to the establishment of a new regional tennis facility in Gungahlin. Tennis ACT has done significant work over recent years in preparing the concept plan and business model associated with the facility.

Sport and Recreation can assist in progressing outstanding actions regarding site assessments and conformation of the management model. Sport and Recreation will work with Tennis ACT to ensure the facility business model can capably meet the needs of recurrent repairs and maintenance, including but not limited to court re-surfacing, fencing, lighting and club house repairs.

Sportsground upgrades

We understand a key priority is to upgrade existing sportsgrounds around Canberra with additional lights, pavilion upgrades, irrigation upgrades and other amenities, including at Deakin. \$17 million has been identified for a range of works across nine locations. Upgrades to ensure sporting pavilions are female friendly will also continue.

Sport and Recreation Facilities (TCCS) can assist in the procurement, timing and delivery of these works.

In addition, you have committed to commence work on district playing fields at Stromlo in the next term, with two fields with lights, a pavilion and parking to be provided. Sport and Recreation can continue to assist with furthering this development.

Woden Valley Enclosed Oval upgrade

Major improvements have been identified to the Woden Valley (Phillip) Enclosed Oval, including a new pavilion, upgraded grandstand and lights and additional parking.

Sport and Recreation can assist with user group consultation, primarily Royals Rugby Club, further design, costing and construction timeframes for this project.

District Netball facility upgrades

Sport and Recreation can work with Netball ACT and its affiliate District Associations to upgrade local netball court surfaces to ensure safe participation. \$7.5 million has been identified to deliver this work across five district facilities in Charnwood, Lyneham, Deakin, Stirling and Calwell.

New home for dragon boating

A location within Grevillea Park is preferred for a new facility for dragon boating including a boat house and storage and spectator space.

Sport and Recreation can work with Dragon Boat ACT on the project management, design and funding approach for the allocation of the \$1.7 million identified for this project.

Sporting facilities at ACT Government schools

Sport and Recreation are working with the Education Directorate on the development of new school facilities to ensure they include appropriately designed and managed facilities that can be accessed by community outside of school hours.

New schools in Taylor, North Gungahlin and West Belconnen will provide further opportunities for the facility demands for community sport to be met.

Indoor Arena Facility Access

Following the unexpected and indefinite closure of the AIS Arena in February 2020, an approach to the Federal Government has been made to assist with costs associated with works required to allow the AIS Arena to reopen while the Territory explores alternative arena development options.

Procurement of services to undertake consultation on the needs for a new Arena for Canberra has commenced. This will include sporting user groups, event promoters and facility managers.

Performance Partnership Agreements

The Territory has Performance Partnership Agreements with a number of elite teams that are nearing their expiration – agreements with the Raiders and Brumbies expire at the end of 2020, while those for the UC Canberra Capitals and Canberra United expire mid-2021. The agreements with AFL and cricket have been impacted by COVID-19, given the lack of games played, or expected to be played, in the ACT.

COVID-19 has, and will continue to, impact the structure of elite sporting competitions, with condensed seasons or “bubbles” established to still deliver competitions and meet obligations to various stakeholders, including broadcasters. The structure of future seasons, including broadcast arrangements and the impact on partnership arrangements with the Territory remains unclear, but these factors will need to be considered in any renewal of funding arrangements.

MINISTERIAL FUNCTIONS

Linkages with other portfolios

Many of the priorities and areas for action to support business and economic growth are connected or overlap across directorate and portfolio responsibilities. Sport and Recreation can support you and Ministerial colleagues with cross-portfolio coordination and communication across directorates.

The portfolios that are mostly likely to overlap with the Sport and Recreation Portfolio are:

- Transport Canberra and City Services (TCCS) – Sport and Recreation Facilities (primarily sportsground operations and capital works);
- CMTEDD (Treasury) – ACT Property Group (aquatics management/contracts); and
- CMTEDD (Venues Canberra), including GIO Canberra Stadium, Manuka Oval and Stromlo Forest Park, has for the last term sat outside the Sport and Recreation portfolio.

Legislation

You have responsibility for administering the following legislation:

Controlled Sports Act 2019 (ACT)

The *Controlled Sports Act 2019* regulates the conduct of specific events involving combat sports or other high-risk activities. Under this Act, you may appoint a registrar who is responsible for assessing and making decisions on applications. At present, the registrar is the Executive Branch Manager, Licencing and Registrations, Access Canberra. This appointment will expire in August 2021.

Under this Act, you may also make appointments to an Advisory Committee to advise you about controlled sports. Further briefing will be provided relating to current and upcoming vacancies on this Advisory Committee.

Drugs in Sport Act 1999 (ACT)

The *Drugs in Sport Act 1999* gives the Australian Sporting Anti-Doping Authority similar functions with regard to ACT athletes as they have with Commonwealth athletes).

Public Pools Act 2015 (ACT)

The *Public Pools Act 2015* under which you are responsible for settings that operators of public pools must meet.

Meeting of Sport and Recreation Ministers (MSRM)

The federal, state and territory ministers for sport and recreation meet on a regular basis to collaborate on developing Australia's sport and recreation sector. Attendees include ministers responsible for sport and recreation in each state and territory and the Australian Government Minister for Sport. You represent the ACT at the MSRM.

The MSRM is supported through the established Committee of Australian Sport and Recreation Officials (CASRO) - the Executive Branch Manager, Sport and Recreation represents the ACT Government on this Committee.

KEY ISSUES AND CONSIDERATIONS

Sector COVID-19 recovery

Sporting competitions were impacted by the pandemic, with seasons cancelled, shortened and/or delayed, however many sports were able to restructure their winter offerings prior to competition/registration commencing.

Some organisations with fixed operating costs were able to access available savings, providing some short-term capacity to offset the impacts of the pandemic. As a largely not-for-profit sector, in the absence of government support there is limited scope for the sector to tolerate another wave in the pandemic should restrictions again force the cessation of activities and associated income.

The impacts of the pandemic on sport will endure as actual participation and financial impacts become evident. These financial impacts include scope to garner commercial sponsorship, including that from the licensed club sector. The impacts on sports participation and registrations may take longer to be realised, acknowledging that financial hardship triggered by COVID-19 may see some families reduce discretionary spending such as sports participation, while others may altered participation choices to either to less structured activities or to more sedentary pursuits.

As part of the COVID-19 Support Package for the Sport and Recreation Sector, a commitment was made to waive sportsground, pool (lane hire only), Stromlo Forest Park and education facility hire fees through until April 2021. The Support Package also contained a commitment to limit the increase in sportsgrounds fees to Wage Price Index (WPI) for the 2020-21 FY to further assist the sector's recovery.

Sector Strategies

Sports bodies set their own strategic and operational plans, and these are often informed by their national level affiliate, modified for local priorities.

While sport-specific plans and strategies are developed independent of government, there are opportunities for the ACT Government to influence the sector’s priorities. These opportunities exist due to Government’s role as both a major funding partner and facility provider. The ACT has used this leverage in many ways over recent years by adding an obligation for Triennially funded sports to meet a 40% female Board membership target.

The current sector strategy, Active 2020, has reached an endpoint and is outdated. This presents an opportunity to develop and drive a strategic vision for sport and recreation in the ACT that clearly identifies priorities and targets, while also linking the portfolio to others within and across Government. National policies, including current work regarding a national physical activity strategy, might inform the development of this strategy.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
Combat Sports Advisory Committee November/December 2020	Existing vacancy on the committee requires advertising – recommended appointment is subject to Cabinet review.
CBR Sport Awards November 2020	There was no gala awards event in 2020. A decision is needed regarding the format for the award presentation; Sport and Recreation will prepare options for consideration. Nomination are currently open for all award categories, including the Minister for Sport and Recreation Awards for Innovation, Inclusion and Event Excellence.
Performance Partnership Agreements with AFL, Brumbies, Cricket and Raiders December 2020	AFL - Due to COVID-19, no AFL matches were played in Canberra in 2020. Decision is required on options relating to the scheduled payments in 2020 under the current Agreement noting match obligations were not met. Brumbies and Raiders - Both team Agreements expire on 31 December. Decision is required on options regarding renewed Agreements from 2021 onwards and associated funding levels. Cricket - at this stage BBL games may be played in Canberra in early 2021, however the planned international matches are uncertain. Decisions will be required about the nature of the partnership agreement in 2020-21.

KEY STAKEHOLDERS

The sporting sector comprises many peak sporting organisations that government supports in delivering sport and recreation opportunities for the community. Key contacts within peak organisations related to priority projects are listed below:

ORGANISATION	CONTACT DETAILS
Capital Football	Mr Phil Brown (02) 6260 4000 Canberra's largest sporting organisation and hirer of ACT Government sportsgrounds. Key stakeholder in Throsby Home of Football. Performance Partnership Agreement with Canberra United (W-League)
ACT Coalition of Major Participation Sports	Mr James Allsop [REDACTED] Chair of the ACT Coalition of Major Participation Sports. CEO – Cricket ACT
Basketball ACT	Mr David Simpson, CEO (02) 6189 0709 Basketball ACT has been working with the Government regarding expansion of the existing Belconnen Stadium onto the adjacent land (owned by Basketball ACT) to support the sport's growing needs and to reduce reliance and cost of hiring external venues.
Tennis ACT	Mr Kim Kachel, CEO [REDACTED] Advocate for new tennis facilities in Gungahlin
Sport Australia	Mr Rob Dalton, A/g CEO [REDACTED]
AIS	Mr Peter Conde, CEO [REDACTED] Key contact for the ACTAS in the Australian High Performance System and progressing the AIS site strategy (future use of the AIS campus).
University of Canberra	Ms Carrie Graf, Director of Sport [REDACTED] Key contact for UC Canberra Capitals and facility matters related to the University of Canberra
Canberra Raiders	Mr Don Furner, CEO [REDACTED] Performance Partnership Agreement with the Raiders
ACT Brumbies	Mr Phil Thomson, CEO [REDACTED] Performance Partnership Agreement with the Brumbies

FINANCIAL CONSIDERATIONS

Sport and Recreation – TOTAL CMTEDD

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	25.6	29.1	27.5	29.0
Controlled – capital injection	3.6	11.8	8.9	0.9
Territorial – expenses	0.3	0.3	0.3	0.3
Territorial – capital injection	-	-	-	-

The figures above are sourced from CMTEDD information included in the August 2020 Economic and Fiscal Update.

The controlled expense figures relate to CMTEDD's:

- Output 3.3, 'Sport and Recreation'; and
- some of Output 9.1, 'Property Services'.

The quoted expense figures include:

- an allocation of the Directorate's overheads (a share of central expenses, such as Corporate and Strategic Finance); and
- expenses paid centrally, such as rent.

The territorial expenses relate to repairs and maintenance expenses for community group sporting facilities.

Part 1 – Sport and Recreation – Economic Development (CMTEDD)

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	12.9	18.0	16.1	17.5
Controlled – capital injection	1.1	11.0	8.0	0.0
Territorial – expenses	0.3	0.3	0.3	0.3
Territorial – capital injection	-	-	-	-

Part 2 – Sport and Recreation – ACT Property Group (CMTEDD)

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	12.7	11.2	11.4	11.5
Controlled – capital injection	2.5	0.8	0.9	0.9
Territorial – expenses	-	-	-	-
Territorial – capital injection	-	-	-	-

Sport and Recreation Facilities – (TCCS)

The figures for Sportsgrounds from the Agency GBMS (the budget component that adds into the external budget) are listed below.

The decrease from 2020-21 to 2021-22 relates principally to a reduction in budgeted depreciation.

Notes relating to these figures:

- 2020-21 excludes the waiver of Sportsgrounds hire fees which will show as a \$1.5m expense.
- 2020-21 excludes potential cost pressures relating to water and electricity, worst case scenario estimated at \$2.7m
- 2020-21 excludes an anticipated self-funded increase in maintenance expenses.
- All figures exclude Corporate overheads of the Directorate.

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled - expenses	37.3	36.8	37.1	37.4

Note: Watering budget is \$5,099,017.00 per annum but this is generally exceeded each year. It depends on the climate conditions for the year.

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

NAME	DIVISION	PHONE	EMAIL
Kareena Arthy	Deputy Director-General, Economic Development	6207 5564	Kareena.Arthy@act.gov.au
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Daniel Bailey	Executive Group Manager, Treasury	6207 5618	Daniel.Bailey@act.gov.au
Stephen Alegria	Executive Branch Manager City Presentation (TCCS)	62079833	Stephen.alegria@act.gov.au

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REGULATORY SERVICES PORTFOLIO OVERVIEW

Regulation is important for a well-functioning economy. However, its role and effectiveness is being constantly challenged by innovative markets that seek to leverage off the digital economy. The boom in online services and innovation presents new challenges in the way regulatory processes are developed and enforced.

The rise of digital commerce in the Australian and ACT economy is unprecedented. The move to the online services economy – which has been fast tracked by the Covid-19 pandemic – is shifting traditional business models into new online versions that, in some instances, present new challenges to existing regulation. Given the pace of change in technology, the formulation of regulatory policy is constantly evolving to:

- be less prescriptive for a regulator to administer,
- be less costly for businesses to be compliant; and
- provide more tailored sanctions for a regulator to apply when required.

The issues facing regulators are varied from micro issues, such as how Health Inspectors monitor food preparation for gig delivery companies, to the strategic, such as how do metropolitan cities support innovation for aerial ridesharing or robot delivery services. However, the common theme at all levels is to maintain consumer safety and other protections, and support community amenity.

The Commonwealth Government has prioritised its Deregulation Taskforce as a key element of the economic recovery following the global pandemic which is being progressed through the Council on Federal Financial Relations. ACT businesses will similarly be looking to the ACT Government to ensure regulation supports rather than hinders the economic recovery.

Access Canberra

As Minister for Regulatory Services you have responsibility for Access Canberra. Access Canberra was established in 2014 to provide a one-stop shop for the ACT Government's customer and regulatory services. Access Canberra provides an easy, streamlined method to access government information and undertake transactions with the ACT Government through a "no wrong door" approach.

Access Canberra provides a wide variety of regulatory services to the ACT community including:

- registering births, deaths, marriages and changes of name;
- issuing driver licences;
- inspecting and registering vehicles;
- issuing certificates of occupancy for houses and undertaking electrical, plumbing and gas inspections for new and existing buildings;
- providing advice on consumer rights and faulty household products; and
- licensing trades people.

Access Canberra makes a significant number of regulatory decisions each day, often as high as 8,000 during business as usual, many of which relate to enforcing the law through a formal exercise of powers. Through its regulatory compliance activity, Access Canberra seeks to protect the community by encouraging regulatory compliance through education and engagement activities. When necessary, Access Canberra takes strong enforcement action where a risk of harm to the community, the economy and the environment exist.

Access Canberra administers a large proportion of Territory legislation that regulates businesses. Under the Administrative Arrangements, as Minister for Regulatory Services you have responsibility for:

- Access Canberra
- Building, utilities, land and lease regulation*
- Electricity and natural gas, water and sewerage industry technical regulation*
- Environment protection and water regulation*
- Fair trading and registration, inspection and regulatory services (including transport regulation and licensing)*
- Food safety licensing and regulation*
- Occupational licensing*
- Public unleased land regulation (permits)*
- Racing and gaming regulation*
- Registration of civil unions, domestic relationships and parentage*
- Controlled Sports
- Regulatory reform

*This is a matter relating to Access Canberra (see *Public Sector Management Act 1994*, s 21 (8), definition *relevant* matter, paragraph (b)). The Minister for Employment and Workplace Safety is the responsible minister for Access Canberra for this relevant matter (see *Public Sector Management Act 1994*, s21(8) definition *responsible* minister).

The policy development for each individual piece of legislation does not rest with you. Rather, the policy development lies with the Minister responsible for the legislation, as listed in the Administrative Arrangements. In effect, this means that as Minister for Regulatory Services, you are responsible for the operational aspects of the activities listed above.

Regulation and Productivity Team

As Minister for Regulatory Services, you also have policy support from the Regulation and Productivity Team in Policy and Cabinet Division. This team assists you and the Chief Minister to lead policy direction on business regulation. While the recent focus of this team has been on community safety matters (particularly building quality), the focus of this team will shift in line with your priorities. In particular, this team is poised to quickly stand up the Better Regulation Taskforce, which forms part of the Government's Jobs and Economic Recovery Plan.

The team also develops regulatory frameworks for new internet enabled business models including drones.

DELIVERING ON YOUR PRIORITIES

The ACT public service (ACTPS) has reviewed your election announcements and is preparing to implement your regulatory reform policies. The ACT's Jobs and Economic Recovery Plan, which was released as part of the ACT's budget update, detailed that one of the key strategies to counter the economic effects of COVID-19 was to support businesses to start and grow through better regulation, and simplify interactions with government through Access Canberra

Better Regulation Taskforce

The ACT Better Regulation Taskforce can be quickly stood up following the election.

Priority areas for the Better Regulation Taskforce as set out in the Jobs and Economic Recovery Plan are:

- Expanding digital services offerings for Canberrans doing business and interacting with government services.
- Improving arrangements to recognise qualifications from other jurisdictions to improve labour mobility.
- Identifying areas of regulatory burden and engaging directly with businesses to seek views on priority reforms.
- Reviewing key legislation to:
 - Reduce the need for businesses to contact multiple agencies; and
 - Ensure legislation supports new types of business models to grow the digital economy.
- Removing barriers to investment in the Territory by working with superannuation funds and other large institutional investors such as the build-to-rent sector.

MINISTERIAL FUNCTIONS

As Minister for Regulatory Services, the ACTPS will support you to execute your responsibilities. The approach will vary depending on whether you are seeking policy development or operational action.

Both the Regulation and Productivity Team and Access Canberra leadership will communicate regularly with your office about issues of policy and operational priorities. The ACTPS will communicate through your Ministerial Directorate Liaison Officer (DLO) in the first instance. However, senior ACTPS officers will also communicate about issues with your nominated Ministerial advisor or Chief of Staff. It may be appropriate, subject to your preferences, to have pre-arranged meetings with Senior officials to discuss matters of importance directly with you.

The focus of both the Regulation and Productivity Team and Access Canberra for the rest of 2020-21 will be delivering policy and operational outcomes to counter the economic effects of COVID-19.

KEY ISSUES AND CONSIDERATIONS

Settling the structure, scope and timeframes for the Better Regulation Taskforce will be an early focus. A specific briefing on options will be provided to you and the Chief Minister with the first week of the Ministry being determined.

Treasurers agreement on licencing mobility

The Hon Josh Frydenberg MP announced on 17 August 2020 that Commonwealth, State and Territory Treasurers had agreed to the development of a framework for automatic recognition of occupational licences across jurisdictions. The proposed framework is intended to be in place by 1 January 2021, subject to the passage of legislation in individual jurisdictions. Specific details of the proposal are still being developed by an interjurisdictional working group. The ACT is represented by officials from CMTEDD- Policy and Cabinet and Access Canberra. National Cabinet is expected to consider progress on this work shortly. Improving licensing mobility was highlighted as a key reform in the Government's Jobs and Economic Recovery Plan released just prior to the election.

MAJOR UPCOMING DECISIONS AND EVENTS

TOPIC AND TIMING	DETAILS
Better Regulation Taskforce – structure, scope and timeframes	<i>A briefing will be provided to you and the Chief Minister within the first week of the Minister being determined to enable key decisions on the set up of the Taskforce.</i>
Ministerial roundtable on e-Conveyancing market structure – 30 November 2020	<i>Third ministerial roundtable to review the extent of progress, resolve any outstanding issues and update all parties on the detailed implementation plan. A briefing will be provided to you in the weeks prior to the meeting</i>

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

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GOVERNMENT SERVICES AND PROCUREMENT OVERVIEW

Commercial Services and Infrastructure Group

The Commercial Services and Infrastructure Group (CSIG) was established in 2017 and is part of the Treasury Stream within Chief Minister, Treasury and Economic Development. CSIG brings together five critical service delivery areas in supporting all ACT Government Directorates – ACT Insurance Authority, Infrastructure Finance & Reform, Procurement ACT, Property & Venues and Shared Services.

The Minister for Government Services and Procurement is responsible for the following areas of CSIG:

ACT Insurance Authority:

The ACT Insurance Authority (ACTIA) is the risk adviser and insurance provider for the ACT Government. ACTIA's engagement with directorate clients enables ACTIA to develop innovative risk management and insurance solutions that support the delivery of government objectives.

Procurement ACT:

Procurement ACT provides frameworks and support across Government for goods and services procurement. Procurement ACT provides guidance, advice and support to deliver better procurement policies, strategies, practices and outcomes.

ACT Property Group and Government Accommodation Projects:

ACT Property Group and Government Accommodation Projects sit within the Property and Venues division. ACT Property Group manages and maintains over 240 community, government/commercial, residential and childcare properties including six aquatic facilities. The Government Accommodation Projects team, is responsible for the delivery phase of the new office buildings in Civic and works with a broad range of areas across government.

Shared Services:

Shared Services provides a range of tactical and transactional services to ACT Government directorates and agencies including:

- financial functions, including accounts payable, accounts receivable, salary packaging, financial reporting and advice and debt management services;
- payroll and payroll reporting;
- recruitment and new employee onboarding;
- corporate functions, including mailroom, physical and electronic records management services; and
- delivery of Whole-of-Government ICT management and support through centralised and embedded ICT support, encompassing the management of Whole-of-Government critical ICT infrastructure, the provision of ICT project management, ICT procurement and network and communications on behalf of the ACT Government.

Secure Local Jobs Code Branch

The Secure Local Jobs Code Branch operates within the Workforce Capability and Governance Division of Chief Minister's Department. The Branch supports the Secure Local Jobs Code Registrar in the administration and compliance and enforcement activities of the Secure Local Jobs Code. The Registrar and the Branch administer the issuing of Code Certificates, advise Government on the Secure Local Jobs

Code, develops and implements the Government's procurement policies relating to the Code. The Registrar and the Branch also deliver training and support to staff undertaking procurement activities across government, delivers training and advice to industry on compliance with the Code and conduct compliance and enforcement activities through either receipts of complaints or invitation by the Registrar.

DELIVERING ON YOUR PRIORITIES

Commercial Services and Infrastructure Group

ACT Insurance Authority

The ACT Insurance Authority (ACTIA) will work with directorates to ensure that any insurance or risk considerations arising from electoral commitments are addressed.

Procurement ACT:

Procurement Policy

On 8 September 2020 the Minister for Government Services and Procurement, Suzanne Orr MLA, notified the *Government Procurement (Charter of Procurement Values) Direction 2020* (the Direction) (instrument no NI2020-580).

The Direction presented a Charter of Values to be pursued in procurement activity across the Territory, and is supported by a policy guide that sets out the procurement framework including legislation and policy that is expected to guide and inform procurement decisions across the Territory.

This set of documents express the policy position and priority areas for pursuit of value for money through the Government's procurement spend.

Procurement ACT has begun the training and awareness phase of the implementation of the Direction, and has published a number of fact sheets, templates and related guidance material to assist Territory officers in their procurement activity.

The need for further policy development work has been identified and planned for delivery over the next twelve to eighteen months.

Property Services (ACT Property Group):

Zero Emissions in ACT Government property operations

ACT Property Group (ACTPG) has a dedicated sustainability team to support delivery of the environmental policies of the ACT Government, including the existing Carbon Neutral Government Framework (CNGF) and the recently approved replacement Zero Emissions Government (ZEG).

While the reduction of emissions is a priority under these policies, electricity remains a major cost for ACTPG and the ACT Government as a whole, and a focus on all utility savings allows additional expenditure to be focused on the services ACTPG delivers to Government and the community.

Management of new ACT Government office buildings

The ACT Government is consolidating a significant portion of its leased government office accommodation into three major office developments (Dickson and two City office buildings). Leasing of the new buildings is anticipated to reduce the ACT Government's footprint significantly, with the occupancy rate for new buildings anticipated to be 12 square metres per workpoint on a whole of building basis. Provision of high-quality buildings with efficient fit out ensures appropriate

office and other accommodation is provided for ACT Public Service, supporting the commitment of a high quality and growing public service.

Review of Community Facilities and rental arrangements

Chief Minister, Treasury and Economic Development Directorate (CMTEDD) and Community Services Directorate (CSD) have been considering the best way to support community organisations having appropriate space to provide their services, and how this is supported financially through a rental charge or government financial support. It is anticipated that advice will be provided to government in 2021/22 to inform planning on this. This supports a number of commitments to ensure that community facilities are accessible and support social inclusion.

Government Accommodation Projects:

Building upon the 'hub and spoke' concept embodied in the Government Accommodation Strategy the Government Accommodation Projects (GAP) team is overseeing the development of the new 20,000 square metre (NLA) office building in the Constitution Place development next to the Legislative Assembly building. The new Civic office building (COB1), which will accommodate approximately 1900 ACT Public Servants from five directorates, is expected to reach Practical Completion in mid-December 2020.

The new Civic and Dickson Office buildings will be leased for 20 years (with options to extend) and have been designed to enable flexible working or Activity Based Working (ABW) arrangements.

The redevelopment of the Finlay Crisp office complex in Civic (COB2) will result in 16 Statutory Office Holders, Commissions and Workgroups from across the ACT Government being accommodated in a 13,500sqm precinct across 2 buildings (i.e. the redeveloped Allara House and Nara Centre). Many of these agencies will be temporarily accommodated in Customs House within the Finlay Crisp complex.

The GAP team worked with directorates to move staff from their former accommodation to the new building in Dickson and will similarly work with directorates and agencies to co-locate staff into the new Civic buildings.

Shared Services

Shared Services Recruitment and Payroll teams will support Labor's election priorities such as increased ACT Public Service staff in Education, Health and Transport. Shared Services ICT teams will assist with setting up the ICT infrastructure (networks, cabling etc) and ICT equipment for election commitments such as new schools and health centres.

MINISTERIAL FUNCTIONS

Commercial Services and Infrastructure Group

ACT Insurance Authority:

The Minister has broad oversight responsibility for the ACT Insurance Authority (ACTIA). Most administrative functions, such as managing and settling claims, setting ACTIA's reinsurance arrangements, and setting premium rates are the responsibility of the Under Treasurer who will brief you on these processes as the need arises.

Under section 13 of the Insurance Authority Act 2005, the Minister may give a written direction to an agency in relation to the management or the insurance of Territory risks. Any such direction is a disallowable instrument under the Legislation Act.

Under section 14 of the Insurance Authority Act 2005, the Treasurer may make insurance management guidelines. Any such guideline is a disallowable instrument under the Legislation Act.

Under section 15 of the Insurance Authority Act 2005, the Minister may approve forms for the Act. Any such form is a notifiable instrument under the Legislation Act.

Under section 16 of the Insurance Authority Act 2005, the Executive may make regulations for the Act. Any such regulation must be notified and presented to the Legislative Assembly.

Procurement ACT:

Under the Administrative Arrangements the Minister for Government Services and Procurement has policy responsibility for the [Government Procurement Act 2001](#) and the [Government Procurement Regulations 2007](#). Section 2A of the Act provides that Territory entities must pursue value for money in undertaking procurement activities. Value for money means the best available procurement outcome, and entities must have regard to a number of relevant factors set out in the Act.

Under the *Government Procurement Act 2001*, individual procurements are the responsibility of the relevant Director-General or agency head. The role of the Minister for Government Services and Procurement is to oversee the procurement system in broad terms rather than to be engaged with the procurement activity of agencies.

The *Government Procurement Act 2001* provides that the Minister has the power to make regulations and to notify Directions.

The Minister can also provide direction to the Government Procurement Board regarding matters of procurement and classes of procurement activity to be reviewed by the Board.

Procurement ACT provides administrative support to the [Government Procurement Board](#). The Government Procurement Board was established on 1 August 2001 by the Act. The Board's function and purpose are governed under section 6 and section 22A of the Act, as well as the Regulations. The Minister is responsible for appointing members of the Board following approval by Cabinet. The current Board membership can be viewed [here](#).

Property Services (ACT Property Group):

ACT Property Group (ACTPG) provides property management services for the ACT Government. ACTPG receive limited budget funding with revenue derived from service charges, including rent payments by government and non-government tenants. ACTPG provides accommodation for community organisations in identified properties under an allocation and rental policy. A new rental policy is being developed. The Minister holds responsibility, subject to any funding implications, for approval of any decisions to waive normal rental arrangements or deem an applicant to have accelerated priority on the applications register.

ACTPG consults with the Minister on the annual Building Improvement Fund priorities, delivering property improvement projects for specified building types. ACTPG is responsible for leasing of property on behalf of the ACT Government, as approved by the Strategic Office Accommodation Committee (SOAC). The Minister is briefed on any significant leasing proposals.

Shared Services:

The Minister provides high level guidance on the Government's position and priorities which may influence Shared Services delivery in a range of transactional services. Such guidance is generally sought in the areas of payroll, industrial relations and in the development of debt management policy. Being responsible for a range of whole of government corporate services, Shared Services will approach the Minister with matters (ICT Security incidents) or initiatives (the implementation of the new Human Resource Information Management Solution (HRIMS)) that cross ministerial portfolios and require cabinet exposure.

Secure Local Jobs Code Branch

The Secure Local Jobs Code Branch operates within the Workforce Capability and Governance Division of Chief Minister's Department. The Branch supports the Secure Local Jobs Code Registrar in the administration and compliance and enforcement activities of the Secure Local Jobs Code.

The Registrar and the Branch administer the issuing of Code Certificates, advise Government on the Secure Local Jobs Code, develops and implements the Government's procurement policies relating to the Code, delivers training and support to staff undertaking procurement activities across government, delivers training and advice to industry on compliance with the Code and conduct compliance and enforcement activities through either receipts of complaints or invitation by the Registrar.

The *Government Procurement Act 2001 (ACT)* is the enabling legislation giving rise to the *Government Procurement (Secure Local Jobs) Code 2020 (Code)* and all subordinate instruments.

The Code applies to construction, cleaning, security, traffic management and goods or services predominantly for labour over \$200,000 and sets out workplace standards for service providers relating to areas such as:

- pay and employment conditions;
- insurance, tax and superannuation;
- health and safety, including training and inductions; and
- collective bargaining, freedom of association and representation rights.

The Act requires the Advisory Council to review the operation of the Secure Local Jobs Code before its second year of operation. Under the Act, the Advisory Council consists of the registrar and six members appointed by the relevant Minister.

To fulfil legislative requirements, the Advisory Council is scheduled to complete a review and present the Minister with its findings by 15 January 2021.

Under the *Government Procurement Act 2001*, individual procurements, and compliance with Territory entity obligations under the Code, are the responsibility of the relevant Director-General or agency head. The role of the Minister for Government Services and Procurement is to oversee the procurement system in broad terms rather than to be engaged with the procurement activity and Code compliance of agencies.

The *Government Procurement Act 2001* provides that the Minister has the power to make regulations and to notify Directions.

The role of the Secure Local Jobs Code Registrar is a ministerially appointed position under section 22V of the *Government Procurement Act 2001*.

The Secure Local Jobs Code Branch provides administrative support to the [Secure Local Jobs Code Advisory Council](#). The Advisory Council’s function is established under section 22ZA of the *Government Procurement Act 2001*. The Minister is responsible for appointing members of the Advisory Council under section 22ZB of the *Government Procurement Act 2001* following approval by Cabinet.

KEY ISSUES AND CONSIDERATIONS

Commercial Services and Infrastructure Group

Shared Services:

Junior Doctor Pay

The Canberra Health Services (CHS) has been subject to allegations of underpay and poor working conditions. This matter has been tabled in the Assembly and reported on in local media. Shared Services who process pay on behalf of CHS is working alongside CHS officials in clarify the claims and are responding accordingly.

Secure Local Jobs Code Branch

Review of operation of the Secure Local Jobs Code

The Secure Local Jobs Code Advisory Council is currently conducting a review of operations of the Code in accordance with the requirements of s 22ZD of the *Government Procurement Act 2001*.

The review formally commenced in September 2020 and the Secure Local Jobs Code Advisory Council’s report of the review is due to be delivered to the Minister in January 2021. It is expected the review will identify a number of recommendations to improve the operations and compliance and enforcement of the Code.

MAJOR UPCOMING DECISIONS AND EVENTS

Commercial Services and Infrastructure Group

TOPIC AND TIMING	DETAILS
SHARED SERVICES	
Banking Contract	The current banking contract between the Territory and Westpac Banking Corporation (Westpac) is due to expire on 30 June 2023. The Territory needs to go approach the market in order to establish its future banking arrangement. Shared Services has commenced activities in scoping the requirements of the future banking agreement ahead of the approach to market.
Human Resources Information	The Government has committed \$68.725m to deliver a new whole of government HRIMS Program which will deliver an ICT solution that optimises payroll services’ integration with effective Human Capital Management (HCM)

Management Solution (HRIMS)	for ACT Government. The new HRIMS is due to be delivered in staggered rollouts through 2021.
Financial Feasibility	Shared Services is undertaking a Financial Feasibility project that is looking at the ACT Government's current and future financial management system needs. The body of work will include a market scan of systems available to meet the Government's requirements in key areas of financial, contract and revenue management.
Debt Management	Shared Services has been working to establish an end-to-end debt management framework for ACT Government. Shared Services is currently finalising commercial arrangements with the preferred mercantile debt collection agency.

KEY STAKEHOLDERS

Commercial Services and Infrastructure Group

ORGANISATION	CONTACT DETAILS
ACT INSURANCE AUTHORITY	
Insurance Advisory Board	To 31 December 2020 - Ms Maxine McDowell (outgoing Board chair) <div style="background-color: #cccccc; width: 150px; height: 15px; margin: 5px 0;"></div> From 1 January 2021 – Mr Ian Faragher (incoming Board chair) <div style="background-color: #cccccc; width: 150px; height: 15px; margin: 5px 0;"></div> The ACT Insurance Authority is supported by the Insurance Advisory Board which is established under the Insurance Authority Act and in accordance with <i>Insurance Management Guidelines 2005 (No. 1)</i> .
PROCUREMENT ACT	
Australasian Procurement and Construction Council	Ms Teresa Scott <div style="background-color: #cccccc; width: 150px; height: 15px; margin: 5px 0;"></div> 02 6285 2255 Ms Scott is the Executive Director of the APCC
PROPERTY SERVICES (ACT PROPERTY GROUP)	
ACT Council of Social Services	Dr Emma Campbell Chief Executive Officer actcoss@actcoss.org.au 02 6202 7200 Peak body for community sector and ACT Property Group tenant at Weston
ACT Council of the Ageing ACT	Jenny Mobbs Chief Executive Officer contact@cotaact.org.au 02 6282 3777 Peak body for older Canberrans and ACT Property Group tenant at Hughes

SHARED SERVICES	
Westpac	<p>Jason Duarte  Westpac is the ACT Government banking services provider.</p>
SECURE LOCAL JOBS CODE	
Unions ACT	<p>Mr Matthew Harrison Secretary, Unions ACT 02 6225 8116  Member Secure Local Jobs Code Ministerial Advisory Council</p>
United Workers Union	<p>Ms Lyndal Ryan ACT Branch Secretary 02 6120 1207  Member Secure Local Jobs Code Ministerial Advisory Council</p>
Construction, Forestry, Maritime, Mining and Energy Union (ACT Branch CFMEU)	<p>Mr Zach Smith Assistant Secretary 02 6267 1599  Member Secure Local Jobs Code Ministerial Advisory Council</p>
Canberra Business Chamber	<p>Mr Graham Catt Chief Executive Officer 02 6247 4199 ceo@canberrabusiness.com Member Secure Local Jobs Code Ministerial Advisory Council</p>
Millennium Services Group	<p>Ms Menka Zarzour State Operations Manager 02 6228 1118  Member Secure Local Jobs Code Ministerial Advisory Council</p>

FINANCIAL CONSIDERATIONS

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Controlled – expenses	362.627	347.020	349.538	356.619
Controlled – capital injection	112.283	10.958	1.500	1.500
Territorial – expenses				
Territorial – capital injection				

The figures above are sourced from CMTEDD information included in the August 2020 Economic and Fiscal Update.

The controlled expense figures relate to CMTEDD's:

- Output Class 7, 'Shared Services' – most of the expense in this output class is funded through charging other ACT Government agencies (and business units within CMTEDD) for a range of ICT, Human Resources (HR) and finance services;
- Output 8.2, 'Goods and Services Procurement'; and
- some of Output 9.1, 'Property Services'.

The quoted expense figures include:

- an allocation of the Directorate's overheads (a share of central expenses, such as Corporate and Strategic Finance); and
- expenses paid centrally, such as rent.

Commercial Services and Infrastructure Group

Commercial Services and Infrastructure Group (CSIG) consists mainly of Fee for Service cost recovery Business Units whereby the majority of the revenue they receive is from charging Directorates and agencies directly for their services/products not through direct appropriation. The appropriation received by CSIG is mainly for government funded initiatives approved through the Budget process.

The direct Fee for Service Business Units (i.e. Shared Services, ACT Property Group, National Arboretum Canberra and Venues) are budgeted to not recover certain non-cash costs e.g. Depreciation on Government funded assets and movement in employee entitlements. A summary of Shared Services, Procurement ACT and ACT Property Group's Revenue and Expenditure items for 2020-21 is provided in the table below.

CSIG – Summary (Excluding ACT Insurance Authority)

Item	Shared Services \$m	Procurement ACT \$m	ACT Property Group \$m
Controlled Recurrent Payments	64.080	1.931	17.493
User Charges	188.829	6.514	94.322
Other Revenue	2.294	0	1.143
Total Revenue	255.203	8.445	112.958
Employee Expenses	106.840	5.825	14.541
Other Operating Expenditure	126.536	2.620	76.071
Depreciation	31.535	0.000	52.819
Total Expenditure	264.911	8.445	143.431
Net Operating Result	(9.708)	0	(30.473)
Staffing (including Contractors)	907	52	120

Key Financial Considerations:

- The Information contained within the above table is based on 2019-20 Budget and includes internal trading between CSIG Business Units but excludes CMTEDD Corporate overhead allocation (approximately \$4.8m).
- A number of CSIG Business units while Fee for Service are budgeted for a net operating loss as not all costs are budgeted to be recovered. For example Shared Services does not recover depreciation on Government Budget initiatives or movement in employee entitlements.

ACT Insurance Authority:

ACTIA operates as the ACT Government’s captive insurer. This model protects the Territory budget from a range of catastrophic and accumulated risk exposures through its insurance arrangements, and the accumulation of a fund reserve to meet the cost of asset losses and legal liabilities that occur as a result of the activities of Government.

ACTIA does not receive an appropriation. It recovers its costs by charging directorates for the insurance it provides and for its operating expenditure.

	2020-21 \$m	2021-22 \$m	2022-23 \$m	2023-24 \$m
Total Operating Expenditure	\$13.452	\$13.793	\$14.141	\$14.495

DIRECTORATE CONTACTS FOR FURTHER INFORMATION

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PORTFOLIO BRIEF: MINISTER FOR GOVERNMENT SERVICES AND PROCUREMENT

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Incoming Government Briefing to the Chief Minister

Folder 2 – Election Commitments

October 2020

Age Friendly City Plan

LAB 048 Age Friendly Suburbs Program

LAB 048-a Age Friendly City Plan

Better Healthcare

LAB 012 400 new nurses, doctors, and health professionals

LAB 017 Hydrotherapy Facility for Tuggeranong

LAB 019 Better Healthcare - New Northside Elective Surgery Centre

LAB 019-a Better Healthcare - More elective surgery and outpatient procedures at Canberra and Calvary hospitals

LAB 062 Surgical Abortion - Upfront Cost Reduction

LAB 062-a Surgical Abortion - Fit-for-Purpose Location

LAB 065-d Plan for Woden and Weston Creek - Expansion of Canberra Hospital

LAB 071 Response to COVID-19

Canberra's Creative Recovery

LAB 058 Canberra's Creative Recovery - Canberra Theatre

LAB 058-a Canberra's Creative Recovery - Kingston Arts Precinct

LAB 058-b Canberra's Creative Recovery - Tuggeranong Arts Centre

LAB 058-c Canberra's Creative Recovery - Gorman House

LAB 058-d Canberra's Creative Recovery - Recovery and Resilience Sector Forum

LAB 058-e Canberra's Creative Recovery - Creative Industries Policy

City-Wide Plan for Active Travel

LAB 059 City-Wide Plan for Active Travel

LAB 059-a City-Wide Plan for Active Travel - Sulwood Drive

LAB 059-b City-Wide Plan for Active Travel - Garden City

LAB 059-c City-Wide Plan for Active Travel - Belconnen Bikeway

LAB 059-d City-Wide Plan for Active Travel - Lake Ginninderra

LAB 059-e City-Wide Plan for Active Travel - Gungahlin Town Centre

LAB 059-f City-Wide Plan for Active Travel - Adelaide Avenue

LAB 059-g City-Wide Plan for Active Travel - Cycle Path Maintenance

LAB 059-h City-Wide Plan for Active Travel - Active Travel Policy Framework

Economic Recovery Plan

LAB 001	Interest-Free Loans to Create Jobs and Cut Energy Bills
LAB 003	Pialligo Upgrades
LAB 005	Support for Canberrans in need during COVID-19
LAB 006	New Gungahlin Town Centre
LAB 007	No Privatisation Guarantee
LAB 013	Economic Recovery Plan - More than 250,000 local jobs by 2025
LAB 013-a	Teachers and Support Staff
LAB 013-b	New Jobs - 6,000 Jobs through Light Rail to Woden Construction
LAB 013-c	New Jobs - 1,600 Jobs through Infrastructure Investments
LAB 013-d	Grow ACT Public Service
LAB 021	Ministerial Portfolios
LAB 025	\$900 Utilities Rebate for Around 35,000 Canberra Households in 2021
LAB 056	EPIC Expansion
LAB 060	Digital Discount Voucher
LAB 063	National Arboretum Upgrades

Education Plan

LAB 022	Future of Education Equity Fund
LAB 023	Early Childhood Education - One Free Day a Week for Three-Year-Olds
LAB 023-a	Investment in Local Educators
LAB 024	Teacher Librarians
LAB 024-a	Scholarship for Teachers to Become Qualified Teacher Librarians
LAB 028	Low Interest Loan Scheme to Support Non-Government Schools to Become More Sustainable
LAB 032	Free Breakfast Trial
LAB 033	Recruiting Youth and Social Workers
LAB 036	Gender Equality in Schools Initiative
LAB 037	Safe and Inclusive Schools Initiative
LAB 039	Future of Education Disability Inclusion
LAB 039-a	Future of Education Disability Inclusion
LAB 040	Pilot of Headstart Program

LAB 041	Online courses at Canberra Institute of Technology (CIT)
LAB 065-e	Plan for Woden and Weston Creek - Increased Capacity at Woden Primary Schools
LAB 069	Education Plan - Digital Education
LAB 069-a	Education Plan - Access to Free Internet
LAB 069-b	Education Plan - eSafety Supports

Environment

LAB 064	Plan for Tuggeranong - Clean-up of Lake Tuggeranong
LAB 064-b	Plan for Tuggeranong - Local Catchment Groups and WaterWatch
LAB 067-h	Plan for Inner North and Inner South - Protecting Box Woodlands

Healing and Reconciliation

LAB 004	Review of Indigenous Prison Rates
LAB 038	Aboriginal Language and Culture in the Public-School System
LAB 057	Healing and Reconciliation Fund
LAB 057-a	Healing and Reconciliation - Gugan Facility
LAB 057-b	Healing and Reconciliation Fund - Aboriginal and Torres Strait Islander Children and Young People's Commissioner

Infrastructure for the Molonglo Valley

LAB 045	Infrastructure for the Molonglo Valley - District Playing Fields at Stromlo Forest Park
LAB 045-a	Infrastructure for the Molonglo Valley - New Library and Community Centre
LAB 045-b	Infrastructure for the Molonglo Valley - John Gorton Drive bridge
LAB 045-c	Infrastructure for the Molonglo Valley - Planning for Future Capacity of College System

Knowledge Capital Plan

LAB 049-a	Knowledge Capital Plan - Payroll Tax Deferrals for Universities
LAB 049-b	Knowledge Capital Plan - Sustainability Loans for Investment in Renewable Energy for Universities
LAB 049-c	Knowledge Capital Plan - Expansion of the Canberra Innovation Network (CBRIN)
LAB 049-d	Knowledge Capital Plan - Support for Study Canberra
LAB 049-e	Knowledge Capital Plan - International Education Sector
LAB 049-f	Knowledge Capital Plan - Future Jobs Fund
LAB 065	Plan for Woden and Weston Creek - CIT Campus in the Woden Town Centre
LAB 067-b	Plan for Inner North and Inner South - Technology Park Buildings in Watson

Local Shopping Centre Upgrades

LAB 042	Local Shopping Centre Upgrades
LAB 042-a	Local Shopping Centre Upgrades - Lyneham, Colbee Court, and Florey
LAB 064-a	Plan for Tuggeranong - Major Improvements to the Foreshore Precinct

Major Investments in Calvary Public Hospital

LAB 015	Major Investments in Calvary Public Hospital - A Centre for Excellence in Caring for Older People
LAB 015-a	Major Investments in Calvary Public Hospital - Innovative Acute Medical Ward for Older Canberrans
LAB 015-b	Major Investments in Calvary Public Hospital - Respite Hub
LAB 015-c	Major Investments in Calvary Public Hospital - Dedicated Palliative Care Ward at Canberra Hospital

Mental Health Support for Young Canberrans

LAB 010	Mental Health Support for Young Canberrans
LAB 010-a	Mental Health Support for Young Canberrans - Orygen Digital
LAB 010-b	Mental Health Support for Young Canberrans - Social Media
LAB 010-c	Mental Health Support for Young Canberrans - multidisciplinary service to support young people
LAB 010-d	Mental Health Support for Young Canberrans - AMOS and PACER

More Community Services

LAB 066-d	Plan for Belconnen - Dementia-Friendly Libraries
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More Health Services at Walk-In Centres

LAB 014	More Health Services at Walk-In Centres
LAB 014-a	More Health Services at Walk-In Centres - More Nurse Practitioners
LAB 014-b	More Health Services at Walk-In Centres - Outpatient Imaging Service at Weston Creek Walk-In Centre
LAB 014-c	More Health Services at Walk-In Centres - Targeted Stroke Training
LAB 014-d	More Health Services at Walk-In Centres - Implement the Stroke Foundation's Specialist F.A.S.T Education Program
LAB 016	Five New Walk-In Health Centres
LAB 016-a	Five New Walk-In Health Centres - Molonglo Region

Nation Leading Climate Action

LAB 002-b	Food Recycling Service - Reduce Waste Emissions by 30%
LAB 009	500 jobs for zero emission buses
LAB 009-a	90 Battery Electric Buses
LAB 046	Big Canberra Battery
LAB 046-a	Big Canberra Battery - Establishment of Expert Team
LAB 047	Climate Change Plan - EV Charging Stations
LAB 047-a	Climate Change Plan - Create 2000 Jobs

New and improved school facilities

LAB 020	Public Schools - Removal of hazardous materials
LAB 026	Grants to Parent Associations of Non-Government Schools
LAB 026-a	Land Release - Construction of New Non-Government Schools
LAB 027	School Infrastructure Renewal Program - Investments Towards Upgrades and Creation of Jobs
LAB 027-a	School Infrastructure Renewal Program - Upgrades to Koori Preschool at Ngunnawal Primary School
LAB 027-b	School Infrastructure Renewal Program - Cooling and Double-Glazing in the Hall at Evatt Primary School
LAB 027-c	School Infrastructure Renewal Program - Upgrading the Gymnasium at Lyneham High School
LAB 027-d	School Infrastructure Renewal Program - Oval Upgrades at Charles Weston and Torrens Primary Schools
LAB 027-e	School Infrastructure Renewal Program - Classroom upgrades at Gowrie Primary School
LAB 027-f	School Infrastructure Renewal Program - Library Upgrade UCSS Lake Ginninderra
LAB 027-g	School Infrastructure Renewal Program - Playground Equipment for Cranleigh School
LAB 027-h	School Infrastructure Renewal Program - Bike Shelter for Canberra High School
LAB 027-i	School Infrastructure Renewal Program - Improved Staffroom at Mount Rogers School
LAB 027-j	School Infrastructure Renewal Program - Lyons Early Childhood School
LAB 027-k	School Infrastructure Renewal Program - Wanniasa School
LAB 027-l	School Infrastructure Renewal Program - Heating and Cooling at Monash Primary School
LAB 027-m	School Infrastructure Renewal Program - Student Wellbeing Area at Calwell High School
LAB 027-n	School Infrastructure Renewal Program - Gilmore Primary School

LAB 027-o	School Infrastructure Renewal Program - Library at Melrose High School
LAB 027-p	School Infrastructure Renewal Program - Curtin Primary School
LAB 027-q	School Infrastructure Renewal Program - Duffy and Mawson Primary Schools
LAB 027-r	School Infrastructure Renewal Program - Gungahlin College Oval
LAB 027-s	School infrastructure Renewal Program - Amaroo and Harrison Schools Airlocks
LAB 027-t	School infrastructure Renewal Program - Gold Creek School
LAB 027-u	School Infrastructure Renewal Program - Palmerston District and Miles Franklin Primary Schools
LAB 027-v	School Infrastructure Renewal Program - Black Mountain and North Ainslie Primary Schools
LAB 027-w	School Infrastructure Renewal Program - Ainslie Primary School
LAB 027-x	School Infrastructure Renewal Program - Dickson College
LAB 027-y	School Infrastructure Renewal Program - O'Connor Cooperative School
LAB 029	New and Expanded Schools in Canberra's South - Upgrade and Expansion of Narrabundah College
LAB 029-a	New and Expanded Schools in Canberra's South - Woden and Molonglo
LAB 030	New Schools in Canberra's North - Taylor
LAB 030-a	New Schools in Canberra's North - Primary School in North Gungahlin
LAB 031	Create More Space for College Students in Canberra's North
LAB 044	Public Primary School in Strathnairn
LAB 067-c	Plan for Inner North and Inner South - Majura Primary School
LAB 067-d	Plan for Inner North and Inner South - Feasibility and Demand studies for School Expansions

Playgrounds Across Canberra

LAB 043	Playgrounds Across Canberra - Investment in Local Playgrounds
LAB 043-a	Playgrounds Across Canberra - Destination Playground in the Inner-North
LAB 043-b	Playgrounds Across Canberra - Shade Sails and Fencing
LAB 066	Plan for Belconnen - Belconnen Skate Park

Support Local Tourism

LAB 034	Tourism Marketing Partnerships
LAB 061	Support Local Tourism
LAB 061-a	Support Local Tourism - Floriade
LAB 061-b	Support Local Tourism - Tourism Cooperative Marketing Fund

LAB 061-c	Support Local Tourism - Major Events Fund
LAB 061-d	Support Local Tourism - National Capital Tourism Education
LAB 061-e	Support Local Tourism - Canberra Convention Bureau
LAB 061-f	Support Local Tourism - Overnight Visitor Expenditure
LAB 070	Tidbinbilla Visitor Centre Upgrades
LAB 070-a	Stromlo Forest Park to Cotter Mountain Biking Trail
LAB 072	Four Year Tourism - Destination Marketing Campaign

Transport Infrastructure

LAB 064-d	Plan for Tuggeranong - Monaro Highway
LAB 064-e	Plan for Tuggeranong - Athlon Drive
LAB 065-a	Plan for Woden and Weston Creek - Woden Bus Interchange
LAB 065-c	Plan for Woden and Weston Creek - Streeton Drive
LAB 065-i	Plan for Woden and Weston Creek - Light Rail to Woden
LAB 066-b	Plan for Belconnen - Road Duplication between Belconnen and Gungahlin
LAB 066-c	Plan for Belconnen - Safer Intersections
LAB 068	Plan for Gungahlin - Traffic Model
LAB 068-a	Plan for Gungahlin - Feasibility Studies into High Priority Road Projects
LAB 068-b	Plan for Gungahlin - Fast-Track Road Maintenance Fund

Upgrades to Sportsgrounds

LAB 011	Gungahlin Tennis Facility
LAB 050	Plan for New and Upgraded Local Sports Facilities
LAB 050-a	Upgrades to Existing Sportsgrounds
LAB 050-b	Upgrades to Existing Sportsgrounds - Amaroo District Playing Fields
LAB 050-c	Upgrades to Existing Sportsgrounds - Ngunnawal Neighbourhood Oval
LAB 050-d	Upgrades to Existing Sportsgrounds - Hawker District Playing Fields
LAB 050-e	Upgrades to Existing Sportsgrounds - Holt District Playing Fields
LAB 050-f	Upgrades to Existing Sportsgrounds - Mawson District Playing Fields
LAB 050-g	Upgrades to Existing Sportsgrounds - Kambah District Playing Fields
LAB 050-h	Upgrades to Existing Sportsgrounds - Greenway Oval
LAB 050-i	Upgrades to Existing Sportsgrounds - Watson Neighbourhood Oval
LAB 050-j	Upgrades to Existing Sportsgrounds - Kingston Oval
LAB 051	Major Improvements to the Woden Valley Enclosed Oval

LAB 052	Improve Canberra's Netball Facilities
LAB 053	Removing Barriers to Participation for Women in Sports
LAB 054	Trial of New Technologies to Reduce the Amount of Water Used on Sportsgrounds
LAB 055	Permanent Home for Dragon Boating
LAB 065-f	Plan for Woden and Weston Creek - Arawang Netball Facility
LAB 065-h	Plan for Woden and Weston Creek - Mount Taylor Tracks
LAB 067-a	Plan for Inner North and Inner South - Lyneham Netball Courts
LAB 067-f	Plan for Inner North and Inner South - Deakin District Playing Fields
LAB 067-g	Plan for Inner North and Inner South - South Canberra Netball Association in Deakin
LAB 068-d	Plan for Gungahlin - Throsby Home of Football
LAB 068-e	Plan for Gungahlin - Cricket Upgrades in Taylor

Urban Services

LAB 002	Food recycling service
LAB 002-a	Food recycling service - Processing facility
LAB 008	Belconnen Food Recycling Scheme
LAB 008-a	Household Bulky Waste Pickup
LAB 018	More Dog Parks
LAB 064-c	Plan for Tuggeranong - Ice Skating Rink
LAB 065-b	Plan for Woden and Weston Creek - Brierly Street Upgrade
LAB 065-g	Plan for Woden and Weston Creek - Public Toilets at Farrer Nature Play and Colbee Court in Phillip
LAB 066-a	Plan for Belconnen - Lake Ginninderra Upgrades
LAB 066-e	Plan for Belconnen - Access Canberra Service Centre
LAB 067	Plan for Inner North and Inner South - Telopea Park
LAB 067-e	Plan for Inner North and Inner South - Oppose Monash Drive Highway
LAB 068-c	Plan for Gungahlin - Dog Park in Franklin



ELECTION COMMITMENT BRIEF

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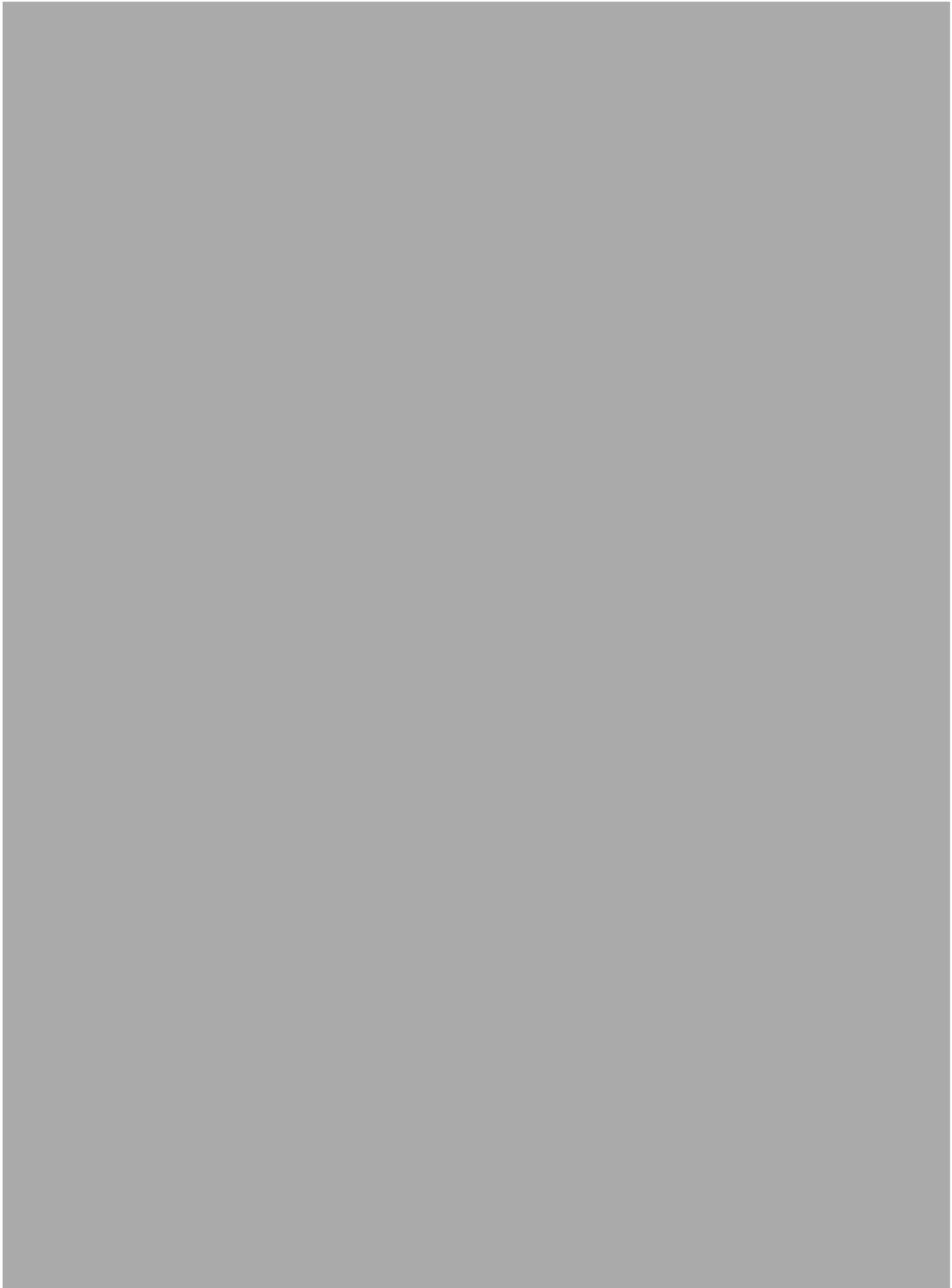
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ELECTION COMMITMENT BRIEF





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Cleared – DG CSD – Jo Wood

Contact Officer – Christine Murray / Ph: [Redacted]



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ELECTION COMMITMENT BRIEF



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Contact Officer – Christine Murray / Ph: 



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ELECTION COMMITMENT BRIEF



Cleared – Bernadette McDonald, Chief Executive Officer

Contact Officer – Andrew Gay, Chief Financial Officer ph: [REDACTED]



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