



**LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**SELECT COMMITTEE ON ESTIMATES 2024-2025**

**(Reference: [Inquiry into Appropriation Bill 2024-2025 and  
Appropriation \(Office of the Legislative Assembly\) Bill 2024-2025](#))**

**Members:**

**MS N LAWDER (Chair)  
MS S ORR (Deputy Chair)  
MISS L NUTTALL**

**TRANSCRIPT OF EVIDENCE**

**CANBERRA**

**MONDAY, 29 JULY 2024**

**Secretary to the committee:  
Dr D Monk (Ph 620 50129)**

**By authority of the Legislative Assembly for the Australian Capital Territory**

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

## APPEARANCES

<b>ACT Human Rights Commission</b> .....	<b>659</b>
<b>Chief Minister, Treasury and Economic Development Directorate</b> .....	<b>585, 631</b>
<b>Community Services Directorate</b> .....	<b>672</b>
<b>Government Procurement Board</b> .....	<b>585</b>
<b>Justice and Community Safety Directorate</b> .....	<b>585, 643</b>
<b>Major Projects Canberra</b> .....	<b>585</b>

## **Privilege statement**

The Assembly has authorised the recording, broadcasting and re-broadcasting of these proceedings.

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Witnesses must tell the truth: giving false or misleading evidence will be treated as a serious matter, and may be considered a contempt of the Assembly.

While the committee prefers to hear all evidence in public, it may take evidence in-camera if requested. Confidential evidence will be recorded and kept securely. It is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly; but any decision to publish or present in-camera evidence will not be taken without consulting with the person who gave the evidence.

*Amended 20 May 2013*

## **The committee met at 9.00 am.**

Steel, Mr Chris, Minister for Planning, Minister for Transport, Minister for Skills and Training, and Special Minister of State

Chief Minister, Treasury and Economic Development Directorate

Bailey, Mr Daniel, Executive Group Manager, Operations, Economic Development

Jeffress, Mr Stuart, Acting Executive Branch Manager, National Arboretum

Canberra and Stromlo Forest Park, Economic Development

Shields, Ms Penny, General Manager, ACT Insurance Authority, Treasury

Mirzabegian, Ms Sanaz, Executive Group Manager, Procurement ACT, Treasury

Gardner, Ms Joanne, Executive Branch Manager, Policy and Capability,

Procurement ACT, Treasury

Konti, Ms Bettina, Deputy Director-General, Digital, Data and Technology

Solutions

Whybrow, Mr Mark, Executive Group Manager, Finance, Procurement and

Contracts, Digital, Data and Technology Solutions

Justice and Community Safety Directorate

Marjan, Ms Nadia, Acting Executive Branch Manager, Civil Law, Legislation,

Policy and Programs Division

Major Projects Canberra

Geraghty, Ms Gillian, Director-General

Rynehart, Mr Josh, Executive Group Manager, Property and Government

Insourcing

Government Procurement Board

Bessi, Ms Coretta, Chairperson

**THE CHAIR:** Good morning and welcome to this public hearing of the Select Committee on Estimates for its inquiry into the Appropriation Bill 2024-2025 and the Appropriation (Office of the Legislative Assembly) Bill 2024-2025. The committee will today hear from the Special Minister of State, the Minister for Business, the Minister for Fire and Emergency Services, the ACT Human Rights Commission and the Minister for Multicultural Affairs.

The committee wishes to acknowledge the traditional custodians of the land we are meeting on, the Ngunnawal people. The committee wishes to acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region. We would also like to acknowledge and welcome other Aboriginal and Torres Strait Islander people who may be attending today's event.

The proceedings today are being recorded, transcribed by Hansard and will be published. The proceedings are also being broadcast and webstreamed live. When taking a question on notice, it would be useful if witnesses used these words: "I will take that question on notice." This will help the committee and witnesses to confirm questions taken on notice from the transcript.

First off, we welcome Mr Chris Steel MLA, Special Minister of State, and officials.

I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement. Witnesses must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. Would you please confirm that you understand the implications of the privilege statement and that you agree to comply with it.

**Ms Konti:** I acknowledge the implications of the privilege statement.

**Ms Mirzabegian:** I have read and acknowledge the privilege statement.

**THE CHAIR:** As we do not have any opening statements, we will move directly to questions. Minister, we heard about an alarming resolution drafted by the CFMEU to request that ACT Labor give passage for significant and comprehensive union involvement in public procurement. I note that it was discussed at the conference over the weekend and, I think, sent to a committee. As Special Minister of State, will you reject this interference in our public procurement process when it comes back?

**Mr Steel:** It is not government policy.

**THE CHAIR:** Thank you. Will you keep checks and balances on ACT CFMEU involvement in public matters, such as requiring union sign-off on executive appointments in government, or other union involvement?

**Mr Steel:** Again, that is not government policy.

**THE CHAIR:** At this point or ever?

**Mr Steel:** It is not government policy. I think you are referring to a matter outside of the government and outside of the Legislative Assembly. The discussion will be had in the broader community, but it does not reflect government policy.

**THE CHAIR:** Thank you.

**MR CAIN:** Minister, you must be aware of government policy in these spaces, so what is your understanding of government policy, in answer to Ms Lawder's questions?

**Mr Steel:** In relation to what specific area of government policy?

**MR CAIN:** You have deferred answers by saying to Ms Lawder that it is not government policy.

**Mr Steel:** If you are talking about the appointment of officials, I think that is probably outside of my remit as Special Minister of State in relation to whole-of-government policies for executives and so forth.

**MR CAIN:** Minister, what relationship do you have with the ACT CFMEU and do they report to you a list of favoured providers?

**Mr Steel:** No, I do not have a specific relationship with them. Any relationship that would need to be disclosed would be through the appropriate channels. And, no, they do not provide me with information like that.

**MR CAIN:** How frequently do you consult with ACT CFMEU delegates on government contacts?

**Mr Steel:** I do not specifically myself, if you are asking about me.

**MR CAIN:** In your role as Special Minister of State and overseeing procurement.

**Mr Steel:** No, not specifically myself in relation to procurements. Procurements are undertaken at arm's length from ministers.

**MR CAIN:** Besides the Secure Local Jobs Code, what other previous cases serve as examples of where unelected and unaccountable unionists have stolen power or attempted to do so from public practices?

**Mr Steel:** I do not accept the premise of the question because I do not see that happening.

**MR CAIN:** Thank you.

**MISS NUTTALL:** My question is about mountain biking in particular. Mountain biking spans a number of areas in government: CMTEDD for tourism, EPSDD for parks and conservation and TCCS for sport and recreation. Special Minister of State, do let me know if I have missed any. We checked with the Chief Minister last Thursday, but just to confirm: you are the one primarily responsible for mountain biking within the ACT?

**Mr Steel:** I am responsible for Stromlo Forest Park. Obviously, a lot of mountain biking activity happens at Stromlo Forest Park. I am also responsible for the active travel policy, as the Minister for Transport. That covers a wide range of activities undertaken by the mountain biking community. I understand that the Minister for the Environment, Parks and Land Management is responsible for land management. She has responsibility for a specific project, the Stromlo to Cotter flow trail, which has been funded in previous budgets. We are very keen to see that get underway. My remit sits with Stromlo Forest Park, and the mountain biking community has a lot of interest in that facility.

**MISS NUTTALL:** Yes, indeed. Mindful that it does span so many different directorates, how are we supposed to ensure that areas of government are talking to each other and coordinating their approach to mountain biking, both within your remit and outside of that?

**Mr Steel:** Some work has been done around strategic plans in this area that brings together decision-makers across different parts of government to contribute to those plans and come up with a coordinated approach. Certainly, this has been led by sport as well, that particular area. Minister Berry is responsible for sport in the ACT. So, yes, for those strategic plans, where coordination is needed, we would bring

decision-makers into that process.

**MISS NUTTALL:** Do you think we lose out by not having a dedicated person or office taking point on mountain biking within the ACT? Do you think we end up with bureaucratic inefficiencies because we have it spanning different areas?

**Mr Steel:** I appreciate that some people in the mountain biking community have been asking for one person to go to. We have taken that on board to some extent in providing a contact at Stromlo Forest Park for requests for information and so forth. That has, I think, been a useful thing. Ultimately, that person does not have all of the decision-making power over every single thing in government that relates to mountain biking. There are government processes that have to be gone through for decisions on funding proposals and those sorts of things.

I encourage the mountain biking community to not limit their engagement with that person but to engage with the relevant ministers on the particular issues that they want to talk about. If they want to talk about Stromlo Forest Park, they can come and see me. If they want to talk about the flow trail, they should go and see Minister Vassarotti. Ministers would be happy to engage with the relevant stakeholders on those matters. I encourage them to engage broadly. I acknowledge that one official in one part of the department does not have the power to make every single decision about mountain biking in the ACT, but they can be a conduit for information and coordination.

**MISS NUTTALL:** In that case, could we zero in on the draft Stromlo master plan. I understand it was due to be released in late 2023. There has been no update, probably much to the detriment of the prominent Canberra mountain biking community. When will the full master plan be released?

**Mr Steel:** We will release it soon. We have been working on finalising the plan, based on community consultation, which has been extensive. Referring to your previous question, I guess that underlines the important role that we have had in engaging with the community through that process. It is not just through one person; it is through quite a deep engagement with the mountain biking community about what they would like to see for the future of Stromlo Forest Park. There was, of course, a master plan that was consulted on and developed for the broader parks facilities, but this specific master plan is about tracks and trails, acknowledging the need to continue to make sure that this venue is an exciting place to visit.

It is an important tourism venue. We have lots of local mountain bikers who have got used to the existing trails over the years and want something that is a little bit different. They want to see a wider variety of trails, not just for experienced riders but right through the intermediate and advanced levels. They are not the only stakeholder and user group using Mount Stromlo. There have also been some discussions about what are the other tracks and trails that can be made available for other types of cycling, in particular. I will hand over to the team to talk a little bit about what has been happening there.

**MISS NUTTALL:** Just before you do, when you say “when” is that a matter of weeks or months?

**Mr Steel:** I am not making an announcement in estimates today, Miss Nuttall. That is the answer to your question.

**Mr Jeffress:** I have read and understood the privilege statement. Extending beyond what the minister has said, we have engaged a tracks and trails team there at Stromlo that are actively working across our trail network. They are doing extensive maintenance of the existing network and upgrading that trails network. They currently are focusing on the skyline trail, which is a heavily used trail down the mountain. They have also upgraded the downhill mountain bike trail. We have had an event on that trail, and that received really good feedback from the event organiser. More broadly on what that team is doing, we are hearing extensive positive feedback on their technical skill both in upgrading the trails but also in maintaining those trails to a high standard so that they are useable into the future.

**MISS NUTTALL:** Thank you. Is the government planning to commit to any additional funding for the development of the Stromlo trail network?

**Mr Steel:** That is under consideration, with the development of the plan.

**MISS NUTTALL:** Is that something that we may find out in the forward estimates or in the next budget?

**Mr Steel:** Any additional funding would have to be considered in a budget context. There have been some commitments already around insourcing resources at Stromlo Forest Park. That will also contribute to the master plan, going forward, in relation to building some new trails, although we expect that there would be the need for some external contractors to assist in that regard.

One of the key pieces of feedback we have heard from the mountain biking community is the importance of maintenance of the trails so that we are not just building trails that then go into disrepair. When they are being used, they need maintenance; otherwise they may become unsafe over time or unusable and need to be closed, and we want to avoid that. That is the work that we have been doing. We have done that off the back of some supportive sponsorship through the University of Canberra. We are using those funds to support that process, as well as paid parking revenue, which is going directly back into Stromlo Forest Park to make sure that it is supporting the user groups that are using the parking.

**MISS NUTTALL:** What consideration has been given as to how the proposed Stromlo to Cotter trail works with the trails master plan?

**Mr Steel:** That has been factored into the master plan, and that will be obvious once the master plan is released. We are very keen to see that built. The money is there, so I hope the work is underway soon.

**MR CAIN:** What is the current length of the contract arrangement with the provider of those mountain bikes at Stromlo Park?

**Mr Steel:** Sorry; which mountain bikes?



**MR CAIN:** The provider of the services, the operator of that business—what is the current contract for?

**Mr Steel:** Are you referring to the bus service?

**MR CAIN:** No, the trail bike providers. One of your officials noted that there is an operator who runs a business hiring out bikes. I am interested in the term of the contract.

**Mr Steel:** It is the ACT government that owns and manages the venue, but there are other businesses that operate from Stromlo Forest Park.

**MR CAIN:** Correct.

**Mr Steel:** There are a range of businesses there, Mr Cain. We will try and get some information to you.

**MR CAIN:** What length of contract and contractual arrangements do these businesses have?

**Mr Bailey:** I have read and acknowledge the privilege statement. We have two different contracts out there at Stromlo Forest Park. The Handlebar run the bar; they also have a hire arrangement with some bikes. My understanding is that that contract expires at the end of next year, 2025.

**MR CAIN:** What is the length of that contract?

**Mr Bailey:** I may have to take that on notice, the original term. We are in the extension part of the contract. I will take that on notice. There is another contract with Dynamic Motivation, who run the bus hire and who bus people up to the top of the mountain. I will also have to take on notice the contract term.

**MR CAIN:** It is my understanding, Minister, that these contractual arrangements are very short, which creates uncertainty as to how much investment can be made to provide these important tourism and recreational services.

**Mr Steel:** I will take that as a comment.

**MR CAIN:** You will take on notice the terms and the length of those contracts?

**Mr Bailey:** Yes; we will provide those.

**MR CAIN:** Thank you.

**MS ORR:** Minister, earlier this year the government announced that it would establish an in-house horticulture and trails team at Stromlo park. Can I get an update on how the team is going?

**Mr Jeffress:** I provided a bit of this information a little earlier, but I will run through

it. We have insourced a trails team at Stromlo. That has been highly successful. We have three staff focusing on trails maintenance and upgrades, and we have a staff member focusing on land management and turf maintenance across the running track. That team has commenced and is doing well.

The trails team is currently focusing on maintaining our existing trails network. We see that as a high priority, given the usage. We have a high usage of that trails network. They are doing a really great job. We are getting positive feedback on the work they have done down the skyline trail, which is a green trail that helps people to get down the mountain safely and is quite enjoyable for beginners, right through to our black trail network, which is for more advanced riders.

We had an event on that, with people coming from across New South Wales and beyond to use that trail. We got really good feedback on the design of that trail and the upgrades that the trail teams have done over the last couple of months. When we had a debrief with the event organiser, there was energy from that really positive trails maintenance and construction. It is a really great team, with a diversity of skills that allows us to build enjoyable technical components on trails that will have a good maintenance regime as well.

**MS ORR:** Having that team now insourced within government, how has that helped with capturing that feedback from users of the park and building it into the work that they are doing?

**Mr Jeffress:** The trails team has really good connections with all users. Even when I have been up there with them for a few brief moments, as they are working, trail users, the mountain bike riders, for example, come and speak to them about the really good components that they have just done and talk to them about some of the challenges. We also hear really quickly about any risks on the trail network. That gets fed to them really quickly, and we can act on them, sometimes within 24 hours, to get any key issues rectified. There is a really good user interface with that trails team. They are very well connected with the user groups out at Stromlo.

**MS ORR:** Are you finding it is a bit more dynamic and responsive now that it is insourced, and a bit easier to approach the team?

**Mr Jeffress:** We have seen the success of the insourced team. I think it is a successful example of insourcing. The staff we have engaged are very passionate about upgrading that trail, so that is also really helping us.

**THE CHAIR:** We have talked about the tracks and trails generally, Minister. What is going on with the plans for mountain biking and trail biking at Ingledene Forest?

**Mr Steel:** That is a question for Minister Vassarotti.

**MR CAIN:** Minister, the story of the Campbell Primary School procurement has begun to unravel and already serves to paint a damning picture of the government's collusion with unions. You have refused to answer this question in the past. Given its significance and current relevance, I will ask it again. Since 2016 how many ACT government contracts above \$25,000 were awarded to unions or entities owned or

controlled by unions?

**Mr Steel:** I reject the premise of the question. We have provided answers in relation to that, where we provided as much information as we could in relation to any contracts with unions. I refer you to those answers, which I think were provided on notice at the time.

**MR CAIN:** Could you review those answers and provide any updates?

**Mr Steel:** In relation to the end of the financial year?

**MR CAIN:** As current as you can make it.

**Mr Steel:** We can certainly take that on notice.

**MR CAIN:** How many ACT government contracts above \$25,000 were awarded to unions or entities owned or controlled by unions?

**Mr Steel:** Yes.

**THE CHAIR:** He has agreed to take that on notice. Do you have another question, Mr Cain?

**MR CAIN:** What is the total monetary value of contracts awarded to companies owned or controlled by ACT CFMEU since 2016?

**Mr Steel:** I think we have already provided that, but I am happy to take it on notice again.

**MR CAIN:** I am not quite sure that you have. Can you provide this value for other CFMEU branches, if applicable, as well, outside the ACT?

**THE CHAIR:** Are you taking that on notice?

**Mr Steel:** Yes.

**MR CAIN:** What is the total monetary value of contracts awarded to companies owned or controlled by the ACT CPSU since 2016?

**Mr Steel:** We will take it on notice.

**MR BRADDOCK:** My questions are for the ACT Insurance Authority. I have been looking at how the ACT compares with interstate equivalents. For example, the Victorian insurance authority also provides insurance services to community organisations, not just the government. I would be interested in your reflections as to the history of the ACT system and authority, and why the scope is constrained to just the ACT government when providing an insurance service.

**Ms Shields:** I have read and acknowledge the privilege statement. Mr Braddock, it is interesting to compare us to other jurisdictions. We are set up quite differently in

terms of our insurance arrangements. We are, as a small jurisdiction, operating as a captive self-insurance arrangement. That means we are not a regulated insurer. We cannot provide insurance directly to third-party organisations as a result of that.

**MR BRADDOCK:** What would it take to be able to provide that insurance? What sort of regulation would be required to be in place in order to do that?

**Ms Shields:** There is quite a lot of work involved in becoming a regulated insurer, and it is a decision for government as to whether that is something we should pursue. But it would involve becoming regulated by APRA.

**MR BRADDOCK:** There is increasing evidence of insurance market failure happening across Australia, particularly in light of climate change driven increased natural disasters and so forth. Is that having an impact on the operations of the ACT Insurance Authority?

**Ms Shields:** As you have said, it is having a market impact, and that would include our experience as well. As a captive self-insurer, we insure the territory's risks up to a certain dollar value; then we obtain reinsurance to support us beyond that. We have not experienced market failure to the point that we are unable to cover the territory's risks at this point in time. We are, of course, aware that there are some challenges for community organisations in obtaining insurance. Unfortunately, as I mentioned before, we are not in a position to directly impact that.

**MR BRADDOCK:** You mentioned that you have not experienced market failure, but have you experienced increased costs for the ACT Insurance Authority due to the state of the market?

**Ms Shields:** We have in previous years, through our self-insurance arrangements, in particular in reinsurance. Also driving costs, though, is our claims experience more broadly. There are multiple factors impacting cost, and cost of insurance. We have seen more challenges perhaps in how reinsurance is structured. That could be exclusions for specific items or specific types of risks that insurers are no longer willing to cover. Of course, we have set up the physical and sexual abuse scheme to assist our out of home care providers where they have experienced market failure.

**MR CAIN:** Minister, you would be aware that the Victorian Managed Insurance Authority underwrites non-state entities, and some community organisations are reporting millions in savings on public liability premiums. Why hasn't the government considered taking that approach to some of our community organisations who are struggling to find affordable premiums for their activities?

**Mr Steel:** As Ms Shields mentioned, we are not currently in a position to do that because we are not regulated—prudential regulations. It would require substantial investment to be able to do that and it is not something that we are currently planning.

**MR CAIN:** Have you done any forecasts of what that investment would cost? Minister, as you are aware, the Insurance Authority Act 2005 contains a section to permit public indemnity for third parties where they have a contractual arrangement with the territory. Is this part of the legislation utilised?

**Mr Steel:** Yes. I will hand over to Ms Shields.

**Ms Shields:** Yes, Mr Cain. We are currently utilising that component of the legislation to cover out of home care providers providing particular foster care arrangements through the Community Services Directorate.

**MR CAIN:** Is there an intention to extend that to those with other contractual arrangements with the territory?

**Mr Steel:** Not at this time.

**MR CAIN:** Minister, how can Canberrans have any confidence in ACT Labor's ability to manage billion-dollar contracts, given the entrenched position of the CFMEU in internal party politics?

**Mr Steel:** I reject the premise of the question. It is a blatantly political question. We have a range of robust policies in place in the ACT government to manage procurement. We are going through a significant procurement reform program. Indeed, we have just strengthened the Government Procurement Act, elevating probity within the act and enshrining it for the first time in primary legislation.

We are going through a very substantial process at the moment of accrediting government agencies and business units through the goods and services accreditation program that will be rolling out a tiered services delivery model to support government agencies in what they do. We think we have robust process, policies and legislation in place to be able to manage the range of issues and, of course, continue to improve it, based on strategic advice from the Government Procurement Board, going forward, as issues arise.

**MR CAIN:** Will you, as an ACT government minister, work to suspend CFMEU delegates from ACT Labor, given the findings of criminal infiltration across the CFMEU?

**Mr Steel:** That is a blatantly political question. Mr Cain is aware that there is not a specific matter that has been raised in relation to the ACT branch.

**MR CAIN:** The answer is no?

**Mr Steel:** It is not within my power as the minister. It is a question of whether that is in order. I will just say that it is not within my remit as Special Minister of State.

**THE CHAIR:** Ms Orr has a point of order.

**MS ORR:** I do. Chair, I seek your guidance. Mr Cain's questions have had a lot of inferences, imputations and things that are not really relevant to the budget. I seek your guidance on whether Mr Cain is staying within the standing orders or maybe straying a little bit outside them.

**THE CHAIR:** Thank you. I think we are allowing it to be pretty free flowing. For

example, the Chief Minister has talked in this place about Young Liberals policy, which is also not related to the budget. I am prepared to let it flow freely, but I am happy to take individual points. I am not sure that there have been any imputations and inferences raised so far.

**MS ORR:** Minister, you mentioned the government reform project for procurement. This is quite a big project that has quite a big impact across all of government. I would like to get an update on the changes within that project, where they are up to and what you are looking at doing next.

**Mr Steel:** We have just hit a major milestone with the goods and services accreditation program. I will hand over to Ms Mirzabegian to provide some information.

**Ms Mirzabegian:** Thank you for that question, Ms Orr. As you may be aware, the government's Procurement Reform Program spans three years, to next year, for its full rollout and implementation. You would be aware that, earlier this year, we had the successful passage of legislation, the Government Procurement Act, which resulted in fundamental reform in that space to provide better clarity for public servants and our community in relation to ensuring that our procurement framework is sufficiently robust and contemporary to meet the needs of public servants procuring, as well as those in the community, including our suppliers.

More recently, as of 1 July, we have rolled out a component of the reform program which is more internally faced. That is in relation to our tiered service delivery framework. Under our tiered service delivery model, Procurement ACT provides services commensurate with the scale, scope, risk and value of a procurement. That means that, depending on those factors and the territory entity who is seeking the procurement capability and capacity, we provide a level of service that is commensurate and addresses those needs.

We do not provide a one-size-fits-all service. The services can include an enabled layer, which is about being able to contact Procurement ACT with any questions that one might have on procurement, and having those answered in writing. That service also provides referrals to other services that are offered, including our property service, which is an in-house, free-of-charge property service to territory entities, as well as referrals to the ACT Government Solicitor for questions that require legal advice. There are referrals, of course, to other areas of government, such as Major Projects Canberra, where the question pertains to that particular category of procurement.

The next layer of service that we have is around assurance of a procurement. By that we mean the territory entity undertaking the procurement has particular gateways, during the life cycle of that procurement, to check in with Procurement ACT and seek that assurance that the process to that point in time is sound. That commences from the very beginning, in the planning stage, and it goes to the managed stage—that is when you are approaching the market—and up to the contracting stage.

At the highest level, commensurate with the highest risks that we have in procurement and the highest value, we have a managed service whereby we provide that support, as chair of an evaluation team, for procurements. That means that we provide the

procurement expertise. The line area provides the subject matter expertise, and we work in partnership to make sure that the process for that procurement is sound. The line area ensures that the subject matter expertise provided into that procurement is sound. In that way we are providing a safety net for all procurements that occur.

No procurement is too small for us. No procurement is too large for us. Depending on the level of care that it needs, we provide that level of care, too. That is particularly significant because it means that we are not just providing a one-size-fits-all approach, and the territory entities do not have to fit in to our service.

**MS ORR:** How long has that service been operating?

**Ms Mirzabegian:** That commenced on 1 July. We have been transitioning to it, but it properly commenced on 1 July this year.

**MS ORR:** So me asking what the uptake has been might be a bit premature.

**Ms Mirzabegian:** You appreciate that we are entering into the caretaker period, so there was a little bit of uptake at that particular point in time to make sure that if a procurement needs to be let out to market before that time it is.

**MS ORR:** So you are already seeing line areas coming forward and taking it up.

**Ms Mirzabegian:** Indeed. I think, in fact, our enabled services have experienced a huge surge in the number of questions that are coming. People are finding that it is a really quick way to understand where to go next. It is a very easy way for territory entities to understand the procurement framework. Just by picking up the telephone or emailing someone in our team and asking those questions, they get those answers.

**MS ORR:** What work have you done across the public service to make sure that line areas are aware of the services being offered?

**Ms Mirzabegian:** For that question I might refer to Ms Joanne Gardner, who looks after our capability function. Our procurement function is a little bit different from other jurisdictions. We have a specific capability function, in addition to our policy function, that caters for uplifting capability across the service. It is not a feature of reform; it is a feature of how we thought reform would be best implemented. I will hand over to Ms Gardner.

**Ms Gardner:** Thank you. I have read and acknowledge the privilege statement. We have been working through an intensive communications campaign in relation to reform over the last few years. That has been supplemented with some internal governance committees, such as our implementation working group for reform, which is represented by all territory entities. We have had a “more the merrier” approach to having those conversations. Everything that has been developed in reform has been developed in partnership with all of our territory entities.

I am very pleased to say that we have significantly increased our training options for territory entities. We have very much taken an inclusivity and user-centred design approach to coming up with those training offerings. They include a range of training,

through fact sheet guidance; some better practice guides for contract management; templates; tools; and a new procurement hub, which is an intranet presence which effectively allows a user to go through all phases of our procurement process and understand where to get the material that they are after.

That is supplemented by around 13 online modules that are available that cover all phases of our procurement process. We have also been undertaking a range of face-to-face learning opportunities, from delegates to chief financial officers to officers on the ground undertaking procurement—and with suppliers. We have recently had a session with suppliers on the changes that we have made to templates and to our legislation. We have so far provided that session to around 300 suppliers and we have another session coming, for which registration is around 400 at the moment. We have been taking a multifaceted approach to our communications and our training. We are really looking at who our users are and who the end users are and tailoring that information to their needs.

**MR CAIN:** I want to refer to page 54 of budget statements B. You have rolled over \$434,000 in funding for the implementation of the Procurement Reform Program for 2023-24 to 2024-25. Why has this money been rolled over?

**Ms Mirzabegian:** I can answer that, Mr Cain. There are two elements to that. One of the items in the reform program is in relation to having an ICT procurement system which enhances the user's experience of procurement, making sure that the various stage gates are captured collectively in one place for contract management. It is a tool to capture and record decision-making and to extract data.

One of the features of that system is making sure that our contractual templates become part of that system. Because that is the next item in the reform program, we had to hold over some money to translate contracts that are on paper into the system. That does take a bit of doing because, based on the user's needs, the contract will need to be adjusted. Part of that money is for that.

The other items are in relation to formal training for our procurement officers. As you can imagine, with our officers there are natural attrition rates and so forth. We wanted to make sure that we were providing the most appropriate training for the officers that we have on the ground.

There is also work more broadly across the Australian jurisdictions in relation to professionalising the procurement role in government. We have been made aware by the Australasian Procurement and Construction Council that some work is being finalised in that space, so we are holding over that money to make sure that when the policy is released, subject to all states and territories agreeing to that, our officers are properly trained. They are some final parts of the reform program.

**MR CAIN:** Do you have a breakdown of that expenditure across those two lines?

**Ms Mirzabegian:** I could take that on notice, but it is approximately half and half.

**MR CAIN:** Why was there a delay?



**Mr Steel:** I think Ms Mirzabegian has just answered that comprehensively. That was directly in answer to that question.

**Ms Mirzabegian:** I repeat that the procurement reform program is being implemented in stages. The final deliverable is that ICT solution, and that is scheduled for next year. Therefore, the money has been held over. In relation to the training, we are working with other jurisdictions to make sure that we are aligned with them. We did not want to invest in that training before we had a more settled approach; otherwise we might end up spending and then needing to spend again.

As Ms Gardner has pointed out, we have extensive training available for our own staff, as well as for anybody else who is doing procurement. We are not in want of training; we just want to make sure that we are investing a larger amount of money. That goes to ensuring that our workforce is employable across the jurisdictions in Australia and has got the same level of accomplishments and accreditations that other jurisdictions have. That work has not been finalised yet, Mr Cain, so we are holding the money until it is finalised.

**MR CAIN:** Minister, the Auditor-General, as you are aware, has tabled seven performance audits recording procurement mismanagement in the ACT, with one more audit on the way. A delayed expenditure of this quantum does seem to indicate that you are not implementing your procurement reform in a timely manner. Why is that the case?

**Mr Steel:** What it indicates—and this is in response to the Auditor-General's look at previous ICT programs—is that we are doing the work that is necessary up-front to fully understand business processes and making sure that we make the changes necessary to support a new ICT system to be implemented properly.

Part of that design process, which we have now made mandatory through the best practice design guides for all ICT infrastructure projects, is to make sure that we are properly designing for what we want the future state to be. If that requires a look at what the procurement standards are across jurisdictions and making sure that we are consistent with that, then that is what we should do before we implement the program, because that would lead to a situation where we then have to invest more money to change the system if it becomes out of date with those standards.

This is a prudent decision that has been made to undertake that work first, before we then go and procure and develop ICT solutions to support the business process and the new standards. I think it is very consistent with what the Auditor-General has recommended in previous reports on other ICT systems.

**MR CAIN:** Minister, you allocated this money over 12 months ago. You did not spend it. So what confidence does this community have in you being able to properly reform our procurement areas? Less than half a million dollars was allocated over 12 months ago. It was not spent. What confidence do we have that it is going to be spent appropriately, as budgeted? Does this not signal your lack of initiative and drive to actually reform our procurement system?

**Mr Steel:** No.

**MR CAIN:** You cannot even manage your own allocation of \$434,000. It is delayed. What confidence do we have that it is not going to be delayed again or that other, more significant measures in procurement will be simply delayed? You gloss over it, saying, “Oh, we are being very careful here,” but you have delayed your own procurement. That is surely a signal of a failure to properly reform this important area.

**Mr Steel:** No, and there is no question there, so we will move on.

**THE CHAIR:** I have a couple of questions relating to that. I presume this is an off-the-shelf ICT system that you are customising, or are you building from scratch?

**Mr Steel:** There is really no off-the-shelf solution for all of these ICT projects. They always require customisation. That is the reality. I will hand over to Ms Mirzabegian to talk about that.

**Ms Mirzabegian:** Currently, we do have a couple of systems that look after our procurements. One of those is Tenders ACT. That is a platform through which we advertise our tenders and we receive tenders from suppliers. That is a very basic need of the current, contemporary procurement ecosystem, because, amongst other things, our free-trade agreements require that we have an electronic system, free of charge, available to all suppliers who will receive and provide tenders. So that is one thing. Tenders ACT is currently doing that basic job, in compliance with our free-trade agreements.

The other system that we currently have is what we call a vendor panel: a system which looks after some of our whole-of-government arrangements and makes it easier for our suppliers to know how many subcategories on a panel, for example, they are on and for us to send quotations to them and to receive quotations back. These are the basic needs.

What we are trying to do through the ICT program, the path of reform, is to put into systems what we are currently doing manually. That is kind of making it more efficient, making it more transparent. It does not mean that our systems are broken; it just means that we need to enhance them. As I was explaining previously, one of those would be making sure that our contracts are captured in our system in that manner so that we can have more flexibility in delivering and developing a contract that is bespoke to that particular procurement.

**THE CHAIR:** Who is the contract with for that system?

**Ms Mirzabegian:** Currently, for Tenders ACT?

**THE CHAIR:** To purchase the off-the-shelf system that you are customising.

**Ms Mirzabegian:** Pardon me. What we do in procurement is we do not just go with the previous provider. There is usually a process by which you check the market and understand who is best placed to provide the enhanced system. We are not simply suggesting that we would go back to the current providers—

**THE CHAIR:** Is this not already underway? Who is the contract with?

**Mr Steel:** No. I think we are at an earlier stage than that.

**Ms Mirzabegian:** Yes.

**Mr Steel:** And that is the work that Ms Mirzabegian was talking about before: we are undertaking the initial work to understand business processes, to get them to a stage where they can be then—

**THE CHAIR:** Okay. Scoping.

**Mr Steel:** Yes; that is right.

**THE CHAIR:** Is the \$434,000 the total amount for that contract or are there other amounts already expended?

**Mr Steel:** No. We have already gone into this, and I think we have provided a commitment to come back on notice in relation to the funding. It was about fifty-fifty.

**Ms Mirzabegian:** Yes. It is between training and some money in relation to more electronic templates.

**THE CHAIR:** All right.

**Ms Mirzabegian:** Streamlining our templates.

**MS ORR:** I want to go back to the procurement reform project and, in particular, what you are doing to work with suppliers to understand the changes so that when they are tendering for work they are not disadvantaged.

**Ms Gardner:** There are a few layers that we have implemented since the commencement of reform to support our supplier base. We have updated our Procurement ACT website, which provides detailed supplier guidance on how to look for opportunities, how to work with the ACT government and how to effectively set themselves up for success. That includes a couple of e-learning modules that are available to suppliers that they can do as step-by-step guidance on how to set up their profiles in the Tenders ACT platform that we have discussed, how to seek those opportunities to respond and the ways in which they can respond.

In relation to the new legislation, we have certainly embedded some of our policy positions enshrined now in our legislation. For example, we have raised the procurement thresholds for open tender. Now it is open tender at \$500,000 for goods and services, and up to a million dollars for construction. In doing that, the range between \$25,000 and \$500,000 for goods and services, or \$500,000 and a million for construction is required to seek three quotations.

We have enabled some exemptions under that to directly source from Aboriginal and Torres Strait Islander enterprises, as well as small to medium enterprises and Canberra region enterprises. That represents significant changes and also a reduction in the cost

to business in responding to tenders. That was something that we heard very clearly from our supplier base through the work of the Better Regulation Taskforce.

In addition, some of the commentary that we have had from suppliers is around having user-friendly and consistent templates for procurement—ones that are created with the same language, have the same look and feel, and where the expectations of responses are the same. We have embarked on a template improvement process, and we have a new suite of procurement templates that are available for ACT public servants to use. That is in direct feedback to that supplier base. We have implemented that now.

We have also started doing some drop-in sessions with suppliers, as I mentioned earlier, one of which we held recently. We had around 300 suppliers, and we talked them through the various changes in legislation, the policy intent behind them, and where to go to get help, through either Major Projects Canberra or our colleagues in the Secure Local Jobs Code Branch. We had representatives from various areas of government available to answer questions. We had really good engagement from our suppliers. We are looking forward to having another session later in this week, in fact. Around 420 registered suppliers are looking to attend that session.

**MS ORR:** Regarding the change to the thresholds and the procurement requiring three proposals, can you run me through what they were and what they have changed to, and what the differences actually translate to?

**Ms Gardner:** Certainly. We have aligned more closely to our free-trade agreements in other jurisdictions. In our previous legislation, for up to \$25,000 you had to seek one quote; for \$25,000 to \$200,000, regardless of the procurement category, you had to seek three quotations; and for over \$200,000 open tender was sought. We have done a couple of things in the changes to our quotation tender thresholds. We have split them from goods and services and construction, recognising that, in construction, there is not usually a lot you can purchase at that lower value. It is in recognition of that, and some of our jurisdictional counterparts have done the same.

We have separated our thresholds in that way. For up to \$25,000, there is one written quotation. We have made that change to get it in writing for transparency. It was implied in the previous legislation but not explicit. For \$25,000 to \$500,000, for goods and services, we have changed it to a minimum of three written quotations; for \$25,000 to a million dollars, for construction, a minimum of three quotations is required; and, for above those thresholds, there is open tender.

**MS ORR:** For the quotations, would they still use the template for consistency or was there—

**Ms Gardner:** Absolutely. We have customisable templates that are used in seeking that information. Certainly, when we go to open tender, as you will appreciate, there is a lot more detail, so those templates are a bit separate. But we certainly have templates that are customisable, whether you are seeking one quotation or whether you are seeking three.

**MS ORR:** You mentioned that a lot of this reform has been done to align with the

free-trade agreements but also the feedback from the Better Regulation Taskforce. Are there any other aspects of reform that you are looking at making in this area to make the interface between business and procurement better?

**Ms Gardner:** Absolutely. Some of the work that we are doing under the reform is to streamline our policies with respect to our Government Procurement (Charter of Procurement Values) Direction. We are looking internally at ways that we can strengthen or enhance those policies, or the policies into the future that we might look at, to really support our values. Again, we are working quite closely with the Better Regulation Taskforce to get a good interface with our suppliers. Through some of the consultation that we are doing with suppliers, we are looking at how we can wrap some of that good feedback into what we are doing into the future.

**MS ORR:** I think there will be 415 suppliers for the next training. Given that there seems to be quite high demand, what future programs do you have in mind or what opportunities do you have coming up, besides the training this week?

**Ms Gardner:** We are looking at potentially continuing this series. We are also working in partnership with our colleagues in Major Projects Canberra and the Secure Local Jobs Code Branch to have more regular sessions. The engagement is telling us that suppliers are really interested in the reform program and some of the elements in relation to that. There will be more opportunities to engage with them directly. We will look for a more regular suite of engagement. We have just updated the information that we have on our website, in accordance with the new legislation, and we are updating some of our training modules and looking for opportunities to embed more of that training guidance into those modules to support suppliers, based on the feedback that we have received.

**MS ORR:** Regarding the suppliers that are taking up the opportunity to interact, are you finding that they are small and medium enterprises or are we looking at large enterprises?

**Ms Gardner:** It is very much a combination of both. In our last session, we definitely saw huge interest around the changes in legislation, particularly around the exemptions for small, medium and Canberra-region enterprises. There were a lot of questions around how that works and what the Canberra region looks like. The Canberra region is quite large, so suppliers were very interested in those elements of the reform. We also had a lot of interest in the changes to our templates and certainly the increased thresholds, which I think captured some of our larger businesses.

**MS ORR:** What engagement have you had with Aboriginal and Torres Strait Islander owned businesses? I know there is a policy.

**Ms Gardner:** We have an Aboriginal and Torres Strait Islander procurement policy. With that, we have a Canberra region Aboriginal and Torres Strait Islander business list which allows our buyers to, effectively, go to the site and, depending on the categories in which they are looking to procure, find businesses that are registered suppliers with one of the three certifying bodies. We are looking to do a comprehensive review of that policy. We are looking at standing up a committee to inform that, to ensure that self-determination is really at the core of the principles

when we are looking at that comprehensive review. At the moment, the policy remains. In fact, the changes that we made in legislation elevate it slightly. Previously, the policy allowed direct exemptions up to \$200,000. Now the legislation allows up to \$500,000, or a million dollars for construction. We are looking at reviewing that policy. We are settling the terms of reference and a committee for that as well.

**MISS NUTTALL:** The budget has an appropriation for the Electoral Commissioner to include developing a portal for electoral compliance. Real-time reporting obligations for political parties began a few weeks ago. Is there any reason this funding is provided in this budget and was not provided earlier so that the systems could be operational in time for the new electoral laws?

**Mr Steel:** We are in constant contact, through the Justice and Community Safety Directorate, with the Electoral Commissioner. He makes clear what his needs are to facilitate elections and the management of elections, and we have provided those funds to support him with this function.

**Ms Marjan:** I have read and acknowledge the privilege statement. Could you repeat the second part of that question for me?

**MISS NUTTALL:** Absolutely. Is there a reason the funding was provided in this budget and was not provided earlier so that the systems could be operational in time for the new electoral laws?

**Mr Steel:** The important thing to note is that the commissioner makes the funding requests through the Speaker and through the budget process. Those funding requests are then considered through the budget process. If it had been requested, it would have been considered at the appropriate time in order to support the rollout and management of the election.

**MISS NUTTALL:** Is it something that was flagged at all in the process from the ACT government side—that this funding would probably be needed to support the new reporting obligations?

**Mr Steel:** We are obviously advised by the Electoral Commission about the best timing. The legislation has certainly been in place for a considerable period of time to support that. From our point of view, the policy side had been dealt with. Do you want to comment further on that particular matter?

**Ms Marjan:** Yes. Minister, that is exactly right: we engaged quite closely with the ACT Electoral Commission in the development of that policy, and we are quite—

**THE CHAIR:** The microphone does not amplify. You will need to speak up.

**Ms Marjan:** No worries. Yes, we worked very closely with the ACT Electoral Commission in relation to understanding the implementation and budgetary requirements relevant to that reform.

**MISS NUTTALL:** Thank you.

**MR CAIN:** Minister, your government has introduced stringent measures to shut down the relationship between developers and political parties. Considering the benefits that unions derive from political decisions, as well as widespread ownership of Australian industry, such as super funds, land assets and large-scale public construction projects, will you also take action to ban political donations from unions?

**Mr Steel:** We have a pretty good system of public funding of political parties.

**MR CAIN:** Could you speak up, Minister, please?

**Mr Steel:** I can, if you would like. I will go closer to the microphone as well. We have a pretty robust system of public funding of political parties for elections, and that has been in place for some time. In fact, the amount that is provided per vote to each political party is somewhat higher than in other jurisdictions. That means that we are probably better placed and are in a position where we do not need to accept as many donations from the community as would perhaps be needed in other jurisdictions in order to facilitate election campaigns.

The overall system is quite robust. That will, of course, be reviewed every election, through the formation of a select committee after the election that looks into these matters and provides recommendations about the improvements that could be made. Each member of parliament and each political party will have their own views on what the best thing should be.

We will also need to be guided by the best advice about what might be compliant in relation to the implied freedom of political communication under the Australian Constitution. In other jurisdictions, some governments have been caught potentially being inconsistent with that implied freedom, and that has resulted in them needing to change legislation and so forth, because that legislation has effectively been void as a result. We need to be consistent with that freedom in whatever we consider, going forward. South Australia is considering this matter at the moment, and we will look at what other jurisdictions do.

**MR CAIN:** Minister, noting that you have banned donations from developers, why would you not also ban donations from unions, who are significant stakeholders in construction, as are developers?

**Mr Steel:** This is a matter for the Legislative Assembly, Mr Cain. If you have views on that, you should bring forward changes to the Electoral Act and so forth, but that would need to be consistent with the freedom of political communication.

**MR CAIN:** There has been a legislative decision to ban developers.

**Mr Steel:** Yes. We all have a responsibility, as members of the Legislative Assembly. These matters are for that. I do not have the power, as the Special Minister of State, to issue an edict in this regard. That is a matter for the Legislative Assembly, and the Assembly will need to make decisions that are consistent with the Constitution.

**MR CAIN:** Do you feel that those tests were satisfied by banning donations from developers?

**MS ORR:** On a point of order: Mr Cain is asking for an opinion.

**Mr Steel:** I am not going to provide legal advice to the Legislative Assembly. That is for it to consider.

**MR CAIN:** Thank you, Chair.

**THE CHAIR:** Ms Orr had a point of order while you were answering: whether Mr Cain was asking for an opinion. That is potentially correct. The minister is absolutely free to say whether you are asking for an opinion. He is well experienced in that regard. We will move on. I will ask about the HRM information system. It was originally established in 2017 for an estimated cost of \$15 million. Eight years later, there was \$143 million, in total, of approved expenditure, but there is no HRM system in place. This budget flags further delay to the PCHRM, with funding pushed out as far as 2027, which brings the project's time line to more than a decade. Minister, when do you expect that the PCHRM will become operational and in use in the government?

**Mr Steel:** I am happy to provide some advice on that. It is a separate program, to correct the question. Also, to further correct the question, we do have one component of the HRIMS system in place that continues to be used across government: HRIMS Learning. I will hand over to Ms Konti.

**Ms Konti:** Thank you, Minister. Ms Lawder, the PCHRM project has four subcomponents to it. The program has four projects. Those projects were: close the HRIMS program formally; initiate the program, which is PCHRM; upgrade the CHRIS and HR21 systems for payroll; and conduct the design of a time and attendance system. That is the scope of the PCHRM program, as has been agreed by government to date.

In terms of the decommissioning of the HRIMS program itself, that is well underway and will finish within the next couple of months. On the program initiation component of this, it is worth stating that part of program initiation is about building and recruiting the team, including all of the consultants and contract arrangements that we need, to bring in the right kind of expertise in the program, and developing and agreeing on the governance arrangements that need to be in place for the program. Program initiation is also almost complete.

Upgrading the CHRIS and HR21 systems is underway. We have negotiated a contract with Frontier Software. They are the people who provide the CHRIS and HR21 software. On the last component, the design of the time and attendance system, we have entered into a contract with a company that is working with all related directorates to come up with the first elements of that design work. The CHRIS and HR21 upgrade itself, which is the most substantial part of this, will be complete within this financial year.

**THE CHAIR:** Are the modules—if that is what you call them—within the new PCHRM program identical to those that were requested in the original HRIMS project?



**Ms Konti:** No. The government made a very deliberate decision to pivot from trying to continue to implement HRIMS to upgrading the payroll elements of the system. The scope of the PCHRM program is not as big.

**THE CHAIR:** Will the e-learning module that you have delivered be able to connect to the new PCHRM system?

**Ms Konti:** Yes, it will.

**THE CHAIR:** Is that at the expense of the new contract, the new project, or was that—

**Ms Konti:** It is part of the scope of the new project. In upgrading the CHRIS and HR21 systems, everything that our current CHRIS and HR21 systems are connected to, in terms of all the other systems that it needs to talk to, will also need to be done for the upgrade.

**THE CHAIR:** You mentioned time and attendance. Will time, absence and leave be on an electronic system? Will it be automatic or manually entered into the new system?

**Ms Konti:** The intention is that it will be an automatic system—an online system.

**THE CHAIR:** And it will be a whole-of-government system?

**Ms Konti:** Yes.

**MR CAIN:** What is the total cost of the decommissioning, which you said would end in a few months?

**Ms Konti:** The total cost to date, Mr Cain?

**MR CAIN:** Of the decommissioning of HRIMS. What is the total cost of that?

**Ms Konti:** To date?

**MR CAIN:** What is it expected to be? And, yes, to date. You can take that on notice.

**Mr Steel:** Yes; we can take that on notice.

**MR CAIN:** Thank you. Minister, was the HRIMS catastrophe the reason that the former Minister for Government Services and Procurement, Ms Orr, was not renewed as a cabinet minister in 2020?

**Mr Steel:** (*sound indistinct*) believe so<sup>1</sup>; I am not the person to be able to comment on that, anyway.

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<sup>1</sup> Mr Steel has advised Hansard that his words were “Don’t believe so”

**MR CAIN:** Is it the intention for HRIMS 2.0 to be a whole-of-government human resource and payroll management system?

**Ms Konti:** It is and will be a whole-of-government payroll management system.

**MR CAIN:** Just payroll?

**Ms Konti:** Payroll—and that includes leave and all of the things that people would do that impact on the person's pay and financial conditions.

**MR CAIN:** Thank you.

**MS ORR:** The budget provides funding for a new Woden community centre. I believe Woden Community Service will be housed in there. Can you run me through where the centre will be located, what it will include and how it will respond to the community need?

**Mr Steel:** The budget provided provision of full construction and funding for the new Woden Community Centre. Design has been underway for some time. There has been a level of consultation with the broader community, as well as directly with Woden Community Service. That started with a functional design brief and has now developed into concept plans. We will now be taking this forward to develop detailed design and go through the development application process, and there will be a further opportunity for the community to have their say on the project.

The new community centre will be located on Callam Street, relatively close to the current Woden Youth Centre, which Woden Community Service also runs. Woden Community Service has been spread out across Woden town centre for some time. This is an opportunity to bring together most of their staff into one location within the town centre but also to provide them with facilities to then deliver programs to the community.

The current site that they have in Corinna Street, which is sort of hidden away from view and relatively difficult to access, does not have the broad suite of things you would expect in a community centre, like meeting rooms and a large multifunctional hall space, for example. The new facility will be able to deliver that across four floors. We expect that around two of the floors will be there for Woden Community Service staff and then the other floors would be there as bookable community space.

This is going to be a significant enhancement for social infrastructure in the Woden town centre. We have also been working closely with Woden Community Service on the interim arrangements so that they can move out of Corinna Street and Callum Offices, which is where some of their other staff have been, into far better office accommodation whilst this new Woden Community Centre is built. They are going to be moving into a location in Shea Street, in the Phillip services area, while we continue to undertake the work on the construction. I will hand over to Major Projects Canberra to add anything there.

**Ms Geraghty:** I have read and acknowledge the privilege statement.

**Mr Rynehart:** I have read and acknowledge the privilege statement. Over the next two years, our process will be to go through the development approval and the building approval process, which will include community engagement and consultation as part of that process; to engage a builder next financial year; and then to commence building in 2026-27, with an anticipated build process of two years.

**MISS NUTTALL:** Can I please refer you to page 103 of the budget outlook. I want to ask about the measure to implement a direct appropriation model for Procurement ACT and the Territory Records Office. Can you walk me through what is meant by a direct appropriation model, please?

**Ms Mirzabegian:** Thank you for that question. What we are trying to do there, from an accounting perspective, is make sure that we have implemented a direct appropriation model for certain procurement activities managed by Procurement ACT on behalf of directorates. I referred previously to the service that we provide to the directorates. That service has been historically provided, for a decade or so now. That is the same service that I talked about being moved into a tiered service framework. The reason it was provided was that, historically, a number of staff were funded by the directorates to provide that service through Procurement ACT. The direct appropriation model fixes that, from an accounting perspective, making sure that we are not asking directorates to pay for those services every year. That is, in the simplest form, what has occurred. It is basically an accounting correction. There is no difference between the previous financial years and this financial year.

**Mr Steel:** So the funding is directly provided to Procurement ACT.

**Ms Mirzabegian:** Yes, rather than us going every year and trying to recoup that from the directorates.

**MISS NUTTALL:** Thank you.

**Ms Mirzabegian:** While we are on funding questions, I might also answer Mr Cain's previous question in relation to the \$434,000. In relation to the breakdown of the \$434,000, \$200,000 of that was for the implementation of a standardised procurement template suite—the streamlining project that Ms Gardner was talking about. We have spent \$50,000 of that on creating hard-copy templates, which is what you were talking about. The remainder of that amount, \$150,000, is held over for the digitisation of our templates. The other amount, \$284,000, is in relation to providing accredited training to all 34 staff within the Goods and Services Branch who support procurements.

**MR CAIN:** Thank you. Minister, page 58 of budget statements B includes a rollover of \$5.5 million in funding for 2023-24 to spread the implementation of HRIMS 2.2 over a three-year fiscal period. In last year's budget we had no guarantee for forecasted costs of HRIMS 2.0 in the outyears, with only \$34.53 million approved for 2024-25. Noting that the 2023-24 budget business case had approved \$65.12 million, what are the year-on-year deliverables scheduled for this program?

**Mr Steel:** The program is at a relatively early stage, so there is a fair bit of work that needs to be done, particularly around procurement and so forth. We want to make sure that we avoid the issues that arose with the previous program by undertaking the level

of design that is required and making sure that we have all the governance in place to ensure that this program is set up for success. We are being very careful about that at the opening stages, which is of course a key learning from the previous program: to get things right from the beginning before we go out for those further things. We will then be going through that work, and both the time lines and the cost will become clearer as the program goes on.

**MR CAIN:** Minister, given that this is the second example of money allocated and not spent or moved forward, what confidence do you think the community would have in your competence to properly implement a new program?

**Mr Steel:** You cannot have it both ways, Mr Cain. You cannot criticise the failings of the previous program and then criticise us for undertaking the necessary work to set up this program for success.

**MR CAIN:** These are your allocations, Minister. You are allocating money.

**THE CHAIR:** Mr Cain, the minister is answering.

**Mr Steel:** We are going through the process that is required to properly establish governance and to properly design the new program. We will then go through the procurement that is necessary to support it. That is critical for the success of the program—to make sure that the problems of other ICT programs are not repeated. If you want those mistakes repeated, Mr Cain, you should say that, but you cannot have it both ways.

**MR CAIN:** Minister, why are you not spending money that you yourself allocate?

**Ms Konti:** There were amounts that were provided as well as provisioned in the 2023-24 budget. Those provisioned amounts require a comeback to government with the information that we need to understand how long it might take and how much it might cost to finalise the program. As I said before, the scope of the current PCHRM program is to close HRIMS, initiate the new program, upgrade CHRIS and HR21 and conduct the design of the time and attendance system. The comeback to government will be informed by that design work, and we will know a lot more about what it might cost and how long it might take to go out to market, procure and then implement a time and attendance system for all of government.

**MR CAIN:** Minister, why was this \$5.5 million adjustment amount on page 58 of budget statements B reallocated all the way to 2026-27?

**Ms Konti:** We might get Mark Whybrow to come and help us to answer that. While he is getting ready, I might just mention that, for all large programs, there are elements of those things that are not totally within the control of government. If you think about the need to stand up a team with the right kinds of expertise and resources, that is reliant on what expertise and resources are in the market. I do know that when we were out recruiting we had to go out, in some cases, two or three times. There are also some legal and contract negotiations that we needed to perform as part of the closure of HRIMS that took longer than we had originally anticipated. So some of those things are partially within our control but some are partially not.

**MR CAIN:** On what basis was the original allocation of \$5.5 million arrived at? If you are so uncertain about the elements that contribute to that, why are you giving such a set number without any qualification?

**Ms Konti:** It is usually done on a best-case scenario basis and making sure that you have enough funds so that, if you are able to move as fast as you can, that is how much you might need. It is usually easier to reprofile funds to the outyears than it is to ask for more money in the current financial year that you are in, and there are processes within government that enable that to occur.

**MR CAIN:** Minister, is it the plan for the balance of the \$30.59 million to come as part of the 2025-26 budget processes?

**Mr Steel:** I will hand over to Mark Whybrow to answer your earlier question.

**Mr Whybrow:** I have read and acknowledge the privilege statement. Mr Cain, if I can just correct the record: I believe you said earlier that there was a business case in the order of \$65 million which was agreed by government. That was not the case. In the 2023-24 budget the government agreed to provide initial funding of \$17.2 million. As identified in the Auditor-General's report, it also provided provisions in the outyears which were subject to a comeback to government, as the Chief Digital Officer has identified, once we had done the more detailed work, which is currently underway.

**MR CAIN:** Regarding the \$65.2 million, you might note that the Auditor-General's report No 10, on page 49, stated that figure.

**Mr Whybrow:** That was a business case that went to government. The government considered it and acknowledged that further work was required. The government provided initial funding to get the work underway while committing to the project but recognised that more detailed work was required to get detailed financials. That is the work that is being done now and is underway.

In relation to the money that was provided in 2023-24, there was a total of \$17.2 million; \$11.4 million was identified as expense and \$5.694 million, which is the amount you are referring to, as capital. As has been identified by the Chief Digital Officer, that was the indicative funding to begin with. As part of the overall management of a capital works program, it is my understanding that government considers the total value of the program—the total billion-dollar value of the program—and looks at overall capability. DDTS itself did not ask for the reprofiling but it was caught up by a whole-of-government reprofiling that recognised the total capability of programs. I hope that answers your question.

**MR CAIN:** Minister, are you concerned about the revised timetable for HRIMS 2.0? It commenced in 2017. Do you think it will take more than a decade to produce a payroll system for the ACT government?

**Mr Steel:** No, and Ms Konti has already outlined what we expect the deliverable time frames are, which are much shorter than that time frame. I think what is really

important, particularly for the broader community, is that we get the design and governance right before we go out for procurement of these systems. That is what we are doing with the PCHRM program. I am confident that this program addresses the many recommendations of the Auditor-General when he looked into the previous program. We have outlined that in detail in relation to the response to the Auditor-General. What we are intending to do with this program is there for everyone to see. I think what is contained in the budget papers is consistent with that approach.

**MR CAIN:** What is the anticipated cost of HRIMS 2.0?

**Mr Steel:** As has been mentioned, there has been funding provided initially to do the work. It is at a relatively early stage. We will need to come back once we have gone through procurement to access provision in the future. Of course, before that procurement has been undertaken, the costs are not as certain as they will be later in the program. We will continue to provide updates.

**MR CAIN:** But you must have an idea of how much this replacement HRIMS program will cost?

**Mr Steel:** We will have to go through procurement to test that, but we have been provided with initial funding.

**MR CAIN:** You have no estimate at all?

**Mr Steel:** This is the same as with every other capital project, where estimates are provided at the beginning and initial funding is provided to then move through the process and get—

**MR CAIN:** So it is not one of the learnings from the failed former project?

**Mr Steel:** It is about getting the design right so that you are as certain as you can be about the design of the program, to make sure you get the best possible outcome when you go out for procurement—

**MR CAIN:** So you have no idea how much this is going to cost?

**THE CHAIR:** Mr Cain, let the minister answer.

**Mr Steel:** We are at an early stage of the program, and we will be then going through all of the steps necessary for the various components, to look at what the costs are.

**MR CAIN:** Is it \$100 million or \$200 million? Do you have any anticipated cost at all?

**Mr Steel:** We have provided some provision in the budget, which has been discussed today.

**THE CHAIR:** Ms Konti, I think you mentioned decommissioning costs. What does that involve? How much are we talking about and who is that payable to?

**Mr Steel:** I think we have already agreed to take that on notice.

**THE CHAIR:** All right. Thank you.

### **Short suspension**

**THE CHAIR:** We welcome back Mr Chris Steel MLA, Special Minister of State, and officials, for the continuation of this morning's session.

**MR CAIN:** Minister, the Auditor-General has now tabled seven performance audits recording procurement mismanagement in the ACT, with one more on the way, on ICT infrastructure renewal projects of the Public Trustee and Guardian. The reports all detail "poor conduct" of procurement and "inadequate" assessments of value for money. Minister, is the common denominator of these overwhelming procurement mismanagements your leadership as the Special Minister of State?

**Mr Steel:** Each procurement is the responsibility of the territory entity that is undertaking the procurement. Since I have taken on responsibility for procurement, we have been undertaking a very substantial Procurement Reform Program, which is strengthening procurement practices, policies and legislation.

We had the major milestone earlier, in February, when the Legislative Assembly passed the Government Procurement Amendment Bill, which is now in force. Many of the elements came into force from 1 July. It has greatly strengthened a range of elements of our procurement, particularly in relation to probity, as well as the role of the Government Procurement Board. Yes, I have taken leadership in relation to strengthening procurement in the ACT.

We will continue to look at how we can do that, based on the best advice coming from the Government Procurement Board, as issues arise. As we see issues in government, we will raise those with the Government Procurement Board, and we will look at focusing their efforts on particular areas that need to be focused on. Each of those Auditor-General's reports is responded to by government. The recommendations in relation to the Government Procurement Board work have been responded to significantly through the legislation that we passed in the Legislative Assembly, and which the Canberra Liberals opposed.

**MR CAIN:** Keep your answers to your ministerial responsibilities, Minister.

**MS ORR:** Chair, he cannot direct how a member answers a question.

**MR CAIN:** Minister, do you think your government's policy cycle operates efficiently, where you outsource all of your procurement initiatives to performance audits?

**Mr Steel:** I will hand over to Ms Mirzabegian to talk a little bit about what is done in relation to assurance. We focus the Government Procurement Board's efforts on higher value, higher risk procurements because they have limited resources. The Auditor-General suggested that they needed to be much more focused in what they do, and not just consider individual proposals that come forward but also provide some

additional strategic advice. The reason we have the board in place is to do that review. That, of course, then informs what we do in relation to policy and legislative reform as well.

**MR CAIN:** Chair, that question is answered. I am happy to move to another question. Minister, what was the—

**Mr Steel:** It has not been answered in the way that I would want it answered. I think that some further information would be useful about the new board. I might invite the new board chair to come to the table, to provide some information about how the board intends to use the new legislation to perform that review function.

**Ms Bessi:** I acknowledge that I have read and understood the privilege statement. I became the chair of the board on 1 July, as part of the new legislation and new regulations. With regard to how the board is operating at the moment under those, and addressing the Attorney-General's report, Procurement ACT and the secretariat are working with us on building some new templates and the registers so that we can understand all of the activities that are coming to us as procurements and what the recommendations are that we are providing to each one of those entities or directorates with those procurements. That allows us to make sure that we are following up on all of those recommendations, and that they are being addressed or responded to, to our satisfaction. The legislation then allows us to have a very open escalation process to raise any issues or concerns that we do not believe have been satisfied.

The other aspect that the board is currently working on, and will be undertaking a strategic planning session on, is how we proactively seek activities that are occurring across the various directorates or entities that we believe either may be from entities that have a lower level of capability or entities that have a higher level of capability but are undertaking larger scale, higher risk procurement activities. We are proactively seeking to have those come to the board, although they may actually be permitted within the accreditation process. That is simply to be able to understand that they are fulfilling their requirements and meeting all of their obligations and to assist them by giving advice, guidance and recommendations.

One of the other activities we will be undertaking is doing more post-implementation reviews or providing a recommendation regarding various procurement projects, which we have already done since July. That involves returning to the board and providing an update, once a procurement has already been completed, as to the outcomes of that procurement.

**MR CAIN:** Thank you. Minister, what was the ACT government's total spending on procurement for 2023-24?

**Mr Steel:** I will hand over to Ms Mirzabegian. She has that figure on hand; otherwise we can take it on notice.

**Ms Mirzabegian:** We may have to take that on notice. At the end of the financial year, there is a reconciliation process that ends at the end of this month. We could provide the figures as at today, but for that to be reconciled we would need to wait until the



end of the month.

**Mr Steel:** That may not be consistent with the time frames for lodging answers to questions on notice, so we will—

**Ms Mirzabegian:** We will provide what we have, yes.

**MR CAIN:** On the Procurement ACT website, the Procurement Reform Program webpage states that the ACT government spends close to \$2.24 billion on procurements each year. In 2022-23 the figure circulated for total spend on contractors was \$1.4 billion. Are these different calculations or has procurement expenditure increased by almost a billion, based on those two numbers?

**Mr Steel:** It is probably referring to the different types of procurements.

**Ms Mirzabegian:** That is correct. Depending on the different financial years, different fees become payable under different contracts. There is a relationship to what was actually spent in that particular financial year, and different contracts have the different payment arrangements.

**MR CAIN:** I read the statement from the website.

**Ms Mirzabegian:** Yes; that is correct.

**MR CAIN:** “The ACT government spends close to \$2.24 billion on procurements.” Are you telling me now that it does not mean that or that it means something different to other figures?

**Ms Mirzabegian:** No, it does mean that. What is released is the expenditure in that year, and we have updated it to correlate to the expenditure in the relevant year. In the previous year, that is what the expenditure reflected; then, in another year, the expenditure reflects what was spent.

**MR CAIN:** Almost a billion dollars difference?

**Ms Mirzabegian:** That is what the figures are telling us.

**MR CAIN:** Is something not working well, to come up with such a discrepancy?

**Mr Steel:** I am not sure what point you are trying to make, Mr Cain. If you want to provide the earlier figure and the source for it, we can certainly have a look at that.

**MR CAIN:** What are the increased costs reflected in?

**Mr Steel:** From what?

**MR CAIN:** From the anticipated figure.

**Ms Mirzabegian:** Mr Cain, you would appreciate that the figure reflects what has been spent on the contract in the procurement. Generally speaking, in the territory,

consistent with our financial management obligations, payments are provided after goods and services have been given. That could mean, for example, that if you commenced a contract in a particular year, generally towards the end of the contract is when you pay the money. You would not generally pay moneys at the beginning of that contract. That is just a reflection of what was spent in that year. It may be that we would have had—I have not analysed this—a number of contracts, for example, that commenced in a particular year where the payments became due in that particular year.

**MR CAIN:** Does the minister have an update on the decommissioning costs for the HRIMS project?

**Mr Steel:** We have already taken that on notice.

**MR CAIN:** You do not have that figure at the moment; is that right? I am wondering whether you do have it.

**THE CHAIR:** They will come back when they have the answer.

**MR CAIN:** They will come back; okay.

**THE CHAIR:** Can I follow up on Mr Cain's question. Of the stated \$2.24 billion, how much for each of the last five years inclusive was spent on consulting services?

**Ms Mirzabegian:** I will have to take that on notice.

**THE CHAIR:** Thank you. Including the 2023-24 year, what percentage was spent on consultants?

**Ms Mirzabegian:** As a percentage?

**THE CHAIR:** Yes.

**Ms Mirzabegian:** We will take that on notice.

**THE CHAIR:** When I say "consultants", does that include contractors who provide services and advice or does "consultants" have a specific meaning? What is your definition?

**Ms Mirzabegian:** Consultants, generally speaking, are either individuals or companies that are engaged by the ACT government in the sense of procurement, to provide services to us. Generally speaking, they are standalone services or there would be a specific project that they are providing those services in relation to. For us, the consultant category does not include casual employees—employees that are coming in for a particular period of time under our labour hire arrangements.

**MS ORR:** I want to get a little bit of information on the budget funding for the ACT Cyber Security Operations Centre and the Data Analytics Centre. How is this funding going towards the government's monitoring of and response to cyber incidents?

**Mr Steel:** I will invite Ms Konti to provide some information there.

**Ms Konti:** As part of this budget outcome we have had, for a while, an ACT Data Analytics Centre and a Cyber Security Operations Centre that have been funded on a year-by-year basis or every two years through the budget process. The decision that was made in this budget was largely to provide ongoing funding for both of those capabilities. It is not new or additional resources or funding on top of what we had in previous years; it is a continuation. It is now, if you like, part of our base.

**MS ORR:** With the program that you have there, the ongoing funding is now in place; what are the main priorities for government in responding to cybersecurity issues?

**Ms Konti:** The cyber security centre's main priority is, of course, to make sure that it is actually about uplift and continuing the knowledge journey for people in other directorates, to make sure that we uplift our awareness of cyber and cyber activity. The team is resourced to be able to handle major cyber incidents. Their main activity, however, is the ongoing, business-as-usual monitoring and ensuring that all of our ICT capabilities have the right level of security and controls associated with them, and continuing to work towards ways that we can improve that.

**MS ORR:** That is getting closer to what I was getting at—trying to understand how the centre is responding to the ongoing and developing threats, because we know that cybersecurity is not static. There is a lot of innovation there.

**Ms Konti:** Yes.

**MS ORR:** How do you continue to monitor and respond to those, and what relationship do we have with the commonwealth agencies that are involved in this area?

**Ms Konti:** Our cyber security centre, through the Chief Information Security Officer, is well connected to the commonwealth and his counterparts in every other state and territory. There are a series of meetings and activities to get together and share information and learn about new cyberthreats and cyberthreat types. That is part of how the team continues to keep across new cyberthreats. The other way they do that is through the trawling of information that is available on the web through our major partners and so on.

**MS ORR:** What are the steps? You have spoken about the information that is coming from those national and interstate forums, but how are we feeding information back so that the ACT government, at a local and a national level, is making sure that the strength and protection of citizens' data is as good as it can be?

**Ms Konti:** That is through the association that we have with the other directorates. With the sharing of information about best practice cybersecurity techniques, there are a range of ways. Even in the budget context, when budget business cases come up, we make sure that the cyber team is involved in the review of those, making sure that there is the right kind of security design work going on and that we are not looking to purchase new technology without thinking about the data that it will house and how

we might make sure that that is secured. There are a range of ways. There is the connection through the CIOs in the directorates, the security staff in those directorates, taking information from the sources where we find them and sharing that more broadly, and continually updating our awareness and guidance documents.

**MR CAIN:** Minister, the government has announced significant cuts to digital investment as part of this budget. For example, output class 8 cites funding cuts for the digitisation of government falling from \$167 million in 2023-24 to \$151 million in 2024-25. Do you think that fall in funding for digital solutions is wise, given the new era of organisational management that we are entering?

**Mr Steel:** I do not accept the premise of the question. We are continuing to invest in a range of digital programs.

**MR CAIN:** So why the cut?

**Mr Steel:** We are not. That is what I am rejecting. In fact, we continue to invest more—

**MR CAIN:** Why the reduction?

**Mr Steel:** ICT components are a part of many different projects right across government. This year, the biggest project that we intend to implement, and which is on track, is the MyWay+ system, the new ticketing system for Transport Canberra, including the new customer information real-time information system. We continue to invest in that project pipeline. I am sure that, as time goes on, there will continue to be investment in each of those programs. I will hand over to Mark Whybrow to make further comments.

**Mr Whybrow:** The most significant differences in those controlled recurrent payment numbers relate to two elements. One is the \$11 million that was identified in PCHRM. The funding this year is subject to an updated budget bid to government to make decisions on. The other element is technical in nature. Over \$9 million was appropriated to this output, which is then returned to Treasury. Those two amounts are over \$20 million. You actually do see an increase in the funding for our operational services.

**MR CAIN:** Minister, what is the total appropriation for the Digital, Data and Technology Solutions group?

**Mr Whybrow:** I will get the page reference for you, Mr Cain. Page 87 of budget statements B: \$151,083,000.

**MR CAIN:** Thank you. Minister, when is the next report card on the ACT Digital Strategy due, noting that the last report card was published in March 2020?

**Ms Konti:** We have developed an updated digital strategy, Mr Cain. That is coming forward for government consideration in the next four or five weeks.

**MR CAIN:** Why is there such a lag between one report card and another?

**Mr Steel:** Because we are developing a new strategy.

**MR CAIN:** What are the key differences in this new strategy?

**Mr Steel:** That will be available once it is released.

**MISS NUTTALL:** More energy-efficient government accommodation was originally budgeted for the Callam Offices, which are now being relocated. With that in mind, what has this \$15 million been spent on, given that last year just \$50,000 of the appropriation had been spent to date?

**Mr Steel:** Staff have been relocated out of Callam Offices. Callam Offices itself has not been relocated. It would be very difficult to do that, given the nature of this massive concrete structure. The government continues to consider the future of that building. We are focusing on the energy-efficient measures of some of the other ACT government properties. I will hand over to Josh Rynehart to provide some information.

**Mr Rynehart:** Some of that funding has been allocated to the relocation of the tenants of Callam Offices into new, more efficient locations. Approximately \$6.8 million of that will be spent this financial year. Effectively, as we are decanting Callam Offices, that funding becomes required as we move the tenants into the new properties. With the balance of that funding, we are working through what the best allocation of that is, and we will provide advice to government once we finalise the Callam Offices relocation.

**MISS NUTTALL:** Do we expect the remaining money, \$8 million or thereabouts, to be invested in the existing Callam Offices building? If so, what do we anticipate will go in there, once we have relocated staff?

**Mr Steel:** The government has not yet made a decision about the future of Callam Offices. We are still considering that and seeking the best advice. My view has always been that I do not want to see it sitting there empty. As a monument to brutalist architecture; I want to see it used. We are considering what those potential uses might be.

**MISS NUTTALL:** Given that we are moving staff out, how are we ensuring that the offices are being used? What I would love to know is: was this on the horizon when we were originally fitting out the Callam Offices for the energy-efficient upgrades? Was there an understanding that staff may need to be moved out at that point in time?

**Mr Steel:** There have been improvements to the building over time. But the decision that we have made in recent years was not to do any further work, where possible, on the building because it is no longer fit for purpose for both ACT government staff and the range of agencies, including BSSS, as well as community organisations like Woden Community Service.

If it is not providing the level of accommodation that it should, we need to consider what change of use there potentially would be for the building. We will then need to consider what level of investment may be needed to support it. It might be that the

ACT government or the private sector return it to use. Over the years, parts of it have been rented out to different organisations. The Electoral Commission, I think, had it as a voting booth at one point. But it is a very challenging building and it has caused a lot of problems for the agencies that have tenanted it over the years; hence the need to consider more broadly what the future of it is.

One of the major considerations was that, in order just to bring it up to basic fire and safety requirements—doing no other fit-out of the building whatsoever, in terms of actually improving the way it looks inside and the environment for staff—would cost over \$80 million. That investment would be required from day one in order to have it continue to operate just as it is, plus all of the other investment that might be required to actually improve the accommodation.

There are, quite frankly, a huge range of other priorities that the ACT government has across health, education, transport and all of that stuff where that money could be put to better use. That is the reason why we are thinking about what the broader future of this building is. But it will remain in Woden. The question is: for what use? That is what we are considering at the moment.

**MISS NUTTALL:** Zeroing in on the staff, the \$6.8 million to reallocate staff from Callam Offices, to date, seems fairly high. Would you be able to break down exactly what that was spent on?

**Mr Steel:** It just reflects the leasing costs of other buildings.

**Mr Rynehart:** It is the leasing costs and the associated costs of moving out Major Projects Canberra, the Board of Senior Secondary Studies, DDTS and Woden Community Service into newer accommodation. As part of that move into newer accommodation, all of the new accommodation is electric. We are moving away from gas-powered heating in the newer accommodation. It is the move and the leasing arrangements for the tenants in the other locations.

**MISS NUTTALL:** Could we not relocate them to other ACTPS offices that have been completed in recent years?

**Mr Rynehart:** We looked at that. Obviously, Woden Community Service is not a government tenant, so we had to look at them separately. We did look at the availability of existing office space and there was nothing suitable. There are some specific requirements for some of the tenants in there, both public-facing and security requirements. There simply was not an available space within the existing office accommodation that we could have taken up. Given, as the minister indicated, the cost and the need for us to make a move, we have acted and taken on those tenancies.

**MISS NUTTALL:** Do we have any expectations about what the remainder of that \$15 million will go towards? Are there any parameters for that? Why was that the specific amount for relocation?

**Mr Rynehart:** We will be providing recommendations to government, as we finish the Callam Offices process, about the best utilisation of that. I do not have to hand where that number originally came from, but I am happy to take that on notice.

**MISS NUTTALL:** Yes, please.

**MR CAIN:** Minister, which law firms were engaged as part of the HRIMS program?

**Ms Konti:** With the HRIMS project, I think the main lawyers were Clayton Utz. They are not the lawyers that we are using for PCHRM.

**MR CAIN:** Which lawyers are you using for HRIMS 2.0?

**Mr Steel:** I want to pull you up there, Mr Cain. I know that you are referring to this as the same program. It is not a continuation of HRIMS. It is actually a brand-new program, entirely. Whilst it seeks to achieve some similar objectives, it does so in a very different way and it is at a very different stage. It is not a continuation—

**MR CAIN:** Sorry—what is this to do with my question?

**Mr Steel:** It goes directly to the question, which is: we are not just continuing with existing work through existing contractual arrangements. It is actually a brand-new program that has been established with new governance and design to achieve a different outcome.

**MR CAIN:** As you have confirmed, it is a payroll software system for the ACT government.

**Mr Steel:** I am just pointing that out, and we will answer the rest of your question.

**Ms Konti:** There is no such program as HRIMS 2.0.

**MR CAIN:** Who has been consulted, for the new program, for legal advice?

**Ms Konti:** Maddocks.

**MR CAIN:** Could you explain the process that led to that engagement? Did that go through a full open tender and procurement process?

**Ms Konti:** Regarding the way that legal counsel is procured within the ACT government, they all go through our Solicitor-General's office and whatever process they use. I think they have a panel. We can take that on notice.

**Mr Steel:** Do you want to provide some further information?

**Ms Mirzabegian:** This question goes to our Legal Services Directions and engagement of solicitors under that arrangement. Only the Solicitor-General may approve the engagement of counsel under the Legal Services Directions. My understanding is that the ACT Government Solicitor's office has set up a standing offer arrangement with a number of firms, and that office manages the engagement of solicitors in consultation with the various territory entities that need legal advice.

**MR CAIN:** Who is the preferred legal adviser for procurement advice across other

contracts?

**Ms Mirzabegian:** My understanding is that there are a number of categories and that there are a number of law firms under each category. I do not have further details on that.

**MR CAIN:** Can you take that on notice in order to explain that a bit more clearly?

**Ms Mirzabegian:** That is maybe a more appropriate question for the ACT Government Solicitor.

**MR CAIN:** When you are getting procurement advice—

**THE CHAIR:** Mr Cain, perhaps you can ask the Solicitor-General these questions when he appears.

**MR CAIN:** Well, it is a procurement related question. When you get advice on procurements, to whom do you go and for what types of procurements would you vary your source of legal advice?

**Mr Steel:** I think we have answered that question, but the other question could probably go to the GSO.

**MR CAIN:** Minister, have you identified any conflicts of interest between the territory, the top-level steering committee, the supporting program board and suppliers that have been awarded government contracts?

**Mr Steel:** It is a requirement under the procurement rules that any perceived or potential conflicts of interest, or indeed any actual conflicts of interest, are disclosed, as appropriate, through the government Procurement Reform Program—the changes to the Government Procurement Act, which you opposed. We have strengthened the procurement rules and statute. I will hand over to Ms Mirzabegian to provide some further information about how that is managed.

**Ms Mirzabegian:** To add to what the minister has said, our standard contract templates do require the suppliers to disclose and address any conflicts of interest. As well, there is our approach to market documentation. Our approach to market documentation goes to things like the request for tender or the request for quotation. They do require the tenderer to disclose any conflicts of interest. Depending on what has been disclosed, there may be various treatments that we apply.

**MR CAIN:** Minister, this is related to an earlier answer. Ms Konti said that Clayton Utz was the legal provider for HRIMS. It is my understanding that Maddocks was provided a \$380,000 contract for HRIMS, so clearly there was more than one legal advisor for HRIMS.

**Ms Konti:** Maddocks was brought on either when we understood that the program had some troubles or when we paused. I am not exactly sure of the time lines, Mr Cain. I can take that on notice. We brought Maddocks in at that stage to help us understand what we could do in and around the HRIMS project.



**MR CAIN:** That contradicts your earlier answer when you said that Clayton Utz was the legal provider for the HRIMS program.

**Ms Konti:** Between 2017 and 2020, Clayton Utz was the legal provider, and then, towards the end of the HRIMS program, Maddocks was also a legal adviser.

**MR CAIN:** Ms Konti, do you have a preferred provider of legal counsel on procurement issues?

**Ms Konti:** I would always test the market for that, using the process that the Government Solicitor's Office uses. But I will say that one of the things that our legal counsel needs in cases like the HRIMS program, and indeed the PCHRM, is that the legal advisers need to have relevant experience in the delivery of major change programs that have technology components to them.

**MR CAIN:** Who has the final sign-off on which legal adviser is accepted?

**Ms Konti:** I think that is the Solicitor-General.

**Ms Mirzabegian:** Yes; it is the Solicitor-General who can agree to the engagement of counsel. In Procurement ACT, we have not yet sought external counsel, but my understanding is that—

**MR CAIN:** Legal advice, that is?

**Ms Mirzabegian:** Yes; that is correct. Legal advice in the ACT is provided either through the ACT Government Solicitor's Office or through external approach to firms. The external approach to firms needs to be approved by the Solicitor-General. As Ms Konti and I have explained, there would be a request for a quotation process. Law firms would be approached, they would be evaluated and then a decision would be made as to which one is the most appropriate for those circumstances. That is the general way in which it is done.

**MR CAIN:** Ms Konti, do you have any personal connections to the Maddocks law firm?

**Ms Konti:** No.

**MR CAIN:** If you did, would you declare it as a conflict of interest?

**Ms Konti:** Yes; I would.

**MR CAIN:** Thank you.

**THE CHAIR:** Thank you. Is this the right area to ask about the Property Group?

**Mr Steel:** Yes.

**THE CHAIR:** All right. I am interested in how many of the ACT government's

properties are vacant at the moment.

**Mr Steel:** Very few. There is a lot of demand for them, of course.

**Mr Rynehart:** I think we have a vacancy of about 1.9 per cent. That is not properties as such; that is generally spaces within properties. We do have a measure in the budget papers indicating the expected outcome; I think it is at 1.97 per cent. Effectively, the answer is: very, very few. We have a very long waiting list and keen community organisations seeking accommodation.

**THE CHAIR:** I have one example of a property. I do not know whether it comes under your Property Group mandate or separately. There is an old City Services depot in Gowrie. I think it is block 1, section 228, Gowrie, zoned CFZ. I think it was an old depot. It is behind the Gowrie Scout Hall and it has been vacant for a number of years. Is that part of your portfolio?

**Mr Rynehart:** I would have to take that on notice. I am sorry; I do not know.

**THE CHAIR:** Could you add how long it has been vacant for and why? A number of groups have asked to use it and they have been declined access.

**Mr Steel:** Yes, and reasons, I think, were provided them. I think that was to do with the level of accommodation not being safe for them to use. We will provide that on notice.

**THE CHAIR:** I know the community garden group is keen to use that facility.

**Mr Steel:** Yes, and I think they were directly contacted with the reasons they could not.

**THE CHAIR:** I think they were directed towards two other potential sites. Have they taken up either of those sites? Do you know?

**Mr Steel:** I am not aware of it, but that would not necessarily fall into the Property Group's remit.

**MS ORR:** I want to get a little bit of information on the trial that the ACT government is running: the newborn enrolment service. Can you outline what the service includes and how many people have gone through the service to date?

**Mr Steel:** Yes. This is a piece of work that has been going on for some time under the banner of the Birth of a Child initiative. It is a life event, and we have been doing some work with the commonwealth around a range of different life events. The commonwealth have provided some funding to the ACT government to support us in engaging with them on streamlining the process of newborn enrolment.

We know that there are around seven touch points or actions that a parent might need to take in relation to the birth of a child. That is both with the ACT government and with the commonwealth systems, such as Medicare, Centrelink and the like. We want to try to reduce the administrative burden on new parents. Having gone through this

myself, it takes up a lot of time at a time when you want to focus on your child. The idea of this is to automate systems and try to streamline that process as much as possible for a new parent.

The source of truth for a child being born is held by the ACT government. The child may be born in one of our hospitals or they may not, and that is also considered. We have the process of providing the child and their parent with birth registration as well, which is, of course, an important identification document. Through this project we have streamlined that and, I think, come up with a really good outcome. Different stages have involved different elements of the new streamlined system switching on. It has been going on for some time, but the major milestone was reached in the middle of this year when we had the whole system underway at both hospitals. I will hand over to Ms Konti, who has been working on this for a long time with the commonwealth.

**Ms Konti:** Thank you, Minister, and thank you, Ms. Orr. The final component of the Birth of a Child pilot program was delivered on 26 June. That provides the ability for new parents, when they come to the Centenary Hospital for Women and Children, to get not only their Medicare enrolment and their Centrelink proof of birth but also now their birth registration, re-using the information that comes from or is captured by the hospital. I just looked it up when the minister was talking. We do not have a lot of data, but, in the period 22 to 30 June, 19 parents signed up for the service and now have tasks in myGov asking them to finalise the process.

**Mr Steel:** It is a range of different systems. We might be able to provide all of them on notice. It includes Medicare enrolment and Centrelink, for the purposes of getting family assistance payments. It includes birth registration, the Immunisation Register and the federal My Health Record. Then the parent has the ability to log on to myGov and check whether the details are correct. There has been a recognition, through the design of this process, that not every parent names their child from the first day they are born, and there might be some tweaks that need to be made. There is also the ability for the other parent of the child to confirm their details for the purposes of being on the birth certificate.

**MS ORR:** Okay. You mentioned that this is a trial. What are the next steps, in the sense of embedding it into something other than a trial and it actually being standard practice?

**Ms Konti:** The trial will continue for a period of time. We are working with Services Australia at the moment to procure the people who will be looking at conducting the evaluation. That evaluation outcome, once done, will go to the data and digital ministers meeting some time later this calendar year. That will inform decisions for each state and territory about whether they will onboard to the service.

**Mr Steel:** Two Queensland hospitals have already engaged in the program, even though it started in the ACT. We have been talking to the other jurisdictions already about the benefits of the program. They may want to take this up in their jurisdiction. The other jurisdictions have been undertaking other projects in the life event space and we have been learning from them about what they have been doing as well.

I think it has been a very collaborative project. It is the sort of thing that can happen when you set up the right protocols around secure private data exchange to facilitate better citizen services. A lot of citizens who live in the ACT do not necessarily differentiate between the two governments; they just want to get the service. This is about making it easier for them, whoever they are, to get access to the services in a streamlined way.

There is a range of other things we can work on with the commonwealth once this is in place. There is a lot of work going on around data sharing for research purposes at the moment as well, which is really exciting, where we can bring some of these datasets together to deliver better services. Of course, consent is always needed by the parent to participate in this particular project. If they do not sign that consent, they will not be able to access the service. It is a decision for them to make about whether they want to share the information with the other agencies to have the automation. Otherwise, they will have to do it themselves, as they had to do before, and separately enrol with Medicare, separately enrol with Centrelink, go to Access Canberra and get the birth certificate—go to all the services separately.

**MS ORR:** Minister, you also mentioned that there is a level of flexibility in the system if you cannot decide on the name from day dot. How does that work?

**Mr Steel:** I will hand over to Ms Konti. This is part of making sure that we factor in the range of things that might happen at a birth and different circumstances.

**Ms Konti:** Sometimes the dataset or the amount of information that is collected at the hospital when the baby is born is not complete from the point of view of a birth registration or a Medicare enrolment. Regardless, if the parents consent, the data is shared to Medicare and Centrelink, as well as to Access Canberra for the birth registration, and any missing information is then created as a task for the parent to provide at a later date. The difference between this way of doing it and the previous way of doing it, where you would have to fill in a form for each thing, is that parents only need to provide the information that they have not provided before, and they only need to do it once.

**MISS NUTTALL:** May I assume that you are familiar with the Australian Senate's Finance and Public Administration References Committee's inquiry into the management and assurance of integrity by consulting services?

**Mr Steel:** Broadly, yes.

**MISS NUTTALL:** I understand that majority recommendation 2 in the report is that the commonwealth Department of Finance update their contract management to require that Australian government contracts include a clause that states that service providers have a duty to act in the public interest when delivering work for the Australian government. Do we have a similar provision for inclusion in ACT government contracts?

**Ms Mirzabegian:** I could not say that we have an identical provision in relation to that. We have provisions in relation to making sure that the goods and services provided are fit for purpose, meet all the relevant standards and are in accordance with

the laws, but we do not have that very specific provision as a standard, if I recall correctly. I would have to check that.

**MISS NUTTALL:** I am happy with that. Majority recommendation 10 is to:

- require those organisations that operate professional standards as self-regulatory regimes, to report annually on the operation of those standards to the Joint Standing Committee on Corporations and Financial Services; and
- require these same organisations to appear before that committee to provide oversight on the operation of the relevant standard.

The committee recognises that the Commonwealth government may need to work with the state and territory governments to implement this recommendation.

With that in mind, has the ACT government turned its mind to how it might support the commonwealth in positively implementing that recommendation?

**Ms Mirzabegian:** Through the Australasian Procurement and Construction Council, we have regular meetings with the various states and territories, the commonwealth and, indeed, the government of New Zealand in relation to matters that cut across the various jurisdictions in Australia, and we take any methods that come before that council back to our own governments for consideration and implementation as appropriate.

**Mr Steel:** I think it is fair to say, though, that the federal government, in undertaking that inquiry, was actually drawing on best practice from the ACT, particularly in developing our own in-house consultancy service that can be used by territory entities, which I believe provides support around strategy and transformation. That has actually been quite successful. To the extent that they are very popular and cannot do all of the work across government has, I think, really shown the commonwealth what is possible in terms of delivering more services in house—effectively in-sourcing consultancy contracts for particular purposes. Sometimes it will be necessary to go out to get specific expertise, but I think there is the opportunity to do more of that work in house, and the commonwealth has certainly been looking at that and thinking about developing their own model of an in-house consultancy service.

**MISS NUTTALL:** And are you looking at the Senate recommendation that contracts contain a public interest clause for possible procurement in the ACT?

**Mr Steel:** We continue to look at the recommendations from the review. Whilst we have set out what the priorities are in the Procurement Reform Program, we are of course open to other potential changes in the future, and that is certainly one of those.

**MISS NUTTALL:** Where might we see that decision crystallised down the line? Where should we look for it?

**Mr Steel:** We will continue to provide updates through forums like this, but the focus is on the deliverables that I have already set for the Procurement Reform Program. The other thing to note, though, is that we already have the Ethical Treatment of

Workers Evaluation in place. This effectively looks, as part of a two-stage procurement process, at the first stage about whether potential government tenderers are meeting the requirements of the ACT government in terms of the procurement values. We have recently made changes to it with regard to modern slavery, for example. But, of course, any other issue may be raised in relation to how they are complying with the law more generally and whether there are any reputational risks for government that we may need to consider before the procurement moves to the second stage, where there are value-for-money considerations.

**MISS NUTTALL:** Thank you.

**MR CAIN:** Minister, contracts worth \$626,000 were awarded to Spinifex IT as part of the HRIMS program. Could you provide the deliverables of these contracts?

**Mr Steel:** I will take that on notice.

**MR CAIN:** Did you pay for the licensing of the program or was it subsequently utilised?

**THE CHAIR:** Is this still talking about Spinifex, Mr Cain?

**MR CAIN:** Yes.

**Mr Steel:** We will take that on notice.

**MR CAIN:** Okay. Can you explain whether procurement methodology was used for the contract with Frontier to license CHRIS21 for CMTEDD and how you ensure competition for such a program?

**Ms Konti:** In that case, Mr Cain, Frontier are the only supplier of CHRIS and HR21 software. There was a process that was undertaken to ensure value for money. But I will have to take on notice and come back to explain what that process was.

**MR CAIN:** Being the only provider, are you concerned that they have effectively been given a blank cheque to provide their payroll and HR system?

**Ms Konti:** I am not, Mr Cain. The negotiations were pretty solid and robust and they took a while.

**MR CAIN:** But, if they are the only provider, what is to stop them asking whatever they like and you having to agree to that? How do you ensure that is not a practice that happens in this case and perhaps others?

**Ms Konti:** I cannot speak for the exact process that was undertaken for this particular contract negotiation, but there are normally many different ways in which you can understand whether the licensing costs for HR software are broadly within the same kind of level that is charged by other products in other parts of the market. There are many ways in which you could determine and assure yourself of value for money.

**MR CAIN:** Minister or Ms Konti, it is my understanding that the government brought

on Spinifex IT to use their software throughout HRIMS, but the software was never deployed or utilised. Is that the case?

**Ms Konti:** Yes.

**MR CAIN:** What was the value for money out of that contract?

**Ms Konti:** That was a previous procurement decision that happened in the HRIMS program in 2017. It is not a question I can answer.

**MR CAIN:** Minister, are you aware of why that happened?

**Mr Steel:** No. I think that it has been well documented that we have made the decision not to continue with HRIMS. The only component of that program which has been delivered is the HRIMS learning program. As to the rest of the components of the program, we made a decision that we did not want to continue with the project, which had significant risk and potential additional cost of an extra \$140 million. That is why we have made the decision to pursue a lower-cost and lower-risk solution and the most up-to-date version of CHRIS21 and HR21, which is the Frontier software solution. We made that decision because it will deliver a lower-cost solution than was previously considered, which was, in the previous program, a competitive process to go out for the partners that would help us deliver that solution. We have considered those matters and, on balance, we think this is going to deliver a lower-cost solution for the territory, and we will go through the necessary—

**MR CAIN:** Minister, in response to question on notice 179, SpinifexIT was paid over \$626,000. Is it the case, as Ms Konti seems to have suggested, that we got no value out of that \$626,000?

**Mr Steel:** I think it has been well documented that we have closed the HRIMS program and the deliverables under that would therefore not be delivered.

**MR CAIN:** So what was the value of \$626,000? What was the contribution from SpinifexIT for that \$626,000? What did they actually deliver in receipt of that money?

**Ms Konti:** Mr Cain, I can take on notice the reason that the HRIMS program procured SpinifexIT in the first place. But we do know, from understanding the HRIMS program, that in the latter part of its life it was never deployed. What we needed to do as part of the decommissioning process was look at negotiating a different kind of arrangement for SpinifexIT in order to terminate that contract.

**MR CAIN:** When you say “never deployed”, are you saying that \$626,000 was paid to SpinifexIT for no value at all?

**Ms Konti:** I think that \$626,000 was the contract termination. We can come back on that on notice.

**Mr Steel:** We can come back on that and provide some information, but it has been well documented that we closed HRIMS in order to pursue a lower-cost, lower-risk solution. A range of contracts were in place that needed to be terminated. That is the

process that we have gone through in order to make sure that we can close that program and begin a brand new project that will deliver a better outcome for the territory.

**MR CAIN:** You said it was \$626,000 for the contract termination. Could you clarify that?

**Mr Steel:** We are going to provide that further information on notice.

**Ms Konti:** I think it is. I am going to take that on notice.

**MR CAIN:** Or is that the value of the contract at first instance?

**Mr Steel:** We are taking that on notice.

**MR CAIN:** And who is responsible for this loss of expenditure? Is that the previous responsible minister?

**Mr Steel:** We have gone through this before. When HRIMS was not going to plan, we looked at it and we undertook several reviews into the program as to what was going on, initially with a view to reset the program. Then, as we looked into it and understood the current state of the program and some of the options that were available, particularly using the existing Frontier software solution, but taking it using the updated version, we looked at an alternative program which could update the existing systems. That is now the PCHRM program that we are pursuing at a lower cost and lower risk to the territory. As a result of that, we are in the process of closing out the work on the HRIMS program, which only delivered the HRIMS learning solution but not the other components of the project, despite a considerable amount of work being done by both government and the partners.

**MR CAIN:** Have you attempted to recover from SpinifexIT any of that money that actually never delivered a product or a service?

**Ms Konti:** Yes, Mr Cain.

**MR CAIN:** What has happened with that recovery process?

**Ms Konti:** The recovery process resulted in the ability to terminate the contract one year earlier than was originally signed up for.

**MR CAIN:** Could you confirm how much was actually paid to SpinifexIT, given that we had no deliverables from that arrangement?

**Ms Konti:** Yes; we will do that on notice.

**MR CAIN:** Minister, were there any other contracted services where there were no deliverables but payments were made?

**Mr Steel:** We will provide on notice what was or was not delivered under that contract. We can also take on notice the second part of your question.



**THE CHAIR:** I have a quick question to finish this session. It is another Property Group type question, I think. Minister, in the past six months, I have visited the Glassworks twice, and I saw in both of those visits that their disability lift is out of order. I am not sure how long it was out of order before that. It means that people with disability and perhaps people with mobility issues are unable to visit the studios or the top shop floor. As I understand it, is perhaps a Property Group issue. Can you confirm whether that is true, rather than the Glassworks themselves having to fix it? Is that correct?

**Mr Steel:** I will ask the team to comment on that if they can. I may have to take that on notice; I am sorry.

**THE CHAIR:** I am wondering why it has taken so long, why it is not a priority and when it is going to be fixed.

**Mr Rynehart:** It is possibly an artsACT question, but we will come back on that.

**MR CAIN:** Minister, has SpinifexIT been engaged for the new project?

**THE CHAIR:** Mr Cain, we are out of time. I thank witnesses for their attendance today. If you have taken any questions or notice, please provide your answers to the committee secretary within three business days of receiving the uncorrected proof *Hansard*.

**Hearing suspended from 11.46 am to 12.00 pm.**

Appearances:

Gentleman, Mr Mick, Minister for Business, Minister for Fire and Emergency Services, Minister for Industrial Relations and Workplace Safety, Minister for Multicultural Affairs, and Minister for Police and Crime Prevention

Chief Minister, Treasury and Economic Development Directorate

Arthy, Ms Kareena, Deputy-Director General, Economic Development

Starick, Ms Kate, Executive Group Manager, Policy and Strategy, Economic Development

Stewart-Moore, Ms Karen, Executive Branch Manager, Communication and Engagement, Economic Development

Maclachlan, Mr Hugh, Executive Branch Manager, Business and Innovation, Economic Development

**THE CHAIR:** Welcome, Mr Mick Gentleman MLA, Minister for Business, and officials. I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement. Witnesses must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. Please confirm you understand the implications of the privilege statement and that you agree to comply with it.

**Ms Stewart-Moore:** I have read and understood the privilege statement.

**Ms Arthy:** I have read and acknowledge the privilege statement.

**Mr Gentleman:** I have read and acknowledge the privilege statement.

**Ms Starick:** I have read and acknowledge the privilege statement.

**Mr Maclachlan:** I have also read and acknowledge the privilege statement.

**THE CHAIR:** I would like to start with a question about the Small Business Strategy 2023–2026 which outlines a series of actions and initiatives that you have directed government to take to support businesses. Could you provide a breakdown of how much funding is in this budget for actioning the strategy?

**Mr Gentleman:** Thanks very much for the opportunity. It is a good strategy that was announced in 2023. It gives us the opportunity to assist business. I will ask directorate officials to go to the detail of the funding for you.

**Ms Arthy:** Thank you, Minister. Thank you for the question. In the budget, we have a lot of carryovers from the previous 2023-24 budget. Perhaps I could outline some of the funding areas that are available to support what we are doing. I recognise that the activities that are contained in the Small Business Strategy are part of our core business of government. It is actually quite difficult to put a dollar figure against it, but I will go through some of the specific funding streams that we have.

For example, in last year's budget we were provided \$150,000 per annum to support our Canberra Business Advice and Support Service. That is the advisory service that Lighthouse Business Innovation Centre delivers on behalf of government. That provides a good source of advice for businesses. There is up to about four hours of free advice, and, since July last year, we have had 250 businesses engaged with this program.

There is also ongoing funding to provide support to local First Nations people. That is through the Aboriginal and Torres Strait Islander business support service known as BADJI. That funding is \$225,000 per annum and is ongoing. At this year's appropriation, it is \$240,000. It is indexed. That is assistance that we provide around co-working space and mentoring. Since its commencement in 2022, 49 unique local businesses have accessed that.

I mentioned that a lot of the support that we provide for the Small Business Strategy is part of our core business. A lot of our internal resources go to our ACT Business Hub website. A fair piece of Ms Stewart-Moore's team is devoted to how we make sure that we provide the best information. We also provided support through the CBR Small Business Expo. We also have e-business newsletters. All those initiatives go towards the different strategies that are within the Small Business Strategy.

**THE CHAIR:** When you began, you mentioned that some funding had been allocated in last year's budget. Also, you mentioned the \$150,000 per annum that was allocated. What was carried over from funding last year that was not spent, and why? Specifically including the \$150,000 per annum, was that spent in full or was some of it carried over?

**Ms Arthy:** I will check whether we have that information here. Typically, that \$150,000 is via procurement and a grant. It would be tied to different milestones. What I am not sure about—Mr Maclachlan may have it here—is whether, technically, the milestone payments require us to roll over funds. There would be no issue of elements of that funding being unspent, because it is part of the grants program. I will check with Mr Maclachlan.

**Mr Maclachlan:** I can confirm that the \$150,000, as indexed, did not need to be rolled over to this financial year from the last. It was all allocated and expended for the delivery of the Canberra Business Advice and Support Service.

**THE CHAIR:** In the Small Business Strategy is a series of measures of success criteria for the assessment of the strategy, but, in the government's first annual update, none of these seem to be referenced or reported against. Why was that? Going forward, are you going to measure the strategy against its own success measures each year?

**Ms Arthy:** It is important to remember that the strategy was only released 11 months ago. It is a longer term strategy over three years. In some cases, we do not have the data. For example, business growth: ABS data for that is not out until next month, so we will not be able to assess that until then, but we do know that we have over 36,000 businesses in the ACT. In terms of whether businesses feel informed, which is another matter, it is again too early because we are undergoing a range of actions on how we

inform business, including working with our business advisory service and Access Canberra's Business Assist Team. Again, we are only 11 months in, so the data just is not there.

In terms of business having a better understanding, this will be tackled over time. We have begun developing a small business awareness e-learning model within government. This is about how government understands business. Again, it is about to be rolled out, so it is too early for us to have the data.

On satisfaction measures, a lot of these are included in reports of different agencies. We do know, for example, that CBASS and Badji programs satisfaction levels are very high. But, again, in terms of how we bring it together into a report, 11 months into the strategy is just too early. We are very committed to making sure that we track what we are doing, look at where we might need areas of improvement and look at the things we are doing well.

**THE CHAIR:** Ms Orr has a supplementary.

**MS ORR:** Regarding the Canberra Business Advice and Support Service—I am just going to call it CBASS—can I get a rundown of how many businesses they supported this year?

**Ms Arthy:** I will hand that one to Mr Maclachlan.

**Mr Maclachlan:** Since CBASS commenced—since July 2023, which is indeed last year, to your question—250 unique businesses have engaged with the program.

**MS ORR:** Do you know how many of those might have women business owners?

**Mr Maclachlan:** The statistic is that it was just under half.

**MS ORR:** How have you ensured that businesses, or prospective business owners, are aware of and can therefore access CBASS?

**Mr Maclachlan:** There are a number of communication channels which the government uses to disseminate that information, but I might hand over to Ms Stewart-Moore for more detail on that.

**Ms Stewart-Moore:** I am happy to provide some more detail on that. We work through a number of channels to try to ensure that businesses are aware that CBASS is there for them. Part of that is making sure the information is available on our website. We have it on our website. The Lighthouse Business Innovation Centre also has it on their website. As Ms Arthy said before, we have an e-newsletter that goes out fortnightly. It is a regular feature in that e-newsletter. We also use whole-of-government channels to get to the broader community and promote where we have services available—CBASS and others. Late in 2023, we ran a specific campaign on CBASS over the December-January period, and that resulted in around 50 additional businesses, compared with the previous year, contacting the service for advice.

We have run specific campaigns. We included information that goes out, and it was

also very much a feature of the Small Business Expo. We had counsellors from the service participating in the program and as part of the panel sessions. They also had a stall at the Small Business Expo. We know that business owners are incredibly busy and are not always looking to see what services might be there. Wherever possible, we use a range of channels. We even have postcards that we can take to networking events and those sorts of things. We have also promoted it through the public service, in terms of people who might have friends or family who are in small business, to let them know about opportunities that exist. We are really trying to take a multichannel approach to make sure businesses are aware. That is not to say that plenty of businesses may not be aware yet, and we are working on that.

**MS ORR:** Given we are one year into CBASS being available, you might not have done a formal evaluation of the first year yet, but is there any indicative or preliminary feedback on how the service has been received by business and where there might be opportunities for refinement and improvement? What is working well and going swimmingly?

**Ms Arthy:** Before I hand over to Mr Maclachlan, the business advisory service has actually been going since 2021. We implemented it as part of COVID in our response to help businesses. At the time, there was another provider. Lighthouse has been running the service for a year. During COVID, it proved to be quite invaluable for a lot of businesses that went through hardship. In terms of formal evaluation, I will pass to Mr Maclachlan.

**Mr Maclachlan:** Since the Lighthouse Business Innovation Centre came on board and recommenced the program in July last year as a new provider, there has not been a formal evaluation. Again, it is still only 12 months into the delivery of that refreshed program. Certainly, as we come into the second year of program funding, that will be something we will be looking to do, to help inform our future iterations of it. As Ms Arthy said, it is a very well subscribed service and there is a lot of benefit. One thing I can say in terms of satisfaction levels is that it is reported through one of our accountability indicators. There is an estimated outcome in the budget papers—budget statements B—around satisfaction levels with the Canberra Business Advice and Support Service and also the Badji program—the Aboriginal and Torres Strait Islander business support program—which has been mentioned. Indications of the estimated outcome for the last financial year are that it will exceed targets. That is pleasing. That is generally a fairly consistent trend that we see with feedback on CBASS.

**Ms Arthy:** I could go to the latest statistics that we have for CBASS. Between 14 March this year and 10 June, 9.7 out of 10, out of 47 respondents, said that they had the highest rate of satisfaction for services provided, which is a great signal for us in government.

**MS ORR:** Do you have any indication of the type of advice that is being sought, in broad categories? You can give as much detail as you want, but broadly is fine.

**Mr Maclachlan:** The service itself will provide general advice and has a range of partners to refer business enquiries to for specific advice. We know that businesses are contacting the service to obtain general advice, but there are also specifics around

everything to do with running, growing and maintaining a business. They were about corporate functions, HR, finance or accounting related issues, through to legal advice and advice around challenges associated with market conditions or how businesses might want to think about changing their models—all of that sort of thing. It really is very broad, but the service has a very broad and deep range of networks that it can link to and refer businesses to for specific advice.

**MS CASTLEY:** Could I clarify: it is \$150,000 a year for CBASS every year. Is that correct?

**Ms Arthy:** In two years of funding.

**MS CASTLEY:** And Badji gets \$225,000 for helping 45 people.

**Ms Arthy:** It was \$225,000 in 2021-22 and it was indexed, and it is ongoing. It is currently \$240,000.

**MS CASTLEY:** How many ATSI businesses do we have in Canberra? Do we know?

**Mr Gentleman:** Thirty-six thousand.

**MS CASTLEY:** Aboriginal and Torres Strait Islander businesses as a whole—do we know?

**Ms Starick:** I will take that on notice. It is difficult to know. When you classify what is an owned and operated Aboriginal and Torres Strait Islander organisation or a business that may not be majority owned but works closely with the sector, there are different ways to measure Aboriginal and Torres Strait Islander owned and operated businesses in the ACT. They may be located outside of the ACT but operate in the ACT. We will take that on notice. It has been challenging to articulate the number that are here in the ACT.

**Ms Arthy:** As Ms Starick said, it is quite difficult to get an authoritative number. I will see if we can get indicative information by the end of this session about what we have. One thing that we are working with Badji on is how we can use them and their networks to provide us access to Aboriginal and Torres Strait Islander businesses we may not know. Typically, when we look at the number of Aboriginal and Torres Strait Islander businesses, we look at what is on Supply Nation, which has a procurement focus. But we all know that there are a lot of businesses out there that do not compete for government procurement. It is something that we want to work a lot more closely on with Badji.

**Ms Stewart-Moore:** In the small business strategy, in the snapshot we had 1.17 per cent of our business owners. That was built out of the Australian Bureau of Statistics, but there was a caveat, I think, with some of the challenges around that figure. That was the figure.

**MS CASTLEY:** Regarding the people that run Badji, that is not a company like Lighthouse. Is that within ACT government?

**Ms Arthy:** We contract it to Coolamon Advisors; the principal is Katrina Fanning.

**MS CASTLEY:** They get \$225,000?

**Ms Arthy:** Indexed at \$240,000.

**MS CASTLEY:** They have helped 45 businesses; okay. Going back to the strategy, under priority 4, action 4.7, the update has reported that workforce development plans missed their time frame for implementation in 2023 and that the report was delayed due to the signing of the National Skills Agreement. That was signed back in October. I am wondering how that is going. When will that be delivered?

**Ms Arthy:** The industry skills agreements are part of the skills portfolio. This was covered earlier in the week. The industry skills plans are in the final stages. Essentially, we started work on them prior to the National Skills Agreement. The National Skills Agreement was signed. Even though it was signed, there was still a lot of work happening with the commonwealth about the detail, and we needed to work through that before we could come back and revisit our skills plans.

**MS ORR:** Minister, I note that the government has prioritised increasing the participation of women in the Canberra Women in Business program. Can I get a rundown on how you are progressing?

**Mr Gentleman:** I met with Canberra Women in Business a few months ago after picking up the portfolio. It was a very exciting evening event. It was great to see so many women in business in the ACT. With regard to the statistics, I will ask Kate to give you some of that.

**Ms Starick:** The Canberra Innovation Network is under a different portfolio. That sits under the Chief Minister's portfolio.

**MS ORR:** Sorry; I got it wrong.

**Ms Starick:** In terms of Canberra Women in Business, as the minister discussed, we have been working closely with Canberra Women in Business to understand what particular barriers and opportunities there might be for women. There is the flexibility that business ownership affords women, particularly if they have other caring responsibilities.

During the evening that Minister Gentleman talked about, we heard from an owner-operator, a woman, who ran a business. She started the business when she had young children of her own. As her children grew, her business afforded her the opportunity to combine child care with some very flexible hours in what she did. That is a unique characteristic that women often look for. I will throw to Karen Stewart-Moore, if there is anything further to add.

**Ms Stewart-Moore:** In terms of encouraging more women into business or to showcase the skills and the incredible businesses that many women across the ACT own and operate, we very much try to showcase some of that work through some of our channels. We have developed case studies on businesses like Future Swirl, which

was an ICON grant recipient who developed a wonderful food truck, and we profiled her business through our channels, not only as a pointer to the ICON grants and the opportunities there but also to showcase what women are doing in all sorts of different areas of business. We very much try to reflect the diversity of women and the business community through some of the communication channels that we have, through case studies, photography and all of those things.

As Ms Starick said, we engage regularly with Canberra Women in Business, and with women that we meet at all sorts of networking events. With that opportunity, it has been great to hear about the specific barriers there might be for women in business. For example, one of the areas we were discussing was around trade, and for women-owned businesses to be ready for trade. That is where we can link Canberra Women in Business and others with the different areas of government—for example, with TradeStart and the Office of International Engagement. That has then spun off some work with the Australian export industry council, to look at where there are opportunities to hold seminars or different networking opportunities so that they can unpack those issues a little bit more.

Another one that we are working on, also with EPSDD, is around sustainable businesses and how some of those programs can assist women-owned businesses in accessing sustainability programs, as well as, hopefully, saving them some money.

**MS ORR:** I want to ask a bit more about the obstacles that you are identifying and the interactions that you are having. You have named two. Are there any others that have come up?

**Ms Arthy:** It is an incredibly good question because it is not an easy one to answer. I have a stakeholder consultative forum with all of the key industry groups, and we have invited Women in Business to provide, frankly, a different point of view to what a lot of other businesses have—things like access to child care and adequate toilet facilities on construction sites. It is quite varied.

As we are thinking through what else we can do to support women in business, it is very difficult to find key themes for which you can actually design even one program, because it is so varied, depending on the industry it is and what the barriers are. If you include, potentially, migrant women, which is another focus, there is the language barrier and cultural barrier; there are so many different obstacles that people have to go through to get into business.

With another part of the portfolio, the Chief Minister's portfolio, we fund a social enterprise grant which is designed to help the more community based businesses, and predominantly women, that have a social enterprise in mind, to help them start up. We have been putting particular supports around them to help them to be able to establish a business and grow a business that is profitable and can service their community. There are so many different elements. As I say, it is something that we are committed to working through, particularly with Canberra Women in Business, who have such a diverse base, to help us to understand what the issues are.

**MS ORR:** Ms Arthy, picking up on the barriers, some of the ones you mentioned were things like access to bathrooms. I have a bit of a background in this policy space.



It has also struck me, though, that it is not an insurmountable challenge. It is perhaps one that has not been put forward and identified as a challenge. I know you said there is a range of issues coming out. How frequently are they issues that we have not heard before and we just needed to turn our thinking to them, and how many of them are bigger problems that are harder to unpick?

**Ms Arthy:** I would have to say they are not new problems. It is a matter of emphasis, I think. As we sort one particular barrier, another one becomes more prominent. I agree with you that they are not issues that are brand new.

**MS ORR:** We just need to turn our thinking to them.

**Ms Arthy:** That is right.

**MS ORR:** For clarity, can you run through the women's business forum, the priorities that have come up in the last 12 months and the activities they have been undertaking? What have you heard?

**Ms Arthy:** In terms of the Women in Business Network, we are not directly involved with their meetings, in terms of what the issues are.

**MS ORR:** They just report to you when they want to raise stuff?

**Ms Arthy:** That is right. They are part of the stakeholder consultative forum that I run. Our focus in that forum is very much around barriers to growth and implementation issues with the Small Business Strategy, particularly focusing on how government can do better in providing services across the board, and around regulation. They are typically the main issues that are raised.

**MS ORR:** Is that the primary way business and women in business can feed back into government what their needs and emerging needs are, or are there other avenues as well?

**Ms Arthy:** That is the most formal way. However, I know that Ms Stewart-Moore and Mr Maclachlan meet monthly, I think, with Canberra Women in Business. There are also other streams that we get access to. For example, the Canberra Business Innovation Network has a Female Founders program, which I am regularly invited to speak and engage with. That is another perspective on the challenges, and, again, another subset of the women entrepreneur space.

**Mr Gentleman:** This year we kicked off the small business showcase at EPIC and an expo that gave us a great opportunity to hear firsthand from women in business in the ACT about some of the ideas and challenges they had. It was really good. We are going to expand on that each year. I was proud to be able to relay that to the federal Minister for Small Business at our recent MinCo. It seems we have a bit of a challenge now with other jurisdictions wanting to do an expo as well, and it is about whether or not we do this expo together, as a country, at a similar time.

**MS ORR:** I believe the expo was the first one. How many exhibitors participated in the expo?

**Mr Maclachlan:** One hundred and seventeen.

**MS ORR:** With it being the first one—I will go to my favourite question, Mr Maclachlan—what evaluation learnings have you had from it and how will you feed this into the future, given the minister has indicated he is quite keen to see this happen again?

**Mr Maclachlan:** It is a good question. Short of a formal evaluation, surveys have been conducted with both the exhibitor cohort and the attendee cohort. Their feedback from that was overwhelmingly positive, with scores of eight out of 10 or above for both cohorts, indicating that the event either met their needs and/or they would recommend it to others in future. That is a really good initial set of feedback. Obviously, if we are looking at future events, we will look into those results and the evaluation a little more deeply at the appropriate time.

**MISS NUTTALL:** Aboriginal and Torres Strait Islander businesses often report that accessing ACT government procurement is very difficult, and more difficult than accessing many federal government departments' procurements. What progress has the Aboriginal and Torres Strait Islander Support Service, Badji, made in advocating for these businesses, and do you think Procurement ACT is taking notice?

**Ms Arthy:** The substance of the question around Aboriginal procurement is for Procurement ACT. I believe they were here this morning. In terms of Badji, they have a general role to help Aboriginal and Torres Strait Islander businesses to position themselves to be able to compete. I do not think I can answer, nor is it appropriate for me to answer, whether Badji has had any direct communication with Procurement ACT, particularly any advocacy role. I do not think I can answer that part of the question.

**MISS NUTTALL:** To clarify, would it be within Badji's remit to make such advocacy to Procurement?

**Ms Arthy:** No, it would not be. Badji's role is to help prepare Aboriginal and Torres Strait Islander businesses to be able to compete and be part of a procurement. That is one element. Most of it is around helping First Nations businesses to start up and grow. If procurement is part of their focus and part of their ambitions, Badji helps them to fulfil their ambitions.

**MS CASTLEY:** Minister, CommSec's senior economist, Ryan Felsman, said—it was in the paper this morning—that the ACT's strong performance came at a time when many small businesses were struggling. I think that weekly, if not every couple of days, we see that we have lost another business. He said that insolvencies in the ACT have increased by about 60 per cent in the last financial year compared to a national uplift of about 40 per cent. I am wondering what your response is to the business community and the families that are running businesses in town under your government and leadership? What do you say to that area that is losing?

**Mr Gentleman:** Thanks for the question. It is an important one. We have seen quite large growth in business in the ACT, from June 2019 to March 2024—the highest

business growth in Australia, at 24.67 per cent. At the same time we are seeing growth in insolvencies, and this is happening right across Australia, not just in the ACT. We have seen some realisation of why this is occurring. There is a bit of information that the tax office is now going to move back to reclaiming some moneys that were owed and were previously set aside during COVID, for example. It is moving back to a pre-COVID situation of chasing debt that was set aside during COVID. We also see a combination of a reduction in the stimulus measures that helped to keep businesses afloat during the pandemic and the overall challenging economic conditions. We are also impacted by global geopolitics and, most prominently, the shift in debt collection that I mentioned earlier. We are seeing some insolvencies in accommodation and food services. In the period, there were 77 construction sector insolvencies, and 53 accommodation and food sector insolvencies over the same period.

**MS CASTLEY:** Seventy-seven is a lot for construction. Have they talked to you about what they are seeing? Are they saying that there were no rebates or help that they got during COVID and that the ATO is coming after them for money, or are there other reasons? What are they telling you?

**Mr Gentleman:** They have not explained to me. Insolvencies are normally due to debt that is owed and not being able to fulfil the income to pay the debt.

**Ms Arthy:** Ms Castley, one of the things that the latest statistics are showing for the insolvency part is that, for the first time, the increase in the insolvency data reflects businesses that want to restructure rather than go into voluntary liquidation. What that is saying to us is that companies are getting ahead of the game and want to restructure, which shows up as an insolvency, to deal with the financial environment that they are in. So it is not necessarily that they have gone bust; they are restructuring.

**MS CASTLEY:** What about businesses? I do not have the statistics on me, but there was an article that said that a lot of our hospitality businesses are expecting to close over the next 12 months in Canberra. Yes, it might be Australia-wide, but this in Canberra. I have spoken to a few in the last week and the mood is very low. I was very worried about one of the businesses in town, in my electorate. They are saying that it is almost worse than COVID. We hear that they are getting slammed to repay money that they had to borrow in COVID, that there are fewer people coming in and that people are spending less because of the cost of living. What are you hearing about that? Let's talk about hospitality.

**Mr Gentleman:** Exactly that: the cost-of-living pressures. People are not spending the same as they would have, particularly in food and hospitality. We hear reported anecdotally in media that, rather than a family going out once a week for a big meal, it will be a smaller meal and it will be less often than once a week—dealing with the pressures of interest rate rises and the cost-of-living issues.

**MS CASTLEY:** They are struggling to not be insolvent and are working on their own or with their own family in a business. I just wonder what is in the budget to help these businesses and what opportunities there are for—

**Mr Gentleman:** There are the assistance programs that we talked about earlier. The

government does quite a bit to encourage businesses to stay in the ACT. We have no insurance duty. We have no commercial land tax. Commercial property sales under \$1.8 million pay no stamp duty. There are lower costs in A- and B-grade office spaces, relative to eastern Australian capital cities. The average gross rents are the lowest on the eastern seaboard, and the ACT has the highest payroll tax thresholds in the country. The government has put forward quite a bit of opportunity, I think, to attract and keep business in the territory, but those challenges that I spoke about earlier, particularly the cost-of-living pressures on families that we are seeing, are really driving a change in how we see operations in the territory.

**MS CASTLEY:** But the stats are not lying, and we have more choosing to close their doors. I am just wondering whether you feel that your measures are doing enough for the business community in Canberra, which employs more than 60,000 Canberrans. That is an immense number of jobs. I am wondering whether, from what you are hearing, you feel that what you are doing is enough.

**Mr Gentleman:** The measures that we talked about earlier are certainly driving incentive, because we have, as I mentioned, the highest business growth in Australia. So those actions are obviously working in that sense, but I am happy to learn what else we might be able to do to assist the businesses that are doing it tough in the territory.

**MS CASTLEY:** Thanks.

**THE CHAIR:** In the pre-budget submission by the Phillip business community, they said:

We are very happy to be present to discuss these items, as we have submitted so many requests and ideas over the years and never had responses that adequately address the issues raised.

Minister, do you think you are doing enough to be responsive to the business community when people make comments like that in their pre-budget submission?

**Mr Gentleman:** As I mentioned, the changes that we have made in regulation and taxation are driving business growth. In response to that particular question, you have heard already this morning about the work that we are doing to engage with businesses, and trying new opportunities, such as the business expo, adds to that. I think our connection with the business community is quite good. I meet with them regularly, and they say that they are thankful for those meetings and the information that we can provide to them. You have heard from the panel today as well about the regular meetings that they have with different industry groups and businesses in the territory.

**THE CHAIR:** Have you met with the Phillip business community since you have become minister?

**Mr Gentleman:** I cannot recall whether they were at the Chamber of Commerce meeting. No; I do not think they were.

**THE CHAIR:** Do you think you could meet with them to show that you are responsive?

**Mr Gentleman:** Certainly. I am meeting with individual small businesses almost once a week. I am happy to meet with community groups like that.

**MS CASTLEY:** There are a few. There is Mitchell and there is Braddon. There is a bunch of them that feel a bit like they have not been heard. That might be why they are not turning up to a few things. It might be—if I could advise you—that you could give them a call and be a bit proactive, because I think they are feeling quite clipped.

**MS ORR:** I would like to go back to the business expo and get a little bit more understanding. We had 117 exhibitors. Mr Maclachlan, you mentioned in the initial feedback that most people were quite satisfied and would recommend doing a stall again. Are there any other insights or takeaways from the first experience that you found quite helpful in articulating the value of that?

**Mr Maclachlan:** Yes; absolutely. From the feedback that we have received, I can say that indications were that key likes or benefits included the networking opportunities among quite a diverse range of exhibitors and business support providers that were there; that the expo was very well organised and well communicated; that the venue was spacious and comfortable and laid out well; and that participation was very affordable, which is obviously important for a small business. As I said before, an average of eight out of 10 was given for the likelihood to recommend other small businesses to exhibit. Very strong agreement scores were provided for the expo around attendee relevance and driving awareness of programs and services—both government and private services; making useful connections; satisfaction with the exhibitor experience; and the intention to exhibit at future expos if they were held.

**MS ORR:** Was there any feedback on what could be improved in the future?

**Mr Maclachlan:** Yes, there was: communicating the opportunity earlier; a more straightforward booking process and interaction with the app that was used to underpin that process; and having more assistance with the actual physical stand build and dismantling.

**Mr Gentleman:** And maybe an exhaust fan for the BBQ truck.

**Ms Stewart-Moore:** I might add that one of the key drivers of the expo was an opportunity for business-to-business engagement and business-to-government engagement. When we talk about the networking opportunities, there was, for example, a graphic designer linking up with another business and looking at whether another business is a customer as well as a service provider. So they were good opportunities. Similarly with the government stands that we had there and peak organisations that network for the government—the government front doors that provide services to business meeting directly with business—it was an opportunity to progress the work that we already do but put that in the expo setting.

**THE CHAIR:** Thank you for your attendance today. If you have taken any questions on notice, please provide your answers to the committee's secretary within three business days of receiving the uncorrected proof *Hansard*.

**Hearing suspended from 12.43 pm to 1.52 pm**

Appearances:

Gentleman, Mr Mick, Minister, for Business, Minister for Fire and Emergency Services, Minister for Industrial Relations and Workplace Safety, Minister for Multicultural Affairs, and Minister for Police and Crime Prevention

Justice and Community Safety Directorate

Glenn, Mr Richard, Director-General

Johnson, Mr Ray, Deputy Director-General, Community Safety

Wijemanne, Mr Naveen, Acting Chief Operating Officer

Cvetkovski, Ms Dragana, Chief Finance Officer

Phillips, Mr Wayne, Commissioner, ACT Emergency Services Agency

Wren, Mr Howard, Chief Officer, ACT Ambulance Service, ACT Emergency Services Agency

Brewer, Mr Glenn, Interim Chief Officer, Interim ACT Fire & Rescue, ACT Emergency Services Agency

Rohan, Mr Scott, Chief Officer, ACT Rural Fire Service, ACT Emergency Services Agency

Forbes, Mr Steve, Chief Officer, ACT Rural Fire Service, ACT Emergency Services Agency

Wang, Mr Cherry, Acting Executive Branch Manager, Finance, ACT Emergency Services Agency

Beresford, Mr Cameron, Executive Branch Manager, Emergency Management, Security and Emergency Management Division

**THE CHAIR:** Welcome back to the public hearings for the committee's inquiry into Appropriation Bill 2024-2025 and Appropriation (Office of the Legislative Assembly) Bill 2024-2025. The proceedings today are being recorded and transcribed by Hansard and will be published. The proceedings are also being broadcast and webstreamed live. When taking a question on notice, it would be useful if witnesses used these words: "I will take that question on notice." This will help the committee and witnesses to confirm questions taken on notice from the transcript.

We welcome back Mr Mick Gentleman MLA, in his capacity as Minister for Fire and Emergency Services, and officials. I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement. Witnesses must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. Could you please confirm that you understand the implications of the statement and that you agree to comply with it?

**Mr Johnson:** I understand the statement.

**Mr Glenn:** I have read and understood the privileges statement.

**Mr Gentleman:** Yes, I have read and understood the statement.

**Mr Phillips:** I have read and understood the statement.

**THE CHAIR:** Thank you. We will move straight to questions. We do not have any

opening statements. I would like to get a bit of an update on the Gungahlin Joint Emergency Services Centre. What has been the total spend so far on this update to the centre?

**Mr Gentleman:** The JESC has been, I think, a success story in its remediation and uplift in the fit-out for it, both for fire and emergency services and for the police component as well. We have been able to free up quite a bit of room for policing to operate out of their section. But I will go to directorate officials to give you the details of that costing.

**Mr Glenn:** Thank you, Minister. The Acting Chief Operating Officer has the current spend details.

**Mr Wijemanne:** I have read and understood the privilege statement. The Joint Emergency Services Centre in Gungahlin has three phases. The first phase is expected to be completed in December 2024, and the funding allocated in the 2021-22 budget was \$8.2 million for improving accommodation for our police and emergency services.

**THE CHAIR:** I can see in the budget papers that, on page 39, it has the completion date of December 2024, but there is funding in further outyears—2024-25 and 2025-26. Could you just explain for me what the future funding is for?

**Mr Wijemanne:** I will have to take that question on notice.

**MS ORR:** I think you noted that there were three phases. What are the three phases that are part of the project?

**Mr Wijemanne:** The first phase is around the relocation of the ACT Fire and Rural Fire Service and the SES units to the Mitchell precinct, which is what will be completed in December. The other two phases, which have already been completed, are around the refurbishment of the Gungahlin JESC, were to increase the operational footprint for ACT Policing and—

**MS ORR:** And that has already been completed?

**Mr Wijemanne:** That has been completed. The other work is the due diligence and concept design work that has been undertaken for the ACT Ambulance Service and Fire and Rescue facility, which has also been completed.

**MS ORR:** I would be interested to know what the future funding comes back as. But would that be something to do with some of the movements that are happening as part of these first three phases?

**Mr Gentleman:** It certainly is.

**MS ORR:** We have had some community groups in the other inquiries talking particularly around RFS and SES and about government working with them. Can I get an overview of what work you did with the Gungahlin-based RFS and SES in the relocation and where they are moving to and whether that is a short-, medium- or

long-term move? As much information as you can give me would be great.

**Mr Gentleman:** Yes, we have been working with our volunteers in the design of the operation for the Mitchell site. It is a much bigger site than they have previously had, and it is coming along quite well. The feedback from our volunteers has been quite good at this point. But I will ask Wayne and the team to give you some more detail on how they have been able to involve them.

**Mr Phillips:** Are you talking specifically about the Mitchell move, Ms Orr?

**MS ORR:** Yes. The RFS and the SES are moving out of the JESC and moving to the new Mitchell site, I believe.

**Mr Phillips:** We anticipate sometime before Christmas for that move. The consultations have been predominantly through the two chief officers, the Acting Chief of the SES at the moment and the Chief Officer of the RFS. They have met numerous times with both the captain and the unit commander at Gungahlin SES and RFS. We have had a few tours with volunteers through the building, to show them through, and we have shown through some representatives as well. That has included invitations to the Volunteer Brigades Association and the SES Volunteers Association. Three representatives have come through the Mitchell site.

From all of the feedback I have received, everyone is really excited about the move to Mitchell. The building is massive; it will easily accommodate three units. Majura will be moving there as well, and they have been involved in the consultation as well.

**MS ORR:** Majura SES?

**Mr Phillips:** Yes. Majura SES has been involved in the consultation as well. They have had tours through there. In the coming months the move will be on, and we will have an RFS and two SES units fully functioning and operating out of the Mitchell site.

**MS ORR:** The Mitchell site is in the government compound, where the light rail is.

**Mr Gentleman:** Yes, that is correct.

**MR BRADDOCK:** Going to what you were talking about, with the third phase, the due diligence for Casey, being complete, what is the next step there and when will that due diligence be published?

**Mr Wijemanne:** We have undertaken the next steps for the tender evaluation report for the 100 per cent PSP, which is currently being finalised.

**MR BRADDOCK:** The tender evaluation report to undertake what piece of work?

**Mr Wijemanne:** The 100 per cent PSP.

**Mr Phillips:** The 100 per cent preliminary sketch plans. There is a tender report on completing 100 per cent preliminary sketch plans for Casey, on the building.



**MR BRADDOCK:** When is the anticipated completion date for the PSP?

**Mr Wijemanne:** I will have to take that on notice.

**MR MILLIGAN:** The first phase is upgrades to the Gungahlin JESC, due to be completed at the end of this year. The third phase is the design preliminary plans for Casey. What was the second phase?

**Mr Phillips:** Our first phase was the relocation of RFS and SES. In between that, we had the temporary relocation of the Gungahlin SES to Belconnen SES, as a result of the possible contamination of diesel particulates, and the relocation of RFS Gungahlin to a demountable building at the rear of that. The second phase was the expansion of the ACT Policing footprint, and the refurbishment and expansion of ACT Ambulance from one side of the building to the other side of the building. Those three services now occupy the JESC.

**Mr Gentleman:** When Casey is complete, police will have the whole building.

**MR MILLIGAN:** Has the RFS moved to Mitchell yet?

**Mr Phillips:** No-one has moved to Mitchell yet.

**MR MILLIGAN:** December?

**Mr Phillips:** Yes.

**MR MILLIGAN:** SES is in Belconnen at the moment?

**Mr Phillips:** Yes, correct.

**MR MILLIGAN:** Will SES be going to Mitchell?

**Mr Phillips:** Yes. SES Gungahlin and SES Majura will both go to Mitchell.

**Mr Gentleman:** And Rural Fire Service.

**Mr Phillips:** And Rural Fire Service, from Gungahlin.

**MS ORR:** I want to pick up a little bit more on Casey. You have gone out for the due diligence, which is the initial concept design. Following that, what are the steps afterwards that would usually be taken in that process? Once you have done the due diligence for the concept design, do you move to DA?

**Mr Gentleman:** Yes, own procurement.

**THE CHAIR:** Going back to page 39, and the original budget amount, in 2023-24 there was \$3.3 million, and another nearly \$3.4 million for 2024-25. What was the expenditure used for last year and what is it planned to be this year? What will it be spent on?

**Ms Cvetkovski:** I acknowledge the privilege statement. The expenditure up to June 2024 was \$7.749 million.

**THE CHAIR:** What is the amount budgeted for this year expected to be spent on, the \$3.393 million?

**Ms Cvetkovski:** Unfortunately, I do not know the detail of the exact split across two years. I will have to take that on notice. That would be for the finalisation of the remaining components of the project.

**THE CHAIR:** Of the amount that you have spent so far, \$11.23 million—

**Mr Gentleman:** That is the total budget value. That is over the whole period.

**THE CHAIR:** The original estimate was about \$8.4 million in the 2022-23 budget. What is the difference in that—the blowout?

**Mr Gentleman:** It was the work we had to do in remediation. When we started to look at the building, we found diesel particulates and other matters that needed to be investigated. There was remediation in that sense, and the upgrades that occurred for both the frontline responders in ESA and Policing.

**THE CHAIR:** You started some upgrades; then you found the diesel.

**Mr Gentleman:** Yes. It was in the due diligence that was done in preparation for the upgrade.

**MS ORR:** Can I get an update on how the work is going to improve resilience from the impacts of climate change within the work of emergency services? It is about ensuring that we are bushfire prepared.

**Mr Gentleman:** It has been a bit of an eye-opener for us, as an agency, looking at bushfire risk into the future. We have our All Hazards Council that gives us advice about this. It means we need to be prepared for more radical changes in climate. Therefore we need to have some resilience within the service to be able to have our teams prepared for more radical changes in weather, particularly in the ACT.

At the same time we are looking at fuel loads in our forests and managing that fuel load growth. That is now with Minister Vassarotti, in parks and conservation. ESA are aware of these challenges into the future. They have started a strong program of building training and resilience among the staff, to be prepared for that, with the assistance of the All Hazards Council. I will ask the Chief Officer to give you some more information.

**Ms Milner:** I read and understood the privilege statement. With regard to preparedness, we are currently reviewing the Strategic Bushfire Management Plan, version 5. As part of that we are looking at how we can build a more resilient community into the future, particularly with climate change. We have been working across the board with directorates across ACT government to have that whole-of-

government approach to community preparedness for bushfire.

**MS ORR:** The other thing that is happening is more frequent and severe storm events. I want to get a bit more of an idea of what the ESA is doing to prepare the community for those, and potentially to start minimising some of the damage.

**Mr Gentleman:** We have an awareness program that occurs each time before the storm season starts in the territory. There is quite a varied opportunity to engage with the Canberra community on what we will see coming and the opportunity for assisting the community when storms do come into the ACT. I will ask Mr Forbes to come to the table. He has not been to one of these hearings before.

**Mr Forbes:** I understand and acknowledge the privilege statement. The ACT SES, like our RFS colleagues, are going through the pre-season preparedness activities. We have quite a well-established process that we go through, making sure that we have done all of our internal systems and training preparedness. We are also working on the community engagement activities that we need to do in preparation for the storm season.

**MS ORR:** Mr Forbes, with the SES, RFS and our volunteer emergency service groups, how are we looking? With another committee that I sit on, we have been looking at volunteering in the ACT. How are the numbers going for our volunteer emergency services? What sort of things are you doing to support and retain the volunteers, given that demand is increasing, with weather events and so forth? What are we doing to make sure we have the best volunteer services?

**Mr Forbes:** It is challenging to not only attract but retain volunteers. We have an exit interview process, so we are capturing anyone that does leave. The SES numbers are currently sitting at 385. We have just had a really successful recruit college; just under 60 new recruits have come through the system and are going through their training at the moment, to get them on board. They will have finished their training very soon and will be ready, in preparation for the upcoming storm season. It is quite an extensive training program. That, in itself, is quite a time commitment for volunteers, just to get up to speed with their training. We look after them once they are on board and do all we can to try and keep our volunteers interested. Through that volunteer professional development, hopefully, what we can offer them in a development sense means we can hang on to them for a bit longer, too.

**Mr Gentleman:** They are incredibly generous with their time, Ms Orr. I have visited Woden and Tuggeranong in the last couple of months, as they have been preparing and doing their training in the evening. I will give an example of one of our volunteers that received an award last week. Gordon, who is an older volunteer, has been with ESA now for probably 30 years.

**Mr Forbes:** Longer, maybe.

**Mr Gentleman:** He is also a volunteer with Policing; he engages with them. He lives in my suburb, by the way. He and other volunteers are incredibly generous with their time. When I visited last time, it was before the other committee was looking at unpaid work, and they wanted me to pass on the message that they do not consider

volunteering to be unpaid work. They want to give back to the community, and that is why they give this assistance for the Canberra community. They feel grateful that they can provide their time and help people in their time of need.

**Mr Phillips:** I will always take more volunteers in the ACT. Nationally, we do fairly well, due to our demographic here in Canberra, particularly with our volunteer numbers across the SES and the RFS. One of the keys to keeping people involved is keeping up the relevance of their skills and experience. It is great to note that we have 10 volunteers now in Canada. They were deployed and left here on Saturday and flew over there. They should have landed there now. We do not know exactly where they will be. The US is reaching out for assistance.

We are in a really good position, here in Canberra, and the Emergency Services Agency, to supply volunteers to Canada, US and across the country. That brings a wealth of experience, skills and knowledge back to us, to keep us safe as well and to be very well prepared. We also have staff members in the Northern Territory at the moment, helping with the bushfires happening up there. It should be noted that we punch well above our weight in regard to emergency services and the provision of emergency services across the Pacific and here in Australia.

**MR BRADDOCK:** In last year's estimates, recommendation No 79 went to the ESA Executive Leadership Alignment Review, which was a key issue during those hearings, and the government response said there would be a robust change program assured for a change implementation oversight committee. I am interested in a status report. What has been implemented and how has that addressed the issues that were identified as part of that review?

**Mr Glenn:** Thank you, Mr Braddock. The oversight committee that has been established to guide the work that has emerged from that Leadership Alignment Review is chaired by Leanne Close. There has been an enormous amount of work done by the executive team itself to reflect on the way it works together to lead work on a new ESA strategic plan, which is a really critical fundamental document about how ESA is going to be led into the future; to think about their own executive development and the development of the feeder group of people who are going to be leaders in the ESA in the future; and to start to take information from staff themselves. There has been a survey—I think it closed on Sunday—of staff to get an assessment from staff about how they see the leadership of their organisation working and improving over time. There has been a very active body of work in the about 12 months since the review was released, and the commissioner has been very diligent in pursuing that program.

**MR BRADDOCK:** I have got a couple of questions just arising from that. Is there an expected date for that new strategic plan that you made reference to as being under development?

**Mr Phillips:** Imminently, Mr Braddock.

**MR BRADDOCK:** Fair enough. Secondly, you mentioned an open staff survey. Have there been other opportunities to get feedback from staff on this process.

**Mr Phillips:** Yes.

**MR BRADDOCK:** What has that been?

**Mr Phillips:** The survey just came back, which finished at 39 per cent across the whole of the ESA. So that was our paid staff. We are going to do a separate survey for our volunteers as well. That is an increase from 22 per cent from the last survey that was done across us. So that is a 54 per cent increase. We have a staff and volunteer engagement committee as well, which has volunteers from all the services, the enabling services, unions and volunteer representative groups. That is chaired by Rohan Scott on a regular basis. We also get out and about and take feedback and talk to our people. We engage with and listen to them on how they are feeling and how they are going with regard to the executive review. We report that back up through to the oversight committee.

In addition, we have 45 of our top layers of leadership going through a leadership program, which will be finished in December. We have done extensive work with a mental health first aid course we have done with both volunteers and our paid staff coming in. We did a number of courses—I think, three, off the top of my head. We did some frontline-management course training through Lifeline, as well, to ensure that we are bringing people along the journey of a kind and more compassionate workforce, moving forward, so that we are ready for climate change and all those things that can happen to Canberra.

**MR BRADDOCK:** When will the survey of volunteers be conducted?

**Mr Phillips:** I would like to take that on notice.

**MR BRADDOCK:** Okay. I am also interested in any changes to the governance systems or structures that have arisen out of this work as well.

**Mr Phillips:** I have announced a realignment of positions. It is around the executive positions only. No-one from below executive level has been affected and there have been no job losses. I wanted to emphasise that. As a result, through natural attrition, there have been some executive positions becoming available and I was able to do a realignment. Basically, the side of the organisation that is the four chiefs is all staying in situ. The four chiefs are in charge of their services in preparation response and recovery et cetera.

In the Enabling Service I have added an additional executive position. Basically, in a nutshell, I have three executive positions in Enabling. It is a people-type function, which is doing HR training, work health and safety, mental health, wellbeing, governance, finance—that type of Enabling executive. The other executive is the executive in charge of vehicles and buildings—the fleet, the workshops, buying the vehicles, our facilities, the equipment, the resource centre and the ICT-type stuff. The third executive, which is really the new executive that I brought on, is the one around preparedness and preparation. That executive will be key to bringing all those things, with regard to the mapping systems downstairs, policies and procedures and ensuring that we have a whole-of-government approach working forward from the ESA's perspective, into preparedness.

We have a lot of interaction nationally with the National Emergency Management Agency, NEMA, and AFAC nationally. So there is a lot of information that comes across from other emergency services on best practice, what is best practice overseas, what is happening overseas and lessons learnt. That will come through to us and we can bring it into one position to then think about how we can bring those best practices maybe into the ESA going forward, particularly with the things that are happening around the world—climate change and what the best practice is there.

That is basically it in a nutshell, but I can take that on notice and send you through the structure stuff, the realignment.

**MR MILLIGAN:** I want to find out where you are currently at in terms of the ACT Emergency Plan and whether it will be done after the Emergency Act review in 2025. Do you have an update in that sense?

**Mr Glenn:** The work on the review of the Emergency Plan is ongoing. Its relationship to the review of the act, which is due—there is a statutory obligation to review the act every five years, so the next one is due next year—is still to be determined. I think they are going to probably work in parallel at some stage. But, for the moment, we continue to work on the plan. There is a necessary link between the plan and the legislation. So we need to be able to properly understand that before we can finalise the plan review.

**MR MILLIGAN:** Is there not a series of recommendations that need to be considered that you should consider now and put into that emergency management plan?

**Mr Glenn:** Recommendations from?

**MR MILLIGAN:** From the review and feedback that you received.

**Mr Glenn:** There has already been one sort of lighter-touch update to the plan that has already occurred. That captured a lot of feedback we have had about the plan. There are a range of other suggestions that have been made about the plan which are being captured in the process. I do not think there is anything there that we need to have critically dealt with whilst we go through the structured process of reviewing the plan and ultimately reviewing the act.

**MR MILLIGAN:** When is the review of the Emergency Plan due to be completed?

**Mr Glenn:** I expect it is going to go into next year. It is a question about that relationship between the plan review and act review and how they land together. That is going to be a task that will be looked at over the next little while.

**MR MILLIGAN:** Who is providing feedback and recommendations into this Emergency Plan review and who are you consulting with?

**Mr Glenn:** It has been a very extensive consultation process. I am not sure if Mr Beresford can help us with that.

**Mr Beresford:** I have read and acknowledge the privilege statement. Mr Milligan, thank you for the question. The consultation we have undertaken on behalf of the commissioner with the broader whole of government on the Emergency Plan has involved all parties in the Emergency Plan from a hazard management perspective, including those who are listed under the plan as lead response agencies—primarily, the ESA but also EPSDD, ACT Policing, ACT Health and a number of other parties. We have extended that consultation into the inter-government network of emergency managers, those who live and breathe the plan every day and who use it in response. We have also extended that consultation out to various industrial bodies under the direction, obviously, of those work areas that liaise with those industrial bodies the most often.

**MR MILLIGAN:** Did you mention urban fireys, ambos, RFS and SES? Did you reach out to those—

**Mr Beresford:** Absolutely.

**MR MILLIGAN:** Did they have concerns regarding the Emergency Plan and areas that you should be addressing as a matter of urgency?

**Mr Beresford:** As a matter of urgency, no. We have had no—in your words, Mr Milligan—“concerns” raised with us. Certainly, there are areas of professional disagreement in some cases, but all those conversations have been incredibly constructive, and we are looking forward to finding a better way forward for the community.

**Mr Phillips:** I think we should be very confident about the Emergency Plan we have at the moment in regard to rolling into this high-risk weather season. The chief officers and I are very confident that, come this high-risk weather session, when the Emergency Plan is activated and emergency controller functions are operated, we are in a good position in the ACT to deal with that. There is more planning, table reviews and exercises being planned for the rest of this year moving into high-risk weather season to ensure that not only the ESA is ready but also the ACT government as a whole is ready for any sort of emergency that may arise from the high-risk weather season.

**MR MILLIGAN:** Is the Emergency Plan provided to government departments and agencies? What part of this Emergency Plan is actually distributed to the community and to the public and households? Is that part of this plan?

**Mr Phillips:** It is available to anybody, like any ACT government policy. It is available to anybody in the community to look at through, I would say, an ACT government portal. But the plan is really the plan for the ESA, its partners and the ACT government to deal with the emergency at hand. It is not a day-to-day document. It is a document that we would use, that we all know very well and is ready to go by. But it is the game plan on the day if, for instance, an emergency like the 2019-2020 fires happens again. If that happens in 2024-25, we can pull that plan up and start dealing with the emergency again.

**Mr Gentleman:** Mr Milligan, there is also an interaction with the federal government,

with the COAG, the ANZ Emergency Management Committee and the national subcommittee working groups and forums.

**MR MILLIGAN:** What form of communication does the government use or ESA use with the general public in terms of what to do in an emergency—not just in farming areas but also bushland and abatement areas as well? Is there any form of communication or formal documents that you communicate to the public in terms of an emergency and what to do?

**Mr Phillips:** Yes. On the ESA website, we have communications on what to do and when, not just in natural disasters but also in, for instance, a house fire, what to do with smoke alarms, right through to bushfire and flood risk—clean your gutters, cut down branches around your area and things like that. That is a continual education piece that we have. But what is really key for our education piece is to forecast when the season starts and to hit and blitz the people then. If you continually hit people all the time with advertisements, they start to become, for want of a better word, white noise. So we have to optimise when we tell people about emergencies and what to do to ensure that the message gets through to them clearly. Dealing with emergencies is a partnership between the ESA, JACS and our community. It is about ensuring that the people are hearing what we are saying and understand what needs to be done during an emergency.

**MR MILLIGAN:** How is it communicated? Is it broadcast, is it targeted, is it letterboxed?

**Mr Phillips:** Yes.

**MR MILLIGAN:** Is it mail?

**Mr Phillips:** Not mail, but text messaging and radio. Any sorts of media communications, social media et cetera is what we will be using in the case of warning people. For instance, with the storms over last summer, we hit up the social media, the ABC, WIN and text messages. We continually try to keep our people as up to date and informed of the emergency as possible. At the end of the day, that assists us and minimises the impact of the emergency on the community.

**MR MILLIGAN:** Is there any money in this budget to investigate technology to better communicate with the public? We saw the storms that came through here in early 2021, and communication was a bit of an issue with the community. There are certainly different forms of communications out there and apps and other things that you can use to better communicate with the public. What is the government doing to address that particular issue, and is there money in the budget to address that or look at new technology?

**Mr Gentleman:** We use the ongoing funding for ESA to promote the “Be Emergency Ready” campaign. That allows us to have some flexibility about what we can deliver to the Canberra community. I will hark back to that timing that the commissioner was talking about. It is often best to do it just prior to when the storm season is going to happen. People actually see the change in weather happening then and they are more alert to being prepared for those changes. So we ramp up at that particular time and



then keep on the message all the way through the storm season and advocate for them to of course contact ESA, or triple-0 in an emergency, when they need assistance. The SES can go out and visit and also Fire and Rescue if they are needed as well.

**THE CHAIR:** Last question, Mr Milligan—so that everybody gets a chance to go through again.

**MR MILLIGAN:** Yes; of course. In an emergency, how is the government going to better communicate with the people who would potentially be affected?

**Mr Phillips:** We have systems in place to text message people in an affected area so they can take the appropriate action that may need to occur. For instance, if we were in the position where a suburb was going to be directly hit by a bushfire, we have IT systems to text message people living in that suburb or people visiting that suburb to get them to a predetermined place that we see as safe at the time. We do not have those places in mind; we have to look at the weather conditions, wind, smoke, et cetera, to be able to get those people out in a crisis, for their safety, and also for the access of our firefighters, because evacuation can actually cause a gridlock, affecting our ability to get in. We have a lot of systems and processes in place for the day it occurs, to protect Canberrans.

**MR MILLIGAN:** Thank you, Chair.

**THE CHAIR:** Page 28 talks about more frontline paramedics. Can you tell me how many additional paramedics you expect to employ for those amounts?

**Mr Gentleman:** Thanks very much for the question, Ms Lawder. We intend to keep hiring more paramedics and training them. I am pleased to announce that we have been able to move to a roster change for our paramedics to enable them to be as fresh as they possibly can be. They have had very long shifts in the past, particularly night shifts—14-hour night shifts. They could not simply finish at the end of their 14 hours; they still had to deal with the patients they had with them, so often those shifts continued well beyond 14 hours. We have now moved to a single night shift system. We are supporting shoulder shifts during the busiest times.

In a previous announcement, we announced a number of more paramedics. We also now have to recruit to fill the shoulder shifts and the extra shifts for the new roster, and that process is ongoing. As paramedics retire at some time later in life, we will need to recruit and train for that as well. This is probably the biggest change that we have had in ACTAS, certainly since I have been minister. It is a most welcome change for those on the ground to just do one formal night shift in each block. It means that they will be fresh again for their next lot of shifts and it is not as much of a drain on them and their families. They do an incredible amount of work for us. I will ask the chief officer to give us some more detail on that.

**THE CHAIR:** The question was about the number you expect to employ.

**Mr Wren:** I have read and I acknowledge the privilege statement. Sorry—could you repeat the question?

**THE CHAIR:** Yes. It is on page 28. How many additional frontline paramedics do you expect to employ?

**Mr Wren:** In the last financial year, we employed 43 paramedics. That was a combination of new and additional positions, but it also filled attritional positions. I would state that that, arguably, is probably the largest number of staff that we have employed in any year. This year, we have an additional 30 positions to fill, plus there will be ongoing attrition, so I suspect that it will end up being over 40 people this year.

**THE CHAIR:** I can see also, on page 4 of the JACS statement, that it is estimated that you will have fewer staff in 2024-25 than the estimated outcome for 2023-24. So, if you are increasing by 30 paramedics, where are you losing staff in the directorate?

**Mr Glenn:** Those movements in staffing numbers reflect higher than anticipated numbers in previous years. It is coming back to more of a baseline and is offset by some additional measures in budgets for additional numbers. We also have a number of staff who are, effectively, funded through cost-recovery activities, and that is particularly acute in places outside of the ESA—places like the Government Solicitor's office—and that causes some fluctuation in those numbers as well. So we are not actually anticipating a decrease in numbers as a result.

**THE CHAIR:** Even though it is in—

**Mr Glenn:** The trend line remains the same and follows the government's investment in FTEs. These reported numbers move, depending on whether we have higher than anticipated numbers because we have more revenue sources.

**THE CHAIR:** I will change my question slightly. The 2023-24 estimated outcome was a bit more than the 2023-24 budget. Where was the growth? It is on page 4.

**Mr Glenn:** That will predominantly be, as I was saying, from client funded work and work funded by other revenue sources. A number of staff in the Government Solicitor's office, for example, who are client funded, do not necessarily appear in these numbers. We have a number of staff who are funded from commonwealth grants that are acquired during the course of the year and may not be reflected there. There is backfilling of staff on long service leave and maternity leave. It does not have a financial impact, but there are more people on the books because people are on different leave types. I think that is—

**THE CHAIR:** You covered it really well. Thank you.

**Mr Phillips:** My numbers in the ESA are part of those numbers, and my numbers have not dropped—the ESA numbers. That may be the clarity you need. The ESA FTE number has not dropped; we are growing. We are growing numbers of full-time paramedics and full-time firefighters. I do not have the exact numbers, but it will be over the next few years. ESA, as part of JACS, is growing.

**THE CHAIR:** Growing by at least 30, which is the additional frontline—

**Mr Phillips:** The paramedics with ESA, which are part of the greater JACS numbers

as well. There will be additional firefighters too, which will be reflected in next year's annual report.

**THE CHAIR:** Great. Thank you. Ms Orr.

**MS ORR:** I am okay.

**THE CHAIR:** Mr Braddock.

**MR BRADDOCK:** I am interested in the fire trails, from your perspective, in terms of whether you have any concerns about accessibility of your vehicles in the more remote parts of the ACT and whether the state of the trails is sufficient to enable you to do what you need to do.

**Mr Phillips:** If it is okay, I will refer this one to Acting Assistant Commissioner Rohan Scott, who is—

**Mr Gentleman:** An expert on fire trails.

**Mr Phillips:** my expert on fire trails.

**Mr Scott:** I have read and acknowledge the privilege statement. Could you repeat the question?

**MR BRADDOCK:** I am interested, from your perspective, in whether the state of fire trails in the ACT is sufficient to enable the ESA to do its job in terms of fighting fires?

**Mr Scott:** The ACT's network of fire trails is very comprehensive and very well maintained by the EPSDD Directorate and also TCCS. As part of their bushfire operational plans, maintenance is required. Also, in the previous four years, due to the wet weather, there has been significant damage to those trails. They have actually built those trails back bigger, better and stronger, and we have been working with them to facilitate that and upgrade those to float rated trails in some areas. The network itself is very robust for the coming fire season, and we know that we can get the assets to areas in the higher parts of the Brindabellas, in Namadgi National Park. We also have aviation assets that we can utilise to get crews there quicker, before the vehicles can actually get there. As part of the rebuilding of the networks, a lot of the crossings have been rebuilt with higher engineered concrete crossings that allow better access and also allow us to get the heavy machinery up there, which was previously difficult. So we actually have a very robust network system, which we are very comfortable with, to get access to all the areas that may be impacted by fire this season.

**MR BRADDOCK:** Thank you.

**THE CHAIR:** Mr Milligan.

**MR MILLIGAN:** Thank you, Chair. Let's talk about the electric fire truck. When did the ACT first take delivery of the fire truck?

**Mr Scott:** I will have to take on notice the date of delivery from the supplier.

**MR MILLIGAN:** Is the electric fire truck actually operational yet and attending emergencies?

**Mr Phillips:** No. It is not operational yet; it is operating. Tomorrow will be the start of the training process for firefighters to make it operational. It will be operational in the foreseeable future. If you would like some details about that process, I have the acting chief, Glenn Brewer, on sprint mode to fill you in on some details about the steps tomorrow for the electric fire truck.

**Mr Brewer:** Good afternoon, everyone. I have read and acknowledge the privilege statement. Mr Milligan, it is good to see you in warmer conditions than I saw you last time, at the college—

**MR MILLIGAN:** Yes; it was very cold out there.

**Mr Brewer:** at the graduation. Mr Milligan, could you ask the question again.

**MR MILLIGAN:** Is it currently operational? Has it attended emergencies yet? Where is it up to?

**Mr Brewer:** As the commissioner pointed out, there is training tomorrow. We have trained all our instructors in the use of it and the rollout of the training on it. The training will begin tomorrow. Operational staff will begin to be trained in the operation of that vehicle. We anticipate that, during the rollout of that training, we will see the electric fire truck going to operational jobs. It will shadow. It will be working out of the West Belconnen fire station. Once we have some staff who are actually trained on it, the idea is to train staff during their day shifts, and then, on the night shifts, the truck will shadow the pumper from the West Belconnen fire station to operational jobs. We are hopeful that the public will see the electric pumper attending operational incidents during that period. We hope that the training period will be complete within about 12 weeks, which should see the truck go to operations after that. We work on about an 80 per cent model, so we get 80 per cent of our staff trained on the use of any piece of equipment that we introduce into service before we actually put it into service. We are using that method for the electric fire truck as well.

**MR MILLIGAN:** Is the reason that it is being kept at West Belconnen that it is where the infrastructure currently is?

**Mr Brewer:** Yes. The interim charging infrastructure has been placed at West Belconnen, so we are able to run it out of West Belconnen due to the fact that the infrastructure is there.

**MR MILLIGAN:** We have obviously had the fire truck here for a period of time. Why has it taken so long to get to this point before it has actually been operational in the field?

**Mr Phillips:** We need to celebrate the electric fire truck. We are the first in the

Southern Hemisphere. The amount of interest and national publicity about the electric fire truck has been immense. We have had people from all over Australia wanting a look at it. We are pioneers in this. With the electric fire truck came a lot of preparation to ensure that it can meet the capacity and to ensure that it can do what we need it to do. It has been through rigorous testing. Part of it is also the fact that we had to develop training packages for our firefighters, and training packages take some time to develop. For instance, the electric fire truck does not have any mirrors. I do not know if you—

**MR MILLIGAN:** Yes.

**Mr Phillips:** I do not know if I could drive without mirrors myself. Not having mirrors and using cameras, for instance, is part of that. It is a different system with regard to pumping, and electric vehicles have a different response in the handling of them. There is the system and vehicle overview, how we do the daily check, the dashboard, the steering controls and the driver's display. All those types of things require people to be fully trained, and there needs to be a proper training package. We had people developing that training package last year—the first ones to do that.

Fire Rescue Victoria have come. We are cooperating with them and are giving them our training package. They will not have the same hurdles that we had to ensure this is done. We are sharing the training package nationally for any fire service that needs an electric fire truck. Once we have the training package, we have to train people to train people. It does take a while, but there is the old saying: measure twice, cut once. We have done that. When this electric fire truck goes on the road, it is going to make a difference to the ACT government's commitments to greenhouse gas emissions.

**THE CHAIR:** The business case for the truck saw \$2.34 million in funding. How much have you spent to date in capital and expenses?

**Mr Phillips:** I will go to the chief financial officer, Cherry Wang, for the exact numbers.

**Ms Wang:** Good afternoon. I read and acknowledge the privilege statement. Based on my understanding, we have spent about \$1.6 million on the truck. However, if you need more detail, I am happy to provide a little bit more detail on notice.

**THE CHAIR:** You can take on notice the expenses?

**Ms Wang:** Yes.

**THE CHAIR:** Great. Thank you. We will call it quits there. Thank you for your patience in going slightly over time and for starting a little late. Thank you very much for your attendance today. If you have taken any questions on notice, please provide your answers to the committee secretary within three business days of receiving the uncorrected proof *Hansard*.

**Hearing suspended from 2.47 to 3.00 pm.**

ACT Human Rights Commission

Mathew, Dr Penelope, President and Human Rights Commissioner  
Toohey, Ms Karen, Discrimination, Health Services, Disability and Community  
Services Commissioner

Griffiths-Cook, Ms Jodie, Public Advocate, Children and Young People  
Commissioner

Rowe, Ms Margie, Acting Victims of Crime Commissioner

**THE CHAIR:** Welcome. I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement. Witnesses must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. Could you please confirm that you understand the implications of the statement and that you agree to comply with it?

**Dr Mathew:** I have read and understood the privilege statement. Thank you.

**Ms Griffiths-Cook:** I also understand the privilege statement.

**Ms Rowe:** I understand the privilege statement.

**Ms Toohey:** I understand the privilege statement.

**THE CHAIR:** Thank you. We will proceed directly to questions. I understand that from 1 July 2024 the ACT Human Rights Commission will assume the role of the ACT privacy commissioner. Ms Griffiths-Cook, would you be able to outline what this role will entail and how you have prepared to undertake this role?

**Ms Griffiths-Cook:** I have not, but my colleague Ms Toohey can speak to that.

**Ms Toohey:** I have actually been appointed the Information Privacy Commissioner because it was considered that there was some alignment between the complaints functions that I already have—in particular, the recently acquired human rights complaints mechanism—and the right to privacy.

**THE CHAIR:** It makes a better reason why you have not, Ms Griffiths-Cook.

**Ms Toohey:** But she has been very supportive.

**Ms Griffiths-Cook:** Indeed.

**Ms Toohey:** We have updated the website and there has been information up there since 1 July. The Office of the Australian Information Commissioner is redirecting people to us at the moment, so we have a good communication strategy with them. We are in the process of running information sessions about the privacy provisions, but also their interface with the health records act and with FOI, so in that space around information management more generally. We have a number of complaints that we expect will be transferred to us from the Office of the Australian Information Commissioner, which has been carrying out the function for about the last 10 years, and we are still waiting on those matters to come.

**THE CHAIR:** Could you explain for me why it was necessary for the ACT to assume these duties, rather than continue the previous arrangement with the Office of the Australian Information Commissioner.

**Ms Toohey:** I understand that the Office of the Australian Information Commissioner considered that they could no longer carry out the function. I am not privy to the detailed reasons for that. The discussions I have had with my colleagues in the justice directorate are that there is a good alignment between the work that we are doing. We already have the human rights right to privacy, so we are administering that, and we have that complaint mechanism. I am also the Health Services Commissioner, so I administer the health records act. From my perspective, it is a good alignment. The annual reports previously published by the OAIC indicate that they only got 10 to 12 complaints a year, so it is not a high volume of work, although privacy is obviously very important to everybody in the ACT. Again, I was not privy to the very detailed reasons for that but was happy to take that on.

**THE CHAIR:** How much additional funding is going to the commission for the purposes of fulfilling those new responsibilities as privacy commissioner?

**Ms Toohey:** I gather there is a small amount of funding that will be transferred. The information commissioner, as I understand it, had funds for less than 1 FTE.

**THE CHAIR:** Less than one?

**Ms Toohey:** Yes. That will come to us. As I said, it is a small number of matters and it sits alongside some other responsibilities I have. The important thing at the moment is us getting out particularly to directorates and to the public to let them know that their privacy rights are still protected. In fact, in some ways they might have a better complaint mechanism, given that we are 15 minutes from everybody, and I think we are well suited to handling those matters.

**THE CHAIR:** If it is less than one FTE and if it is only a very small number of matters, do you now have the discretion to, if required, get that person to work on other areas in the commission?

**Ms Toohey:** The funding was for less than one FTE. For example, it is probably sufficient funding for an ASO6 here, or APS6. I do not have any specialists, really, in my team because I cover a number of complaint jurisdictions, as you may be aware. We do have some particular expertise that we have brought on in the human rights space, and that person will be helping us handle these matters.

**THE CHAIR:** Thank you.

**MS ORR:** We have already had some discussion in previous sessions about the new human rights complaints mechanism. I am keen to hear the commission's perspective on the new mechanism. Noting that it is still quite new, and taking it in that context, do you have any initial indications of how the mechanism is working?

**Ms Toohey:** Yes. We have a small number of matters, probably at the moment about

10. It is working as it should, in that people are bringing the complaints. There is a small difference in that complaint process, in that, unless there is some exceptional reason, people should go to the directorate first, before they bring the matter to us. We have had a couple of matters where it was appropriate that we took those at first instance, to get them moving, because they were time dependent.

**MS ORR:** Is that when you would essentially triage?

**Ms Toohey:** All of those matters are being triaged by me, so I can keep an eye on what any trends are or what any issues are that are arising out of that new jurisdiction. As we anticipated, some of the matters are able to be brought under both the human rights complaints mechanism and one of the other mechanisms we have. For example, one of the early privacy matters we have has also been raised as an alleged human rights privacy breach. So it is working as it should.

We are running, in conjunction with the justice directorate, a community of practice across ACT government directorates to help build their capability to respond to complaints and identify issues but also to build their capability around early resolution of matters. That has been going for about six months now. It is well attended. It also means we have been able to introduce some of these other jurisdictions as they come on. For example, in the recent one we talked quite a lot about privacy and that interface between health records legislation, FOI and the privacy jurisdiction.

**MS ORR:** The conciliation process you can enter into is confidential, and that is respecting your privacy. I think I have probably answered my own question. I am good.

**MR CAIN:** Do you have an anticipation of the number of complaints, going forward, in this financial year, or planning for that?

**Ms Toohey:** Not at the moment, Mr Cain. As we have said in evidence before, we anticipate that we need the jurisdiction to be in place for a little while before we can estimate what those numbers might look like. As I said, at the moment it is quite small, but we have only had it since mid-June. Obviously, that will also come with awareness by the directorates of redirecting people to us, rather than some of the other places they might go.

On the awareness raising, we have done some internal sessions; we have done external community-based information sessions and we have done some articles for the Law Society. We have done some CLE with the Law Society, or are about to, I think. At the moment, we are in that capability-building space of getting information out to people about the sorts of matters they can bring to us.

**MR CAIN:** Would the commission welcome a pathway for unresolved complaints to go through the ACAT?

**Ms Toohey:** Mr Cain, that is not really a matter for the commission. That was considered, as you are aware, at the hearing into the legislation. The commission does not have a strong view either way, I do not think, about whether we would like an ACAT pathway.



**Dr Mathew:** I would say that I think it makes sense. I am not sure why we would not have it when we have it with the other jurisdictions. I think there is a sense of moving cautiously before we get to that point in time. That is the only thing I would say about that.

**MR CAIN:** But if it was there, there would be no problem with you utilising it if the conciliations were unsuccessful.

**Ms Toohey:** To clarify: some of our jurisdictions, like discrimination, have an ACAT pathway. Some, like health services, do not. Privacy complaints have a pathway to the Magistrates Court. I think there are a number of things that we need to consider. As I understand it, Minister Cheyne committed to re-looking at that pathway if she is in a position to after the election, so, obviously, we would be active in that space.

**MR CAIN:** From a resourcing point of view, it would not really make any difference to you, except for the policy interest, to see that ACAT pathway opened up for human rights complaints.

**Ms Toohey:** No.

**Dr Mathew:** I do not think so.

**MR CAIN:** Perhaps there is a case for trying to use a consistent pathway mechanism for matters that you deal with otherwise, as you have mentioned.

**Ms Toohey:** Yes. If you think about the breadth of matters that we deal with, there are historic reasons, for example, why health services complaints do not have a pathway to the tribunal, because there is the personal injury pathway for the higher-end health service complaints. There is an ACAT pathway for a health service complaint about an individual health practitioner. Our complaints services for children and young people, for example, do not have an ACAT pathway at this point. It is something that we continue to reflect on, particularly now that we have the privacy jurisdiction, which has a different pathway. We will continue to look at that.

**MR CAIN:** Given that, at the moment, if the conciliation is unsuccessful, the complainant really has to consider going to the Supreme Court, have you had, even in the short period of time, a sense that they would have taken up the ACAT pathway because it is less expensive, and that perhaps they were discouraged from furthering their complaint because it was an expensive Supreme Court route?

**Ms Toohey:** In the human rights complaints that we have at the moment it is too soon to make any sort of assessment of that. Again, we have only had the jurisdiction for six weeks. I think there is also that consideration that, where we cannot resolve a complaint through conciliation, we can also make recommendations. And we do that in our other jurisdictions. That becomes another way of engaging with the directorate about what sorts of systemic outcomes might be achieved through some of those complaints.

**Dr Mathew:** I really do defer to Commissioner Toohey's expertise on this, but in

principle it is quite expensive to go to the Supreme Court, so doing all we can to make sure that we have satisfactory resolutions of complaints is in everyone's best interests, I think.

**MR CAIN:** The risk being that someone might settle in a less satisfactory manner than if they had a less expensive second stage to go to. That is a comment, I guess.

**MISS NUTTALL:** In the *It Really Stabs Me* report into children and young people's experiences of racism we heard some pretty shocking experiences. While the report has been clear that it is not designed to be statistically representative, it is still concerning when, for example, 54 per cent of respondents from a culturally and linguistically diverse background have experienced racism. Do you have any information, whether that is statistics or anecdotal evidence, about how many young people are making complaints to the Human Rights Commission about racism? Is there a clear and accessible pathway there?

**Ms Toohey:** I would certainly say there is a clear and accessible pathway. Obviously, for children and young people it can be more overwhelming to think about bringing a formal complaint to us. Bear in mind that there are a number of pathways. There is us. There is the federal Human Rights Commission. There are a range of options that children and young people have.

We have had a number of matters, since the report, from children and young people about their experiences of racism. Most of those have settled quite successfully. Shortly we will be putting an animation up on our website to talk to children and young people about that process. I think the issue that we all understand is that racism, unfortunately, is pervasive.

Under our race discrimination jurisdiction, we certainly get a proportionate number of race discrimination complaints. Obviously, not all of those are from children and young people. We certainly get complaints from parents, on behalf of their children, about experiences of racism in education settings, in sport—vilification in public spaces. It is an area that we do continue to work on in a collaborative manner.

**Ms Griffiths-Cook:** In addition to more formal complaints that are made, sometimes approaches will be made to my office, and my staff and I might assist in finding supportive mechanisms that can assist children and young people themselves in responding to that locally, which is often what they are seeking. Some do not wish to formalise a complaint but are actually just looking for some on-the-ground solutions. We have and do work closely with education and other settings as well when those things are brought to us.

**MISS NUTTALL:** Thank you. Do you think that the ACT government has done enough in general to address the findings of the recently released report?

**Ms Griffiths-Cook:** I wrote recently to all of the directorates in government and asked for a bit of an update on what had been progressed since the writing of that report. One of the things in particular that I also requested at the time of writing was for nominations to be made to form a group that we could help facilitate to look at more and different ways of continuing to implement those findings. Pleasingly, we

have had the names of a number of different government representatives come through. I think we have a meeting early in August—I am trying to think of what my calendar looks like—to bring that group together to start looking at what has been done and some of the ideas that they have got, moving forward.

**MISS NUTTALL:** That is really encouraging. Do you think we are—if this is within your remit—doing enough within our schools?

**Ms Griffiths-Cook:** I would reflect on that in two ways. There is always more that can be done. If we look across the board, you can never sit with a position and say that that is the end point. We always have to be looking forward and thinking, “What else can we do in other new and different ways?”

One of the things for me that came through that process of consultation was that we need to be listening very clearly to what we are hearing from children and young people, and looking at what else we can do, through that child-centric lens, to better respond to what children and young people are bringing forward to us. One of the things we heard in particular was around children and young people saying, “I’ve told someone that this happened but I don’t know what happened after that.” Finding ways, without breaching privacy, of being able to take young people on the journey of what those processes look like and what actions are being taken would go a long way to assisting them to feel confident about being taken seriously.

**MISS NUTTALL:** Are there specific actions that we should be taking to ensure that anti-racism is an active part of our education system, and in sports and public spaces?

**Ms Griffiths-Cook:** One of the things that we heard from young people was around how we take some of those really successful campaigns that are already out there, like the “Racism. It Stops With Me” campaign, and work with young people themselves to generate local-level ways of making that relevant and understood by children and young people.

One of the things that we are proposing, and that we are hoping may be able to be worked forward with the government representatives on the group that I spoke about earlier, is local-level commitment statements that could be made within schools, generating pledges that could be developed by young people and for young people, and therefore supported and engaged with by young people within schools, sporting clubs—whatever that might look like. Those kinds of ideas are what we are hearing from young people. I think that is stuff that we need to work with and honour.

**MR BRADDOCK:** I have a question about the positive duty to make reasonable adjustments, which has been in place since April, I believe. I am interested in whether people have started reaching out to the HRC and have raised any concerns about their rights to reasonable adjustments not having been met. Has that happened, noting that it has been about a quarter since that has happened?

**Ms Toohey:** Yes. It is an ongoing theme in the complaint work that we get. We have also been contacted, certainly by a number of government agencies and a number of private sector agencies, about supporting them in terms of the implementation of the positive duty. The duty really is a clearer articulation of the obligation to provide

reasonable adjustments unless there is no justifiable hardship. It is a much clearer articulation of the obligations that were already there, except it now applies across all the attributes under the Discrimination Act. It is already coming through in a number of complaints that we have, or it is being identified as part of a response that we are getting back from the respondent in a complaint.

**MR BRADDOCK:** Do we have any statistics about how that change in April might have changed the number of complaints and the style of complaints that your office is receiving?

**Ms Toohey:** I do not have data on that at this point because I am only just preparing the annual report.

**MR BRADDOCK:** Anecdotally, is there any indication of any shifts or changes there?

**Ms Toohey:** One of the issues is that reasonable adjustments, particularly across areas like disability, carer status, and sex in some cases, has been an ongoing issue. In those matters it is now more clearly identified as an aspect, particularly because it can be brought on the back of an existing complaint. Some of those matters have always been a theme across all of our complaints. Particularly in disability, it is an ongoing issue around inclusion. I will offer to take it on notice.

**MR BRADDOCK:** Fair enough. Next year we will also look at the phased implementation of that duty across ACT government entities. From what you are seeing, does the ACT government have the right measures in place to be able to meet their obligations?

**Ms Toohey:** There are areas where ACT government definitely has taken active steps, particularly since the introduction of the Disability Strategy and the Disability Justice Strategy. We certainly see in those spaces, because disability has been a big focus for government over the last couple of years, that there is a solid awareness of what the obligation looks like.

I think we all know that government can do better; there is no question about that. I think we all acknowledge that, particularly in settings like education and employment, they can be difficult areas for people to understand how far the duty goes. Our line has been: do not look for the unjustifiable hardship; look for the adjustments that you can provide.

I think the ACT government has been very responsive to the duty coming in. One of the areas that we are particularly focused on at the moment is around supported decision-making for people with disabilities and, in some cases, particularly older people. In settings like health, where it has not been a natural fit for discrimination law to be the lens around which their service delivery model is shaped, we are certainly getting a lot of receptiveness to having those conversations.

**MR BRADDOCK:** What is the HRC's position in terms of resources and systems processes to be able to support this change coming through?

**Ms Toohey:** We did get some additional resources in last year's budget in the complaint team—not explicitly around the duty, but that is a resource that we are using. The duty sits across government, but it also sits across all of my jurisdictions in one way or another. Even though the duty itself is under the Discrimination Act, clearly, it has a significant impact in health services, services for children and young people, disability services, and services for older people, all of which sit with me. We have had a number of vehicles by which we have been able to get that information out. We have been doing a lot of both community-based training and training and information sessions within ACT government to support the duty, to support the human rights complaint mechanism, and now to support the privacy jurisdiction.

**Ms Griffiths-Cook:** While a lot of that remit sits within Ms Toohey's functions, across the broader HRC, we are usefully able to apply it in any engagements that we are having. For instance, in some of my advocacy responsibilities, we can speak to that duty and call out for what else can be done to better support people where there are concerns—where they might already have been brought into particular systems, where the nature of the concerns that they hold, whether that is mental illness or disability, means that they are already disadvantaged. It is an opportunity for us also to educate about, and raise the profile of, that positive duty through those processes and mechanisms.

**MR CAIN:** Referring to table 24 on page 29 of budget statements D, there are \$205,000 allocated for investing in the Human Rights Commission, with a further \$209,000 for the next financial year, then \$185,000 and \$192,000 for 2027-28. Obviously, it is a very broad budget line. Could you please outline how this additional funding will be utilised?

**Dr Mathew:** It is basically for ICT, and I am sorry to report that I will again defer to Commissioner Toohey, the commissioner for everything, because it is really to do with the resolve system, isn't it?

**Ms Toohey:** Yes. We implemented a consolidated database for the whole of the Human Rights Commission in 2020. We got a couple of years funding for licence fees for the system. We did not get whole-of-life funding at that point in time. This year we have applied for that funding, and that is the funding that is referred to in that table, which is basically to assist us with licence fees, IT support and support from our colleagues in Shared Services.

**MR CAIN:** What will the resolve system allow you to do?

**Ms Toohey:** Prior to that, we had five or six different databases across the commission. You might recall, Mr Cain, that the commission was merged in 2016. With that process, we did not get any infrastructure funds at that point in time, so in 2018 we applied to get some money to implement a consolidated database, both from an efficiency perspective and to move away from, for example, paper files, which we were still pushing around for thousands of clients at that point in time.

In 2020, as I said, we went live on that system. It is a system that is used both at a federal and a state level by organisations that are quite similar to ours. We went through a select process to get that system. I have to say I think it has been of quite a

lot of benefit, both to us and to the community, for the commission to be working off a common system and a system that is very much focused on ensuring that their confidentiality within the commission is maintained.

**MR CAIN:** How have you been managing without this facility previously?

**Ms Toohey:** As Dr Mathew mentioned, the funding here is primarily for ongoing licence fees and ongoing support services. Until last year, as a result of the initial project budget, we did have that funding, so this was a request for that to be made ongoing rather than being drawn from the commission's internal budget.

**MR CAIN:** I have another budget statements D question, this time on page 32, table 25. We have an entry for, "improving equity in the justice system, continued support to victims of crime, \$7.6 million". There does not appear to be any further funding devoted to this measure. Can you explain that expenditure and why there is no forward figure?

**Ms Rowe:** I think it is part of the provisioning for financial assistance payments. I am just checking my notes. I may have to take that on notice, Mr Cain, rather than giving you a guess as to the answer, because I cannot answer the part of it as to why it is not forward provided. I can tell you that there is \$8,731,000 provided for in the budget figures, which is the provision of funds for financial assistance and for an increase in Victims Services Scheme provider payments. You will see part of that figure below, in the \$8,482,000. I will have to take that one on notice.

**MR CAIN:** Okay. Why is this one-off funding, and why are there no forward figures for this line?

**Ms Rowe:** Again, I will have to take that on notice. I think it is the way it has been recorded here. It may be a change to appropriation or a change to the way it has been provisioned. The other reason could be that we have a comeback in relation to the provisioning of the financial assistance funding, because the method of determining recognition payments is changing from 1 July next year, in that the inclusion of aggravated circumstances is no longer continued. There will be more certainty in our ability to report on projected payments. The government has provisioned us for this year and has given us a comeback opportunity, when the impact of that change on the actual financial assistance payments is clearer.

My suspicion is that that is why there is no forward estimate yet, because it is in reserve, depending on the outcome of that change. Again, I will have to take it on notice, in terms of confirming that that is the case.

**MR CAIN:** You have taken it on notice. Also, why is it that amount, \$7.6 million, and not some other amount? Could you please include that in the question taken on notice?

**Ms Rowe:** Yes.

**MR BRADDOCK:** Recent media reporting has alleged that ACT police have engaged in racial profiling in responding to an incident of alleged trespassing. I am

not seeking details of that particular case, but I am interested in the role of the HRC where there are allegations of racial profiling by ACT Policing, which are a commonwealth entity.

**Ms Toohey:** We do not have a role with respect to ACT police regarding alleged discrimination because they are a commonwealth entity, and any complaints or concerns about alleged racial profiling would need to be taken to the Australian Human Rights Commission.

**MR CAIN:** Considering the increasingly important role and growing profile of the commission within the community, what level of resourcing do you think you require to be able to perform your duties to the best, optimum level?

**Dr Mathew:** The more the better, Mr Cain. You have heard how we have had various initiatives funded, and we are always very grateful for that support. The point I would make as president is that what is often lacking is the back-of-house support in terms of administration and communications—financial advice and so on. Those are the elements that fall behind. In a way, we are victims of our own success. With increased jurisdictions and complaint mechanisms and increased obligations and duties—that is where we really would like to see some more support.

I think there is a lot more that the commission could be doing in terms of active outreach and engagement with the public, for example. Maybe going forward we could think about an education and outreach unit, as part of the commission, and we could put in for funding at the appropriate time. I do not know whether any of the commissioners want to add anything.

**MR CAIN:** And in any of their commissioner roles as well—resourcing, funding, anything that is lacking to such a degree that you do not feel you are quite able to fully perform your functions.

**Dr Mathew:** The point I would make there is that the demand increases, as you see, across the board. With victims of crime, for example, some of the funding has come through because there was an 86 per cent increase in one particular year in terms of people applying for financial assistance. Within my area, beyond the president's corporate support area, thinking about my little human rights unit, we have exactly two lawyers other than me and we do a lot of that scrutiny work of cabinet submissions and so on. I would like to think more about strategic interventions and strategic litigation. So we could always do with one or two more lawyers to help out with that.

**Ms Rowe:** The president has pointed out the increase in demand from victims of crime and, while we are very grateful for the government funding of projects, including our Family Violence Safety Action Program, our high-risk program, and funding that is coming through to do some reforms in the sexual violence area with the reinstatement of the wraparound program, what has not changed is the base funding for our core functions of client services and the financial assistance scheme. The staffing levels have not been increased. There has not been a funding increase for them and yet there have been year-on-year increases. Those are the teams that are starting to really sag under the weight.

Of course, the new funding for new programs has generated more work across victim support generally. I think the other thing to mention is we have a fabulous Aboriginal outreach team, but it is only two people, and the demand there is also increasing. I think the more outreach you do and the more trust you build in community, the more people feel culturally safe to come to the organisation. There is now a very high client load for just two people.

**MS ORR:** Dr Mathew, I just want to pick up on your comment on all those back-end functions. I cannot remember the exact words you used but I think it was something like, “These are the ones that, if you have to choose, probably get the least attention.” I am paraphrasing so correct me if you disagree. Can I just get a better understanding of what resources you do have for those things?

**Dr Mathew:** There are 10 people across the president’s corporate area. We have, for example, a 0.6 FTE in communications. We have basically one person to deal with all of our IT needs, and obviously the website is a key point, a front door, for the public, if you like. We have a couple of administrative people. We have basically one person in finance. We have sometimes added unfunded positions, but often we have had to close off that position because we do not have the ongoing funding. So, yes, it is a little bit light on. We did a benchmarking exercise last year and got a consultant to do it, and we are a little bit light on in terms of support for those areas.

**MS ORR:** Has there been a funding increase for those functions in this budget or previous?

**Ms Griffiths-Cook:** I can be corrected if I am wrong, but I do not believe that we have had any substantive growth in the funded positions within our corporate team since we came together as a commission in 2016, other than possibly the ICT position. That would be the only additional position, I think, that we have been funded for in that time.

**MS ORR:** So the growth that has come to the commission and through budgeting over the years has been for the programs like what Ms Rowe was just outlining.

**Ms Griffiths-Cook:** I think we have more than doubled in size than the commission’s FTE establishment in 2016 when we came together. Yet, as I said, in terms of the actual corporate functions behind that, maybe one FTE growth.

**Ms Toohey:** I would just add that I think it is fair to say that we have prioritised frontline services. In every decision-making process that we have about where budget goes, my priorities are in my complaint work, the advocacy work and the victims work. So that has also been part of a decision that we have had to make, which is to prioritise, putting resources onto frontline services so that the ACT community is not being inflicted with long lead times or a lack of service delivery because of the way the commission’s resourcing has been funded over the last few years.

**MR CAIN:** Dr Mathew, you have been in the role for approximately—

**Dr Mathew:** About nine months now.



**MR CAIN:** What are your future plans for shaping the Human Rights Commission?

**Dr Mathew:** I am pleased to say that we had a very successful internal conference, kind of a planning day, where we thought about what our objectives would be going forward. I have mentioned some of the priorities today. One would definitely be some more education and outreach. I agree entirely with what Commissioner Toohey said, in that we tend to focus on the frontline services. But it is difficult, then, to find the room to do the education and outreach and ensure that people in the community are well aware of both their rights and obligations. So I would like to do a lot more of that.

As I have also mentioned, I would like a more strategic focus on litigation to intervene where it would really be more useful in litigation. We are seeking to partner more with members of the Aboriginal and Torres Strait Islander community. We have begun well on that. We delivered a session on the UN Declaration on the Rights of Indigenous Peoples. I also went with a member of Victims of Crime to the First Nations Justice Commissioning Session to think about what our role is in terms of reducing levels of incarceration. We are going to have a very strong focus on young people. We think if we get in there early with young vulnerable people, we will have the broadest impact.

In terms of plans for the act itself, we are obviously very excited that we look as though we are about to get a right to a healthy environment, but I would like to see more socioeconomic rights included in the act. Our end-of-year forum, which will be focused on the fact that we have had the act for 20 years, will take a closer look at socioeconomic rights, probably focused on the right to housing initially, as that is quite a topical question for community members. So there are lots of plans and things have been going well so far, I hope.

**MR CAIN:** Thank you. I am also particularly interested in your experience, Ms Rowe, as Acting Victims of Crime Commissioner. Is there anything that has come to your attention that perhaps you had not realised was an area of need or could be looked at more closely?

**Ms Rowe:** As you know, my substantive role is as the senior director, and I think acting in this role has really brought home to me now, in interacting across the commission, just how much the pressures are on the static teams—the Financial Assistance Team and the Client Services Team. Every day, I am impressed with the work that is done by people at Victim Support. I am very conscious of the fact that the pressures of client demand accompanied with the content of the work have to be carefully managed in terms of a staff wellbeing approach. I would also note how busy we are with projects and plans, particularly in the sexual violence area, which I think we probably all agree is an area that needs some reform and some better support for victims, and just how busy we are in implementing some of the programs for which we have got funding.

**MR CAIN:** Thank you.

**Ms Rowe:** Mr Cain, I think I can address the question I took on notice, if that is all right, Chair. It was \$7 million for the Financial Assistance Scheme from the midcycle

review, which was topping up \$3 million that was provisioned in the “pay for business” case. It was a one-off because the 2024-25 “pay for business” case addressed the Financial Assistance Scheme funds. The reason that it is not addressing future years is that it is not provisioned for the reasons I said—that the government has asked that we come back rather than be provisioned so that there can be a more accurate estimate of future expenditure.

**MR CAIN:** Thank you.

**THE CHAIR:** Our time is at an end. I would like to thank our witnesses for your appearance today. If you have taken any questions on notice, please provide your answers to the committee secretary within three business days of receiving the uncorrected proof *Hansard*.

**Short suspension**

Gentleman, Mr Mick, Minister, for Business, Minister for Fire and Emergency Services, Minister for Industrial Relations and Workplace Safety, Minister for Multicultural Affairs and Minister for Police and Crime Prevention

Community Services Directorate

Rule, Ms Catherine, Director-General, Office of the Director-General

Akhter, Ms Sanzida, Executive Branch Manager, Women, Youth and Multicultural Affairs, Inclusion Division

Perkins, Ms Anita, Acting Executive Group Manager, Inclusion Division

**THE CHAIR:** We welcome back Mr Mick Gentleman MLA, in his capacity as Minister for Multicultural Affairs, and officials. We have many witnesses for this session. I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement. Witnesses must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. Please confirm that you understand the implications of the statement and you agree to comply with it.

**Ms Rule:** I have read and acknowledge the privilege statement.

**Mr Gentleman:** Yes, I have read and acknowledge the statement.

**Ms Akhter:** Yes, I have read the privilege statement and understand it.

**Ms Perkins:** I have read and acknowledge the privilege statement.

**THE CHAIR:** I will start off asking some questions about Events ACT staffing arrangements. I believe there has been some recent staff changes to the events officers who handle citizenship ceremonies and the National Multicultural Festival. Could you please outline what these internal movements of the teams are, including FTEs that have been dropped and any new classifications in the area?

**Ms Rule:** Chair, before I hand to the team to answer the question, I will just clarify your question. You mentioned Events ACT at the beginning. That is a separate entity. I think you are probably referring to the Office for Multicultural Affairs, which sits within CSD, which is separate from Events ACT.

**THE CHAIR:** Yes.

**Ms Rule:** Is your question about Events ACT or about the Office for Multicultural Affairs?

**THE CHAIR:** I am interested in the citizenship ceremonies and the National Multicultural Festival.

**Ms Rule:** Those are both delivered by the Office for Multicultural Affairs, so we do have the right officials. I will get Ms Akhter to give you an overview of those staffing numbers.

**Ms Akhter:** I can confirm that for the National Multicultural Festival there has been

no staffing changes—

**THE CHAIR:** No?

**Ms Akhter:** We have had two funded FTE ongoing through the budget and that remains. Through the 2022-23 budget, we have received further funding for 2.5 FTE. We do provide surge staff support in the lead up to the festival, which is usually supported through the operational budget of the festival.

In relation to the citizenship ceremony you are talking about, that particular responsibility sits within the multicultural ACT team. We did undertake an internal restructure of the team to ensure we remain fit-for-purpose and continue to support the government in delivering their commitment. I can confirm that, overall, we have seven FTE, which is not a reduction in the number of FTE in that particular team. However, there is a classification level change. We have introduced more leadership capacity within the team to ensure there is strategic support for the government business delivery.

**MR CAIN:** In terms of the citizenship ceremony staffing, are these permanent changes or contractual or non-ongoing arrangements?

**Ms Perkins:** I can speak to that, Mr Cain. They are permanent arrangements. The work of that team is not only for the citizenship ceremonies. They are also responsible for a broad range of functions in supporting the minister, in community engagement, in the Assembly and national forums, in supporting community groups through grants programs and community programs and events—like the annual Ramadan event or Diwali events—as well as in managing programs like the work experience support program and overseas qualifications. So it is a broad range of responsibilities, not just the citizenship ceremonies.

**MR CAIN:** I note there is an opening for a Senior Officer Grade C to fulfil the communication role for the National Multicultural Festival. Does that mean there was a cut in the administrative service officer positions to hire that one?

**Ms Perkins:** I think we just need to check what position that was. There are two teams. There is a National Multicultural Festival team and then there is the team that you were referring to that is responsible for the broader programs. There has been some attrition in some of the roles, so we just need to clarify if that was the National Multicultural Festival team or from the Multicultural ACT team.

**MR CAIN:** It would be the second.

**Ms Perkins:** From the Multicultural ACT team? There is one SOG C position we have as a directorate liaison officer at the moment. The nominal occupant is in their DLO role, so there is a position to backfill that officer. There is one new SOG C position as well in our engagement stream.

**MR CAIN:** Could I get a summary of all of the staffing movements within Events ACT and the Multicultural Office, including the Citizenship Ceremony team.

**Ms Rule:** Let us clarify: we are not Events ACT.

**MR CAIN:** Then the balance of what I am asking for. Can I get a summary picture of the staff movements over the last two financial years?

**Ms Rule:** I think we have given you an overall picture of the number of staff in those teams. I understand the question.

**MR CAIN:** The staffing that has been provided for that unit and changes in that staffing.

**Ms Rule:** Yes, I understand the question. Can I provide an answer, please? There are ongoing movements in staff. The overall staffing numbers have stayed the same, as Ms Akhter and Ms Perkins have said. We have seven FTE in the Multicultural ACT side. We have ongoing FTE in the National Multicultural Festival side, which changes in proximity to the festival. So those broad numbers have stayed the same. I think the level of occupancy and movements between those positions is just the normal course of business in terms of managing our staffing and our resources responsibly.

**MR CAIN:** Could I get an overview of changes in levels as well? Has there been a dropping of some ASO positions and an adoption of SOG positions?

**Ms Rule:** There is not necessarily a cause and effect. You are assuming we have taken ASO positions and turned them into senior officer positions. We move our staffing levels around depending on the operational needs of the business, our budget requirements and the occupancy of those positions. It is not necessarily a given that we have converted one level of staffing into another.

**MR CAIN:** I am interested in a picture of the movements that you have just alluded to within the Citizenship Ceremony section and, apart from Events ACT, any other sections the minister has had responsibility for over the last two financial years.

**Ms Rule:** As it relates to Multicultural Affairs?

**MR CAIN:** Yes.

**Ms Rule:** I mean, it can change on any given day. I am not quite sure how we provide that data. It is point-in-time data. I am not trying to resist answering your question, but they can change from day-to-day depending on occupancy of those positions and what the operational needs of the business may be. And so, it is—

**MR CAIN:** But the business unit has a certain number of staff that is allocated to it. I am not sure what you mean by it changes day-to-day.

**Ms Rule:** For example, we often move staff around: if we have staff member X go to a different job—perhaps they might work as a DLO for a period of time—we might work out who is available to supplement that work. Or we might have a period of time—for example, coming in and out of COVID—where we have greater requirements around citizenship ceremonies. There were a number banked up. We make decisions to move staff in and out. We can provide data on our staffing, but

providing it for 12 months is not really possible because, as I said, it changes day-to-day. We report in our annual report what staffing is in various parts of the business. I am happy to provide that data as it relates to the Multicultural Affairs portfolio, but I am just letting you know that it will be point-in-time data. You have asked for it for a complete time period, but that would require us to go back and look at occupancy of various positions every day over the course of a 12-month period.

**MS ORR:** Ms Rule, I just want to check if I follow this correctly. I think what you have said is that the FTE for the Office of Multicultural Affairs has stayed fairly consistent as a baseline, but there have been additional people moving in, in circumstances such as post-COVID and with the backlog of citizenship ceremonies and those sorts of things. Have I understood correctly? The staffing has fluctuated, but the baseline has stayed the same, and it is just based on operational requirements that there might have been additional people there at certain times.

**Ms Rule:** Yes, I think that that is a fair characterisation.

**MR CAIN:** I would like a picture of the staffing arrangements and any changes over the last two financial years under the minister's responsibility, broken down to subunits.

**Ms Rule:** I do not know what a subunit is, Mr Cain, I am sorry.

**MR CAIN:** Whatever classification of the different sections of the minister's responsibilities within that particular office.

**Mr Gentleman:** We will take that on notice, Mr Cain, and provide that for you.

**MS ORR:** Minister, can I get an update on how the government is supporting multicultural communities in terms of settlement assistance and supports, particularly for refugees and those seeking asylum in the ACT?

**Mr Gentleman:** It is an important part of the work that we do to support those people that come to the ACT to settle, particularly those people that are fleeing difficult circumstances. We have provided some funding, as we do each year, for those particular groups. Companion House, for example, is a good way of explaining how we can provide those supports in terms of housing for those people fleeing difficult situations. Also, on the ground we can provide funding for particular groups. I might ask Sanzida to give you the details of where we provide settlement support.

**Ms Akhter:** We have a range of responses to provide support to the refugees and migrants group, and also asylum seekers. Overall, we call that a humanitarian support program. We have two dedicated funding programs. One is to provide one-off funding support to families who are fleeing global conflict and trying to settle in the ACT to assist them with identifying longer-term accommodation opportunities. The other one is discretionary funding, where we provide support to ACT Services Access Card holders with essential living costs, including rent and the like, to allow them to participate in the economic and social life of this city.

Beyond these two dedicated funding programs, we also have a funded program with

the Multicultural Hub, where they provide in-person services to those coming into the ACT trying to settle and call the city home. They operate out of the Theo Notaras Centre, where they can provide services, and also connect our newcomers with the relevant services across the city—provide them counselling support. In addition to that, they also provide online information support services via their website. These are broadly some of the funded programs we have to make sure that refugees, migrants and asylum seekers are supported in settling into the city.

**MS ORR:** If you have it at hand, over the last financial year, how many people did you support through these services?

**Mr Gentleman:** In the 2021-22 financial year there were 144 Afghani refugees, 45 households, that were granted temporary humanitarian stay visas. They were supported. All of them are now permanent residents. In the last year, with the support of Red Cross, we made direct financial support to families with a one-off settlement assistance grant of \$5,000 per family. That was 50 families, including Ukrainian families, to settle and make Canberra their home. At the end of February 2023, 35 Afghani evacuee households are now in long-term accommodation with the support of the \$5,000 grant from the ACT. Red Cross is continuing to source long-term accommodation for the remaining households as well.

**MISS NUTTALL:** What funding is available for anti-racism programs? I understand this is required under the Welcoming City Standard 2.15.

**Mr Gentleman:** I think that happens within each directorate or agency. For example, with my other hat on, in policing, we provide training for police officers in anti-racism and support for different groups.

**Ms Akhter:** Minister, the government has invested \$485,000 to date to consult, develop and design the new Multiculturalism Act, which was notified in February 2023 and came into force in September 2023. This is our mechanism to enshrine the Charter for Multiculturalism, through that legislation, to ensure that anti-racism is handled appropriately. However, I do acknowledge, as the minister mentioned, anti-racism is a broader responsibility sitting with a number of areas within the government, including the ACT Human Rights Commission.

**MISS NUTTALL:** What would be the organisation that tends to have oversight of anti-racism programs and making those available to government and community? Where would that tend to sit, if you do not mind me asking?

**Ms Akhter:** I can provide some details on that. As I have mentioned, the Multiculturalism Act requires reporting by all ACT government entities, and the minister is required to provide a statement annually to share with the community what has been done in the last year or so to support multiculturalism and, via that, to ensure anti-racism is addressed appropriately. ACT government entities will start reporting from this financial year. The reporting component of the legislation has commenced from February this year, so the annual reporting from each directorate will include reporting from February to 30 June 2024.

**MISS NUTTALL:** Do we know what funding is available for anti-racism programs

specifically within schools, aside from Positive Behaviours for Learning, which is not necessarily a dedicated anti-racism program. Is this the right forum to ask that or is that better directed towards schools?

**Mr Gentleman:** It would be education.

**MR BRADDOCK:** Is it possible to capture what has been spent across the directorates in terms of anti-racism programs across the ACT government?

**Ms Rule:** I suspect it is not. I certainly know that within CSD we have funding for training and some of that funding goes towards diversity, but that is not necessarily just about racism. So I suspect that budget line items are not granular enough to be able to pull that out at a directorate by directorate level.

**MR BRADDOCK:** Okay.

**Mr Gentleman:** For Miss Nuttall, the report that Sanzida was talking about earlier on I provided to the Assembly in June this year.

**MISS NUTTALL:** Thank you very much.

**MR CAIN:** Minister, does the government have a separate appropriation model for the ACT Multicultural Office or is this part of the CSD's operating expenditure?

**Mr Gentleman:** Yes, it is in budget statements C of the CSD—G, my apologies; “G” for golf.

**Ms Rule:** Budget statements G.

**Mr Gentleman:** You will be able to see it on page 13, table 3, outcome class 1.

**MR CAIN:** Is the funding model something that is fit-for-purpose or do you have plans to review that?

**Mr Gentleman:** Every year we go to ERC and look for supporting funding for our portfolios. So it will change, I would imagine, each year. This year, of course, we have seen some change, particularly in the area of the Multicultural Festival. We see that growing each year. It has grown in this budget, and it will grow in size and effectiveness as well. Each year, of course, we have that battle with our ERC comrades and send in the costs.

**MR CAIN:** I notice in last year's budget you were allocated \$430,000 to continue to support our multicultural community. I make reference to page 25 of budget statements G—

**Ms Rule:** From last year?

**MR CAIN:** That was for 2023-24. According to budget statements G, page 25, \$300,000 was rolled over. So out of last year's allocation of \$430,000, we have \$300,000 of that rolled over. Why was it not fully used in 2023-24?



**Ms Rule:** I am just trying to find the references. I do not think any of us have last year's budget statements in front of us right now.

**Ms Perkins:** No, we might need to take that one on notice—

**MR CAIN:** It is on page 25 of the 2023-24 figure.

**Ms Rule:** Of last year's budget statements, yes. So we will have to go back and look at last year's budget statements—

**MR CAIN:** Yes.

**Ms Rule:** Are you looking at budget statements G of this budget?

**MR CAIN:** Yes.

**Ms Rule:** Okay. There is a \$300,000 rollover. We will have to take on notice what that is for. It is probably to do with the timing of expenditure.

**MR CAIN:** Okay. You will take that on notice?

**Ms Rule:** Yes.

**MR CAIN:** I notice there is no forward estimate. Given there is no forward estimate of that number, what was it for?

**Ms Rule:** Again, we will take on notice what that \$300,000 is for.

**MR CAIN:** Thank you. Minister, your government took a stated policy to the 2020 election to construct a new \$21 million, 10,000 square-metre venue for exclusive multicultural use at EPIC. This was a flagship commitment as part of the parliamentary and governing agreement as well—that a Labor-Greens government would deliver, and I quote, “A large new multicultural events venue at EPIC.”

As you are aware, there has been a complete backflip on this promise. Instead, you are allocating \$4.5 million for a general refurbishment of an existing facility. I note in the 2024-25 budget outlook, there is no mention of the word “multicultural” in describing these Fitzroy Pavilion upgrades. Minister, why are you trying to backtrack and revise how you publicise this upgrade?

**MS ORR:** Chair, I believe we covered this upgrade under the Chief Minister last week.

**MR CAIN:** Well, I am asking the Minister for Multicultural Affairs.

**Mr Gentleman:** I can provide some advice. Venues Canberra has consulted with various groups about the design and functionality of the Fitzroy Pavilion. They met with the members of the ACT Multicultural Advisory Council and the Multicultural Festival organisers on 26 July 2023 and 27 September 2023 to discuss the time line

and processes regarding the refurbishment of the Fitzroy Pavilion. They held an onsite session at the Fitzroy Pavilion on 16 October 2023, where prospective hirers were able to view the conceptual designs and discuss their event needs. Four sessions were held at different times and nine representatives attended. Through that consultation, feedback was received on the overall design concepts, availability and suitability, bathroom facilities and the community kitchen space, along with the furniture and fixture requirements for each user group. This input was used to finalise the design.

**MS ORR:** Chair, it sits with Venues Canberra. And we have had—

**MR CAIN:** The minister has volunteered, Ms Orr, to answer the question.

**THE CHAIR:** We did talk about this the other day, Mr Cain, under the Chief Minister. Do you have anything you wish to add, Mr Gentleman, or are you done?

**Mr Gentleman:** I think I have described what we have been doing there.

**MR CAIN:** But my question was: why has the word “multicultural” been removed in referencing this upgrade? It has clearly been a rather poor replacement of the original promise of a \$21 million, new 10,000 square-metre venue for multicultural use at EPIC.

**MS ORR:** Chair, the decision-maker on this is the Chief Minister, under Venues Canberra. I really feel Mr Cain would be better putting his questions on notice—

**THE CHAIR:** Yes.

**Mr Gentleman:** Yes, I think in my response I have described how we have involved the multicultural community and sought their input into the design. Work is going to be completed in September, I understand.

**MR CAIN:** September of this year?

**Mr Gentleman:** Yes.

**MR CAIN:** Will digital booking be available?

**Mr Gentleman:** Yes, through a booking process, yes.

**THE CHAIR:** That is also perhaps not under the multicultural portfolio, Mr Cain. Is there anything specifically relating to this in the multicultural portfolio you would like to ask.

**MR CAIN:** I think the minister has undertaken to answer some of those questions.

**MR BRADDOCK:** I am interested in further information about the Multicultural Festival cancellation of the *Gaza Press* by Tales of a Homeland. Have there been any further steps to liaise with the community or extend them an offer to bring their performance to the ACT as a result of what happened during the Multicultural Festival?

**Mr Gentleman:** If I can just clarify: there was no cancellation.

**MR BRADDOCK:** I will take that point, yes.

**Mr Gentleman:** There was a shift in stage size due to the extra number of people that they were bringing for the performance, so festival organisers made a very slight change to timing and a slight change to the stage size to allow the performance to occur. Unfortunately, the presenters did not want to accept that and did not attend.

**MR BRADDOCK:** I appreciate that point of view and I am not arguing with it. The question is this: have any further steps been taken as a result of what happened at the Multicultural Festival to improve the relationships with the community, who are undergoing quite a high degree of stress given what is going on in Palestine at the moment, and to ensure they are welcome to present at future festivals?

**Mr Gentleman:** Yes, there is ongoing consultation with festival presenters. We work with them all the way up to the Multicultural Festival itself and then during the festival as well. Then there are surveys afterwards to encourage their input on how we should design future festivals. There is nothing specific in regard to that particular application. We want to be more accepting of everybody's different points of view, so generally we engage with the multicultural community right across the spectrum.

**MR BRADDOCK:** Was there any apology from the ACT government to the artists in terms of what happened?

**Mr Gentleman:** I understand there were some good conversations, yes. I am pretty sure we apologised for the change at the time.

**MR BRADDOCK:** Okay. Has an invitation been extended to them to present at the next festival?

**Mr Gentleman:** All presenters have the opportunity to apply for a position in the festival. We do not specifically go out and ask. We generally go out and ask the multicultural community to come in and input. We ask if they want to present and perform at the festival, and we get a very good response.

**MR BRADDOCK:** Whilst I take onboard that you are saying there was a relocation and a shift of time and location, is there any appreciation that the ACT government's actions may have had an impact on the performers and the community in that they were of the view they were being censored?

**Mr Gentleman:** I understand your point of view, but the festival itself is quite flexible in that quite often stage shows run at different times than originally appointed, and that is because some presenters and performers take a little bit longer, or it takes a little bit longer for them to get there. So it is quite fluid at the time.

**MR BRADDOCK:** Is there any empathy or sympathy from the government in terms of the community feeling quite outraged and upset by that event?

**Mr Gentleman:** I think there always is, when we find people upset about changes that occur.

**MR CAIN:** Minister, as you are aware, there have been consultations with the Nepalese community, who have petitioned for some time for a concessional lease, or government community partnership, for the building of a Nepalese temple and cultural centre. As you are aware, the Nepalese community is one of our fastest growing cultural groups in the ACT. Have you worked with the community's representatives to explore this idea, and what is the government's view on this?

**Mr Gentleman:** Yes, I certainly did. I had quite a bit to do with them with my previous hat on as planning minister, and we understand their wants and needs for their culture here in the ACT. That now sits with Minister Steel, so he will be pursuing that, I would imagine.

**MR CAIN:** What about in your capacity as Minister for Multicultural Affairs? Have you had any meetings or interactions with the Nepalese community leaders?

**Mr Gentleman:** Yes, I have.

**MR CAIN:** Regarding their request for a concessional lease or community government partnership?

**Mr Gentleman:** Yes.

**MR CAIN:** What is the government's position?

**Mr Gentleman:** It will sit with Minister Steel. He will take that to cabinet as it occurs.

**MR CAIN:** Is that something that is actually happening now? Is there consideration being given to this request? How soon can we know of a decision?

**Mr Gentleman:** That will be a matter of discussion in cabinet.

**MR CAIN:** Is this a current discussion you are able to—

**Mr Gentleman:** I will not be discussing cabinet matters with this committee.

**MR CAIN:** I am not asking you to discuss the cabinet matter. I am asking you: is it a matter the cabinet is considering?

**Mr Gentleman:** I will not be discussing that. I think I have given you enough oversight to show you that we are engaged with that community and that we understand their wants and needs, but a decision would still need to be made. There still needs to be quite a bit of investigation of community facility opportunities for that group. As you know, community facility zoning in the ACT is limited, so there is a challenge each time a particular group wants a particular area. I can let you know this: I did discuss one particular area with them, with my previous planning hat on, and they were looking at that particular area at that time.

**MR CAIN:** Where was that?

**Mr Gentleman:** That was in one of the new suburbs in Molonglo.

**MR CAIN:** Have any other multicultural community groups come to you with a similar request?

**Mr Gentleman:** Most of them.

**MR CAIN:** Most of them. Does the government have a position on such requests from our multicultural community?

**Mr Gentleman:** Well, a position, yes. We listen to them. We provide them with advice and, as I did, show them where we could possibly do such a site.

**MR CAIN:** But not to give them an indication of whether that site would be granted to them or on what terms?

**Mr Gentleman:** No, because there are many, many groups who want similar sites, so there is quite a bit of competition amongst the community groups. Our position is to try and provide as much advice to them about how they could go about securing such a site, as we do for the other groups.

**MS ORR:** I acknowledge that this is probably a little bit more in your former portfolio rather than your current one, but if you are willing to indulge me with your great knowledge on the matter. Is it as simple as someone coming to government and saying, “We would like to have a site for something,” or is there actually a process in place? Is that something that in your current capacity you are helping these groups with?

**Mr Gentleman:** Yes, correct. Wherever we can, we assist them in the provision of the information that would be needed to secure such a site: financial viability, of course; numbers of people that would be attending; times, and that sort of thing; geo-location as well. We provide that through my office to give them as many tools as they can possibly use to secure such a site. They then would make an application, and the government would make a decision.

**MS ORR:** Because the Multicultural Festival is always very popular, can get a rundown on what you are looking at and how planning is going for next year’s event?

**Mr Gentleman:** I will start off by saying bigger and better than ever! I will let staff—because they are the champions of this festival—tell you how they are working on it.

**Ms Akhter:** For the 2025 festival, we are obviously building on the success of the 2024 festival, where we saw the largest crowds and also the largest economic benefit to the territory. We have extended the city precinct to allow for an extended festival, and we have included the Glebe Park parts of it. We are hoping that will continue. We had eight stages this year with 33 pop-up performance locations across seven precincts.

We will be looking at similar numbers. Obviously, the planning is underway, and we will be able to talk about the planning as we get closer to the festival. Some of the key elements were, for example the workshops within Glebe Park and in CMAG; the family activities in Civic Library and CMAG; and the number of performance groups—we had over 300 this year. We had 22 cultural showcases and 15 hands-on workshops. So hopefully we will be looking at similar numbers. Of course, as I said, we have to see how we go.

As we speak, we have the general performers' applications open for consideration. This year we have seen a 74 per cent increase in the number of applications compared to 2023. So that tells us we must be doing things right—being able to reach out to the broader community, including the emerging cultures. We are hoping we will continue on that path. We will be including additional funding in the 2025 grant round, which will be almost doubling the historical \$90,000. With that, we hope we will be able to continue to reach the emerging communities in addition to the communities we have. We had representation of 170 cultures this year. We are hoping we will be close to that, or more, depending on the applications outcome.

**MS ORR:** Just out of interest, when you say the “emerging communities”, what are some of the groups that you would classify as emerging communities in the ACT?

**Ms Akhter:** Some of the emerging communities we see are the Afghans, and of course the Nepalese is, although established, a rapidly increasing community in the ACT. I can give you a list, but those are the communities.

**MS ORR:** I was just curious, so you do not need to take anything on notice.

**Ms Rule:** Chair, if I may. I have an answer to one of the questions Mr Cain, I think, asked earlier about the rollover of funds. I have the data available if you would like me to provide that now.

**THE CHAIR:** Sure. Please.

**Ms Rule:** It is a rollover of \$300,000: \$225,000 of that is from the family settlement assistance grants, and \$75,000 is RASH grants, which are to be committed this financial year. Essentially, it is a timing thing in that we did not get the grants finalised with the grant recipients prior to the end of the financial year, so we are going through that process this financial year, and that money will be fully expended this financial year.

**MR BRADDOCK:** I am interested in armed conflicts that occur internationally and have great repercussions for multicultural communities who are resident here in the ACT. We are talking about places like Gaza, Sudan, Bangladesh and the Ukraine, just to name a few. What does the Office of Multicultural Affairs do to ensure the ACT government is providing culturally sensitive and tailored services to those parts of the community which are suffering?

**Ms Rule:** I am happy to make some opening comments, Minister, if you would like. I think there are a number of ways in which we work with the multicultural community to make sure that resources, messages and support are getting out to

various cultural groups.

During COVID we learnt a lot about working with multicultural community leaders to make sure we were able to access those multicultural community members who might have needed support during COVID that were not responding to the kinds of normal government ways of communicating. We have been very successful in establishing those relationships with community leaders. We use those relationships for our purposes—for the Multicultural Festival, grants and other things—but other parts of the government also come to us in relation to those relationships and how they could use them. We have had a couple of instances where ACT Policing have been interested in particular issues and working with multicultural communities on particular issues, so we have been able to provide those connections.

I think it is a key part of what the Office for Multicultural Affairs does: to build those relationships with local communities to be able to work with them and to provide the funding to those community groups that are out there doing work with their constituents. That is a broad response, but I think it is actually all built on the back of the good relationships we have with the various leaders in various cultural community groups.

**MR BRADDOCK:** Are they taking a trauma-informed approach to some groups which may be struggling with PTSD and other aspects of dealing with these international conflicts?

**Ms Rule:** Do you mean in relation to ACT government services?

**MR BRADDOCK:** Yes.

**Ms Rule:** I can only answer from a Community Services Directorate point of view, but the nature of our business is underpinned by trauma-informed work, whether that is in homelessness, housing, family and domestic violence, child protection, disability—the whole range of services that are provided by the Community Services Directorate. We are very conscious of the fact that many of the communities, the families and the individuals that we deal with require a trauma-informed basis. I would say for the Community Services Directorate, that is at the heart of everything that we do.

**Mr Gentleman:** Can I add to that? Governments are responding nationally to these particular groups. We had our Multicultural Ministerial Council meeting just the other week in Adelaide. We had representatives of Israeli groups and Muslim groups speak to us at different sessions during the day. They were able to speak to multicultural ministers from every jurisdiction and the commonwealth and provide us with their views, their requests and their ideas as well. So it is broader than just the ACT; nationally we are looking to see how we can assist these particular groups in the situation that they are in at the moment as well.

**Ms Akhter:** Minister, can I add a little bit more to that?

**Mr Gentleman:** Yes, of course.

**Ms Akhter:** We have a broad range of services available, as Ms Rule and the minister have outlined. We have the Australian Red Cross, which plays a critical role to help Australians trace family members caught up in conflict and disaster. This service is free of charge. We have MARSS and the Multicultural Hub providing ongoing counselling services. I want to clarify that it is not just within CSD, but also our funded service providers are very well versed in trauma-informed approaches. They are required by our funding agreement that they will provide support to our clients which is always informed by trauma and appropriate approaches.

**MR BRADDOCK:** What you are talking about are the services which are really aimed at those recent settlement services. I am also talking about the communities who have been here for a longer period and are no longer part of a settlement pipeline or are not refugees, but they are still traumatised by what they see happening internationally. Has the ACT government given any consideration to services for those groups?

**Ms Akhter:** The program that we have with the Multicultural Hub and the service they provide is not just targeted to people settling into the ACT as newcomers but also to the medium and longer-term settlement requirements, including the longer-term migrant communities that are living in the ACT.

**MR BRADDOCK:** Minister, going back to your mention of user requests that were made at the national level, are you able to expand on what those views or requests were? What are they seeking from the ACT?

**Mr Gentleman:** No, it was Chatham House rules so that they could be open about what their needs were. There is a communique that came out at the end of the meeting which will give you some description of what we talked about.

**MR CAIN:** Minister, have you received representation from the community group Azadi-e Zan concerning skilled migrant pathways for refugees and migrants?

**Ms Akhter:** It is for the skills minister.

**Mr Gentleman:** Yes, it goes to the skills minister.

**MR CAIN:** Have you had any involvement at all with their lobbying for an immigration pathway for skilled workers particularly from Afghanistan, Iran, Pakistan?

**Mr Gentleman:** I cannot recall.

**MR CAIN:** Okay.

**Ms Akhter:** We provide input through national processes. I think that is what our role is about, in terms of policy input when the national strategies are formed. I think that is all I can share.

**MR CAIN:** I think, on that point. the commonwealth had a discussion with Talent Beyond Boundaries. Is that a group you are familiar with?



**Ms Rule:** No, because there are questions for the skills portfolio. It is not our responsibility, Mr Cain.

**THE CHAIR:** You could perhaps put them in on notice because we have already had the skills ones.

**MR CAIN:** Okay. Thank you.

**MR BRADDOCK:** Going back to the services you were describing for those communities who are medium to long-term residents but still need services. Is that sufficient to meet the demand? Has any assessment been made of the community level of demand for that level of services and whether it needs to be expanded to meet that?

**Ms Rule:** We are in constant discussion with community sector providers about supply and demand. There is not excess supply of most areas of the community sector, but we work with them to best meet the needs that we can within the available funding.

**MR BRADDOCK:** But is there excess demand?

**Ms Rule:** As I said, we are in constant conversations with the community sector, with different levels of demand for different groups at different times.

**THE CHAIR:** We are out of time. On behalf of the committee, I would like to thank our witnesses for your attendance this afternoon. If you have taken any questions on notice, please provide your answers to the committee secretary within three business days of receiving the uncorrected proof *Hansard*. On behalf of the committee, I would like to thank all of our witnesses who assisted the committee today through their experience and knowledge. We also thank broadcasting and Hansard for their support. If a member wishes to ask questions on notice, please upload them to the parliamentary portal as soon as practicable and no later than three business days after the hearing. The meeting is now adjourned until tomorrow morning.

**The committee adjourned at 5.00 pm**